

The City Record

Official Publication of the Council of the City of Cleveland



December the Fifth, Two Thousand and Twelve

Frank G. Jackson
Mayor

Martin J. Sweeney
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward Name

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

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

Ward	Name Residence	
1	Terrell H. Pruitt16920 Throckley Avenue	44128
2	Zachary Reed3734 East 149th Street	44120
3	Joe CimpermanP.O. Box 91688	44101
4	Kenneth L. Johnson2948 Hampton Road	44120
5	Phyllis E. Cleveland2369 East 36th Street	44105
6	Mamie J. Mitchell12701 Shaker Boulevard, #712	44120
7	TJ Dow7715 Decker Avenue	44103
8	Jeffrey D. Johnson9024 Parkgate Avenue	44108
9	Kevin Conwell10647 Ashbury Avenue	44106
10	Eugene R. Miller13615 Kelso Avenue	44110
11	Michael D. Polensek17855 Brian Avenue	44119
12	Anthony Brancatelli6924 Ottawa Road	44105
13	Kevin J. Kelley5904 Parkridge Avenue	44144
14	Brian J. Cummins3104 Mapledale Avenue	44109
15	Matthew Zone1228 West 69th Street	44102
16	Jay Westbrook1278 West 103rd Street	44102
17	Dona Brady1272 West Boulevard	44102
18	Martin J. Sweeney3632 West 133rd Street	44111
19	Martin J. Keane15907 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
Jenita McGowan, Executive Assistant to the Mayor, Chief of Sustainability
Natoya J. Walker Minor, Chief of Public Affairs – Interim Director of Equal Opportunity.

OFFICE OF CAPITAL PROJECTS – Jomarie Wasik, Director

DIVISIONS:

Architecture and Site Development – Robert Vilkas, Chief Architect, Manager
Engineering and Construction – _____, Manager
Real Estate – _____, Commissioner

DEPT. OF LAW – Barbara A. Langhenry, Director, _____, 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 – Lonya Moss Walker, 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 – Alex Margevicius, Interim Commissioner
Water Pollution Control – Rachid Zoghaib, Commissioner

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

DIVISIONS:

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

DEPT. OF PUBLIC WORKS – Michael Cox, Director

OFFICES:

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

DIVISIONS:

Motor Vehicle Maintenance – Daniel A. Novak, Commissioner
Park Maintenance and Properties – Richard L. Silva, Commissioner
Parking Facilities – Leigh Stevens, Commissioner
Property Management – Tom Nagle, Commissioner
Recreation – Kim Johnson, Commissioner
Streets – _____, Commissioner
Traffic Engineering – Robert Mavec, Commissioner
Waste Collection and Disposal – Ron Owens, Commissioner

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

DIVISIONS:

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

DEPT. OF PUBLIC SAFETY – 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 – Jesus Rodriguez, Commissioner
Fair Housing and Consumer Affairs Office – _____, Manager
Neighborhood Development – Chris Garland, Commissioner
Neighborhood Services – Louise V. Jackson, Commissioner

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

DIVISIONS:

Code Enforcement – Thomas E. Vanover, Commissioner
Construction Permitting – Timothy R. Wolosz, Commissioner

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

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

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

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

G. Jackson, Chairman Ex-Officio; Rev. Dr. Charles P. Lucas, Jr., Vice-Chairman, Council Member Brian Cummins, Council Member Eugene R. Miller, Jeff Marks, (Board Lawyer), Roosevelt E. Coats, Jenice Contreras, Kathryn Hall, Yasir Hamdallah, Evangeline Hardaway, John O. Horton, Annie Key, Stephanie Morrison-Hrbek, Roland Muhammad, Gia Hoa Ryan, Ted C. Wammes, Peter Whitt.

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

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

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: Mary Haas McGraw, 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 Barbara A. Langhenry, President; Finance Director Sharon Dumas, Secretary; Council President Martin J. Sweeney.

BOARD OF SIDEWALK APPEALS – Service Director Jomarie Wasik, Law Director Barbara A. Langhenry; Council Member Eugene R. Miller.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Barbara A. Langhenry; 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 Barbara A. Langhenry; 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. Itu, Chairman; Debra Janik, Bracy Lewis, Diane Downing, Donna Sciarappa, Council President Martin J. Sweeney; Law Director Barbara A. Langhenry.

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

Judge Courtroom

Presiding and Administrative Judge Ronald B. Adrine – Courtroom 15A
Judge Pinkey S. Carr – Courtroom 12A
Judge Marilyn B. Cassidy – Courtroom 12B
Judge Michelle Denise Earley – Courtroom 12C
Judge Emanuella Groves – Courtroom 14B
Judge Anita Laster Mays – Courtroom 14C
Judge Lauren C. Moore – Courtroom 14A
Judge Charles L. Patton, Jr. – Courtroom 13D
Judge Raymond L. Pianka (Housing Court Judge) – Courtroom 13B
Judge 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

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Vol. 99

WEDNESDAY, DECEMBER 5, 2012

No. 5165

CITY COUNCIL

MONDAY, DECEMBER 3, 2012

The City Record
Published weekly by the City Clerk,
Clerk of Council under authority
of the Charter of the
City of Cleveland
The City Record is available
online at
www.clevelandcitycouncil.org
Address all communications to
PATRICIA J. BRITT
City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2010-2013

MONDAY — Alternating

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

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

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:** Kelley, Chair; Sweeney, Vice Chair; Brady, Brancatelli, Cleveland, Keane, Miller, Mitchell, Pruitt, Westbrook, Zone.

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:** Zone, Chair; Pruitt, 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:** Pruitt, Chair; Brady, Vice Chair; Conwell, Cummins, Dow, Kelley, Miller, Polensek, 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.

Sustainability Sub-Committee: Zone, Chair; Westbrook, Vice Chair; Cummins.

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, December 3, 2012

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

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

Also present were: Mayor Frank G. Jackson, Ken Silliman, Chief of Staff, Darnell Brown, Chief Operating Officer, Valarie J. McCall, Chief of Government Affairs, Chris Warren, Chief of Regional Development, Andrea V. Taylor, Press Secretary, Jenita McGowan, Chief of Sustainability, Natoya J. Walker Minor, Chief of Public Affairs, and Directors Langhenry, Dumas, Withers, Smith, Wasik, Butler, Cox, Rush, Rybka, Southerington, Nichols, Griffin, Brown, Fumich and Ambroz.

Pursuant to Ordinance No. 2926-76 prayer was offered by Minister Kyle Earley of Mount Sinai Baptist Church located at 7510 Woodland Avenue in Ward 5. Pledge of Allegiance.

MOTION

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

FROM OHIO DIVISION OF LIQUOR CONTROL

File No. 1742-12.

Re: 3380146 — C1 — New Application — Jermel Griffin, d.b.a. The Black Food and Beverages, LLC, 4213 East 131st Street, Ward 1. Received.

File No. 1743-12.

Re: 83864740005 — D5, D6 — Transfer of Ownership and Location Application — Soul Concepts, Inc., d.b.a. Stone Town, 668 Euclid Avenue Ward 3. Received.

File No. 1744-12.

Re: 00063490005 — D1, D2, D3, D3A, D6 — Transfer of Ownership and Location Application — AP Lounge, LLC, 2061 East 4th Street, Ward 3. Received.

File No. 1745-12.

Re: 28616890001 — D1, D2 — Transfer of Ownership and Location Application — Margaret W. Foxworth, d.b.a. Johnnie South of the Border, 6816 Superior Avenue, Ward 7. Received.

File No. 1746-12.

Re: 5316613 — C1, C2 — Transfer of Ownership Application — Love Wise, LLC, d.b.a. Midway Market, 2136 West 98th Street, Ward 16. Received.

PUBLIC NOTICES

File No. 1754-12.

From Division of Police — seeking experience and motivated Police Officers. Received.

File No. 1755-12.

From Director of Public Safety — Request for Proposals from qualified consultants to provide professional services to City of Cleveland Divisions of Police and Fire for a Record Management System Consultant. Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 1747-12—Evelyn A. Sternad

CONGRATULATIONS RESOLUTIONS

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

Res. No. 1748-12—Albert B. Ratner

Res. No. 1749-12—Patricia A. Neal

Res. No. 175012—Oliver C. Henkel, Jr.

Res. No. 1751-12—Cleveland Fire Department — 150th Anniversary
Res. No. 1752-12—Elizabeth C. Hinkle

RECOGNITION RESOLUTION

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

Res. No. 1753-12—Nikki Scarpitti

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 1716-12.

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

An emergency ordinance to amend the title and Section 1 of Ordinance No. 1612-10, passed February 7, 2011, as amended by Ordinance No. 1097-11, passed September 19, 2011, relating to the removal and replacement of the Commercial Road Bridge to change the project name to the Canal Road Bridge.

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. 1612-10, passed February 7, 2011, as amended by Ordinance No. 1097-11, passed September 19, 2011, are amended to read as follows:

An Emergency Ordinance authorizing the Director of Capital Projects to apply to the Northeast Ohio Areawide Coordinating Agency for federal highway funding to remove and replace the Canal Road Bridge; authorizing the director to apply for and accept grants and gifts from any public or private entity for the improvement; authorizing the director to enter into one or more agreements with the Ohio Department of Transportation, including a Local Project Agreement, and one or more agreements with railroads, the Greater Cleveland Regional Transit Authority, private utility companies, and the NEORSD to make the improvement, granting consent to the State of Ohio to make the improvement; authorizing the Director to employ one or more professional consultants to design the improvement; and authorizing the Commissioner of Purchases and Supplies to acquire for right-of-way purposes such real property as is necessary to make the improvement.

Section 1. That the Director of Capital Projects is authorized to apply to NOACA to pursue federal highway funding, on behalf of the City of Cleveland, for the removal and replacement of the Canal Road Bridge, PID 89064, over CSX Railroad and under the Norfolk and Southern Railroad (the "Improvement").

Section 2. That the existing title and Section 1 of Ordinance No. 1612-10, passed February 7, 2011, as amended by Ordinance No. 1097-11, passed September 19, 2011, are repealed.

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

Referred to Directors of Capital Projects, Finance, and Law; Committees on Public Service, Finance.

Ord. No. 1717-12.

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

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Office of Criminal Justice Services for the FY 12 State Byrne Memorial Justice Assistance Grant (JAG) for the Northern Ohio Violent Crime Consortium (NOVCC) Program; and authorizing the Director to enter into one or more contracts with Kent State University and various municipalities to implement the grant.

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

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

Section 1. That the Director of Public Safety is authorized to apply for and accept a grant in the approximate amount of \$129,586.74, and any other funds that may become available during the grant term from the Ohio Office of Criminal Justice Services to conduct the Northern Ohio Violent Crime Consortium (NOVCC) Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

Section 2. That the summary for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 1717-12-A, is made a part of this ordinance as if fully rewritten, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$43,195.58 from Fund Nos. 10 SF 025, 10 SF 027, and 10 SF 049, are approved in all respects, and shall not be changed without additional legislative authority. (RQS 6001, RL 2012-192)

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

Section 4. That the Director of Public Safety is authorized to enter into one or more contracts with Kent State University and various municipalities to implement the grant as described in the file.

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

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

Section 7. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately

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

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

Ord. No. 1718-12.

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

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Office of Criminal Justice Services for the FY 12 State Byrne Memorial Justice Assistance Grant for the operation of the Northern Ohio Law Enforcement Task Force (NOLETF); authorizing the purchase by one or more requirement contracts of materials, equipment, supplies and services; and authorizing the Director to enter into one or more contracts with various agencies, entities, or individuals to implement the grant.

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

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

Section 1. That the Director of Public Safety is authorized to apply for and accept a grant in the approximate amount of \$165,000.00, and any other funds that may become available during the grant term from the Ohio Office of Criminal Justice Services to conduct the FY 12 State Byrne Memorial Justice Assistance Grant for the Northern Ohio Law Enforcement Task Force (NOLETF) Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

Section 2. That the summary for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 1718-12-A, is made a part of this ordinance as if fully rewritten, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$55,000.00 from Fund Nos. 10 SF 025, 10 SF 027, and 10 SF 049, are approved in all respects, and shall not be changed without additional legislative authority. (RQS 6001, RL 2012-191)

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

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

Section 5. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately

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

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

Ord. No. 1719-12.
By Council Members Conwell and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Department of Justice Violence Against Women Act through the County Criminal Justice Services Agency for the 2012 Cleveland Domestic Violence Program; and authorizing the Director to enter into one or more contracts with Cuyahoga County to implement the grant.

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

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

Section 1. That the Director of Public Safety is authorized to apply for and accept a grant in the amount of \$115,397.29 and any other funds that may become available during the grant term from the Department of Justice Violence Against Women Act through the County Criminal Justice Services Agency to conduct the 2012 Cleveland Domestic Violence Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the subgrant application for the grant contained in the file described below.

Section 2. That the subgrant application for the grant, File No. 1719-12-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$38,465.76 from Fund Nos. 10 SF 025, 10 SF 027, and 10 SF 049, is approved in all respects and shall not be changed without additional legislative authority. (RQS 6001, RL 2012-189)

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

Section 4. That the Director of Public Safety is authorized to enter into one or more agreements with the County of Cuyahoga to implement the grant as described in the file.

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

Section 6. That this ordinance is declared to be an emergency measure and, provided it receives the affirma-

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

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

Ord. No. 1720-12.
By Council Members Conwell and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the U.S. Department of Justice, Bureau of Justice Assistance for the FY 2012 Bulletproof Vest Program; and authorizing the purchase by one or more requirement contracts of bulletproof vests, for the Division of Police, Department of Public Safety.

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

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

Section 1. That the Director of Public Safety is authorized to apply for and accept a grant in the amount of \$51,920.90, and any other funds that become available during the grant term from the U.S. Department of Justice, Bureau of Justice Assistance ("USDOJ") to conduct the FY 2012 Bulletproof Vest Program ("BVP"); 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 BVP Application for Funding from the USDOJ for the grant contained in the file described below.

Section 2. That the BVP Application for Funding from the USDOJ for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 1720-12-A, is made a part of this ordinance as if fully rewritten, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$51,920.90 from Fund Nos. 10 SF 025, 10 SF 027, 10 SF 049, is approved in all respects, and shall not be changed without additional legislative authority. (RQS 6001, RL 2012-190)

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

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

Section 5. That the costs of the contract or contracts shall be charged

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

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

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

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

Ord. No. 1726-12.
By Council Members Cimperman, Miller, Cleveland and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to OPTIMA 777, LLC to encroach into the public right-of-way of East 6th Street and St. Clair Avenue by installing, using, and maintaining an entrance canopy, 10 bollards and auto dropoff zone on St. Clair Avenue, outdoor dining area on East 6th Street, entrance canopy and sign on East 6th Street and St. Clair Avenue, sidewalk planter on St. Clair Avenue and flag poles, piers, stairwell enclosure and entrance canopy and metal facade on East 6th and St. Clair Avenue.

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

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

Section 1. That the Director of Capital Projects is authorized to issue a permit, revocable at the will of Council, to OPTIMA 777, LLC, 1575 Welton Street, Suite 300, Denver, Colorado 80202 ("Permittee"), to encroach into the public right-of-way of East 6th Street and St. Clair Avenue by installing, using, and maintaining an entrance canopy, 10 bollards and auto dropoff zone on St. Clair Avenue, outdoor dining area on East 6th Street, restaurant canopy and sign on East 6th Street and St. Clair Avenue, sidewalk planter on St. Clair Avenue and flag poles, piers, stairwell enclosure and metal facade on East 6th Street and St. Clair Avenue at the following locations:

**ENCROACHMENT "A"
ENTRANCE CANOPY, 10 BOLLARDS
AND AUTO DROP OFF ZONE
ST. CLAIR AVENUE**

Situated in the City of Cleveland, the County of Cuyahoga and the State of Ohio and being part of Original Two Acre Lot Nos. 45, 46 and 47 and further bounded and described as follows;

Beginning at the intersection of the easterly line of East 6th Street, 99 feet wide and the northerly line of St Clair Avenue, 99 feet wide

Thence North 55° 48' 50" East along the northerly line of St Clair Avenue, 82.30 feet to the Principal Point of Beginning of the easement herein described;

Thence North 55° 48' 50" East continuing along the northerly line of St. Clair Avenue, 90.00 feet to a point;

Thence South 34° 11' 10" East, 15.00 feet to a point;

Thence South 55° 48' 50" West, 90.00 feet to a point;

Thence North 34° 11' 10" West, 15.00 feet to the northerly line of St. Clair Avenue and the Principal Place of beginning and containing 0.0310 acres of land (1,350 square feet) said entrance canopy having a lower elevation of 659.84 feet with the first floor of the Westin Hotel being 644.51 feet as described by Edward B. Dudley, P.S. No. 6747, of The Riverstone Company in September of 2012 and subject to all legal highways, restrictions, reservations and easements of record.

**ENCROACHMENT "B"
OUTDOOR DINING AREA
EAST 6TH STREET**

Situated in the City of Cleveland, the County of Cuyahoga and the State of Ohio and known as being part of Original two Acre Lot No. 45 and further bounded and described as follows;

Beginning at the intersection of the easterly line of East 6th Street, 99 feet wide and the northerly line of St. Clair Avenue, 99 feet wide;

Thence North 33° 58' 06" West along the easterly line of East 6th Street, 37.00 feet to the Principal Place of Beginning of the easement herein described;

Thence South 56° 01' 54" West, 10.00 feet to a point;

Thence North 33° 58' 06" East, 43.00 feet to a point;

Thence North 56° 01' 54" West, 10.00 feet to the easterly line of East 6th Street;

Thence South 33° 58' 06" East along the easterly line of East 6th Street, 43.00 feet to the Principal Place of Beginning and containing 0.0099 acres of land (430 square feet) as described by Edward B. Dudley, P.S. No. 6747 of The Riverstone Company in September of 2012 and subject to all legal highways, restrictions, reservations and easements of record.

**ENCROACHMENT "C"
ENTRANCE CANOPY AND SIGN
EAST 6TH STREET AND
ST. CLAIR AVENUE**

Situated in the City of Cleveland, the County of Cuyahoga and the State of Ohio and being part of Original Two Acre Lot No. 45 and further bounded and described as follows;

Beginning at the intersection of the easterly line of East 6th Street, 99 feet wide and the northerly line of St. Clair Avenue, 99 feet wide;

Thence North 55° 48' 50" East along the northerly line of St. Clair Avenue, 18.50 feet to a point;

Thence South 34° 11' 10" East, 12.00 feet to a point

Thence South 55° 48' 50" West, 30.55 feet to a point;

Thence North 33° 58' 06" West, 22.05 feet to a point;

Thence North 56° 01' 54" East, 12.00 feet to the easterly line of said East 6th Street;

Thence South 33° 58' 06" East along the easterly line of East 6th Street, 10.00 feet to the northerly line of St Clair Avenue at the point of beginning and containing 0.0112 acres of land (487 square feet) said entrance canopy having a lower elevation of 656.51 feet and the sign having a lower elevation of 664.51 feet with the first floor of the Westin Hotel being 644.51 feet as described by Edward B. Dudley, P.S. No. 6747 of The Riverstone Company in September of 2012 and subject to all legal highways, restrictions, reservations and easements of record.

**ENCROACHMENT "D"
SIDEWALK PLANTER
ST. CLAIR AVENUE**

Situated in the City of Cleveland, the County of Cuyahoga and the State of Ohio and known as being part of Original two Acre Lot No. 45 and further bounded and described as follows;

Beginning at the intersection of the easterly line of East 6th Street, 99 feet wide and the northerly line of St. Clair Avenue, 99 feet wide;

Thence North 55° 48' 50" East along the northerly line of St. Clair Avenue, 30.60 feet to a point;

Thence South 34° 11' 10" East, 9.00 feet to the Principal Place of Beginning of the easement herein described;

Thence North 55° 48' 50" East, 30.00 feet to a point;

Thence South 34° 11' 10" East, 4.00 feet to a point;

Thence South 55° 48' 50" West, 30.00 feet to a point;

Thence North 34° 22' 10" West, 4.00 feet to the Principal Place of Beginning and containing 0.0028 acres of land (120 square feet) as described by Edward B. Dudley, P.S. No. 6747 of The Riverstone Company in September of 2012 and subject to all legal highways, restrictions, reservations and easements of record.

**ENCROACHMENT "E",
3 FLAG POLES, PIERS,
STAIRWELL ENCLOSURE
UPPER CANOPY AND METAL
FACADE EAST 6TH STREET AND
ST. CLAIR AVENUE**

Situated in the City of Cleveland, the County of Cuyahoga and the State of Ohio and being part of the Original Two Acre Lot Nos. 45, 46 and 47 and further bounded and described as follows;

Beginning at the intersection of East 6th Street, 99 feet wide and St. Clair Avenue, 99 feet wide;

Thence North 55° 48' 50" East along the northerly line of St. Clair Avenue, 256.05 feet to the southwest corner of land conveyed to Optima 1300, LLC by the deed recorded in the Auditor's File Number 201008160287 of the Cuyahoga County Deed Records;

Thence South 33° 58' 02" East, 13.00 feet to a point;

Thence South 55° 48' 50" West, 108.69 feet to a point;

Thence South 34° 11' 10" East, 6.00 feet to a point;

Thence South 55° 48' 50" West, 40.00 feet to a point

Thence North 34° 11' 10" West, 6.00 feet to a point;

Thence South 55° 48' 50" West, 113.36 feet to a point;

Thence North 33° 58' 06" West, 43.02 feet to a point;

Thence North 56° 01' 54" East, 6.00 feet to a point on the easterly line of said East 6th Street;

Thence South 33° 58' 06" East along the easterly line of East 6th Street, 30.00 feet to the north line of St. Clair Avenue and the point of beginning and containing 0.0841 acres (3,664 square feet) of land, said flag poles having a lower elevation of 664.51 feet, said stairwell enclosure having a lower elevation of 738.11 feet and upper elevation of 738.11 feet, said upper canopy and metal facade having a lower elevation of 664.51 feet with the first floor of the Westin Hotel being 644.51 feet as described by Edward B. Dudley, P.S. No. 6747 of The Riverstone Company in September of 2012 and subject to all legal highways, restrictions, reservations and easements of record.

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

Section 2. That Permittee may assign the permit only with the prior written consent of the Director of Capital Projects. That the encroaching structure(s) permitted by this ordinance shall conform to plans and specifications first approved by the Manager of Engineering and Construction. That Permittee shall obtain all other required permits, including but not limited to Building Permits, before installing the encroachment(s).

Section 3. That the Director of Law shall prepare the permit authorized by this ordinance and shall incorporate such additional provisions as the director determines necessary to protect and benefit the public interest. The permit shall be issued only when, in the opinion of the Director of Law, a prospective Permittee has properly indemnified the City against any loss that may result from the encroachment(s) permitted.

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

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

Referred to Directors of Capital Projects, City Planning Commission, Finance, Law; Committees on Public Service, City Planning, Finance.

Ord. No. 1727-12.

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

An emergency ordinance determining the method of making the public improvement of performing the Suburban Water Main Renewal Program, Year 6 through Year 10, including replacing or rehabilitating water mains and their related apparatus in various suburban communities; authorizing the Director of Public Utilities to enter into one or more public improvement contracts to construct the improvement; and authorizing the director to employ one or more professional consultants necessary to design the improvement; and authorizing the director to reimburse any suburban communities that perform water main replacements or rehabilitations.

Whereas, the City of Cleveland, Division of Water, has entered into, and will continue to enter into, Amended Water Service Agreements, Asset Transfer Agreements, and Joint Economic Development Agreements with various suburban communities, which include the transfer of ownership of suburban water distribution assets to the City of Cleveland, as well as obligations related to regional cooperation and tax sharing; and

Whereas, the Division of Water is obligated under the Amended Water Service Agreements to replace and rehabilitate such water distribution assets, which include water mains and appurtenances; and

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

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

Section 1. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of performing the Suburban Water Main Renewal Program, Year 6 through Year 10, including replacing or rehabilitating water mains and their related apparatus in various suburban communities ("Capital Improvement") that have signed or will sign the Amended Water Service Agreement with the City of Cleveland for the Division of Water, Department of Public Utilities, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Capital Improvement.

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

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

Section 4. That the Director of Public Utilities is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design and implement the Capital Improvement. The contracts authorized under this section shall each be for a term not to exceed five years.

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

shall be prepared by the Director of Law, approved by the Director of Public Utilities, and certified by the Director of Finance.

Section 5. That the Director of Public Utilities is authorized to reimburse any suburban communities who perform the work and services authorized under this ordinance.

Section 6. That the cost of the contracts and other expenditures authorized shall be paid from Fund Nos. 52 SF 001, 52 SF 229, 52 SF 231, 52 SF 235, 52 SF 245, and from the fund or subfunds which are credited the proceeds of the sale of future waterworks revenue bonds issued for this purpose. (RQS 2002, RL 2012-172)

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

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

Ord. No. 1728-12.

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

An emergency ordinance determining the method of making the public improvement of installing public art displays; authorizing the Director of Port Control to enter into one or more public improvement contracts for the making of the improvement; authorizing the Director to employ one or more professional consultants to design the improvement; and to enter into various written standard purchase and requirement contracts needed in connection with the improvement, for a period of one year with three 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, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of installing public art displays and other specific dedication spaces at Cleveland Hopkins International and Burke Lakefront Airports (the "Improvement"), for the Department of Port Control, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement.

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

Section 3. That the Director of Port Control is authorized to apply and pay for permits, licenses, or other autho-

rizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

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

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

Section 5. That the Director of Port Control is authorized to make one or more written standard purchase contracts and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the necessary items of materials, equipment, supplies, and services necessary to implement the Improvement, including labor and materials if necessary, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Port Control. 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, for a period of one year with three one-year options to renew. The first of the one-year options to renew may be exercised by the Director of Port Control, without the necessity of obtaining additional authority of this Council. The second of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the second of the one-year options to renew is exercised, then the third of the one-year options to renew may be exercisable at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council.

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

Section 7. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Port Control may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 8. That the cost of the contracts and other expenditures authorized shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106, 60 SF 112, 60 SF 114, 60 SF 115, 60 SF 116, 60 SF 117, 60 SF 119, 60 SF 121, 60 SF 122, 60 SF 126, 60 SF 128, 60 SF 129, 60 SF 130, 60 SF 141, 60 SF 160, and from any fund or funds to which are credited the proceeds of any grants accepted and PFC's if authorized for the purposes of this ordinance. (RQS 3001, RL 2012-161)

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

Referred to Directors of Port Control, City Planning Commission, Finance, Law; Committees on Aviation and Transportation City Planning, Finance.

FIRST READING EMERGENCY RESOLUTION REFERRED

Res. No. 1721-12.

By Council Members Pruitt, Miller, Cleveland and Kelley (by request).

An emergency resolution declaring the intent to vacate a portion of the 1st unnamed alley (12.00 feet wide) north of Miles Avenue S.E. (86.00 feet wide) between East 162nd Street (60.00 feet wide) and East 163rd Street (60.00 feet wide).

Whereas, this Council is satisfied that there is good cause to vacate a portion of the 1st unnamed alley (12.00 feet wide) north of Miles Avenue S.E. (86.00 feet wide) between East 162nd Street (60.00 feet wide) and East 163rd Street (60.00 feet wide) as described; and

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

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

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

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a portion of the 1st Unnamed alley (12.00 feet wide) north of Miles Avenue S.E. (86.00 feet wide) between East 162nd Street (60.00 feet wide) and East 163rd Street (60.00 feet wide) in the Sorren-to Park Subdivision of part of Original Warrensville Township Lot Nos. 72-82 as shown by the recorded plat in Volume 15 of Maps, Page 13 of Cuyahoga County Records.

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

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

Referred to Directors of Capital Projects, City Planning Commission, Finance, Law; Committees on Public Service, City Planning, Finance.

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 1714-12.

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

An emergency ordinance authorizing the Director of Port Control to enter into an agreement with LHD & Associates, Inc. for federal government lobbying services necessary to assist the Department of Port Control with airport-related federal agencies and issues, for a period of two years, with one option to renew for a two-year period, exercisable by the Director of Port Control, if authorized by 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 Port Control is authorized to enter into an agreement with LHD & Associates, Inc. for federal government lobbying services necessary to assist the Department of Port Control with airport-related federal agencies and issues for a period of two years, with one option to renew for a two-year period, exercisable by the Director of Port Control, if authorized by additional legislative authority, payable from funds appropriated in Budget Years 2013 and 2014 for this purpose, Request No. RQS 3001, RL 2012-176.

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.

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

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

Ord. No. 1715-12.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter into an agreement with Crowell & Moring LLP for federal lobbying services for the City of Cleveland, for a period of two years, with one option to renew for a two-year period, exercisable by the Director of Finance, if authorized by 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 enter into an agreement with Crowell & Moring LLP for federal lobbying services for the City of Cleveland for a period of two years, with one option to renew for a two-year period, exercisable by the Director of Finance, if authorized by additional legislative authority, payable from funds appropriated in Budget Years 2013 and 2014 for this purpose, Request No. RQS 0117, RL 2012-183.

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.

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

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

Ord. No. 1722-12.

By Council Member K. Johnson.

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to the East 139th Street Block Club to encroach into the public right-of-way above Kinsman Road, Abell Avenue and East 139th Street with Christmas Wreaths and hangers to be attached to Cleveland Public Power utility poles (by separate permission of the poles' owners).

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

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

Section 1. That the Director of Capital Projects is authorized to issue a permit, revocable at the will of Council, to the East 139th Street Block Club ("Permittee 3347 East 139th Street, Cleveland, Ohio 44120 to encroach into the public right-of-way above Kinsman Road, Abell Avenue and East 139th Street by installing, using, and maintaining 19 Christmas Wreaths and hangers to be attached to Cleveland Public Power utility poles (by separate permission of the poles' owners) for the period starting December 4, 2012 and ending January 5, 2013, at the locations more fully described as follows:

LOCATION	POLE OWNER
East 139th Street	
1.) 3342	CPP
2.) 3352	CPP
3.) 3336	CPP
4.) 3378	CPP
5.) 3390	CPP
6.) 3404	CPP
7.) 3416	CPP
8.) 3428	CPP
9.) 3436	CPP
10.) 3444	CPP
11.) 3329	CPP
12.) 3320	CPP
13.) 3308	CPP
14.) 3296	CPP
15.) 3280	CPP
16.) 3268	CPP
17.) 3252	CPP

Corner of East 139th Street and Kinsman Road
18.) 13815 Kinsman Road CPP

Corner of East 139th Street and Abell Avenue
19.) 13820 Abell Avenue CPP

Section 2. That Permittee may assign the permit only with the written consent of the Director of Capital Projects. That nothing in this ordinance grants or shall be considered to grant to Permittee any right, privilege, or permission to use, or to attach or affix any object to, poles; Permittee shall obtain such permission from the respective pole owner.

Section 3. That the encroaching objects permitted by this ordinance shall conform to plans and specifications first approved by the Manager of Engineering and Construction. That Permittee shall obtain all other required permits, including but not limited to Building Permits, before installing the encroachments.

Section 4. That the Director of Law shall prepare the permit authorized by this ordinance and shall incorporate such additional provisions as the director determines necessary to protect and benefit the public interest. The permit shall be issued only when, in the opinion of the Director of Law, a prospective Permittee has properly indemnified the City against any loss that may result from the encroachment(s) permitted.

Section 5. That the Permit shall reserve reasonable right of entry to the encroachment location to the City.

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

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

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

Ord. No. 1723-12.
By Council Members Zone, Brancatelli and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into an amendment to Contract No. 67924 and the Promissory Note with Detroit Shoreway Community Development for the historical renovation of the Capitol Theatre, to allow for a deferral of principal and interest until December 31, 2014 and to extend terms of the loan for five years.

Whereas, under Ordinance No. 1420-07, passed October 1, 2007, as amended by Ordinance 656-08, passed April 28, 2008, this Council authorized a loan to Detroit Shoreway Community Development Organization for the historical renovation of the Capitol Theatre at 1400 West 65th Street, Contract 67924; and

Whereas, the Director of Economic Development and Detroit Shoreway Community Development Organization wish to amend the repayment terms of the loan and to amend the Promissory Note; and

Whereas, this ordinance constitutes an emergency measure providing for

the usual daily operation of a municipal department; now, therefore,

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

Section 1. That the Director of Economic Development is authorized to enter into an amendment to Contract No. 67924 with Detroit Shoreway Community Development Organization for the historical renovation of the Capitol Theatre, to allow for a deferral of principal and interest until December 31, 2014, to extend terms of the loan for five years, and to amend the Promissory Note. All other terms of the loan shall remain the same.

Section 2. That the Director of Law shall prepare the amendment.

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.

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

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

Ord. No. 1724-12.

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

An emergency ordinance to amend Section 38 of Ordinance No. 1689-11, passed November 28, 2011, as amended by various ordinances, relating to compensation for various classifications.

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

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

Section 1. That Section 38 of Ordinance No. 1689-11, passed November 28, 2011 shall be amended as follows:

Section 38. That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Administrative Manager.....	\$27,193.55	\$101,816.22
2. Assistant Commissioner of Water.....	27,325.56	122,253.61
3. Assistant Secretary of Sinking Fund Commission.....	27,325.56	97,819.83
4. Chief of Health Planning and Evaluation.....	27,325.56	77,502.92
5. Chief-Systems Analysis.....	27,325.56	97,819.83
6. Consulting Engineer.....	36,000.00	94,991.29
7. Harbor Manager.....	27,325.56	97,819.83
8. Labor Relations Officer.....	27,325.56	77,502.92
9. Manager of Employee Relations.....	27,325.56	90,294.89
10. Manager of Equal Employment Opportunity.....	27,325.56	90,294.89
11. Minority Business Development Administrator.....	27,325.56	77,502.92
12. Project Coordinator.....	27,325.56	90,294.89
13. Risk Manager.....	27,325.56	97,819.83
14. Superintendent of Electric Trouble Operations.....	27,325.56	77,502.92
15. Water Business Plan Manager.....	27,325.56	90,294.89
16. Health Services Administrator.....	27,325.56	77,502.92

Section 2. That Section 38 of Ordinance No. 1689-11, passed November 28, 2011, is repealed.

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

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

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

Ord. No. 1725-12.**By Council Member Kelley (by departmental request).****An emergency ordinance authorizing the Director of Finance to pay as Moral Claims the sums opposite the names of the claimants.**

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 pay as Moral Claims the sums opposite the names of the following claimants and charged against the fund:

<u>Claimant</u>	<u>Claim No.</u>	<u>Amount</u>	<u>Fund</u>
Department of Building and Housing			
Board-Up Division			
Samuele, Vincent	12437	\$1,249.00	01-800501-672000
Department of Public Safety			
Division of Emergency Medical Service:			
Patterson, Geraldine	12436	\$500.00	01-600402-672000
Fire Department:			
Cicero, Deepa	12426	\$500.00	01-600301-672000
Dan, Ioan	12431	500.00	01-600301-672000
Cesa, Angela	12443	250.00	01-600301-672000
Smith, Tonya	12444	1,888.00	01-600301-672000
City Jail:			
Hamilton, Dererk	12433	\$500.00	01-600701-672000
City Kennels:			
Ferguson, Ann	12440	\$500.00	01-600601-672000
Police Department:			
Kira, Walker	12441	\$721.23	01-600202-672000
Cleveland Metropolitan Housing Authority	12447	595.00	01-600202-672000
Parks Recreation and Properties			
Division of Park Maintenance:			
Morgan, Margaret	12434	\$250.00	01-701205-672000
Carver, Andee	12446	261.83	01-701205-672000
Elbee, Arthur	12448	775.00	01-701205-672000
Division of Waste:			
Sliman, Richard	12422	\$250.00	01-400303-672000
Webster, Cleva L.	12424	150.00	01-400303-672000
O'Mally, Karen Agent for The Harp	12427	1,500.00	01-400303-672000
Spremulli, Roberta	12432	500.00	01-400303-672000
Department of Public Utilities			
Water Department			
Condominiums at Stonebridge	5696	\$2,000.00	52 SF 001
Rosemary Jones	5852	\$250.00	52 SF 001
Cleveland Public Power			
Barbara Colonius	6015	\$517.67	58 SF 001

Section 2. That the authority of the Director of Finance to pay the amounts in this ordinance is conditioned on a City-approved written acceptance by the claimant of the City's offer to pay this claim within six months from the effective date of this ordinance.**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.

Motion to suspend rules, Charter, and statutory provisions and place on final passage.
The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1729-12.

By Council Member Kelley (by departmental request).

An emergency ordinance to provide for the transfer and amendment to the General Fund appropriations in the amount of Three Million Three Hundred Sixty Two Thousand (\$3,362,000), and Two Million Eight Hundred Thousand (\$2,800,000) within the Enterprise Fund.

Whereas, in accordance with Section 41 of the Charter, the Mayor has recommended in writing the within transfer; 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 amendment to the General Fund appropriations in the amount of Three Million Three Hundred Sixty Two Thousand (\$3,362,000), and Two Million Eight Hundred Thousand (\$2,800,000) within the Enterprise Fund as follows:

	Transfer To	Transfer From
GENERAL FUND		
GENERAL GOVERNMENT		
Municipal Court - Judicial Division		
II. Other Expenses	\$ -	\$ 175,000
Municipal Court - Clerk's Division		
I. Personnel and Related Expenses	-	100,000
II. Other Expenses	100,000	-
Office of Capital Projects		
I. Personnel and Related Expenses	7,000	-
II. Other Expenses	-	7,000
Community Relations Board		
II. Other Expenses	10,000	-
Office of Equal Opportunity		
I. Personnel and Related Expenses	27,000	-
Office of Budget and Management		
II. Other Expenses	13,000	-
TOTAL GENERAL GOVERNMENT	157,000	282,000
DEPARTMENT OF LAW		
Division of Law		
I. Personnel and Related Expenses	-	500,000
II. Other Expenses	700,000	
TOTAL DEPARTMENT OF LAW	700,000	500,000
DEPARTMENT OF FINANCE		
Division of Assessments and Licenses		
II. Other Expenses	90,000	-
TOTAL DEPARTMENT OF FINANCE	90,000	-
DEPARTMENT OF PUBLIC HEALTH		
Public Health Administration		
I. Personnel and Related Expenses	25,000	-
Division of Health		
I. Personnel and Related Expenses	25,000	-
II. Other Expenses	300,000	-
Division of the Environment		
II. Other Expenses	3,000	-
Division of Air Quality		
I. Personnel and Related Expenses	1,000	-
TOTAL DEPARTMENT OF PUBLIC HEALTH	354,000	-

DEPARTMENT OF PUBLIC SAFETY		
Public Safety Administration		
II. Other Expenses	175,000	-
Division of Police		
I. Personnel and Related Expenses	1,250,000	-
Division of Fire		
I. Personnel and Related Expenses	-	1,000,000
Division of Emergency Medical Services		
I. Personnel and Related Expenses	-	548,000
II. Other Expenses	123,000	-
TOTAL DEPARTMENT OF PUBLIC SAFETY	1,548,000	1,548,000
DEPARTMENT OF PUBLIC WORKS		
Division of Recreation		
II. Other Expenses	225,000	-
Division of Parking Facilities - On Street		
II. Other Expenses	73,000	-
Division of Park Maintenance and Properties		
II. Other Expenses	95,000	-
TOTAL DEPARTMENT OF PUBLIC WORKS	393,000	-
DEPARTMENT OF BUILDING AND HOUSING		
Building and Housing Director's Office		
II. Other Expenses	15,000	-
TOTAL DEPARTMENT OF BUILDING AND HOUSING	15,000	-
NONDEPARTMENTAL		
County Auditor Deductions		
II. Other Expenses	105,000	-
Transfers to Other Funds		
II. Other Expenses	-	1,032,000
TOTAL NONDEPARTMENTAL	105,000	1,032,000
TOTAL GENERAL FUND	3,362,000	3,362,000
ENTERPRISE FUNDS		
DEPARTMENT OF PUBLIC UTILITIES		
Division of Water		
I. Personnel and Related Expenses	-	2,800,000
II. Other Expenses	2,800,000	-
TOTAL DEPARTMENT OF PUBLIC UTILITIES	2,800,000	2,800,000

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.

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

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

Ord. No. 1730-12.

By Council Member Kelley (by departmental request).

An emergency ordinance to make additional appropriations of Six Hundred Sixty Five Thousand (\$665,000) of Enterprise Funds, and Six Hundred Twenty Five Thousand (\$625,000) of Debt Service Funds.

Whereas, there remains an unappropriated balance in the various funds, the sum of One Million Two Hundred Ninety Thousand Dollars (\$1,290,000) which is available for additional appropriation; 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 there is hereby appropriated the additional revenue as set forth in the Amended Official Certificate of Estimated Resources previously unappropriated as follows:

ENTERPRISE FUND		\$ 665,000
DEBT SERVICE FUND		625,000
TOTAL ALL FUNDS		<u>1,290,000</u>
ENTERPRISE FUNDS		
DEPARTMENT OF PUBLIC WORKS		
Division of Parking Facilities - Off Street Parking		
II. Other Expenses	625,000	625,000
Division of Convention Center & Stadium - West Side Market		
II. Other Expenses	40,000	40,000
TOTAL DEPARTMENT OF PUBLIC WORKS		<u>665,000</u>
TOTAL ENTERPRISE FUND		665,000
DEBT SERVICE FUND		
Sinking Fund Commission		
III. Debt Service	625,000	625,000
TOTAL DEBT SERVICE FUND		<u>625,000</u>
TOTAL ALL FUNDS		\$ 1,290,000

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

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

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

Ord. No. 1731-12.

By Council Member Kelley (by departmental request).

An emergency ordinance to make temporary appropriations for the current payrolls and other ordinary expenses of the City of Cleveland from the period from January 1, 2013 until the effective date of the annual appropriation ordinance for the fiscal year ending December 31, 2013.

Whereas, it is desired to postpone the passage of the annual appropriation ordinance until the amended certificate is received, based on the actual balances as the same may be determined by the Director of Finance and the County Budget Commission; 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. To provide for the current payrolls, sinking fund and other ordinary expenses of the City of Cleveland for the period from January 1, 2013 until the effective date of the Annual Appropriation Ordinance for the fiscal year ending December 31, 2013, there be and there is hereby appropriated for the period from January 1, 2013 until the effective date of the Annual Appropriation Four Hundred Ninety Eight Million, Four Hundred Eighty Five Thousand, Eight Hundred Thirty Six Dollars (\$498,485,836) out of taxes due the City of Cleveland and any other revenues accrued or occurring during said period of time and said funds are respectively appropriated as follows:

2013 TEMPORARY BUDGET ORDINANCE

GENERAL FUND	
Legislative Branch	\$2,653,138
Judicial Branch	\$15,903,575
Executive Branch	
General Government	\$3,825,033
Department of Aging	\$301,600
Department of Personnel	\$1,011,613
Department of Community Development (Consumer Affairs)	\$86,937
Department of Law	\$3,355,743
Department of Finance	\$5,501,071
Department of Public Health	\$2,446,446
Department of Public Safety	\$89,792,287
Department of Public Works	\$23,412,474

Department of Building and Housing		\$2,812,876
Department of Economic Development		\$456,781
Nondepartmental		\$17,466,095
Total Executive Branch		<u>\$150,468,956</u>
TOTAL GENERAL FUND		<u><u>\$169,025,669</u></u>
Special Revenue Funds		\$50,371,700
Internal Service Funds		\$11,522,417
Enterprise Funds		\$240,327,307
Agency Funds		\$3,405,132
Debt Service Funds		\$23,833,611
TOTAL APPROPRIATIONS FOR 2012		<u><u>\$498,485,836</u></u>

GENERAL FUND

LEGISLATIVE BRANCH

Council and Clerk of Council		\$2,653,138
I. Personnel and Related Expenses	\$1,430,452	
II. Other Expenses	1,222,686	
TOTAL LEGISLATIVE BRANCH		<u><u>\$2,653,138</u></u>

JUDICIAL BRANCH

Municipal Court - Judicial Division		\$7,752,893
I. Personnel and Related Expenses	\$5,316,843	
II. Other Expenses	2,436,050	
Municipal Court - Clerk's Division		\$7,188,916
I. Personnel and Related Expenses	\$2,526,134	
II. Other Expenses	4,662,782	
Municipal Court - Housing Division		\$961,766
I. Personnel and Related Expenses	\$904,491	
II. Other Expenses	57,275	
TOTAL JUDICIAL BRANCH		<u><u>\$15,903,575</u></u>

EXECUTIVE BRANCH

GENERAL GOVERNMENT

Office of the Mayor		\$714,220
I. Personnel and Related Expenses	\$660,738	
II. Other Expenses	53,482	
Office of Capital Projects		\$1,325,332
I. Personnel and Related Expenses	\$1,100,499	
II. Other Expenses	224,833	
Landmarks Commission		\$54,729
I. Personnel and Related Expenses	\$52,730	
II. Other Expenses	1,999	
Board of Building Standards and Appeals		\$38,163
I. Personnel and Related Expenses	\$32,867	
II. Other Expenses	5,296	
Board of Zoning Appeals		\$61,249
I. Personnel and Related Expenses	\$55,116	
II. Other Expenses	6,133	
Civil Service Commission		\$476,934
I. Personnel and Related Expenses	\$173,525	
II. Other Expenses	303,409	

Community Relations Board		\$347,305
I. Personnel and Related Expenses	\$327,667	
II. Other Expenses	19,638	
City Planning Commission		\$443,444
I. Personnel and Related Expenses	\$405,842	
II. Other Expenses	37,602	
Boxing and Wrestling Commission		\$2,034
I. Personnel and Related Expenses	\$2,034	
Office of Equal Opportunity		\$142,386
I. Personnel and Related Expenses	\$133,408	
II. Other Expenses	8,978	
Office of Budget & Management		\$219,237
I. Personnel and Related Expenses	\$215,017	
II. Other Expenses	4,220	
TOTAL GENERAL GOVERNMENT		<u>\$3,825,033</u>

DEPARTMENT OF AGING

Department of Aging		\$301,600
I. Personnel and Related Expenses	\$214,806	
II. Other Expenses	86,794	
TOTAL DEPARTMENT OF AGING		<u>\$301,600</u>

DEPARTMENT OF PERSONNEL

Office of Personnel		\$1,011,613
I. Personnel and Related Expenses	\$370,331	
II. Other Expenses	641,282	
TOTAL DEPARTMENT OF PERSONNEL		<u>\$1,011,613</u>

DEPARTMENT OF COMMUNITY DEVELOPMENT (Consumer Affairs)

Division of Consumer Affairs		\$86,937
I. Personnel and Related Expenses	\$79,303	
II. Other Expenses	7,634	
TOTAL DEPARTMENT OF CONSUMER AFFAIRS		<u>\$86,937</u>

DEPARTMENT OF LAW

Division of Law		\$3,355,743
I. Personnel and Related Expenses	\$1,814,025	
II. Other Expenses	1,541,718	
TOTAL DEPARTMENT OF LAW		<u>\$3,355,743</u>

DEPARTMENT OF FINANCE

Finance Administration		\$279,780
I. Personnel and Related Expenses	\$263,826	
II. Other Expenses	15,954	
Division of Accounts		\$640,908
I. Personnel and Related Expenses	\$384,863	
II. Other Expenses	256,045	
Division of Assessments and Licenses		\$1,361,248
I. Personnel and Related Expenses	\$686,941	
II. Other Expenses	674,307	

Division of Treasury		\$187,261
I. Personnel and Related Expenses	\$132,934	
II. Other Expenses	54,327	
Division of Purchases and Supplies		\$206,091
I. Personnel and Related Expenses	\$188,989	
II. Other Expenses	17,102	
Bureau of Internal Audit		\$633,451
I. Personnel and Related Expenses	\$149,426	
II. Other Expenses	484,025	
Division of Financial Reporting and Control		\$367,490
I. Personnel and Related Expenses	\$356,839	
II. Other Expenses	10,651	
Information Systems Services		\$1,824,842
I. Personnel and Related Expenses	\$550,777	
II. Other Expenses	1,274,065	
TOTAL DEPARTMENT OF FINANCE		<u>\$5,501,071</u>

DEPARTMENT OF PUBLIC HEALTH

Public Health Administration		\$494,640
I. Personnel and Related Expenses	\$169,311	
II. Other Expenses	325,329	
Division of Health		\$1,415,901
I. Personnel and Related Expenses	\$525,063	
II. Other Expenses	890,838	
Division of Environment		\$392,156
I. Personnel and Related Expenses	\$231,416	
II. Other Expenses	160,740	
Division of Air Quality		\$143,749
I. Personnel and Related Expenses	\$31,309	
II. Other Expenses	112,440	
TOTAL DEPARTMENT OF PUBLIC HEALTH		<u>\$2,446,446</u>

DEPARTMENT OF PUBLIC SAFETY

Public Safety Administration		\$2,004,756
I. Personnel and Related Expenses	\$828,084	
II. Other Expenses	1,176,672	
Division of Police		\$51,166,462
I. Personnel and Related Expenses	\$47,044,633	
II. Other Expenses	4,121,829	
Division of Fire		\$24,671,440
I. Personnel and Related Expenses	\$23,305,997	
II. Other Expenses	1,365,443	
Division of Emergency Medical Services		\$7,064,489
I. Personnel and Related Expenses	\$5,926,791	
II. Other Expenses	1,137,698	
Division of Animal Control Services		\$422,071
I. Personnel and Related Expenses	\$275,527	
II. Other Expenses	146,544	
Division of Correction		\$4,463,069
I. Personnel and Related Expenses	\$2,951,498	
II. Other Expenses	1,511,571	
TOTAL DEPARTMENT OF PUBLIC SAFETY		<u>\$89,792,287</u>

DEPARTMENT OF PUBLIC WORKS

Division of Public Works Administration		\$873,978
I. Personnel and Related Expenses	\$791,383	
II. Other Expenses	82,595	
Division of Recreation		\$4,616,325
I. Personnel and Related Expenses	\$2,310,179	
II. Other Expenses	2,306,146	
Division of Parking Facilities-On Street		\$359,130
I. Personnel and Related Expenses	\$337,461	
II. Other Expenses	21,669	
Division of Property Management		\$2,691,514
I. Personnel and Related Expenses	\$1,555,483	
II. Other Expenses	1,136,031	
Division of Park Maintenance and Properties		\$5,419,057
I. Personnel and Related Expenses	\$2,425,697	
II. Other Expenses	2,993,360	
Division of Waste		\$8,358,696
I. Personnel and Related Expenses	\$3,870,423	
II. Other Expenses	4,488,273	
Division of Traffic Engineering		\$1,093,774
I. Personnel and Related Expenses	\$772,420	
II. Other Expenses	321,354	
TOTAL DEPARTMENT OF PUBLIC WORKS		<u>\$23,412,474</u>

DEPARTMENT OF BUILDING AND HOUSING

Building and Housing Dir Office		\$650,660
I. Personnel and Related Expenses	\$463,631	
II. Other Expenses	187,029	
Division of Code Enforcement		\$1,722,210
I. Personnel and Related Expenses	\$1,641,396	
II. Other Expenses	80,814	
Division of Construction Permit		\$440,006
I. Personnel and Related Expenses	\$433,476	
II. Other Expenses	6,530	
TOTAL DEPARTMENT OF BUILDING AND HOUSING		<u>\$2,812,876</u>

DEPARTMENT OF ECONOMIC DEVELOPMENT

Economic Development		\$456,781
I. Personnel and Related Expenses	\$448,474	
II. Other Expenses	8,307	
TOTAL DEPARTMENT OF ECONOMIC DEVELOPMENT		<u>\$456,781</u>

NONDEPARTMENTAL

Other Administrative		\$6,367,146
II. Other Expenses	\$6,367,146	
Transfers to Other Funds		\$11,098,949
II. Other Expenses	\$11,098,949	
TOTAL NONDEPARTMENTAL		<u>\$17,466,095</u>
TOTAL EXECUTIVE BRANCH		<u>\$150,468,956</u>
TOTAL GENERAL FUND		<u>\$169,025,669</u>

SPECIAL REVENUE FUND

Restricted Income Tax Fund		\$36,344,711
I. Capital	\$8,866,079	
II. Debt Service	27,478,632	
Street Construction, Maintenance & Repair Fund		\$14,026,989
I. Personnel and Related Expenses	\$5,636,848	
II. Other Expenses	8,390,141	
TOTAL SPECIAL REVENUE FUNDS		<u>\$50,371,700</u>

INTERNAL SERVICE FUND

Sinking Fund Commission		\$392,505
I. Personnel and Related Expenses	\$52,105	
II. Other Expenses	340,400	
Information Systems Services-Telephone Exchange		\$2,503,747
I. Personnel and Related Expenses	\$374,300	
II. Other Expenses	2,129,447	
Division of Motor Vehicle Maintenance		\$7,554,660
I. Personnel and Related Expenses	\$1,643,683	
II. Other Expenses	5,910,977	
Division of Printing and Reproduction		\$828,254
I. Personnel and Related Expenses	\$235,200	
II. Other Expenses	593,054	
City Storeroom and Central Warehouse		\$243,251
I. Personnel and Related Expenses	\$28,221	
II. Other Expenses	215,030	
TOTAL INTERNAL SERVICE FUNDS		<u>\$11,522,417</u>

ENTERPRISE FUNDS

DEPARTMENT OF PUBLIC UTILITIES

Utilities Administration		\$1,012,600
I. Personnel and Related Expenses	\$691,500	
II. Other Expenses	321,100	
Radio		\$1,332,069
I. Personnel and Related Expenses	\$160,337	
II. Other Expenses	1,171,732	
Division of Fiscal Control		\$1,089,526
I. Personnel and Related Expenses	\$861,186	
II. Other Expenses	228,340	
Division of Water		\$94,702,596
I. Personnel and Related Expenses	\$23,458,101	
II. Other Expenses	71,244,495	
Division of Water Pollution Control		\$7,430,699
I. Personnel and Related Expenses	\$3,014,492	
II. Other Expenses	4,416,207	
Division of Cleveland Public Power		\$69,440,635
I. Personnel and Related Expenses	\$8,405,806	
II. Other Expenses	61,034,829	
TOTAL DEPARTMENT OF PUBLIC UTILITIES		<u>\$175,008,125</u>

DEPARTMENT OF PORT CONTROL

Divisions of Cleveland Hopkins & Burke Lakefront Airports - Operations		\$55,736,518
I. Personnel and Related Expenses	\$9,092,654	
II. Other Expenses	46,643,864	
TOTAL DEPARTMENT OF PORT CONTROL		<u>\$55,736,518</u>

DEPARTMENT OF PUBLIC WORKS

Division of Cemeteries		\$676,579
I. Personnel and Related Expenses	\$353,837	
II. Other Expenses	322,742	
Golf Course Fund		\$127,718
I. Personnel and Related Expenses	\$7,200	
II. Other Expenses	120,518	
Division of Parking Facilities-Off Street Parking		\$3,995,822
I. Personnel and Related Expenses	\$357,153	
II. Other Expenses	3,638,669	
Division of Convention Center		\$929,275
I. Personnel and Related Expenses	\$308,190	
II. Other Expenses	621,085	
Division of Convention Center & Stadium-West Side Market		\$602,161
I. Personnel and Related Expenses	\$122,890	
II. Other Expenses	479,271	
Division of Convention Center & Stadium-Stadium		\$3,235,109
II. Other Expenses	\$3,235,109	
Division of Property Management - East Side Market		\$16,000
II. Other Expenses	\$16,000	
TOTAL DEPARTMENT OF PUBLIC WORKS		\$9,582,664
TOTAL ENTERPRISE FUNDS		\$240,327,307

AGENCY FUND

Central Collection Agency		\$3,405,132
I. Personnel and Related Expenses	\$1,818,064	
II. Other Expenses	1,587,068	
TOTAL AGENCY FUND		\$3,405,132

DEBT SERVICE FUND

Sinking Fund Commission		\$23,833,611
II. Debt Service	\$23,833,611	
TOTAL DEBT SERVICE FUNDS		\$23,833,611

Section 2. That all expenditures and payments made under and pursuant to the ordinance appropriating such sum or sums of money shall be charged against the annual appropriation ordinance for the fiscal year ending December 31, 2013, when such appropriation ordinance shall become effective, and to the various departments and divisions and payment of whose officers and employees and operating expenses such sum or sums of money hereunder shall then have paid out or expended. Provided, however, that no payment shall be made under the authority of this ordinance after the effective date of said Annual Appropriation Ordinance for the fiscal year ending December 31, 2013.

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

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

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

Ord. No. 1732-12.
By Council Member Cummins.
An emergency ordinance authorizing the Director of the Department of Economic Development to enter into an agreement with Great Lakes Integrated for a building signage improvement Project through the use of Ward 14 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 Economic Development is authorized to enter into an agreement with Great Lakes Integrated for a building signage improvement Project for the public purpose of promoting economic business activity and new job creation

through the use of Ward 14 Neighborhood Capital Fund.

Section 2. That the cost of said contract shall be in an amount not to exceed \$5,000 and shall be paid from Fund No. 10 SF 177.

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

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

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

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

Ord. No. 1733-12.

By Council Members K. Johnson and Mitchell.

An emergency ordinance amending Section 2 of Ordinance No. 1706-12 passed November 26, 2012 as it pertains to authorizing the Director of the Department of Community Development to enter into an agreement with the Buckeye Area Development Corporation for the Senior Landscaping and Snow Removal Program through the use of Ward(s) 4 and 6 Neighborhood Capital Funds.

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

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

Section 1. That Section 2 of Ordinance No. 1706-12 passed November 26, 2012 is hereby amended to read as follows:

Section 2. That the cost of said contract shall be in an amount not to exceed **\$52,000** and shall be paid from Fund No. 10 SF 177.

Section 2. That Section 2 of Ordinance No. 1706-12 passed November 26, 2012 is hereby repealed.

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

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

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

Ord. No. 1734-12.

By Council Members Brancatelli, Cimperman and Cleveland.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into an agreement with the Broadway School of Music and Arts for the Fine Arts Program through the use of Ward(s) 12, 3 and 5 Neighborhood Equity Funds.

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

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

Section 1. That the Director of the Department of Community Development is authorized to enter into an agreement with the Broadway School of Music and Arts for the Fine Arts Program for providing music education to low and moderate income stu-

dents residing in the city of Cleveland through the use of Ward(s) 12, 3, and 5 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$37,000 and shall be paid from Fund No. 10 SF 166.

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

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

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

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

Ord. No. 1741-12.

By Council Member Conwell.

An emergency ordinance consenting and approving the issuance of a permit for the 2013 Hudson Relays, on April 27, 2013, sponsored by Case Western Reserve University.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the 2013 Hudson Relays sponsored by Case Western Reserve, on April 27, 2013, starting at "The Rock;" next to Fribley, near the bottom of the elephant steps; in front of Carlton Commons, top of stairs; top of Edgehill at Overlook; in front of the Greenhouse Restaurant; corner of Euclid and Adelbert (runner must pass baton after crossing Euclid, in front of Severance Hall); in front of the Peter B. Lewis building, corner of Bellflower and Ford; just past the driveway of the tiny lot at the southeastern edge of the Northside Residential Village on Juniper Road; in front of Pierce house in the Northside Residential Village; in front of Clark Hall on the Mather Quad; back at "The Rock"; President's Last Lap Only; the last runner (President) receives the baton at the rock by Adelbert hall and runs into the Quad up the Wickenden side and around the back to the rock down the Strosacker side; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

Section 2. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it

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

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

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

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 1735-12.

By Council Member Cimperman.

An emergency resolution withdrawing objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit at 2102 Freeman Avenue and repealing Resolution No. 1185-12 objecting to said renewal.

Whereas, this Council objected to a D1, D2, D3, D3A and D6 Liquor Permit to 2102 Freeman Avenue by Resolution No. 1185-12 adopted by the Council on August 8, 2012; 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 Cull Long & Michalak, LLC, DBA Duck Island Club, 2102 Freeman Avenue, 1st floor and basement, Cleveland, Ohio 44113, Permanent Number 1845797 be and the same is hereby withdrawn and Resolution No. 1282-12, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

Res. No. 1736-12.

By Council Member Cimperman.

An emergency resolution withdrawing objection to the renewal of a D2, D2X, D3, D3A and D6 Liquor Permit at 1295 Old River Road and repealing Resolution No. 1121-12 objecting to said renewal.

Whereas, this Council objected to a D2, D2X, D3, D3A and D6 Liquor Permit to 1295 Old River Road by Resolution No. 1121-12 adopted by the Council on August 8, 2012; 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 D2, D2X, D3, D3A and D6 Liquor Permit to 1057, Inc., DBA The Odeon, 1295 Old River Road, Cleveland, Ohio 44113, Permanent Number 65492620002 be and the same is hereby withdrawn and Resolution No. 1121-12, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

Res. No. 1737-12.

By Council Member Cimperman.

An emergency resolution withdrawing objection to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit at 2221 Professor Street, 1st floor and rear patio and repealing Resolution No. 1220-12, objecting to said transfer.

Whereas, this Council objected to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit to 2221 Professor Street, 1st floor and rear patio, Cleveland, Ohio 44113, Permanent No. 9041602 by Resolution No. 1220-12 adopted by the Council on September 10, 2012; and

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

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

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

Section 1. That objection to the transfer of ownership of a D1, D2, D4 and D3A Liquor Permit to Tremont Enterprises, LLC, DBA Lago, 2221 Professor Street, 1st floor and rear patio, Cleveland, Ohio 44113, Permanent No. 9041602, be and the same is hereby withdrawn and Resolution No. 1220-12, 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.

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

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

Res. No. 1738-12.

By Council Member Dow.

An emergency resolution objecting to the transfer of stock of a D21, D2X, D3 and D6 Liquor Permit to 6201 St. Clair Avenue, 1st floor.

Whereas, Council has been notified by the Department of Liquor Control of an application for a transfer of stock of a D2, D2X, D3 and D6 Liquor Permit at Dot & Beans Tavern, Inc., 6201 St. Clair Avenue, 1st floor, Cleveland, Ohio 44103, Permanent Number 2275179; 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 D2, D2X, D3 and D6 Liquor Permit at Dot & Beans Tavern, Inc., 6201 St. Clair Avenue, 1st floor, Cleveland, Ohio 44103, Permanent Number 2275179, 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.

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

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

Res. No. 1739-12.

By Council Member Polensek.

An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit at 657 East 152nd Street and repealing Resolution No. 1091-12, objecting to said renewal.

Whereas, this Council objected to a C1 and C2 Liquor Permit to 657 East 152nd Street by Resolution No. 1091-12 adopted by the Council on August 8, 2012; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal based upon a cooperation agreement between Applicant Yaser S. Najjar, President of East 152nd Street, Inc., and Councilman Michael D. Polensek; 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 C1 and C2 Liquor Permit to East 152nd Inc., 657 East 152nd Street, Cleveland, Ohio 44110, Permanent Number 2405365 be and the same is hereby withdrawn and Resolution No. 1091-12, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

Res. No. 1740-12.

By Council Member Pruitt.

An emergency resolution objecting to a New C1 Liquor Permit at 4231 East 131st Street.

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 Liquor Permit at Jermel Griffin, DBA The Block Food and Beverages, LLC, 4213 East 131st Street, Cleveland, Ohio 44105, Permanent Number 3380146; 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 ordi-

nances 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 Jermel Griffin, DBA The Block Food and Beverages, LLC, 4213 East 131st Street, Cleveland, Ohio 44105, Permanent Number 3380146; 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.

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

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

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 1234-12.

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

An emergency ordinance to repeal Sections 213.01, 213.02, and 213.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances; and to supplement the codified ordinances by enacting new Sections 213.01 and 213.02, relating to swimming pools, spas, and special use pools.

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

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

Ord. No. 1325-12.

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

An emergency ordinance authorizing the Director of Capital Projects to employ one or more professional consultants to design the improvement to the East 79th Street Bridge; authorizing the Commissioner of Purchases and Supplies to acquire and record for right-of-way purposes such real property as is necessary to make the public improvement; authorizing the Director to enter into any agreements relative thereto; authorizing the Director to apply for and accept gifts and grants from any public or non-profit entity for the improvement; authorizing the Director to accept cash contributions from the Greater Cleveland Regional Transit Authority, Northeast Ohio Regional Sewer District, and private utility companies for costs associated with the improvement and to enter into agreements; and giving consent of the City of Cleveland to the State of Ohio for the improvement to the East 79th Street Bridge.

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

1. In Section 17, lines 2 and 3, strike "20 SF 383"; in line 3, strike 20 SF 657" and insert "20 SF 534, 20 SF 540, and 20 SF 546", and strike line 4 in its entirety and insert "RQS 0103, RL 2012-117."

Amendment agreed to.

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

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

Ord. No. 1327-12.

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

An emergency ordinance to amend Section 559.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 734-09, passed May 18, 2009, relating to the designation of the Cleveland Cultural Gardens to expand the boundary to Wade Park Avenue; and to enact new Sections 559.244 and 559.245 relating to future gardens.

Approved by Directors of Public Works, City Planning Commission, Legislation, Finance, Law; Committees on Public Parks, Properties, City Planning, Legislation, Finance, when amended, as follows:

1. In Section 1, at the legal description, in the second paragraph, line 2, strike "367," and insert "376".

Amendment agreed to.

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

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

Ord. No. 1335-12.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at 9127 Miles Avenue to Northeast Ohio Neighborhood Health Services, Inc. ("NEON") for purposes of providing a new access point for accessible comprehensive primary health care services to Cleveland residents on a sliding scale.

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

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

Ord. No. 1363-12.

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

An emergency ordinance authorizing the Director of Capital Projects to employ one or more professional consultants to design the improvement of resurfacing East 9th Street from North Marginal Road to Carnegie Avenue and from Ontario Street from Lakeside Avenue to 900 feet north of Carnegie Avenue; authorizing the Director to accept cash contributions from the Greater Cleveland Regional Transit Authority, Northeast Ohio Regional Sewer District, and private utility companies for costs associated with the improvement and to enter into agreements; giving consent of the City of Cleveland to the County of Cuyahoga for the improvement; to apply for and accept an allocation of County Motor Vehicle License Tax Funds for the improvement; authorizing the Commissioner of Purchases and Supplies to acquire and record for right-of-way purposes such real property as is necessary to make the improvement; authorizing the Director to enter into any agreements relative thereto; and cause payment to the County for the City's share of the improvement.

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

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

Ord. No. 1406-12.

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

An emergency ordinance authorizing the Director of Public Works to execute a deed of easement granting to the Northeast Ohio Regional Sewer District certain non-exclusive easement rights in property located in the vicinity of the future Flats East Bank Riverfront Park and declaring said easement rights no longer needed for public use; and authorizing the Director of Capital Projects to acquire a certain non-exclusive easement from Flats East Development, LLC for improvements related to the repair and replacement of the bulkhead wall on City property that will be redeveloped as the future Flats East Bank Riverfront Park.

Approved by Directors of Public Works, Capital Projects, City Planning Commission, Law; Passage recommended by Committees on Public Service, City Planning, Finance.

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

Ord. No. 1455-12.

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

An emergency ordinance authorizing the Director of Port Control to exercise the five-year option to renew Contract No. 67376 with Standard Parking Corporation to extend the term to manage outbound taxicabs at Cleveland Hopkins International Airport and to provide other related services.

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

1. In the title, lines 6 and 7, strike "and to provide other related services".

Amendment agreed to.

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

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

Ord. No. 1531-12.

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

An emergency ordinance authorizing the Director of Public Works, to enter into a property adoption agreement with The Putman Sculpture Collection to install and maintain the Euclid's Circle Sculpture in the David E. Davis Sculpture Garden in Rockefeller Park.

Approved by Directors of Public Works, City Planning Commission, Finance, Law; Passage recommended by Committees on Public Parks, Properties, and Recreation, City Planning, Finance.

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

Ord. No. 1533-12.

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

An emergency ordinance to amend Sections 559.14 and 559.15 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, relating to the Croatian and the Hebrew Cultural Gardens.

Approved by Directors of Public Works, City Planning Commission, Finance, Law; Passage recommended by Committees on Public Parks, Properties, and Recreation, City Planning, Legislation, Finance.

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

Ord. No. 1535-12.

By Council Members Dow, Conwell, Miller, Cleveland and Kelley (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned prop-

erty no longer needed for public use located mid-block between Euclid Avenue and Chester Avenue on East 105th Street to Ronald McDonald House of Cleveland, Inc., for purposes of construction of additional parking; authorizing the City's retention of a non-exclusive permanent easement across the property for purposes of ingress and egress onto East 105th Street; authorizing the acquisition of certain non-exclusive easement rights from Ronald McDonald House of Cleveland, Inc. for ingress and egress purposes onto East 105th Street; and to repeal Ordinance No. 1550-11, passed December 5, 2011, relating to the Ronald McDonald House.

Approved by Directors of Public Safety, Capital Projects, City Planning Commission, Finance, Law; Passage recommended by Committees on Public Safety, Public Service, City Planning, Finance.

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

Ord. No. 1543-12.

By Council Members Keane and Conwell.

An emergency ordinance to amend Sections 135.42 and 405.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 292-07, passed June 11, 2007 and Ordinance No. 1971-06, passed July 2, 2008, relating to contracts for towing and impounding and towing fees.

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

1. In Section 1, at amended Section 135.42, in section (c), lines 4, 5, and 6, strike the semicolons after "(30%)", "(60%)", and "(10%)"; and in line 7, strike "either the towing or" and insert "the".

Amendment agreed to.

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

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

Ord. No. 1583-12.

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

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants, computer software developers, or vendors or one or more firms of professional consultants, computer software developers, or vendors to acquire, install, and configure a Web-Based Power Monitoring and Communication System; and authorizing one or more requirement and/or standard contracts for materials, equipment, supplies, and services, needed to implement the Web-Based Power Monitoring and Communication System.

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

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

Ord. No. 1584-12.

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

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. NF2010-016 with AeroMag 2000 CLE, LLC for the use of certain Airport-owned space at Cleveland Hopkins International Airport.

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

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

Ord. No. 1585-12.

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

An emergency ordinance authorizing the Director of Public Works to apply for and accept a grant from the Ohio Department of Education for the 2013 Summer Food Service Program; authorizing the purchase by requirement contract of food, food products, beverages, condiments and paper products to implement the grant, for the Division of Recreation, Department of Public Works; and authorizing the Director to contract with various non-profit organizations for the implementation of the Program.

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

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

Ord. No. 1587-12.

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

An emergency ordinance authorizing the Director of Public Works to make alterations and modifications in Contract No. CT 7003 PI 2012-006 with Nerone & Sons, Inc. for improvements to the Miles Pointe Crossing Parking Lot, for the Department of Public Works.

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

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

Ord. No. 1588-12.

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

An emergency ordinance authorizing the Director of Public Works to execute a deed of easement granting certain temporary construction easement rights in property located at the entrance of the Highland Park Cemetery to Cuyahoga County, declaring that the temporary construction easement rights granted are not needed for the City's public use.

Approved by Directors of Public Works, City Planning Commission, Finance, Law; Passage recommended by Committees on Public Parks, Properties, and Recreation, City Planning, Finance.

The rules were suspended. Yeas 19. Nays 0. Read second time. Read

third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 1589-12.

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from Cuyahoga County Solid Waste District for the 2013 Solid Waste Disposal Program.

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

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

Ord. No. 1591-12.

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

An emergency ordinance authorizing the Director of Community Development to apply for and accept one or more grants from the State of Ohio, Ohio Development Services Agency for the 2013 Home Weatherization Assistance Program.

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

1. In the title, at the end, strike the period and insert: "; and authorizing the Director of Community Development to employ one or more professional consultants to provide grant writing services".

2. Insert new Sections 3 and 4 to read as follows:

"Section 3. That the Director of Community Development is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide grant writing services needed to assist the City with preparing the applications needed to receive the grants identified in this ordinance.

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

Section 4. That the costs of the contract or contracts authorized by this ordinance shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance, except for the professional services for grant writing authorized in Section 1 of this ordinance, which shall be paid from Fund No. 14 SF 038, RQS 2012-8006, RL 2012-066."

3. Renumber existing Section 3 to new "Section 5".

Amendments agreed to.

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

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

Ord. No. 1593-12.

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

An emergency ordinance approving the Tax Incentive Review Council's Year 2011 recommendations.

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

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

Ord. No. 1629-12.

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

An emergency ordinance to appropriate up to two easements for the public purpose of implementing the Harvard Avenue Bridge Project.

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

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

Ord. No. 1630-12.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of rigging services, and labor, materials, and services needed to maintain, repair, or refurbish material handling equipment, including training if needed; and authorizing the rental of material handling equipment, cranes, and other heavy equipment, including training if needed, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years.

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

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

Ord. No. 1631-12.

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

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide general information technology services on an as-needed basis for a period of two years.

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

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

Ord. No. 1632-12.

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

An emergency ordinance authorizing the Director of Port Control to

exercise the first option to renew Contract No. CT 3001-PS2011-59 with Cleveland State University, to provide business and management training and development content, activities, and programs in support of employee performance and professional development programs at Cleveland Hopkins International Airport and Burke Lakefront Airport.

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

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

Ord. No. 1633-12.

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

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. CT 3001-PS2011-129 with The Institute for Organizational Excellence LLC, an Ohio Limited Liability Company, to provide Lean Six Sigma and general training and development content, activities, and programs in support of employee performance and professional development programs at Cleveland Hopkins International Airport and Burke Lakefront Airport.

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

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

Ord. No. 1635-12.

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

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. CT 3001-PS 2011-68 with Cuyahoga Community College to provide professional technical and general training and development content, activities, and programs in support of employee performance and professional development programs at Cleveland Hopkins International Airport and Burke Lakefront Airport.

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

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

Ord. No. 1636-12.

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

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. CT 3001-PS2011-32 with Mind-Leaders Inc., a Delaware Corporation, to provide E-learning training and development content, activities, and programs in support of employee performance and professional development programs at Cleveland Hopkins International Airport and Burke Lakefront Airport.

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

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

Ord. No. 1638-12.

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

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 139.21 relating to accepting gifts of art, cash, sponsorships, and other donations to enhance the physical appearance at the Cleveland Airport System.

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

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

Ord. No. 1640-12.

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the St. Luke's Foundation for the 2013 Making Greater Cleveland Lead Safe and Healthy Program; to enter into one or more contracts with Lutheran Metropolitan Ministry, Cuyahoga County Board of Health, the Cleveland Tenants Organization, the Environmental Health Watch needed to implement the grant.

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

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

Ord. No. 1641-12.

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 2013 STD Control Prevention Program; authorizing the Director to enter into contracts with other agencies or entities to implement the grant; and to enter into an agreement with the Ohio Department of Health for the City to receive payments from the Medicaid program.

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

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

Ord. No. 1642-12.

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

An emergency ordinance to amend Sections 227.03, 227.04, 227.05, 227.33, 227.34 and 227.35, of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 924-09, passed August 5, 2009, relating to Day Care Center fees, applications, inspections and contagious disease notification.

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

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

Ord. No. 1645-12.

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

An emergency ordinance authorizing the Director of Community Development to enter into contracts with various non-profit agencies for the implementation of homeless assistance activities.

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

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

Ord. No. 1646-12.

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

An emergency ordinance authorizing the Director of Community Development to employ one or more professional consultants to provide grant writing services; and authorizing the Director of Community Development to apply for and accept the Lead Hazard Reduction Demonstration or Lead Hazard Control Grant and the Healthy Homes Grant both from the U.S. Department of Housing and Urban Development; authorizing the purchase by one or more standard and requirement contracts of materials, equipment, supplies, and services necessary to implement the grants and for the rental of furniture and other household articles to supply and accommodate displaced persons; and authorizing one or more contracts with various entities, agencies, or individuals to implement the grants.

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

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

Ord. No. 1647-12.

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

An emergency ordinance to amend the title and Section 1 of Ordinance No. 958-11, passed August 17, 2011, relating to the Energy Savers Pilot Program.

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

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

Ord. No. 1685-12.

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

To amend the title, the first where-as clause and Section 1 of Resolution No. 1068-12, adopted October 22, 2012, to change the intent to vacate a portion of West 20th Street and a portion of Moore Court to the intent to vacate the 1st unnamed alley west of Colum-

bus Road and south of Franklin Avenue and a portion of Moore Court.

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

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

Ord. No. 1686-12.

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

An emergency ordinance giving consent of the City of Cleveland to the Ohio Department of Transportation for the demolition and construction of the eastbound IR-90 structure over the Cuyahoga River Valley and the rehabilitation of the IR-71 bridge over IR-90/IR-490; and authorizing the Director of Capital Projects to enter into any relative agreements.

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

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

Ord. No. 1687-12.

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

An emergency ordinance giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio for reconstructing and streetscaping Waterloo Road from East 152nd Street to East 162nd Street; authorizing the Director of Capital Projects to enter into any relative agreements; and causing payment of the City's share to the State for the cost of the improvement.

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

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

Ord. No. 1688-12.

By Council Members Westbrook, Pruitt, Reed, Miller, Cleveland and Kelley (by departmental request).

An emergency ordinance determining the method of making the public improvement of laying and repairing sidewalks, driveway aprons, and curbing, restoring grass tree lawns and adjusting castings encroaching upon the public right of ways of West 105th Street, West 106th Street, West 114th Street, and East 151st Street; and authorizing the Director of Capital Projects to enter into one or more requirement contracts for the making of the improvement.

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

1. In Section 3, line 3, delete "and"; in line 4, after "grinding" insert ", and tree replacement".

Amendment agreed to.

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

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

Ord. No. 1689-12.

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

An emergency ordinance giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio for rehabilitating Larchmere Boulevard from Martin Luther King Jr., Boulevard to N. Moreland Boulevard; authorizing the Director of Capital Projects to enter into any relative agreements; and causing payment of the City's share to the State for the cost of the improvement.

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

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

Ord. No. 1690-12.

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

An emergency ordinance giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio for constructing a North Coast Harbor pedestrian bridge; authorizing the Director of Capital Projects to enter into any relative agreements; and causing payment of the City's share to the State for the cost of the improvement.

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

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

Ord. No. 1691-12.

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

An emergency ordinance determining the method of making the public improvement of cleaning, cement mortar and structural lining, and replacing various distribution water mains in 2013; and authorizing the Director of Public Utilities to enter into one or more public improvement contracts for the making of the improvement.

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

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

Ord. No. 1692-12.

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

An emergency ordinance determining the method of making the public improvement of installing a new restricted transmission water main that can also provide service to local customers beginning at Brainard

Road at Miles Avenue and north to Harvard Avenue and east to Orange-wood Drive in the Village of Orange; and authorizing the Director of Public Utilities to enter into one or more public improvement contracts for the making of the improvement.

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

Ord. No. 1693-12.

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

An emergency ordinance to amend Section 9 of Ordinance No. 710-12, passed June 4, 2012, relating to the design and construction of the Burke Lakefront Airport Runway 6L-24R Safety Area.

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

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

Ord. No. 1697-12.

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

An emergency ordinance authorizing the Director of Community Development to enter into a development agreement with The Finch Group, Inc., or its approved designee, for the sale and redevelopment of certain City-owned parcels including certain Land Reutilization Program parcels located in the Upper Chester Target Area, defined as a part of the Hough neighborhood bounded by Chester Avenue on the South, East 101st Street and Ansel Road on the East, the rear or southerly property line of parcels on the South Side of Hough Avenue on the North, and East 93rd Street on the West.

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

1. In the title, line 3, after "Development" insert "**and the Director of Capital Projects**".

2. In the third whereas clause, line 1, after "Development" strike "has" and insert "**and the Director of Capital Projects have**".

3. In Section 1, line 3, strike "is" and insert "**and the Director of Capital Projects are**".

4. In Section 1, at the list of permanent parcel numbers, third column, strike "119-13-114 consol. with -058" and insert "**119-13-114**".

5. In Section 2, line 2, after "phases" insert "**and the legal descriptions of the permanent parcel numbers identified above;**"; and in line 3, after "1697-12-A" insert "**and 1697-12-B are**".

6. In Section 6, line 1, strike "conveyance" and insert "**conveyances**"; and in line 3, strike "deed" and insert "**deeds**".

7. In Section 2, line 3, strike "File No. 1697-12-A" and insert "**File No. 1697-12-B**".

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

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

Ord. No. 1698-12.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to enter into one or more contracts with Court Community Service for professional services necessary to place criminal defendants in community service, and for placement in the Cleveland Work Crew Program, both as referred by the Court, each for a period of one year, with a one year option to renew, for the Cleveland Municipal Court.

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

1. In Section 3, line 2, strike "RQS" and insert "**RQN**".

Amendment agreed to.

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

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

Ord. No. 1699-12.

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

An emergency ordinance authorizing the Director of Economic Development to consent to the assumption of UDAG Contract No. 49231, as amended, with JF West St. Clair Limited Liability Company and UDAG Contract No. 46470 with Nautica Peninsula Land Limited Partnership by Jacobs Investments, Inc.

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

1. In the second Whereas clause, line 4, and in Section 3, line 4, strike "additional".

Amendment agreed to.

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

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

Ord. No. 1700-12.

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

An emergency ordinance authorizing the Director of Economic Development to enter into amendments to Contract No. 46868 with 425 Lakeside Avenue Limited Partnership and to Contract No. 48736 with JF West St. Clair Limited Liability Company, a designee of Hoyt Block II Limited Partnership, to accept discount prepayments of their UDAG loans regarding development of the 425 Lakeside project in the Warehouse District and the development of the Hoyt Block II project also in the Warehouse District.

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

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

Ord. No. 1701-12.

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

An emergency ordinance to amend Sections 33 and 56 of Ordinance No. 1689-11, passed November 28, 2011, as amended by various ordinances, relating to compensation for various classifications.

Approved by Directors of Human Resources, Finance, Law; Passage recommended by Committees on Employment, Affirmative Action and Training, Finance.

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

Ord. No. 1702-12.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Director of Community Relations to apply for and accept a grant from Cuyahoga County for the FY 2012 Juvenile Accountability Block Grant Program.

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

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

Ord. No. 1703-12.

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

An emergency ordinance giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio for resurfacing Triskett Road from Lorain Avenue to West 117th Street and resurfacing Warren Road from Lorain Avenue to Munn Road; authorizing the Director of Capital Projects to enter into any relative agreements; and causing payment of the City's share to the State for the cost of the improvement.

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

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

Ord. No. 1704-12.

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

An emergency ordinance authorizing the Directors of Public Safety and Community Development to enter into one or more agreements with the Cleveland Metropolitan School District and the Cuyahoga Metropolitan Housing Authority for the exchange of properties located at 3552 E. 131st Street, known as PPN 137-04-068 (the former Charles Dickens Elementary School site), 2248 W. 53rd Street, known as PPN 006-16-020 (a Land Bank parcel), and 3030 E. 77th Street, known as PPN 125-19-066 (the former Anton Grdina Elementary School site).

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

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

SECOND READING EMERGENCY RESOLUTIONS ADOPTED

Res. No. 1408-12.

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

An emergency resolution declaring the intent to vacate a portion of Franklin Avenue N.W. (60.00 feet wide).

Approved by Directors of Capital Projects, City Planning Commission, Finance, Law; Adoption recommended by Committees on Public Service, City Planning, Finance.

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

Res. No. 1538-12.

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

An emergency resolution declaring the intent to vacate a portion of Brookpark Road and Relocated Grayton Road.

Approved by Directors of Capital Projects, City Planning Commission, Finance, Law; Adoption recommended by Committees on Public Service, City Planning, Finance.

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

LAID ON THE TABLE

Ord. No. 8-12.

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

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

Without objection, Ordinance No. 8-12 was relieved of further consideration of all committees and laid on the table pursuant to the Rules of Council.

The rules were suspended. Yeas 19. Nays 0. Ordinance No. 8-12. Laid on the Table.

MOTION

The Council Meeting adjourned at 9:15 p.m. to meet at the call of the Chair.



Patricia J. Britt
City Clerk, Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

November 28, 2012

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, November 28, 2012 at 10:42 a.m. with Director Langhenry presiding.

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

Absent: Mayor Jackson and Director Dumas.

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

Jim Hardy, Commissioner, Purchases & Supplies.

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

Resolution No. 635-12.

By Director Withers.

Whereas, under the authority of Ordinance No. 1574-11, passed by the Council of the City of Cleveland on April 9, 2012, by Resolution No. 568-12, adopted on November 7, 2012, this Board of Control selected "Gershman, Brickner & Britton, Inc." as the firm to be employed by contract to supplement the regularly employed staff of the City Public Utilities Department to supplement the regularly employed staff of the several departments of the City to provide professional services necessary to evaluate development options for the Cleveland Recycling and Energy Generation Center project at the City's Ridge Road Transfer Station, for the Division of Cleveland Public Power, Department of Public Utilities; and

Whereas, the correct name of the firm selected by Resolution No. 568-12 for the above-described professional services is "Gershman, Brickner & Bratton, Inc.;" now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 568-12, adopted November 7, 2012, is amended by deleting "Britton" and substituting "Bratton", where appearing, as part of the correct name of the firm selected for contract for the above-described professional services.

Be it further resolved that all other terms of Resolution No. 568-12 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Directors Langhenry, Smith, Cox, Butler, Acting Director Eckart, Directors Rush, Southerington, Nichols, Fumich, Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Withers.

Resolution No. 636-12.

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of Ordinance No. 1217-11, passed by the

Council of the City of Cleveland on October 3, 2011, the firm of MCPc, Inc. ("Consultant") is selected upon nomination of the Director of Port Control from a list of qualified persons or firms determined after a full and complete canvass by the Director of Port Control as the firm of consultants available to be employed by contract to supplement the regularly employed staff of the several departments of the City to provide professional services necessary to design, develop and implement an intranet system, including maintenance and support ("Services"), for a period of two years, for the Department of Port Control.

Be it further resolved that the Director of Port Control is authorized to enter into a written contract with MCPc, Inc. for the above-mentioned Services, based upon its proposal dated July 6, 2012, which contract shall be prepared by the Director of Law, shall provide that the compensation to MCPc, Inc. for the Services authorized shall not exceed \$111,700.00 and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

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

<u>Subcontractor</u>	<u>CSB/MBE/FBE%</u> <u>Amount</u>
DeVore Technologies, Inc.	10% CSB/MBE/FBE \$11,170.00
Avvenire Solutions	57.82% Non-CSB/MBE/FBE \$64,592.00

Yeas: Directors Langhenry, Smith, Cox, Butler, Acting Director Eckart, Directors Rush, Southerington, Nichols, Fumich, Rybka.

Nays: None.
Absent: Mayor Jackson, Directors Dumas and Withers.

Resolution No. 637-12.

By Director Smith.

Resolved, by the Board of Control of the City of Cleveland that the bid of Hepner Air Filter Service, Inc., for an estimated quantity of air filters, Items 1(a), (d-g), (i-q), (s-v), (x-cc), 2(b-g), 3(a-k), 4(a-i), 5(a-c) and 7, for the various divisions of the Department of Port Control, for a period of two years beginning with the date of execution of a contract, received on May 23, 2012, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to \$66,651.74, is affirmed and approved as the lowest and best bid, and the Director of Port Control is requested to enter into a requirement contract for the goods and services necessary for the specified items.

The requirement contract shall further provide that the Contractor shall furnish all the City's requirements for such 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 Langhenry, Smith, Cox, Butler, Acting Director Eckart,

Directors Rush, Southerington, Nichols, Fumich, Rybka.
Nays: None.

Absent: Mayor Jackson, Directors Dumas and Withers.

Resolution No. 638-12.

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Strong Tower Construction, LLC d/b/a Koch Corporation, for the public improvement of Phase II Continuation of the Residential Sound Insulation Program, Mechanical/HVAC, Group A-12-2, all items, for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on October 10, 2012 under the authority of Ordinance Nos. 930-95, 469-98 and 327-2000, passed June 19, 1995, May 18, 1998 and June 12, 2000, respectively, upon a unit basis for the improvement, in the aggregate amount of \$576,766.00, is affirmed and approved as the lowest responsible bid; and the Director of Port Control is authorized to enter into a contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that employment of the following subcontractor by Strong Tower Construction, LLC d/b/a Koch Corporation, is approved:

<u>Subcontractor</u>	<u>DBE%</u> <u>Amount</u>
Baseline Supply, LLC	9.90% DBE \$95,151.26

Yeas: Directors Langhenry, Smith, Cox, Butler, Acting Director Eckart, Directors Rush, Southerington, Nichols, Fumich, Rybka.

Nays: None.
Absent: Mayor Jackson, Directors Dumas and Withers.

Resolution No. 639-12.

By Director Cox.

Whereas, the Director of Public Works is authorized under Ordinance No. 791-12, passed by the Cleveland City Council July 11, 2012 to enter into one or more concession agreements on the basis of competitive proposals for the operation of soft drink, candy, snack and other vending machines throughout various City-owned and City-leased buildings under the control of the Department of Public Works and other City departments when the department director authorizes participation in the concession agreement, for a period not exceeding two years with a one-year option to renew; and

Whereas, AVI Food Systems, Inc. has proposed, by its July 31, 2012 proposal, to supply, service, and maintain vending machines dispensing 100% healthy products, including healthy snacks, and sugar-free soft drinks and other beverages supplied exclusively by the Coca Cola Bottling Company, throughout various City-owned and City-leased buildings; and

Whereas, the City is willing to grant AVI Food Systems Inc. the privilege, permit, and license to supply, service and maintain vending machines for 100% healthy products and healthy snacks and to supply and maintain vending machines dispensing exclusively Coca Cola Bot-

tling Company beverages, in various City-owned and leased buildings for the fee stated in its proposal; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that under the authority of Ordinance No. 791-12, passed by the Cleveland City Council July 11, 2012, AVI Food Systems Inc. is selected, on the basis of its July 31, 2012 proposal, as the concessionaire to operate vending machines dispensing 100% healthy product and healthy snack, and sugar-free soft drink and other Coca Cola Bottling Company-supplied beverages, throughout various City-owned and City-leased buildings, for a period of two years with a one-year option to renew.

Be it further resolved that the Director of Public Works is authorized to enter into one or more concession agreements with AVI Food Systems Inc. to operate above-mentioned concession for a concession fee of 17% of gross sales of all products dispensed from the vending machines.

Be it further resolved that the Director of Law shall prepare the concession agreement authorized above which shall include such other provisions as the Director of Law considers necessary to benefit and protect the public interest.

Yeas: Directors Langhenry, Smith, Cox, Butler, Acting Director Eckart, Directors Rush, Southerington, Nichols, Fumich, Rybka.

Nays: None.
Absent: Mayor Jackson, Directors Dumas and Withers.

Resolution No. 640-12.

By Director Cox.

Whereas, the Director of Public Works is authorized under Ordinance No. 791-12 passed by the Cleveland City Council, July 11, 2012 to enter into one or more concession agreements on the basis of competitive proposals for the operation of soft drink, candy, and snack and other vending machines throughout various City-owned and City-leased buildings under the control of the Department of Public Works and other City departments when the department director authorizes participation in the concession agreement, for a period not exceeding two years, with a one-year option to renew; and

Whereas, the Coca Cola Bottling Company has proposed to supply exclusive sugar-free soft drink and other beverage service to vending machines to be supplied and maintained by AVI Food Systems, Inc. under a separate concession agreement, throughout various City-owned and City-leased buildings; and

Whereas, the City is willing to grant the Coca Cola Bottling Company the privilege, permit, and license to provide exclusive beverage services to all AVI vending machines in various City-owned and City-leased buildings for the fee stated in Coca Cola Bottling Company's July 31, 2012 proposal; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that under the authority of Ordinance No. 791-12, passed by the Cleveland City Council July 11, 2012, the Coca Cola Bottling Company is selected, on the basis of its July 31,

2012 proposal, as the concessionaire to supply sugar-free soft drink and beverage service exclusively to AVI Food Systems vending machines located throughout various City-owned and City-leased buildings, for a period of two years, with a one-year option in the City to renew.

Be it further resolved that the Director of Public Works is authorized to enter into one or more concession agreements with the Coca Cola Bottling Company to operate above-mentioned concession for a concession fee of \$12,000 per year.

Be it further resolved that the Director of Law shall prepare the concession agreement authorized above which shall include such other provisions as the Director of Law considers necessary to benefit and protect the public interest.

Yeas: Directors Langhenry, Smith, Cox, Butler, Acting Director Eckart, Directors Rush, Southerington, Nichols, Fumich, Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Withers.

Resolution No. 641-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 121-32-093 located at 10900 Mt. Overlook in Ward 6; and

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

Whereas, Robert Williams has proposed to the City to purchase and develop the parcel for redevelopment; and

Whereas, the following conditions exist:

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

2. The proposed purchaser of the parcel has a tax payment plan and is not in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Robert Williams for the sale and development of Permanent Parcel No. 121-32-093 located at 10900 Mt. Overlook, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for said parcel shall be \$400.00, which amount is determined to be not less than the Fair Market value of said parcel for uses according to the Program.

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

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 642-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 137-19-079 located at 13811 Horner in Ward 2; and

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

Whereas, Robert Williams has proposed to the City to purchase and develop the parcel for redevelopment; and

Whereas, the following conditions exist:

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

2. The proposed purchaser of the parcel has a tax payment plan and is not in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Robert Williams for the sale and development of Permanent Parcel No. 137-19-079 located at 13811 Horner, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for said parcel shall be \$400.00, which amount is determined to be not less than the Fair Market value of said parcel for uses according to the Program.

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

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 643-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 121-19-001 located at 2269 East 100th Street in Ward 6; and

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

Whereas, Korolla M. Hendon has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Korolla M. Hendon for the sale and development of Permanent Parcel No. 121-19-001 located at 2269 East 100th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$400.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

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

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 644-12.

By Director Southerington.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 1518-11, passed by the Council of the City of Cleveland on November 21, 2011, Automatic Data Processing, Inc. (ADP) is selected from a list of professional consultants determined after a full and complete canvass by the Director of Human Resources as the firm to be employed by contract to supplement the regularly employed staff of several departments of the City of Cleveland to perform the professional services necessary to provide medical reimbursement accounts for City of Cleveland employees for a period up to one year, with a one-year option to renew, for the Department of Human Resources.

Be it further resolved that the Director of Human Resources is authorized to enter into contract with Automatic Data Processing, Inc. (ADP), based on its proposal dated October 22, 2012, for a period of one year with a one-year option to renew exercisable by the Director of Human Resources, which contract shall be prepared by the Director of Law, shall provide for the furnishing of professional consultant

services as described in the proposal for a fee not to exceed \$13,250.00 per year, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

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

Nays: None.

Absent: Mayor Jackson and Director Dumas.

JEFFREY B. MARKS, Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

ROBERT BENNETT, President

CIVIL SERVICE NOTICE

ANNOUNCEMENTS — 2012

Table with 4 columns: Announc-ment No., Exam Method, Classification, Exam Type. Rows include 142 EE, OR, WR, TY Emergency Medical Dispatcher (Open), 143 EE Health Services Administrator (N/C), 144 EE Radio Technician (Open), 145 EE Patrol Officer (Lateral) (Open), 146 EE Truck Driver (N/C).

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. 142

EMERGENCY MEDICAL DISPATCHER (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 \$10.50 - \$20.45 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available online or at the Office of the Civil Ser-

vice 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, DECEMBER 7, 2012 UNTIL 4:30 P.M. ON THURSDAY, DECEMBER 13, 2012.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, DECEMBER 13, 2012.

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

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: 25% of applicant's grade will be determined based on Education and Experience found in Resume. Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

ORAL INTERVIEW: 50% of applicant's grade will be determined based on an oral interview

WRITTEN EXAMINATION: 25% of applicant's grade will be determined by a written examination

TYPING TEST: This portion of the test is Pass-Fail. Applicants will be required to take a typing exam and MUST be able to type 25 wpm with 90% accuracy. Failure to type the minimum words per minute AND the required percentage of accuracy will result in a zero for the final score.

Applicants will be notified of the time, date, and place of the exams by U.S. Mail or via contact information provided.

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 supervision, answers emergency telephone calls from citizens and other agencies; elicits pertinent information, prioritizes the call utilizing information received from the caller, and assigns the proper priority code. Provides post-dispatch information and lifesaving pre-arrival instructions to the callers. Displays compassion and empathy toward callers at all times; utilizes different techniques to calm callers when needed. Maintains proficiency in emergency dispatch in order to achieve and maintain certification in priority dispatch. Operates the Division of Emergency Medical Service computers as well as phone and radio equipment according to City and FCC rules and regulations. Maintains familiarity with the streets of Cleveland and dispatches Emergency Medical Service units on the basis of availability and proximity to scene of the requested service. Coordinates emergencies needing multiple Emergency Medical Service units and resources from other agencies. Maintains familiarity with various resource agencies used by Emergency Medical Service (e.g.: Police,

Fire, Coast Guard, etc.) and contacts these agencies as needed. Performs other related duties as may be assigned or required to meet emergency situations. 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; an Associate's Degree or Certificates of Medical Assistance or Health Care Aide are preferred. Bilingual candidates are also preferred. Must have a working knowledge of computers and be able to type at least 25 words per minute with 90% accuracy. Must be able to lift and carry 30 pounds.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee payable in cash or money order (no checks). 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. A copy of such proof must be included with the application.

NOTE: Those persons who are residents of the City of Cleveland for at least one year at the date of filing and who received passing scores shall have ten (10) additional points added to their grades. A list of acceptable forms of proof of residency applicants need to present at the time of filing is included with the application.

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications may not be accepted if copies are not submitted with application at 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. 135

HEALTH SERVICES ADMINISTRATOR (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 \$27,325.56 - \$77,502.92 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. 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, DECEMBER 7, 2012 UNTIL 4:30 P.M. ON THURSDAY, DECEMBER 20, 2012.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, DECEMBER 20, 2012.

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

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's eligibility 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

Assists in planning, managing, coordinating, and administering the activities and requirements of Minority-focused health programs. Oversees the activities required to provide adequate execution of such functions as are deemed necessary for efficient and economical operation of the program. Assists in monitoring the status of the program(s) as well as reviewing and evaluating existing policies, procedures, and work methods. Provides general administrative and/or staff services as necessary to support the goals and objectives of the program. Assists in surveying existing Minority programs, estimating future needs, and making recommendations concerning the advisability of new programs. Compiles and analyzes data from various sources to document areas of need. Reviews and prepares, as delegated, reports of work performed by staff. Participates in the development of solutions to positively impact minority populations. Performs other 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. A Master's Degree in Public Health, Public Administration, Health Education, Business Administration or other closely related field from an accredited four year college or university is required. Two years of full time paid experience in program administration and coordination in a health care field is required. One year of experience in grant writing and management is also required. Must have strong verbal, written, and interpersonal communication skills. Must be computer proficient and skilled in Microsoft Office Suites. Individual must be able to lift and carry a minimum of 30 pounds. A valid State of Ohio Driver's License is required.

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications may not be accepted if copies are not submitted with application at 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. 144

RADIO TECHNICIAN (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 \$16.38 - \$21.00 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available online or 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, DECEMBER 7, 2012 UNTIL 4:30 P.M. ON THURSDAY, DECEMBER 13, 2012.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, DECEMBER 13, 2012.

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

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on Education and Expe-

rience found in Resume. 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 supervision, performs skilled technical work and services for the City of Cleveland's 800 MHz Radio System. Installs, troubleshoots, and maintains the two-way radios, base and control stations, antenna systems, cellular telephones, mobile data terminals, AVL/GPS, light bars, sirens, radar, Automatic License Plate Readers, and all related communications and electronic equipment as needed. Designs, implements, and documents unique systems, wiring, and/or circuits in response to custom needs and requirements. Develops and implements various two-way mobile and portable radio subscriber templates. Maintains electronic inventory control. Escorts outside vendors, technicians, etc. and conducts inspections of their work when called to a work site. May drive medium duty (approx. 38,000 lbs.) trucks. Maintains radio and other electronic equipment in proper working order. Maintains accurate records on all work performed. Prepares program and reports and correspondence. Conducts research and provides statistical results on systems, work performed, etc. Provides information and assistance to other departments, outside agencies, and the public. Works as assigned during any emergency activation of the City Emergency Operations Center (EOC). Participates in City and/or regional drills or exercises to facilitate onsite communications or establish procedures or protocols for emergency situations. Performs other job-related duties as assigned. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

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

A High School Diploma or GED is required. Two years of full time paid experience in radio system technology or related field with an emphasis in installing, servicing, troubleshooting, and maintaining vehicle electronics, digital two-way radio systems or any related electronic equipment and systems. (Substitution: An Associate's Degree or the equivalent vocational training with major coursework in Communications Technology may substitute for the required experience) A valid State of

Ohio Driver's License is required. Must be familiar with computers and have a working knowledge of Microsoft operating system and Office Suite. Must be able to perform work in various settings and in all weather conditions for long shifts and/or irregular hours in case of emergency. Must be able to lift and carry 50 pounds.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee payable in cash or money order (no checks). 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. A copy of such proof must be included with the application.

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications may not be accepted if copies are not submitted with application at 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. 145

PATROL OFFICER (Lateral) (Open)

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

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, MONDAY, DECEMBER 10, 2012 UNTIL 4:30 P.M. ON THURSDAY, DECEMBER 20, 2012 AND FROM 9:00 A.M. UNTIL 3:30 P.M. ON SATURDAY, DECEMBER 15.**

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, DECEMBER 20, 2012.

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

FILING FEE

Applicants are required to pay a non-refundable filing fee of \$10.00 (Cash, Money Order, or BANK CHECK only.

NO PERSONAL CHECKS WILL BE ACCEPTED.) Bank Check or Money Order must be made payable to the City of Cleveland. Those individuals presenting proof of unemployment or public assistance AT THE TIME OF FILING will be exempt from the fee. A copy of such proof must be included with the application.

SALARY

The starting salary while in the Police Training Academy is \$10.50 per hour. Upon successful completion of the Academy, the salary for patrol officer is \$45,904.64 per year.

DUTIES

Under supervision of a Sergeant or other superior officer, performs general and special police duty in an assigned district or unit in the preservation of law and order. Protects life and property. Enforces laws and ordinances. Prevents and detects crime. Work involves an element of personal danger. Acts without direct supervision and exercises independent judgment in meeting complex situations.

MINIMUM QUALIFICATIONS

AGE: Applicant must be a minimum of 21 years of age and **no older than 39 years of age AT THE TIME OF APPOINTMENT TO THE CITY OF CLEVELAND POLICE TRAINING ACADEMY.** An Associate's Degree from an accredited college or university is preferred. Three years of full time paid continuous experience within the last four years as the equivalent of a Police Officer in the State of Ohio is required. Must have Ohio Peace Officer Training Academy (O.P.O.T.A) certification.

EDUCATION: Applicants must indicate in their application, and present proof at the time of filing, that they have received a High School Diploma* from an accredited educational institution or have satisfactorily completed the General Education Development Test (GED). One of the following must be presented at the time of filing:

- A. High School Diploma**
- B. GED**
- C. Letter on official stationery from High School or Board of Education stating that the applicant did graduate.**
- D. DD-214 (Separation from Active Duty) which indicates the individual graduated from High School or passed the General Education Development Test.**

***If the applicant graduated from, for example, a Charter School, was home schooled, or graduated from a school outside of Ohio, applicant MUST be able to document that the requirements of the state in which the diploma/GED was issued were met.**

APPLICANTS WHO CANNOT PRESENT PROOF OF IDENTITY, AGE, AND EDUCATION WILL NOT BE PERMITTED TO FILE AN APPLICATION. THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO VERIFY THE AFOREMENTIONED DOCUMENTS AND TO WITHHOLD THE ACCEPTANCE OR REJECTION OF APPLICATION UNTIL SUCH VERIFICATION CAN BE OBTAINED.

DRIVER'S LICENSE

Applicant must have a valid State of Ohio Driver's License **PRIOR** to appointment to the Police Academy.

CITIZENSHIP

Applicant must be a citizen of the United States **PRIOR** to appointment to the Police Academy.

WORK HOURS

A Police Cadet and Patrol Officers **must** be available to work any shift on any day of the week.

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.

ADDITIONAL SELECTION PROCEDURES

Applicants who receive a passing grade on the written examination and rank high enough on the eligible list for Patrol Officer and receive Civil Service Certification will be subject to the following examinations:

Physical Abilities Examination: The test is designed to evaluate physical ability to perform the duties of a Patrol Officer. You will be scored on a pass/fail basis, based on the time required for you to complete the test.

Drug Screening: Each applicant shall undergo an examination for drug usage. This examination may be in the form of urinalysis. Any applicant whose results from the drug screening examination are determined to be positive shall be removed from the eligibility list unless such results can be satisfactorily related to the advice of a recognized medical practitioner. Drug screening may also be conducted after appointment to the academy.

Background Investigation: Background investigation and evaluation may include interviews with present and previous employers. Neighbors and family may be contacted as part of the investigation. In addition, a check of Local and State Police and FBI records, both adult and juvenile, and Bureau of Motor Vehicle records will be made. The background test also includes review of sealed and expunged records. Unsatisfactory findings in one or more of these areas may be cause for removal from the Civil Service eligibility list. Conviction of a felony is absolute grounds for removal from the list. Any applicant convicted of a felony will be removed from the eligible list and will receive no further consideration. There are also misdemeanor convictions that would result in the removal of an applicant from the eligibility list.

Psychological Evaluation: A psychological evaluation to determine the applicant's emotional suitability to perform all aspects of the job will be conducted. Each applicant may be required to take several written examinations. These, along with the results of the background investigation, will be submitted to one or more psychologist(s)/psychiatrist(s) who will interview the candidates. All records of the psychological and background examinations will be made available to the Civil Service Commission. The Commission will review such records and make the final determination of each applicant's suitability for removal from the eligible list.

Medical Examination: Any appointment to the position of Patrol Officer will be conditioned upon passing a pre-employment medical examination conducted in accordance with the provisions of Title I of the Federal American's with Disabilities Act (ADA). A copy of the ADA may be obtained at the Civil Service Commission Office at a minimal cost or online. The standards for the medical examination are available for review in the Office of the Civil Service Commission and online.

LIFE OF THE ELIGIBILITY LIST

The eligibility list from this examination will expire upon the establishment of the regular Patrol Officer eligibility list.

RESIDENCY CREDIT

In accordance with the Charter of the City of Cleveland: A person who has had as his/her primary residence in the City of Cleveland **for at least one year at the time of filing a Civil Service application**, and desires to take an entry-level Civil Service examination, shall, if a passing grade on the written examination is attained, have ten (10) points added to his/her **passing** score.

In order to receive residency credit, applicants must present **the originals OR LEGIBLE COPIES** of 4 **different** proofs of residency from ONE YEAR AGO* and 4 **different** proofs of residency that are **CURRENT**** (A total of EIGHT documents) for verification. Such proofs include:

- > Driver's License
- > Bank Statements
- > Utility Bills
- > Mortgage or Lease Agreement
- > Bills from creditors not listed above
- > Other Postmarked mail such as magazines with name and mailing label attached, organization newsletters, medical/dental bills, voter registration card, or motor vehicle registration
- > Insurance Statement (Home insurance, rental insurance, car insurance or other insurance documents).

* **"ONE YEAR AGO" SHALL BE ONE YEAR PREVIOUS TO DATE OF FILING.** This means that you must present 4 different documents dated **October, November, or December of 2011.**

** **"CURRENT" SHALL BE WITH IN THE LAST THREE MONTHS.** This means that you must present 4 different documents dated **October, November, or December of 2012.**

NOTE: IF CREDITORS ARE PAID ONLINE, A COPY OF BILL IS TO BE PRINTED SHOWING THE ADDRESS OF THE APPLICANT. THE BILL MUST HAVE THE DATE VISIBLE.

NOTE: PURSUANT TO THE CHARTER OF THE CITY OF CLEVELAND AND RULES OF THE CIVIL SERVICE COMMISSION AND THE OHIO REVISED CODE:

Any applicant that willfully provides any false document, statement, or certification in regard to any test will be terminated from all processing, removed from any eligible list, and may face possible criminal prosecution.

VETERANS' PREFERENCE

Veterans' preference will be awarded, when applicable, to eligible veterans in accordance with Civil Service Rules 4.40E, 4.40F and 4.40G.. Proof of active service or a DD Form 214, must be presented to the Commission **at the time of filing** application for the examination in which credit is sought in order to qualify for veterans' credit. If the applicant has received an honorable discharge or a general discharge under honorable conditions that applicant shall receive an additional five (5) points added to their raw score on the examination.

NOTE: Only DD Form 214 (long form) or an official armed service document indicating type of discharge or separation and the dates of active service will be accepted as proof of active service.

NOTE: Applicants who desire additional Veterans' Credit (as provided for in Rule 4.40E) will be required to submit a copy of an affidavit stating the applicant's date of separation from active duty and date of discharge; and shall understand that this affidavit will be subject to verification by the Civil Service Commission. Any false information provided on this affidavit will be considered as a falsification of application and result in the applicant being removed from the eligible list upon discovery of the error (in accordance with Civil Service Rule 5.40). **THE COMMISSION WILL NOT ENTERTAIN APPEALS FOR RESIDENCY CREDIT OR VETERANS' PREFERENCE CREDIT AFTER THE APPLICANT HAS FILED HIS/HER APPLICATION. THE DECISION OF THE COMMISSION IS FINAL.**

TIE SCORES

In accordance with Civil Service Rule 5.10, in an Open examination, should two or more applicants receive the same grade, the order in which their names shall be placed on the eligible list shall be determined by random selection.

WAIVER OF RULES

The Civil Service Commission hereby waives all applicable rules or portions of its rules which may or may not conflict with the Charter of the City of Cleveland and/or litigation involving this examination. In particular:

1. **Rule 3.30** (The waiver of this Rule shall mean that the examining staff may refuse to allow an applicant to

file, if the applicant cannot present proof of identity, age, and education at the time of filing.)

2. Rule 4.30D (The waiver of this Rule shall mean that a medical examination will not be administered prior to the establishment of the eligible list.)

3. Rule 4.30F (The waiver of this Rule shall mean that applicants who fail the psychological examination will be automatically scheduled for re-examination to gain a second opinion.)

4. Rule 6.80 (The waiver of this Rule shall mean that the probationary period for Patrol Officer shall be fixed at six months, upon completion of the Police Academy)

The aforementioned Civil Service Rules are hereby waived either in their entirety or in part. The Commission retains the right to waive other Rule requirements as appropriate.

Applicants having questions regarding these waivers should contact the Civil Service Office at (216) 664-2467.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 146

TRUCK DRIVER (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 varies depending on the nature of the position.

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, MONDAY, DECEMBER 3, 2012 UNTIL 4:30 P.M. ON FRIDAY, DECEMBER 7, 2012.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, DECEMBER 7, 2012.

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

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's eligibility 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 supervision, drives a truck and assists support personnel of the truck in the performance of work for which the truck is operated. . Keeps daily written records as required by division; Must have a knowledge of the streets of Cleveland; Duties may include Operates all mobile motorized equipment and/or vehicles assigned to the Division of Park Maintenance and Properties; Assists, to the extent possible in other grounds maintenance functions; Operates the truck mechanism for loading, unloading, and compacting; Drives a dump truck, manual or automatic shift, with hydraulic lifts and compressing operations; responsible for the normal, preventative maintenance of his/her assigned vehicle such as, but not limited to, checking oil, checking tires, checking water, checking fuel, fuel lights Performs other related duties as assigned. 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. A valid State of Ohio Class A or B Commercial Driver's License is required. Must have a good driving record. Must be able to lift and carry 75 pounds. Must be able to work outside in all types of weather. Must be a City of Cleveland Seasonal Snow Removal Vehicle Operator. The following requirements are specific to particular hiring departments. Airbrake endorsement is required Trailer endorsement is required One year of full time paid experience in the operation of farm tractors greater than 30 horsepower with various maintenance and landscape attachments Four years of full time paid experience operating a Waste Collection vehicle or a straight truck is required.

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications may not be accepted if copies are not submitted with application at 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

ROBERT BENNETT,
President

December 5, 2012

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, DECEMBER 17, 2012

9:30 A.M.

Calendar No. 12-179: Appeal of D.E. Williams Electric
D.E. Williams Electric, Inc. appeal under the authority of Section 187.20(c) of the Codified Ordinances of Cleveland, Ohio, 1976, from a denied renewal of Minority Business Enterprise certification by the Office of Equal Opportunity and a Certification Appeal Hearing held on September 10, 2012.

Calendar No. 12-202: 4414-20 Pearl Road (Ward 13)

Brian Bodach, owner, appeals to change use from retail to four (4) residential units in an existing one-story brick building located on a lot size of 5,920 square feet in a C1 Local Retail Business District; proposing a 3,700 square foot residential building in a "C" area district, contrary to Section 355.04(a) that limits the maximum gross floor area for a residential building to one-half the lot size, allowing 2,960 square feet; and contrary to Sections 352.08-12, no landscaping is provided where an 8 foot wide landscaped transition strip providing 75% opacity is required along the rear property line where the use abuts a Two-Family District; and under the provisions in Section 352.07(b)(2) a use lawfully existing prior to landscaping ordinance enactment that does not conform to all applicable landscaping requirements may continue, except that a Board of Zoning Appeals determination whether to allow a continuation of the nonconformity is required, prior to issuance of a Building Permit or Certificate of Occupancy for a change of use.

Calendar No. 12-204: 18217 Euclid Avenue (Ward 10)

Oasis Properties and Investment LLC, owner, appeal to enclose an existing 9' x 17' front porch of a single family dwelling located on a 45.56' x 196.33' lot in a D2 General Retail Business District; subject to the limitations under Section 357.13(b)(4) enclosed porches shall not project more than 4 feet and 9 feet is requested.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, DECEMBER 3, 2012

At the meeting of the Board of Zoning Appeals on Monday, December 3, 2012, the following appeals were heard by the Board.

The following appeals were **APPROVED:**

Calendar No. 12-194: 7200 Brookpark Road

M&G Equities, a New York Partnership, owner, and HH Gregg appealed to erect single faced wall

signs on a single story building in a C1 General Retail Business District.

Calendar No. 12-198: 1730 Stark-weather Avenue
Cuyahoga County Land Reutilization owner, and Adam Sywanyk, prospective purchaser appealed to erect an 8' x 19' wooden platform rear porch to a two-family dwelling in a C1 Multi-Family District.

Calendar No. 12-199: 2020 West 81st Street
Billy Hoselton appealed to erect a one-story frame, enclosed front porch to a single family dwelling in a B1 Two-Family District.

The following appeal was **DENIED:**

Violation Notice

Calendar No. 12-201: 516 East 108th Street
Natalie Poretskiy appealed from a decision rendered by the City of Cleveland Parking Violations Bureau, Waste Collection and Photo Safety Division.

The following appeals were **DISMISSED:**

None.

The following appeal was **POSTPONED:**

Calendar No. 12-203: 718 University Court hearing scheduled for 12/10/12 postponed to 1/22/13.

The following appeals heard by the Board on November 26, 2012 were adopted and approved on December 3, 2012:

The following appeals were **APPROVED:**

Violation Notice

Calendar No. 12-196: 4019-21 Memphis Avenue
Anthony Rocco appealed from a decision by a designee of the Director of Public Works regarding Civil Infraction Ticket WC00145078; penalty amount reduced.

Calendar No. 12-197: 2099 West 7th Street
Seth Linnick appealed to erect a three-story single family frame residence in a B1 Multi-Family District.

Calendar No. 12-185: 3212 West 25th Street
Computer Management International, owner and Gary Horvath, tenant, appealed to establish a recreational use, a boxing gym, in a portion of second floor space in a three-story building in a C2 Semi-Industry District; subject to condition.

The following appeal heard by the Board on November 19, 2012 was remanded to the Cleveland Landmarks Commission.

Calendar No. 12-154: 8601 Euclid Avenue
Euclid Avenue Church of God appealed from a denied Certificate of Appropriateness for demolition and removal of the structure at 8601 Euclid Avenue.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

REQUEST FOR PROPOSALS

The City of Cleveland is accepting proposals from qualified firms interested in providing professional service to Cleveland Division of Police for an Online Property Auction Service. Dates of acceptance are from November 5, 2012 at 5:00 p.m. to December 7, 2012 at 1:00 p.m. There will be a **NON-MANDATORY** meeting on Monday, November 19, 2012 at 1:00 p.m. at the Division of Police, 1300 Ontario Street, 7th Floor Police Academy, Cleveland, Ohio 44113.

The complete Request For Proposal can be found on the City of Cleveland website at (www.city.cleveland.oh.us). The contact person is Sgt. Justin McGinty at (216) 623-5256.

November 7, November 14, November 21, November 28 and December 5, 2012

REQUEST FOR PROPOSALS

The City of Cleveland, through its Director of Public Safety, is soliciting proposals from firms interested in providing Vehicle Salvaging Services. Dates of acceptance are from November 28, 2012 at 5:00 p.m. to December 20, 2012 at 5:00 p.m. There will be a **NON-MANDATORY** meeting on Friday, December 7, 2012 at 2:00 p.m. at City Hall, Room 230, 601 Lakeside Avenue, Cleveland, Ohio 44113.

The complete Request For Proposal can be found on the City of Cleveland website at (www.city.cleveland.oh.us). The contact person is Sgt. Keith L. Larson at (216) 623-5065.

November 28 and December 5, 2012
December 12, 2012 and December 19, 2012

REQUEST FOR PROPOSALS

The City of Cleveland through its Director of Public Safety is soliciting proposals from qualified consultants interested in providing professional services to the Cleveland Division of Police and Fire for a Record Management System Consultant. The services are needed to assist the Division of Police with an upgrade and the Division of Fire with implementation into the New World Record Management System. The RFP opened on Monday, December 3, 2012, and closes on Friday, January 11, 2013 at 3:00 pm. There will be a **NON-MANDATORY** meeting on Monday, December 17, 2012 at 1:00 p.m. at the Justice Center, Division of Police, 1300 Ontario Street, 7th Floor Police Academy, Cleveland, Ohio 44113.

For further information, requirements, deadline dates, and to review the request for proposal, see the City of Cleveland's website @ <http://portal.cleveland-oh.gov/portal/page/portal/CityofCleveland/HomeGovernment/CityAgencies/Finance/RFP>

December 5, 2012 December 12, 2012 and December 19, 2012

PUBLIC NOTICE

The City of Cleveland Division of Police is seeking experienced and motivated Police Officers, with a valid OPOTA Certification and 3 years full time continuous police experience in Ohio in the last 4 years, to join the Cleveland Division of Police. The officers will have to attend an abbreviated Police Academy and then start as a Patrol Officer IV. The City offers many benefits such as medical, dental, clothing allowances, longevity, and many more. The filing period begins Monday, December 10, 2012, and ends Friday, December 21, 2012, at the Civil Service Commission, Cleveland City Hall Room 119, 601 Lakeside Avenue, Cleveland, Ohio. The minimum requirements are valid Ohio driver license, valid OPOTA certificate, Physical Abilities Exam, and a weight standard. All applicants must be 21 years of age and not older than 39 years of age at the time of appointment. More information can be found on the City of Cleveland's website under the Civil Service Commission page, www.city.cleveland.oh.us/CityofCleveland/Home.

December 5, 2012 December 12, 2012 and December 19, 2012

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

FRIDAY, JANUARY 25, 2013

File No. 160-12 — Secondary Site Improvements, Cycle F, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 810-08, passed by the Council of the City of Cleveland, June 9, 2008.

THERE WILL BE A **NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS** IN THE AMOUNT OF TWO HUNDRED DOLLARS (\$200.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR A MONEY ORDER (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS).

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, DECEMBER 6, 2012 AT 3:00 P.M. PUBLIC UTILITIES BUILDING, MAIN AUDITORIUM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

November 28, 2012 and December 5, 2012

THURSDAY, JANUARY 3, 2013

File No. 161-12 — South HVAC Upgrade Project and Terminal Boiler Replacement, (Phase I), for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance Nos. 359-05 And 814-12, passed by the Council of the City of Cleveland, May 2, 2005 and June 4, 2012, respectively.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**

THURSDAY, DECEMBER 13, 2012 AT 1:00 P.M. THE CLEVELAND HOPKINS INTERNATIONAL AIRPORT, FEDERAL SERVICE STATION BUILDING, 5301 WEST HANGER ROAD, CLEVELAND, OHIO 44135.

December 5, 2012 and December 12, 2012

FRIDAY, JANUARY 25, 2013

File No. 162-12 — Mobile Data Computers, Equipment and Accessories, for the Division of Fire and Emergency Medical Service, Department of Public Safety, as authorized by Ordinance No. 571-12, passed by the Council of the City of Cleveland, May 23, 2012.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, DECEMBER 20, 2012 AT 1:00 P.M. THE CLEVELAND FIRE HEADQUARTERS, CONFERENCE ROOM, 1645 SUPERIOR AVENUE, CLEVELAND, OHIO 44114.

December 5, 2012 and December 12, 2012

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 1365-12.

By Council Member Cimperman.

An emergency resolution supporting the American Lung Association in its campaign to protect the Clean Air Act, urging the U.S. Environmental Protection Agency to fully employ and enforce the Clean Air Act, and opposing all attempts to weaken, delay or otherwise prevent the EPA from enforcing the Clean Air Act.

Whereas, polluted outdoor air is now recognized as a public health problem nationally, statewide and locally; and

Whereas, numerous studies confirm deleterious health effects from air pollution levels once deemed safe; and

Whereas, air pollution exacerbates chronic lung disease and asthma resulting in increased numbers of emergency room visits and hospitalization, and is also implicated in heart disease, strokes and premature deaths; and

Whereas, air pollution particularly affects the most vulnerable citizens: seniors, children and those with compromised health; and

Whereas, since 1970, the Clean Air Act has protected the air we breathe through a proven, comprehensive, successful system of pollution control that saves lives and creates economic benefits exceeding its costs; and

Whereas, the Clean Air Act develops scientifically based standards for Particulate Matter (soot), Ground Level Ozone (smog), Mercury and Air Toxics and Carbon Pollution to protect the public from their hazardous effects; and

Whereas, healthy air will protect the public health, save lives and reduce health care costs; and

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

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

Section 1. That this Council hereby supports the American Lung Association in its campaign to protect the Clean Air Act, urges the U.S. Environmental Protection Agency to fully employ and enforce the Clean Air Act, and opposes all attempts to weaken, delay or otherwise prevent the EPA from enforcing the Clean Air Act.

Section 2. That the Clerk of Council is hereby directed to forward copies of this resolution along with the testimony handout contained in File No. 1365-12-A to Verna Riffe Biemel, American Lung Association in Ohio, Lisa Jackson, EPA Administrator and all members of the United States Congress.

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 November 26, 2012.

Effective November 28, 2012.

Res. No. 1681-12.

By Council Member Conwell.

An emergency resolution requesting that the State of Ohio legislature consider increasing the penalty for failing to stop for a stopped school bus.

Whereas, under the law of the state of Ohio, a driver of a motor vehicle must stop at least ten feet from the front or rear of a school bus that is stopped in order to board or discharge school children; and

Whereas, the penalty for violation of this provision may be a fine of not to exceed \$500 dollars; the person to whom a citation is issued cannot waive the right to contest the citation, but must appear in person in court to answer the charge; and

Whereas, in addition, the court may impose a class seven suspension of the offender's driver's license; and

Whereas, in order for judges to be better able to mete out punishments that fit the violation, and because the safety of our school children should be our highest priority, this Council asks the legislature to consider increasing the penalty for failing to stop for a stopped school bus to a first degree misdemeanor so that the fine may be one of up to \$1,000 and that there is the possibility of up to 6 months jail time; 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 requests that the State of Ohio legislature consider increasing the penalty for failing to stop for a stopped school bus.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to all member of the legislature of the State of Ohio.

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

Adopted November 26, 2012.
Effective November 28, 2012.

Res. No. 1707-12.

By Council Member Cimperman.

An emergency resolution objecting to the transfer of ownership and location of a D1, D2, D3, and D3A Liquor Permit to 710 Jefferson Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership and location of a D1, D2, D3 and D3A Liquor Permit from Santiago Sanchez Entertainment Group LLC, 5004 Storer Avenue, Cleveland, Ohio 44102, Permanent Number 7709514 to Mazel Tov Cocktail LLC, DBA The Spotted Owl, 710 Jefferson Avenue, Cleveland, Ohio 44113, Permanent Number 5687120; 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 and location of a D1, D2, D3 and D3A Liquor Permit from Santiago Sanchez Entertainment Group LLC, 5004 Storer Avenue, Cleveland, Ohio 44102, Permanent Number 7709514 to Mazel Tov Cocktail LLC, DBA The Spotted Owl, 710 Jefferson Avenue, Cleveland, Ohio 44113, Permanent Number 5687120; 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 November 26, 2012.
Effective November 28, 2012.

Ord. No. 1362-12.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to acquire property from Steelyard Commons LLC and the State of Ohio at Quigley Road and Steelyard Commons Drive to finalize right-of-way dedications at Steelyard Commons; authorizing the Director of Capital Projects to execute a deed of easement granting to Steelyard Commons LLC certain easement rights in property located in Quigley Road and Steelyard Commons Drive, and declaring that the easement rights granted are not needed for the City's public use; and authorizing agreements for other land donations among parties that are necessary to finalize right-of-way dedications at Steelyard Commons.

Whereas, the Director of Capital Projects has requested the acquisition of property, at no cost to the City, which is located at Quigley Road and Steelyard Commons Drive from Steelyard Commons LLC and the State of Ohio to finalize right-of-way dedications at Steelyard Commons; and

Whereas, Steelyard Commons LLC has requested the Director of Capital Projects to convey certain easement rights in property located in Quigley Road and Steelyard Commons Drive; and

Whereas, Steelyard Commons LLC requires an easement to install signage, and for electrical and maintenance activities at Quigley Road and Steelyard Commons Drive; and

Whereas, the easement rights to be granted are not needed for the City's public use; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized to acquire, at no cost to the City, the following described property from Steelyard Commons LLC and the State of Ohio at Quigley Road and Steelyard Commons Drive to finalize

right-of-way dedications at Steelyard Commons:

Parcel 1-WDV

Situated in the State of Ohio, City of Cleveland, County of Cuyahoga, Brooklyn Township, T7N, R13W, Lots 72 and 85 and being more fully described as follows:

Being a parcel of land lying on the left and right sides of the proposed centerline of right of way of CUY-QUIGLEY ROAD CONNECTOR as surveyed by URS Corporation and recorded as Image No. _____ of the Cuyahoga County Records and being located within the following described points on the boundary thereof;

Beginning for record at the southeast corner of Sublot 15 in the Nicola & Judson Allotment as recorded in Volume 5, Page 7 of the Cuyahoga County Records, said point being 61.83 feet left of Station 18+07.38 on the proposed centerline of right of way of Quigley Road Connector and the TRUE POINT OF BEGINNING of the parcel described herein;

Thence North 01 degrees 51 minutes 47 seconds West, 92.57 feet along the east line of said Sublot 15 to iron pin to be set;

Thence North 52 degrees 50 minutes 39 seconds East, 26.74 feet to an iron pin to be set;

Thence North 37 degrees 47 minutes 01 seconds East, 61.38 feet to an iron pin to be set;

Thence North 02 degrees 53 minutes 26 seconds West, 55.15 feet to an iron pin to be set on the south line of an unrecorded allotment;

Thence North 88 degrees 10 minutes 12 seconds East, 801.45 feet along the south line of an unrecorded allotment to iron pin found;

Thence South 44 degrees 16 minutes 13 seconds West, 231.85 feet along Grantor's southeast property line to a point on the Grantor's easterly line;

Thence South 30 degrees 11 minutes 53 seconds West, 100.47 feet along the Grantor's easterly property line, to an iron pin to be set on the proposed south right of way line of the Quigley Road Connector;

Thence South 69 degrees 37 minutes 09 seconds West, 697.21 feet along the proposed south right of way line of the Quigley Road Connector to an iron pin to be set;

Thence South 81 degrees 25 minutes 25 seconds West, 335.14 feet along the proposed south right of way line of the Quigley Road Connector to an iron pin to be set;

Thence South 45 degrees 54 minutes 20 seconds West, 55.95 feet along the proposed south right of way line of the Quigley Road Connector to an iron pin to be set;

Thence South 86 degrees 22 minutes 47 seconds West, 205.98 feet along the proposed south right of way line of the Quigley Road Connector to an iron pin to be set

Thence North 16 degrees 55 minutes 39 seconds East, 114.48 feet along Grantor's west property line to an iron pin to be set;

Thence North 25 degrees 21 minutes 38 seconds West, 66.90 feet along Grantor's west property line to an iron pin to be set;

Thence North 67 degrees 02 minutes 55 seconds West, 106.52 feet along Grantor's west property line to an iron pin to be set;

Thence North 88 degrees 03 minutes 33 seconds East, 301.58 feet along Grantor's north property line to an iron pin to be set;

Thence North 01 degrees 56 minutes 31 seconds West, 110.11 feet along Grantor's west property line to an iron pin to be set on the south line of a one foot reserved strip acquired by the State of Ohio per AFN 200411100762 in the records of Cuyahoga County and the Grantor's northerly property line;

Thence North 88 degrees 03 minutes 33 seconds East, 307.65 feet along the south line of said one foot reserved strip and the Grantor's northerly property line to an iron pin to be set;

Thence North 88 degrees 08 minutes 13 seconds East, 77.70 feet along the south line of said one foot reserved strip and the Grantor's property line to an iron pin to be set;

Thence North 01 degrees 51 minutes 47 seconds West, 15.00 feet along Grantor's property line to the TRUE POINT OF BEGINNING containing 8.965 acres (390,536 sq. ft.) more or less, 5.625 acres being contained within Lot 85 and 3.340 acres being contained within Lot 72.

The above described area is contained within Cuyahoga County Auditor's Permanent Parcel No. 008-36-003.

Based on a field survey conducted by URS Corporation in November 2004 under the direction and supervision of Mark Lukosavich, Registered Surveyor No. 8088 in the State of Ohio.

Bearings used herein are based on Grid North of the State Plane Coordinate system NAD83(Cors96) Ohio North Zone.

All iron pins referenced herein are 3/4 inch diameter x 30 inch long iron bars with a 2-1/2 inch aluminum cap stamped "URS CORP., P.S. 8088", to be set after construction.

This description was prepared and reviewed on January 4, 2006 for URS Corporation by Kurt Massar, Registered Surveyor No. 7667 in the State of Ohio.

Part of Parcel 500-WL

Parcel No. 1

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, being part of Original Brooklyn Township Lot No. 72 and bounded and described as follows:

Beginning in the Easterly line of West 14th Street, 100 feet wide, at the Southwesterly corner of Sublot No. 4 in the J.M. Curtiss Resubdivision recorded by plat in Volume 14 of Maps, Page 20 of Cuyahoga County Records; thence Southerly along the Easterly line of West 14th Street, 15 feet to a point; thence Easterly on a line parallel with the Southerly line of said J.M. Curtiss Resubdivision and along the Southerly line of the Nicola and Judson Subdivision of part of said Original Lot No. 72 recorded in plat in Volume 5 of Maps, page 7 of Cuyahoga County Records, to the Southerly Prolongation of the Easterly line of Sublot No. 15 in said Nicola and Judson Subdivision; thence Northerly along said Southerly prolongation of said Easterly line Sublot 15, one foot; thence westerly on a line parallel with the Southerly lines of the aforementioned Nicola and Judson Subdivision and the J.M. Curtiss Resubdivision to a point which is distant one foot Easterly from the Easterly line of West 14th Street; thence Northerly on a line parallel with Easterly line of West 14th Street, 14 feet to the Southerly line of said Sublot No. 4 in the J.M. Curtiss Resubdivision; thence westerly along the Southerly

line of said Sublot No. 4 one foot to the place of beginning, and being known as the one foot reserved strip shown in the plat of Nicola and Judson Subdivision of part of Original Brooklyn Township Lot No. 72 recorded in Volume 5 of Maps, Page 7 of Cuyahoga County Records be the same more or less but subject to all legal highways.

The above described area is contained within Auditor's Parcel Number 008-13-017.

The intent of the above description is to acquire all rights the State of Ohio, Department of Transportation, has or should have had to "Parcel No. 2" per Instrument # 200411100762 of the Cuyahoga County Recorder records.

Parcel No. 2

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 4 in J.M. Curtis Re-allotment and part of Original Brooklyn Township Lot No. 72, as shown by the recorded plat of said re-allotment in Volume 14 of Maps, page 20 of Cuyahoga County Records.

The above described area is contained within Auditor's Parcel Number 008-13-016.

The intent of the above description is to acquire all rights the State of Ohio, Department of Transportation, has or should have had to "Parcel No. 3" per Instrument # 200411100762 of the Cuyahoga County Recorder records.

Parcel No. 3

Situated in the County of Cuyahoga and State of Ohio and the City of Cleveland and known as being part of sublots 24 and 25 in Nicola and Judson Allotment, recorded in Volume 5, Page 7 of Cuyahoga County Record of Maps and further described as having a frontage of 100.04 feet along a 14 foot Alley and being 73.09 feet along its Easterly line and 72.45 feet along its Westerly line.

The above described area is contained within Auditor's Parcel Number 008-13-020.

The intent of the above description is to acquire all rights the State of Ohio, Department of Transportation, has or should have had to "Parcel No. 4" per Instrument # 200411100762 of the Cuyahoga County Recorder records.

Part of a vacated unnamed alley

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, known as being part Original Lot No. 72 of Brooklyn Township, being part of an unnamed alley as shown on the Nicola and Judson Allotment as recorded in Plat Volume 5, Page 7 of the Cuyahoga County Recorder records, and further described as follows:

Being the southerly 7 feet of a portion of a vacated 14 foot unnamed alley as vacated per City of Cleveland Ordinance No. 14-06 as passed by the Council of the City of Cleveland the 9th day of January, 2006.

Being a strip of land approximately 251 feet long and 7 feet wide and containing about 1756 square feet of land, more or less, subject to survey.

The above described area is not part of any current Cuyahoga County Auditor parcel number at this time.

The intent of the above described parcel is to transfer any and all rights the State of Ohio, Department of Transportation, has or may have had in the vacated southerly half of the portion of the unnamed vacated alley described above.

New PPN: 008-13-101

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Consolidated Parcel "CC" in the Lot Split and Consolidation Plat of part of Original Brooklyn Township Lot No. 72 as shown by the recorded plat in Volume 353 of Maps, Page 50 of Cuyahoga County Records, as appears by said plat.

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

Section 3. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that an easement interest in the following described property is not needed for the City's public use:

LEGAL DESCRIPTION OF A 6,102 SQUARE FOOT (0.1401 ACRE) SIGN EASEMENT

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being a part of Original Brooklyn Township Lot Number 85, and also known as being a part of the State of Ohio Department of Transportation, Permanent Parcel Number 008-37-003, as recorded in by AFN 200603080158 of Cuyahoga County Deed Records, and further known as being a part of Parcel 4A of a Lot Split as recorded in Volume 344 of Maps, page 96 of Cuyahoga County Records.

Beginning at a 3/4 inch iron pin with aluminum cap, "#7394 Ciuni", at the southeasterly corner of said State of Ohio Department of Transportation, Parcel 4A of a Lot Split, at its intersection with the westerly line of land now or formerly owned by the Cleveland Electric Illuminating Company, Permanent Parcel Number 008-37-002, as recorded in Volume 8855, page 260 of Cuyahoga County Deed Records, and the northeasterly corner of land now or formerly owned by Steelyard Commons LLC, an Ohio limited liability company, Permanent Parcel Number 008-36-003, and further known as being Parcel 5A of a Lot Split, as recorded in Volume 347 of Maps, page 95 of Cuyahoga County Records;

Thence South 70°07'09" West along the northerly line of said Steelyard Commons LLC, Parcel 5A of a Lot Split, and the southerly line of said State of Ohio Department of Transportation, Parcel 4A of a Lot Split, a distance of 175.48 feet to a point therein, and the Principal Place of Beginning of the land intended to be described herein;

Thence South 70°07'09" West continuing along said northerly and southerly lines, a distance of 60.86 feet to a point therein;

Thence North 19°52'51" West, a distance of 109.93 feet to a point of curve;

Thence along the arc of a curve deflecting to the right, and having a radius of 74.50 feet, a central angle of 91°55'43", a tangent of 77.05 feet, a chord of 107.12 feet which bears South 58°00'19" East, a distance of 119.53 feet to a point of compound curvature;

Thence along the arc of a curve deflecting to the right, and having a radius of 199.50 feet, a central angle of 07°31'48", a tangent of 13.13 feet, a chord of 26.20 feet which bears South

08°16' 33" East, a distance of 26.22 feet to the Principal Place of Beginning, and containing 6,102 Square Feet (0.1401 acre) of land, be the same more or less, but subject to all legal highways and easements of record.

Section 4. That the Commissioner of Purchases and Supplies is authorized to convey the above-described easement interest to Steelyard Commons LLC subject to any conditions stated in this ordinance, at a price of \$1.00 and for other valuable consideration, which is determined to be fair market value.

Section 5. That the easement shall be non-exclusive and the purpose of the easement shall be to install signage, and for electrical and maintenance activities at Quigley Road and Steelyard Commons Drive.

Section 6. That the duration of the easement shall be perpetual; that the easement shall not be assignable without the consent of the Director of Capital Projects; that the easement shall require that Steelyard Commons LLC provide reasonable insurance, maintain any Steelyard Commons LLC improvements located within the easement; pay any applicable taxes and assessments; and shall contain such other terms and conditions that the Director of Law determines to be necessary to protect and benefit the City.

Section 7. That the conveyance referenced above shall be made by official deed of easement prepared by the Director of Law and executed by the Director of Capital Projects on behalf of the City of Cleveland. The Directors of Capital Projects and Law are authorized to execute any other documents, including without limitation, contracts for right of entry, as may be necessary to effect the improvement.

Section 8. That the Director of Capital Projects is authorized to enter into one or more agreements with the State of Ohio and/or Steelyard Commons LLC for additional land donations from the State of Ohio and/or Steelyard Commons LLC that may be necessary to finalize right-of-way dedications at Quigley Road, Steelyards Common Drive and Jennings Road in the vicinity of Steelyard Commons.

Section 9. That the agreements shall be prepared by the Director of Law.

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

Passed November 26, 2012.

Effective November 28, 2012.

Ord. No. 1418-12.

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

An emergency ordinance to amend the title and Sections 1, 2, and 3 of Ordinance No. 399-12, passed May 14, 2012, relating to the Walworth Road Infrastructure Improvement.

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

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

Section 1. That the title and Sections 1, 2, and 3 of Ordinance No.

399-12, passed May 14, 2012, are amended to read as follows:

An Emergency Ordinance authorizing the Director of Economic Development to apply for and accept grants from the Ohio Department of Development and the Ohio Department of Transportation for the Walworth Road Infrastructure Improvement; determining the method of making the public improvement of constructing the cul de sac and making surrounding street improvements to accommodate the new Max Hayes Vocational High School; authorizing the Director of Capital Projects to enter into one or more public improvement contracts to construct the improvement; and authorizing the director to employ one or more professional consultants necessary to implement the improvement; Authorizing the Director of Capital Projects to accept gifts and grants from any public or private entity to implement the improvement; authorizing the Commissioner of Purchases and Supplies to acquire for right-of-way purposes such real property and easements as are necessary to make the improvement; and authorizing the Director of Capital Projects to enter into one or more contracts with various entities and other parties as needed.

Section 1. That the Director of Economic Development is authorized to apply for and accept grants in the aggregate amount of up to \$500,000 from the Ohio Department of Development and the Ohio Department of Transportation to conduct the Walworth Road Infrastructure Improvement; 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 legislative summary for the grant contained in the file described below.

Section 2. That the legislative summary for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 399-12-B, is made a part of this ordinance as if fully rewritten, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$377,535 from Fund Nos. 17 SF 652, 20 SF 380, 20 SF 394, 20 SF 500, 20 SF 506, 20 SF 510, 20 SF 520, 20 SF 528, 20 SF 534, 20 SF 540, and 20 SF 546, is approved in all respects, and shall not be changed without additional legislative authority.

Section 3. That the Director of Capital Projects is authorized to enter into one or more contracts with the Cleveland Metropolitan School District and other entities to implement the grant as described in the file.

Section 2. That the existing title and Sections 1, 2, and 3 of Ordinance No. 399-12, passed May 14, 2012, 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 November 26, 2012.

Effective November 28, 2012.

Ord. No. 1459-12.

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

An emergency ordinance to repeal Section 4 of Ordinance No. 407-12, passed March 26, 2012, in order to repeal a sunset expiration of Section 680.051 regarding exceptions to newspaper dispensing devices; and to renumber existing Section 5 to new Section 4.

Whereas, Ordinance No. 407-12, passed March 26, 2012, enacted new Section 680.051, relating to authorizing exceptions to newspaper dispensing devices color, maintenance, and identification criteria; and

Whereas, Section 4 of Ordinance No. 407-12 provides that Section 680.051 will only be in effect for a period of six months after its effective date, which would be September 29, 2012; and

Whereas, it is the intention of this Council, that by repealing Section 4 of Ordinance No. 407-12, passed March 26, 2012, this Council is permanently enacting Section 680.015 until legislation to the contrary is authorized; 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 Section 4 of Ordinance No. 407-12, passed March 26, 2012, is repealed.

Section 2. That Section 5 of Ordinance No. 407-12, passed March 26, 2012, is renumbered to new "Section 4".

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 November 26, 2012.

Effective November 28, 2012.

Ord. No. 1490-12.

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Sisters of Charity Foundation for the 2013 Baby Basics Initiative Program; and authorizing the Director to enter into contracts with other agencies or entities to implement the grant.

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

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

Section 1. That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$20,000, and any other funds that may become available during the grant term from the Sisters of Charity Foundation to conduct the 2013 Baby Basics Initiative Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the

summary and budget for the grant contained in the file described below.

Section 2. That the summary and budget for the grant, File No. 1490-12-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, are approved in all respects and shall not be changed without additional legislative authority.

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

Section 4. That the Director of Public Health shall deposit the grant accepted under this ordinance into a fund or funds designated by the Director of Finance to implement the program as described in the file and appropriated for that purpose.

Section 5. That the Director of Public Health is authorized to enter into one or more contracts with other agencies or entities to implement the grant.

Section 6. That, unless expressly prohibited by the grant agreement, under Section 108(b) of the Charter, purchases made under the grant agreement may be made through cooperative arrangements with other governmental agencies. The Director of Public Health may sign all documents and do all things that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 7. That the cost of the contracts shall be paid from the fund or funds to which is credited any grant proceeds accepted under this ordinance.

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

and be in force from and after the earliest period allowed by law.

Passed November 26, 2012.
Effective November 28, 2012.

**Ord. No. 1534-12.
By Council Members Cimperman and Kelley (by departmental request).**

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Cuyahoga County Board of Health for the 2013 Immunization Action Plan Program; authorizing the Director to charge and accept fees for this program; and authorizing one or more agreements with Medicaid and Medicaid HMOs for the City to receive payments.

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

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

Section 1. That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$95,340, and any other funds as they become available during the grant term, from the Cuyahoga County Board of Health, to conduct the 2013 Immunization Action Plan Program; that the Director of Public Health is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes in the summary for the grant.

Section 2. That the summary for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 1534-12-A, is made a part of this ordinance as if fully rewritten, including the obligation to devote program income from first and third party billings, estimated at \$10,000, is approved in all respects, and shall not be changed without additional legislative authority.

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

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

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

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

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

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

Passed November 26, 2012.
Effective November 28, 2012.

**Ord. No. 1592-12.
By Council Members Brancatelli and Kelley (by departmental request).**

An emergency ordinance authorizing the Director of Community Development to make alterations and modifications in Contract No. CT 4004 PI 2011-044 with Fabrizi Trucking & Paving, Inc. for improvements to the Morgana Run Subdivision Phase 1 Project/East 71st Street (Aetna-Broadway), for the Department of Community Development.

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

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

Section 1. That the Director of Community Development is authorized to make the following alterations and modifications in Contract No. CT 4004 PI 2011-044 with Fabrizi Trucking & Paving, Inc., for improvements to the Morgana Run Subdivision Phase 1 Project/East 71st Street (Aetna-Broadway), for the Department of Community Development:

Subsidiary Additions

<u>Description</u>	<u>Amount</u>
Contaminated Soil Land Fill Costs	\$22,800
Contaminated Soil Transport Cost	58,000
Overhead Utility wires buried on Aetna	80,000
Grade change in rear of site/add clean soil	20,000
20% Contingency	36,160
Total Subsidiary Additions	\$ 216,960

Original Contract Amount	\$ 1,977,157.60
Total Subsidiary Additions	+ 216,960.00
TOTAL REVISED CONTRACT AMOUNT	\$ 2,194,117.60

which alteration has been recommended in writing by the Director of Community Development, countersigned by the Mayor, and consented to by the surety on the contract, which price to be paid has been agreed upon in writing and signed by the Director of Community Development and the contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$216,960.00 to be paid from Fund Nos. 14 SF 033, 14 SF 035, 20 SF 393, 20 SF 505, and 20 SF 520, RQS 8006, RL2012-171.

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 November 26, 2012.

Effective November 28, 2012.

Ord. No. 1598-12.
By Council Members J. Johnson, Brancatelli and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into an amendment to Contract No. 65607 with PLV Associates, L.P. and any collateral documents for the rehabilitation of Park Lane Villa apartments at 10510 Park Lane, to amend the repayment terms of the loan.

Whereas, under Ordinance No. 2205-04, passed December 6, 2004, this Council authorized a loan to PLV Associates, L.P. for the rehabilitation of the Park Lane Villa Apartments at 10510 Park Lane, Contract No. 65607; and

Whereas, the Director of Community Development and PLV Associates, L.P. wish to amend the repayment terms of the loan; and

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

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

Section 1. That the Director of Community Development is authorized to enter into an amendment to Contract No. 65607 with PLV Associates, L.P. and any collateral documents for the rehabilitation of Park Lane Villa Apartments at 10510 Park Lane to amend the repayment terms of the loan which are described in the Executive Summary which is placed in File No. 1598-12-A. All other terms of the loan shall remain the same.

Section 2. That the Director of Law shall prepare the amendment.

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 November 26, 2012.

Effective November 28, 2012.

Ord. No. 1602-12.
By Council Members Cleveland, Brancatelli, and Kelley (by departmental request).

An emergency ordinance authorizing the amendment to certain documents relating to a loan made by the City to assist in the redevelopment of the former Longwood Apartments pursuant to Ordinance No. 1574-2000 passed September 25, 2000 and authorizing related matters.

Whereas, pursuant to the authority of Section 203 of the Housing and Community Development Amendments of 1978, 12 U.S.C. §1701z-11, as amended by Section 101(b) of the Mul-

tifamily Housing Property Disposition Reform Act of 1994 and regulations promulgated pursuant thereto, in order to further the provision of decent, safe, sanitary, and affordable housing in the City, the United States Department of Housing and Urban Development ("HUD") heretofore determined to (i) dispose of certain real property and the improvements thereon located in the City known as Longwood Apartments (the "Original Property") and (ii) make available an up-front grant (the "Grant") in an amount not to exceed \$25,160,000 in connection with demolition, rebuilding, redevelopment and other related development of the Original Property; and

Whereas, in order to provide for the redevelopment in the most economically efficient manner possible, HUD (i) conveyed title to the Original Property to the City pursuant to a Special Warranty Deed dated September 27, 2000 (the "HUD Deed"), and (ii) made the Grant available to the City pursuant to an UpFront Grant Agreement (the "UpFront Agreement") dated September 28, 2000 between HUD and the City; and

Whereas, pursuant to Ordinance No. 1574-2000, passed September 25, 2000 (the "Authorizing Legislation") the City entered into the Grant Agreement; and

Whereas, an affiliate of the Borrower (the "Developer") purchased the Original Property from the City pursuant to a Redevelopment Agreement between the City and the Developer (the "Redevelopment Agreement"), which property was transferred to the Developer by an Official Quitclaim Deed recorded in Cuyahoga County AFN 20000920724 on September 29, 2000, and the Developer agreed to redevelop, or to cause the redevelopment by its permitted assignees of, a portion of the Original Property, together with additional property conveyed by the City (the "City Property"), into a multifamily housing complex containing a total of 629 affordable living units, together with related amenities and supporting facilities (the "Project") in up to four phases; and

Whereas, as authorized by the Authorizing Legislation, in order to further the redevelopment of the Project in accordance with the terms of HUD Deed, the Grant Agreement and the Redevelopment Agreement (the "Controlling Documents"), the City agreed to loan the proceeds of the Grant (the "City Loan") to the Developer or its permitted assignees pursuant to an UpFront Loan Agreement between the City and the Developer (the "Original Loan Agreement") (the City Loan Agreement, as amended from time to time, shall be referred to as the "Agreement"); and

Whereas, the Borrower was formed to develop, on behalf of the Developer, the first Phase of the Project, consist-

ing of 282 affordable living units, together with related amenities and supporting facilities including a management office, community center, and supportive services ("Phase One Project") on a portion of the Original Property and the City Property (collectively, the "Phase One Project Site") and in connection therewith, the Developer conveyed the Phase One Project Site to the Borrower; and

Whereas, pursuant to the Developer's request and in order to enable the Borrower to develop the Phase One Project, the City (1) loaned \$5,280,000 of the Grant proceeds (the "Phase One Loan") and (2) agreed to use \$6,000,000 of the Grant proceeds to purchase all of the \$6,000,000 County of Cuyahoga, Ohio Subordinate Multifamily Housing Mortgage Revenue Bonds, 2001 Series B (Longwood Phase One Associates, L.P. Project) (the "Outstanding Bonds"); and

Whereas, the Mortgagor's obligation to repay the Consolidated Phase One Loan was evidenced by a Promissory Note in the amount of \$5,280,000 (the "Original Note") and secured by an Open-End Mortgage and Security Agreement from Mortgagor to the City, dated as of August 1, 2001 and recorded in the Official Cuyahoga County Records as Instrument No. 2001081001343 (the "Original City Loan Mortgage") and the Mortgagor's obligation to repay the Outstanding Bonds was secured by an Open-End Mortgage and Security Agreement from Mortgagor to National City Bank, as Trustee for the benefit of the City, dated as of August 1, 2001 and recorded in the Official Cuyahoga County Records as Instrument No. 2001081001342 (the "Original Bond Mortgage");

Whereas, the Borrower's obligation to repay the Phase One Loan is evidenced by a Promissory Note in the amount of \$5,280,000 (the "Original Note"); and

Whereas, in addition to the Phase One Loan and the Outstanding Bonds, the Borrower financed the Phase One Project with the proceeds of an FHA-insured loan funded through the issuance of \$17,000,000 County of Cuyahoga, Ohio Multifamily Housing Mortgage Revenue Bonds, 2001 Series A (Longwood Phase One Associates, L.P. Project) (the "Senior Loan Bonds"); and

Whereas, as a requirement of the Senior Loan Bonds, the Original City Mortgage, the Original Bond Mortgage and other documents securing the Phase One Loan and the Outstanding Bonds (collectively, the "City Loan Collateral Documents") were subordinated to the mortgage and other documents securing the Senior Loan Bonds; and

Whereas, in order to reduce the interest expense incurred by the Borrower and thereby make additional funds available to pay costs of operating and maintaining the Phase One

Project, the Borrower is refinancing the Senior Loan Bonds with the proceeds of a \$17,000,000 FHA-insured loan from Forest City Capital Corporation (the "Senior Lender"), pursuant to Section 223(a)(7) of the National Housing Act (the "New Senior Loan"); and

Whereas, as a condition to the making of the New Senior Loan, the City is being asked to (1) extend the maturity date of the Phase One Loan and the Outstanding Bonds to a date not earlier than the maturity date of the New Senior Loan and (2) re-subordinate the interests granted to the City in the City Loan Collateral Documents; and

Whereas, in order to allow for administrative and operating efficiencies going forward, the Borrower has asked the City to consolidate the Outstanding Bonds and the Phase One Loan into a single loan; now, therefore,

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

Section 1. The Mayor, the Director of Community Development, the Director of Finance, the Director of Law and other City officials, as appropriate, are authorized to execute and deliver, accept, or consent to, as the case may be, those documents and instruments necessary or appropriate to consummate the transactions authorized by this Ordinance, including to (i) amend the terms of the Original Note, the Original City Loan Mortgage, the Original Bond Mortgage and the other City Collateral Loan Documents, (ii) subordinate the Phase One Loan and the Outstanding Bonds to the Senior Loan and (iii) if it is determined by the Director of Finance to be in the best financial interests of the City, consolidate the Outstanding Bonds with the Phase One Loan, all in a manner consistent with the foregoing recitals.

Section 2. Open Meeting Determination. It is found and determined that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken, and any of its committees and that all deliberations of this Council that resulted in these formal actions were held, in meetings open to the public in compliance with all legal requirements, including, without limitation, Section 121.22 of the Revised Code.

Section 3. Findings and Recitals of Validity. It is hereby determined, represented and recited that all acts, conditions and things necessary to be done precedent to and in the issuing of the Series 2012 Bonds and the Notes in order to make them legal, valid and binding obligations of the City have happened, been done and been performed in regular and due form as required by law; and that no limitation of indebtedness or taxation, either statutory or constitutional, will have been exceeded in the issuance of the Series 2012 Bonds or the Notes. It is further found and determined, and is represented and recited, that the provisions of Sections 28, 29, 32, 33 (including the provisions of Section 33 with respect to readings on three separate days or dispensing with such readings by a two-thirds vote of all members of the Council), 36, 37, 48 and all other applicable provisions of the City's Charter and the rules of this Council have been fully complied with and this Ordinance was passed in conformity therewith.

Section 4. Severability. Each section and each part of each section of this Ordinance is declared to be an independent section or part of a section and, notwithstanding any other evidence of legislative intent, it is declared to be the controlling legislative intent that if any such section or part of a section or any provision thereof, or the application thereof to any person or circumstance, is held to be invalid, the remaining sections or parts of sections and the application of such provisions to any other person or circumstance, other than those as to which it is held invalid, shall not be affected thereby, and it is declared to be the legislative intent that the other provisions of this Ordinance would have been passed independently of such section, or parts of a section, so held to be invalid.

Section 5. Legislative Intent. All terms, conditions, pledges, covenants or agreements on the part of the City provided for in this Ordinance are made by the voluntary act of the City under its lawful authority, including its authority under its Charter and Article XVIII of the Constitution of Ohio. Any provisions of the Codified Ordinances of the City which are inconsistent with the provisions of this Ordinance shall not apply to the matters authorized herein.

Section 6. Emergency Measure. This Ordinance is declared to be an emergency measure for the immediate preservation of the public peace, property, health and safety of the City by enabling the refinancing of the Phase One Project at a lowest rate of interest, which will benefit the residents of the Phase One Project, and, provided this Ordinance receives the affirmative vote of two-thirds of all 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 date allowed by law.

Passed November 26, 2012.

Effective November 26, 2012.

Ord. No. 1648-12.
By Council Members Cleveland, Mitchell and Kelley (by departmental request).

An emergency ordinance to amend Section 343.23 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 889-10, passed October 4, 2010, relating to drive-through lanes in pedestrian retail overlay (PRO) districts.

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

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

Section 1. That Section 343.23 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 889-10, passed October 4, 2010, is amended to read as follows:

Section 343.23 Pedestrian Retail Overlay (PRO) District

(a) *Purpose.* The Pedestrian Retail Overlay (PRO) District is established to maintain the economic viability of older neighborhood shopping districts by preserving the pedestrian-oriented character of those districts and to protect public safety by minimizing conflicts between vehicles and pedestrians in neighborhood shopping districts.

(b) *Mapping.* The PRO District is an overlay district which shall be mapped only in an area where at least seventy-five (75%) of the underlying zoning is either Local Retail or General Retail. In every PRO District, any street frontage to be considered a "Pedestrian Retail Street Frontage," as defined in this section, shall be marked on the Zoning Map, with either one (1) or both sides of a street designated as such.

(c) *Applicability.* The PRO District regulations shall apply only in those portions of a PRO District in which the underlying zoning is either Local Retail or General Retail. In the relevant portions of a PRO District, the regulations of the underlying zoning district shall govern except where in conflict with the regulations of the PRO District, in which case the regulations of the PRO District shall govern.

(d) *Definitions.* As used in this section, the following terms shall be defined as stated below:

(1) "Pedestrian Retail Street Frontage" means that side or sides of a public street frontage where pedestrian-oriented retail shopping activity exists or is expected to exist and such street frontage is specifically designated on the Zoning Map.

(2) "Pedestrian Retail Space" means that portion of a building or property located at or closest to the level of the public sidewalk and within forty (40) feet of a Pedestrian Retail Street Frontage.

(3) "Open Sales Lot" means a property or portion of a property used for the sale of merchandise stored in outdoor, unenclosed locations.

(4) "Institutional Use" means, for purposes of this section, a school, day care center, place of worship, place of assembly, hospital, nursing home, residential treatment facility, or similar use.

(5) "Non-Retail Office" means an office use whose primary activity does not involve service to customers or clients on the premises.

(e) *Use Regulations.* All uses permitted in the underlying retail zoning district shall be permitted in the PRO District, except that the use of Pedestrian Retail Spaces, as defined in this section, shall be further limited as follows:

(1) *Prohibited Uses.* For Pedestrian Retail Spaces, as defined in this section, the following uses shall be prohibited:

A. Open sales lots, as defined in this section;

B. Filling and service stations;

C. Car washes; and

D. Any business served by a drive-through lane providing access to windows or other facilities at which food or merchandise can be ordered or picked up, or business can be transacted by a person in a motor vehicle.

(2) *Conditional Uses.* For Pedestrian Retail Spaces, as defined in this section, the following uses shall be permitted as Conditional Uses, as approved by the City Planning Commission under the approval criteria provided in this section:

A. Off-street parking or loading areas;

B. Driveways extending across a public sidewalk;

C. Residential, institutional and non-retail office uses, as defined herein, except that ground-floor entrances and lobbies serving such uses located on upper floors or in a basement level

shall be permitted without the requirement for conditional approval;

D. Any building-enclosed use that does not have a public pedestrian entrance from the Pedestrian Retail Street Frontage;

E. Any use with more than forty (40) feet of frontage along the Pedestrian Retail Street Frontage; and

F. A building with an interior side yard more than four (4) feet in width and located within forty (40) feet of a Pedestrian Retail Frontage.

(f) *Criteria for Conditional Uses.* The City Planning Commission shall approve a Conditional Use application if it determines that the application meets the following criteria:

(1) In the case of a proposed residential, institutional or non-retail office use, one (1) or more of the following conditions apply:

A. The subject building space was designed specifically for the type of use proposed and, as such, occupancy by an allowed use is an unreasonable expectation;

B. Denial of the application for occupancy by a conditional use would result in a long-term vacancy of the subject property, as demonstrated by the applicant;

C. It has been determined that the proposed use is needed in the immediate area and that suitable alternative locations are unavailable.

(2) In the case of a proposed off street parking or loading area or driveway, one (1) or both of the following conditions apply:

A. The size, shape or layout of the subject property does not permit placement of the parking, loading or driveway in a more suitable location.

B. It has been demonstrated by the applicant that placement of the parking, loading or driveway in an allowed location would jeopardize the continued occupancy of the subject property by uses suited to the PRO District.

(3) In the case of a building enclosed use that does not have an entrance from the Pedestrian Retail Street Frontage, one (1) or both of the following conditions apply:

A. The proposed use will occupy an existing building that lacks such pedestrian entrance, and the addition of a conforming pedestrian entrance is made infeasible by the configuration of the interior space or other factors related to the design and placement of the building.

B. Placement of the pedestrian entrance in a location other than on the Pedestrian Retail Street Frontage will result in more suitable pedestrian access.

(4) In the case of a proposed use with more than forty (40) feet of frontage along the Pedestrian Retail Street Frontage, the subject space was designed for use at such size and the proposed use, in the determination of the City Planning Commission, will not have adverse impacts on the functioning of nearby pedestrian-oriented retail uses.

(5) In the case of an interior side yard more than four (4) feet in width and located within forty (40) feet of a Pedestrian Retail Frontage, the subject building will be occupied by residential units which require the greater side yard area to allow for desirable levels of light and air.

(g) *Maximum Setbacks.* Notwithstanding the provisions of the underlying zoning district, properties in PRO Districts shall conform to the fol-

lowing regulations with respect to maximum setbacks.

(1) *Front Street Yard.* No main building on a lot abutting a Pedestrian Retail Street Frontage shall be set back more than five (5) feet from the Pedestrian Retail Street Frontage unless the City Planning Commission has approved establishment of a surface parking lot in such location as a Conditional Use. Such building features as entrances and display windows may be set back up to an additional five (5) feet as long as these features occupy no more than fifty percent (50%) of the building's total frontage. These setback regulations shall not apply to portions of buildings above the first-story level.

(2) *Interior Side Yard.* No portion of an interior side yard located within forty (40) feet of a Pedestrian Retail Street Frontage shall exceed four (4) feet in width on the ground floor level, unless the City Planning Commission has approved a driveway or a residential side yard in such location as a Conditional Use.

(3) *Exceptions for Outdoor Cafes.* A building may be set back a maximum of fifteen (15) feet from the Pedestrian Retail Street Frontage in order to accommodate a permanent outdoor café. If use of such café is discontinued for a period of two (2) years or more, the setback area shall be landscaped or otherwise improved in accordance with a plan approved by the City Planning Commission.

(h) *Window Areas.* For any nonresidential building or storefront facing a Pedestrian Retail Street Frontage, not less than sixty percent (60%) of the front facade between two and one-half (2-1/2) feet and seven and one-half (7-1/2) feet in height shall be composed of transparent windows or doors. In addition, not more than twenty-five percent (25%) of such window or door area on a building or storefront shall be covered with permanent signs.

(i) *Parking.* In recognition of the expected greater use of public transit, bicycles and walking by customers and employees traveling to PRO Districts, the minimum number of parking spaces otherwise required by the Zoning Code shall be reduced by thirty-three percent (33%) for retail business uses in the districts. The Board of Zoning Appeals may further reduce parking requirements where it has been demonstrated that additional parking is available in common or shared parking facilities or in on-street parking areas located within a reasonable walking distance of the use, given the nature of the use and the district. The Board shall also consider factors as the number of bicycle racks available in proximity to a use. In making its determination, the Board shall be guided by an up-to-date analysis of parking supply and demand and other relevant factors submitted by or on behalf of the applicant. The City Planning Commission shall maintain a file of all such parking analyses submitted for properties in each PRO District.

(j) *Signs in the Public Street Right-of-Way.* An ordinance to map a PRO District in a particular location may include permission to place private signs in the public street right-of-way under the regulations of Chapter 512 of the Codified Ordinances. Such provision shall be included in the PRO designation only if it is determined, on the basis of a survey and analysis conducted by the City Planning Com-

mission, that the particular PRO District is characterized by a preponderance of restaurants and small independent stores for which signs placed near the street curb would provide useful information to pedestrians seeking goods and services and would enhance the pedestrian-oriented image of the district. Any PRO District designated for display of signs in the street right-of-way shall be shown on the Zoning Map as a "PRO-S" District, with "S" noting the presence of special sign provisions. No sign permitted by these provisions shall be displayed without design approval of the sign's structure and permanent elements by the City Planning Commission, or where applicable, by the Landmarks Commission.

(k) *Variations.* The Board of Zoning Appeals may grant variances to requirements of this section under the applicable criteria stated in Chapter 329 of this code. In the case of an appeal for a variance to permit a drive-through business in a PRO District, the Board shall consider the following factors based, in part, on a traffic study performed by the applicant:

(1) the anticipated volume of vehicular use of the proposed drive-through facility, with higher volumes considered to detract from the pedestrian character of the district;

(2) the anticipated proportion of drive-through customer transactions to all transactions at the business, with over fifty percent (50%) of drive-through transactions indicating that the business is an inappropriate use for a Pedestrian Retail District.

(3) the impact of the drive-through facility on the pedestrian character of the designated Pedestrian Retail Street Frontage;

(4) the impact on traffic safety and pedestrian safety in the vicinity of the drive-through business.

(l) *Appeals.* Appeals from the decision of the City Planning Commission to approve or disapprove Conditional Uses in Pedestrian Retail Spaces shall be made to the Board of Zoning Appeals.

Section 2. That existing Section 343.23 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 889-10, passed October 4, 2010, is repealed.

Section 3. That unless this Council authorizes, through additional legislative authority, the continuation of the authority granted in this ordinance to amended Section 343.23 before December 3, 2014, then the following Section 343.23 shall be enacted as follows:

Section 343.23 Pedestrian Retail Overlay (PRO) District

(a) *Purpose.* The Pedestrian Retail Overlay (PRO) District is established to maintain the economic viability of older neighborhood shopping districts by preserving the pedestrian-oriented character of those districts and to protect public safety by minimizing conflicts between vehicles and pedestrians in neighborhood shopping districts.

(b) *Mapping.* The PRO District is an overlay district which shall be mapped only in an area where at least seventy-five (75%) of the underlying zoning is either Local Retail or General Retail. In every PRO District, any street frontage to be considered a "Pedestrian Retail Street Frontage," as defined in this section, shall be marked on the Zoning Map, with

either one (1) or both sides of a street designated as such.

(c) *Applicability.* The PRO District regulations shall apply only in those portions of a PRO District in which the underlying zoning is either Local Retail or General Retail. In the relevant portions of a PRO District, the regulations of the underlying zoning district shall govern except where in conflict with the regulations of the PRO District, in which case the regulations of the PRO District shall govern.

(d) *Definitions.* As used in this section, the following terms shall be defined as stated below:

(1) "Pedestrian Retail Street Frontage" means that side or sides of a public street frontage where pedestrian-oriented retail shopping activity exists or is expected to exist and such street frontage is specifically designated on the Zoning Map.

(2) "Pedestrian Retail Space" means that portion of a building or property located at or closest to the level of the public sidewalk and within forty (40) feet of a Pedestrian Retail Street Frontage.

(3) "Open Sales Lot" means a property or portion of a property used for the sale of merchandise stored in outdoor, unenclosed locations.

(4) "Institutional Use" means, for purposes of this section, a school, day care center, place of worship, place of assembly, hospital, nursing home, residential treatment facility, or similar use.

(5) "Non-Retail Office" means an office use whose primary activity does not involve service to customers or clients on the premises.

(e) *Use Regulations.* All uses permitted in the underlying retail zoning district shall be permitted in the PRO District, except that the use of Pedestrian Retail Spaces, as defined in this section, shall be further limited as follows.

(1) *Prohibited Uses.* For Pedestrian Retail Spaces, as defined in this section, the following uses shall be prohibited:

A. Open sales lots, as defined in this section;

B. Filling and service stations;

C. Car washes; and

D. A driveway or driveways providing the only vehicular access to or from a drive-through facility.

(2) *Conditional Uses.* For Pedestrian Retail Spaces, as defined in this section, the following uses shall be permitted as Conditional Uses, as approved by the City Planning Commission under the approval criteria provided in this section:

A. Off-street parking or loading areas;

B. Driveways extending across a public sidewalk;

C. Residential, institutional and non-retail office uses, as defined herein, except that ground-floor entrances and lobbies serving such uses located on upper floors or in a basement level shall be permitted without the requirement for conditional approval;

D. Any building-enclosed use that does not have a public pedestrian entrance from the Pedestrian Retail Street Frontage;

E. Any use with more than forty (40) feet of frontage along the Pedestrian Retail Street Frontage; and

F. A building with an interior side yard more than four (4) feet in width and located within forty (40) feet of a Pedestrian Retail Frontage.

(f) *Criteria for Conditional Uses.* The City Planning Commission shall approve a Conditional Use application if it determines that the application meets the following criteria:

(1) In the case of a proposed residential, institutional or non-retail office use, one (1) or more of the following conditions apply:

A. The subject building space was designed specifically for the type of use proposed and, as such, occupancy by an allowed use is an unreasonable expectation;

B. Denial of the application for occupancy by a conditional use would result in a long-term vacancy of the subject property, as demonstrated by the applicant;

C. It has been determined that the proposed use is needed in the immediate area and that suitable alternative locations are unavailable.

(2) In the case of a proposed off street parking or loading area or driveway, one (1) or both of the following conditions apply.

A. The size, shape or layout of the subject property does not permit placement of the parking, loading or driveway in a more suitable location.

B. It has been demonstrated by the applicant that placement of the parking, loading or driveway in an allowed location would jeopardize the continued occupancy of the subject property by uses suited to the PRO District.

(3) In the case of a building enclosed use that does not have an entrance from the Pedestrian Retail Street Frontage, one (1) or both of the following conditions apply:

A. The proposed use will occupy an existing building that lacks such pedestrian entrance, and the addition of a conforming pedestrian entrance is made infeasible by the configuration of the interior space or other factors related to the design and placement of the building.

B. Placement of the pedestrian entrance in a location other than on the Pedestrian Retail Street Frontage will result in more suitable pedestrian access.

(4) In the case of a proposed use with more than forty (40) feet of frontage along the Pedestrian Retail Street Frontage, the subject space was designed for use at such size and the proposed use, in the determination of the City Planning Commission, will not have adverse impacts on the functioning of nearby pedestrian-oriented retail uses.

(5) In the case of an interior side yard more than four (4) feet in width and located within forty (40) feet of a Pedestrian Retail Frontage, the subject building will be occupied by residential units which require the greater side yard area to allow for desirable levels of light and air.

(g) *Maximum Setbacks.* Notwithstanding the provisions of the underlying zoning district, properties in PRO Districts shall conform to the following regulations with respect to maximum setbacks.

(1) *Front Street Yard.* No main building on a lot abutting a Pedestrian Retail Street Frontage shall be set back more than five (5) feet from the Pedestrian Retail Street Frontage unless the City Planning Commission has approved establishment of a surface parking lot in such location as a Conditional Use. Such building features as entrances and display windows may be set back up to an addi-

tional five (5) feet as long as these features occupy no more than fifty percent (50%) of the building's total frontage. These setback regulations shall not apply to portions of buildings above the first-story level.

(2) *Interior Side Yard.* No portion of an interior side yard located within forty (40) feet of a Pedestrian Retail Street Frontage shall exceed four (4) feet in width on the ground floor level, unless the City Planning Commission has approved a driveway or a residential side yard in such location as a Conditional Use.

(3) *Exceptions for Outdoor Cafes.* A building may be set back a maximum of fifteen (15) feet from the Pedestrian Retail Street Frontage in order to accommodate a permanent outdoor café. If use of such café is discontinued for a period of two (2) years or more, the setback area shall be landscaped or otherwise improved in accordance with a plan approved by the City Planning Commission.

(h) *Window Areas.* For any non-residential building or storefront facing a Pedestrian Retail Street Frontage, not less than sixty percent (60%) of the front facade between two and one-half (2-1/2) and seven and one-half (7-1/2) feet in height shall be composed of transparent windows or doors. In addition, not more than twenty-five percent (25%) of such window or door area on a building or storefront shall be covered with permanent signs.

(i) *Parking.* In recognition of the expected greater use of public transit, bicycles and walking by customers and employees traveling to PRO Districts, the minimum number of parking spaces otherwise required by the Zoning Code shall be reduced by thirty-three percent (33%) for retail business uses in the districts. The Board of Zoning Appeals may further reduce parking requirements where it has been demonstrated that additional parking is available in common or shared parking facilities or in on-street parking areas located within a reasonable walking distance of the use, given the nature of the use and the district. The Board shall also consider factors as the number of bicycle racks available in proximity to a use. In making its determination, the Board shall be guided by an up-to-date analysis of parking supply and demand and other relevant factors submitted by or on behalf of the applicant. The City Planning Commission shall maintain a file of all such parking analyses submitted for properties in each PRO District.

(j) *Signs in the Public Street Right-of-Way.* An ordinance to map a PRO District in a particular location may include permission to place private signs in the public street right-of-way under the regulations of Chapter 512 of the Codified Ordinances. Such provision shall be included in the PRO designation only if it is determined, on the basis of a survey and analysis conducted by the City Planning Commission, that the particular PRO District is characterized by a preponderance of restaurants and small independent stores for which signs placed near the street curb would provide useful information to pedestrians seeking goods and services and would enhance the pedestrian-oriented image of the district. Any PRO District designated for display of signs in the street right-of-way shall be shown on the Zoning Map as a

"PRO-S" District, with "S" noting the presence of special sign provisions. No sign permitted by these provisions shall be displayed without design approval of the sign's structure and permanent elements by the City Planning Commission, or where applicable, by the Landmarks Commission.

(k) *Variances.* The Board of Zoning Appeals may grant variances to requirements of this section under the applicable criteria stated in Chapter 329 of this code.

(l) *Appeals.* Appeals from the decision of the City Planning Commission to approve or disapprove Conditional Uses in Pedestrian Retail Spaces shall be made to the Board of Zoning Appeals.

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 November 26, 2012.

Effective November 28, 2012.

Ord. No. 1680-12.

By Council Member Westbrook.

An emergency ordinance authorizing the Clerk of Council to amend the agreement between the City of Cleveland and Donn R. Nottage to extend the term of the agreement for Cleveland City Council.

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

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

Section 1. That the Clerk of Council is authorized to amend the agreement between the City of Cleveland and Donn R. Nottage, City Contract No. 2012-077, to extend the term of the agreement to conclude on December 31, 2013.

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

Passed November 26, 2012.

Effective November 28, 2012.

Ord. No. 1682-12.

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

An emergency ordinance authorizing the Director of Public Utilities to accept the gift of up to sixty energy efficient LED streetlights from Cooper Industries to be installed by the City on West 6th and West 9th between Lakeside and Superior Avenues, for the Department of Public Utilities.

Whereas, Cooper Industries, a long-time lighting supplier for Cleveland Public Power, has indicated a desire to make a gift of up to sixty energy efficient LED streetlights to the City of Cleveland which will be installed by the City on West 6th and West 9th

between Lakeside and Superior Avenues; and

Whereas, the donated streetlights feature dimming capabilities that allow the use of adaptive controls to adjust lighting levels remotely; and

Whereas, the donated streetlights will be incorporated into the City's two-year LED Streetlight Pilot Program which was authorized by Ordinance No. 558-11, passed April 25, 2011; and

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

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

Section 1. That the Director of Public Utilities is authorized to accept from Cooper Industries the donation of up to sixty energy efficient LED streetlights which will be installed by the City on West 6th and West 9th between Lakeside and Superior Avenues. The estimated value of the streetlights is \$75,000.

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 November 26, 2012.

Effective November 26, 2012.

Ord. No. 1683-12.

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

An emergency ordinance authorizing the Directors of Public Utilities and Public Works to enter into a donation agreement to accept the gift of General Electric energy efficient LED lighting systems from the Downtown Cleveland Alliance and Ohio City Incorporated to be installed by the City on Public Square, the West Side Market, and the Market Square area, for the Departments of Public Utilities and Public Works.

Whereas, the Downtown Cleveland Alliance and Ohio City Incorporated have indicated a desire to make a gift of General Electric energy efficient LED lighting systems to be installed by the City on Public Square, the West Side Market, and the Market Square area; and

Whereas, the donated lighting system to be used on Public Square consists of new energy efficient LED streetlights and pedestrian post-top lights providing more consistent roadway lighting than traditional roadway lighting and enhancing the aesthetics and security in the area; and

Whereas, the donated lighting system to be used at the West Side Market will commemorate the market's 100th anniversary and will illuminate the exterior facings of the building and the clocktower; the donation will also include streetlights on Lorain Avenue to West 26th Street and all of Market Square as well as pedestrian lights; and

Whereas, it is estimated that the General Electric lighting systems will reduce the existing electric consumption by 50% over twelve years and reduce maintenance costs; and

Whereas, the energy efficient LED lighting systems will be incorporated into the City's two-year LED Streetlight Pilot Program which was authorized by Ordinance No. 558-11, passed April 25, 2011; 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 Directors of Public Utilities and Public Works are authorized to enter into a donation agreement with the Downtown Cleveland Alliance and Ohio City Incorporated to accept the donation of General Electric energy efficient LED lighting systems from the Downtown Cleveland Alliance and Ohio City Incorporated to be installed by the City on Public Square, the West Side Market, and the Market Square area. The estimated total value of the lighting systems is \$205,000.

Section 2. That the agreement shall be prepared by the Director of Law.

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

Passed November 26, 2012.

Effective November 26, 2012.

Ord. No. 1684-12.

By Council Member Sweeney.

An emergency ordinance to amend Section 367.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 365-81, passed July 6, 1981, relating to non-compliance with notice; vacation of premises; board and demolition of premises.

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

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

Section 1. That Section 367.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 365-81, passed July 6, 1981, is amended to read as follows:

Section 367.05 Noncompliance with Notice; Vacation of Premises; Board and Demolition of Premises

(a) Whenever the owner, agent or person in charge of a dwelling structure or premises fails, neglects or refuses to comply with a notice of the Commissioner of Building and Housing, the Commissioner may issue a notice ordering the structure or premises concerned to be vacated, or he or she may advise the Director of Law of the circumstances and request the Director to institute an appropriate action of law to compel a compliance, or both.

(b) Whenever the owner or agent or person in charge of a dwelling structure or premises fails, neglects or refuses to comply with a notice to vacate issued by the Commissioner, the Commissioner may request the Director of Public Safety to enforce the orders of such notice of vacation and cause the structure to be vacated in accordance with the terms of such notice.

(c) Whenever the Commissioner has made the determination that a dwelling structure or premises constitutes a public nuisance in that the structure or premises is injurious to the public health, safety and welfare, and the owner, agent or person in charge of such structure fails, neglects or refuses to comply with a notice of violation ordering such structure to be demolished or boarded, or the violations corrected, the Commissioner may take necessary action to demolish or effectively board such structure in accordance with the procedure and requirements set forth in Section 3103.09 or take such other action as may be necessary to abate the nuisance. The Commissioner shall give written notice in conformance with the procedures set forth in this Housing Code for the service of notice of violation informing the owner or agent, mortgagee of record, lessee of record or lien holder of record of the City's intention to demolish or effectively board such structure at least thirty (30) days prior to such intended action by the City.

Section 2. That existing Section 367.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 365-81, passed July 6, 1981, is repealed.

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

Passed November 26, 2012.
Effective November 28, 2012.

Ord. No. 1705-12.
By Council Member Westbrook.
An emergency ordinance authorizing the Clerk of Council to enter into an agreement with Thunder Tech for the professional services necessary to provide ongoing improvements and

upgrades to the existing Cleveland City Council website, to create digital records for the City Record and to provide internet and intranet hosting and maintenance for Cleveland City Council.

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

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

Section 1. That the Clerk of Council is authorized to enter into an agreement with Thunder Tech for the professional services necessary to provide ongoing improvements and upgrades to the existing Cleveland City Council website, to create digital records for the City Record and to provide internet and intranet hosting and maintenance for Cleveland City Council, as set forth in Thunder Tech's Statement of Work for 2013.

The cost of all services under this agreement shall not exceed \$30,000 and shall be paid for from fund 11-006.

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

Passed November 26, 2012.
Effective November 28, 2012.

Ord. No. 1706-12.
By Council Member K. Johnson and Mitchell.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into an agreement with the Buckeye Area Development Corporation for the Senior Landscaping and Snow Removal Program through the use of Ward (s) 4 and 6 Neighborhood Capital Funds.

Whereas, this ordinance constitutes an emergency measure providing for

the usual daily operation of a municipal department; now, therefore,

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

Section 1. That the Director of the Department of Community Development be authorized to enter into an agreement with the Buckeye Area Development Corporation effective November 26, 2012 for the Senior Landscaping and Snow Removal Program for the public purpose of providing landscaping and snow removal services to senior citizens and disabled residents that reside in the city of Cleveland through the use of Ward(s) 4 and 6 Neighborhood Capital Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$51,000 and shall be paid from Fund No. 10 SF 177.

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

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

Passed November 26, 2012.
Effective November 28, 2012.

COUNCIL COMMITTEE MEETINGS

**Monday, December 3, 2012
9:00 a.m.**

Committee of the Whole: Present: Sweeney, Chair; Kelley, Brady, Brancatelli, Cimperman, Cleveland, Conwell, Cummins, Dow, J. Johnson, K. Johnson, Keane, Miller, Mitchell, Polensek, Pruitt, Reed, Westbrook, Zone.

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Public Works — Sell Easement at Highland Park Cemetery (O 1588-12)	1929
Solid Waste Disposal Program, 2013 — Grant — Cuyahoga County Solid Waste District — Health Department (O 1589-12)	1930
Debt Service Funds	
Enterprise Funds (\$ 665,000) — Debt Service Funds (\$ 625,000) — Appropriations (O 1730-12)	1918
Detroit-Shoreway Community Development Corporation	
Ed — Amend Contract No. 67924 & Promissory Note — Historical Renovation of The Capitol Theatre (Ward 15) (O 1723-12)	1915
Easements	
Capital Projects — Accept property for Quigley & Steelyard Common — For Install Signage (O 1362-12)	1943
Harvard Avenue Bridge Project (O 1629-12)	1930
Public Works — Highland Park Cemetery to Cuyahoga County (O 1588-12)	1929
Public Works — NEORSRD accept from Flats East Development (O 1406-12)	1928
Repeal Ord. No. 1550-11 — For Ingress / Egress onto East 105th St. — Ronald McDonald House of Cleveland, Inc. (Ward 07) (O 1535-12)	1929
Economic Development Department	
Amend Title & Section(s) 1, 2, and 3 of Ord. No. 399-12, — Walworth Road Infrastructure Improvement (O 1418-12)	1945
Assumption of UDAG Contract No. 49231 from JF West St. Clair and Nautica Peninsula by Jacobs Investments Inc. (O 1699-12)	1932
Building Signage Improvement Project — agreement — Great Lakes Integrated (Ward 14 NCF) (O 1732-12)	1925
Discount Repayment Contract No. 46868 with Lakeside Ave., 425 and Contract No. 48736 with JF West St. Clair — Hoyt Block II Project (Ward 03) (O 1700-12)	1932
Tax Incentive Review Council — Approve 2011 Recommendations (O 1593-12)	1930
Encroachments	
East 6th St., & St. Clair Ave., — right — of -way — Canopy, Sign, Sidewalk Planter, Flag Poles — Optima 777, LLC — Capital Projects (Ward 03) (O 1726-12)	1911
Kinsman Rd., Abell Ave., and East 139th St. — right-of-way — Christmas Wreaths — East 139th Street Block Club — Capital Projects — CPP (Ward 04) (O 1722-12)	1914
Enterprise Funds	
Enterprise Funds (\$ 665,000) — Debt Service Funds (\$ 625,000) — Appropriations (O 1730-12)	1918
Fund Transfer — (\$3,362,000) General Fund — (\$2,800,000) Enterprise Fund (O 1729-12)	1917
Environmental Protection Agency (EPA)	
Clean Air Act (R 1365-12)	1942

Fees

Amend Section 213.01, Repeal Section(s) 213.02 and 213.03 — Public Swimming Pools, Public Spas and Special Use Pools (O 1234-12)	1928
Amend Sections 135.42 and 405.06 — Contracts for Towing, Storage and Disposal of Impounded Motor Vehicles — Impounding and Towing Fees (O 1543-12)	1929
Amend Sections 227.03, 227.04, 227.05, 227.33, 227.34 and 227.35 — Day Care Center Fees — Applications, Inspections and Contagious Disease Notification — Health Department (O 1642-12)	1931
Enact New Section 571.91 — Permits required for Commercial Ground Transportation Vehicles Operating at CHIA — Amend Section 571.99 Penalty (O 8-12)	1933-T

Finance Department

Appropriations — Year 2013 — current expenses and other expenses (O 1731-12)	1919
Cleveland Work Crew Program — Place Criminal Defendants in Community Service — Court Community Service (O 1698-12)	1932
Enterprise Funds (\$ 665,000) — Debt Service Funds (\$ 625,000) — Appropriations (O 1730-12)	1918
Fund Transfer — (\$3,362,000) General Fund — (\$2,800,000) Enterprise Fund (O 1729-12)	1917
Lobbying Services — Federal — Crowell & Moring LLP (O 1715-12)	1914
Moral Claims — Authorize Payment (O 1725-12)	1916
Salary and Wage Schedules — Section 38 — Amend Ord. 1689-11, as amended — Human Resources Department (O 1724-12)	1915
Salary and Wage Schedules — Sections 33 and 56 — Amend Ord. 1689-11, as amend — Human Resources Department (O 1701-12)	1933

Fire Division

Record Management System Consultant — professional services — Divisions of Police and Fire (F 1755-12)	1909
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Flats District

Public Works — Grant easement to NEORS accept from Flats East Development (O 1406-12)	1928
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General Fund

Fund Transfer — (\$3,362,000) General Fund — (\$2,800,000) Enterprise Fund (O 1729-12)	1917
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Gifts

Accept Donation of GE Energy Efficient LED Streetlights for Public Square & West Side Market (O 1683-12)	1951
Enacting new Section 139.21 — Gifts of Art, Cash, Sponsorships, and Other Donations to enhance the physical appearance at Cleveland Airport System (O 1638-12)	1931
Utilities Department — Accept the gift of up to Sixty Energy Efficient LED Streetlights — Cooper Industries (O 1682-12)	1951

Grants

Amend Title & Section(s) 1, 2, and 3 of Ord. No. 399-12, — Walworth Road Infrastructure Improvement (O 1418-12)	1945
Baby Basics Initiative Program; 2013 — The Sisters of Charity Foundation — Health Department (O 1490-12)	1945
Bulletproof Vest Program, 2012 — Bureau of Justice Assistance — U.S. Department of Justice (O 1720-12)	1911
CD — Grant Writing — Lead Hazard Reduction Demonstration, Lead Hazard Control, Health Home Grant (O 1646-12)	1931
Cleveland Domestic Violence Program, 2012 — Cuyahoga County Criminal Justice Services Agency — Department of Justice Violence Against Women Act (O 1719-12)	1911
Commercial Road Bridge — name change — Canal Road Bridge — removal and replacement — NOACA — Amend Ord. No. 1612-10 (O 1716-12)	1910
Home Weatherization Assistance Program, 2013 — Contracts with various entities — Community Development Department — Ohio Development Services Agency (O 1591-12)	1930
Immunization Action Plan Program, 2013 — Cuyahoga County Board of Health — Health Department (O 1534-12)	1946
Juvenile Accountability Block Grant Program, 2012 — Community Relations Board — Cuyahoga County (O 1702-12)	1933
Making Greater Cleveland Lead Safe And Healthy Program, 2013 — St. Luke's Foundation - Health Department (O 1640-12)	1931
Solid Waste Disposal Program, 2013 — Cuyahoga County Solid Waste District — Health Department (O 1589-12)	1930
State Byrne Memorial Justice Assistance Grant, 2012 — Northern Ohio Violent Crime Consortium Program — Kent State University — Ohio Office of Criminal Justice — Safety Department (O 1717-12)	1910

State Byrne Memorial Justice Assistance Grant, 2012 — Northern Ohio Law Enforcement Task Force Program — Ohio Office of Criminal Justice — Safety Department (O 1718-12)	1910
STD Control Prevention Program, 2013 — Health Department — Ohio Department of Health (O 1641-12)	1931
Summer Food Service Program, 2013 — Contract with various non-profit organizations — Camp George L. Forbes — Ohio Department of Education — Public Works — Recreation Division (O 1585-12)	1929

Health Department

Amend Section 213.01, Repeal Section(s) 213.02 and 213.03 — Public Swimming Pools, Public Spas and Special Use Pools (O 1234-12)	1928
Amend Sections 227.03, 227.04, 227.05, 227.33, 227.34 and 227.35 — Day Care Center Fees — Applications, Inspections and Contagious Disease Notification (O 1642-12)	1931
Baby Basics Initiative Program; 2013 — Grant — The Sisters of Charity Foundation (O 1490-12)	1945
CD — Grant Writing — Lead Hazard Reduction Demonstration, Lead Hazard Control, Health Home Grant (O 1646-12)	1931
Clean Air Act (R 1365-12)	1942
Immunization Action Plan Program, 2013 — Grant — Cuyahoga County Board of Health (O 1534-12)	1946
Making Greater Cleveland Lead Safe and Healthy Program, 2013 — Grant — St. Luke's Foundation (O 1640-12)	1931
Sell city-owned property no longer needed for public use — Miles Ave., 9127 to Northeast Ohio Neighborhood Health Services, Inc. ("Neon") (Ward 02) (O 1335-12)	1928
Solid Waste Disposal Program, 2013 — Grant — Cuyahoga County Solid Waste District (O 1589-12)	1930
STD Control Prevention Program, 2013 — Grant — Ohio Department of Health (O 1641-12)	1931

Home Weatherization Program

Home Weatherization Assistance Program, 2013 — Grants — contracts with various entities — Community Development Department — Ohio Development Services Agency (O 1591-12)	1930
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Homeless

Homeless Assistance Activities — various non-profit agencies — Community Development Department (O 1645-12)	1931
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Housing and Urban Development (HUD)

Community Development — Arbor Park Refinancing (O 1602-12)	1947
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Human Resources Department

Salary and Wage Schedules — Section 38 — Amend Ord. 1689-11, as amended — Finance Department (O 1724-12)	1915
Salary and Wage Schedules — Sections 33 and 56 — Amend Ord. 1689-11, as amend — Finance Department (O 1701-12)	1933

Land Reutilization Program

Community Development — contract — The Finch Group, Inc., — Upper Chester Development Project (Ward 07) (O 1697-12)	1932
Safety & Community Development — agreements — CMSD & CMHA to Swap Properties — Charles Dickens & Anton Grdina Elementary Schools (O 1704-12)	1933

Leases

Exercise first option to renew Contract No. NF2010-016 with AEROMAG 2000 Cle, LLC — Usage of Certain Airport-Owned Space at CHIA (O 1584-12)	1929
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Licenses

Amend Section 213.01, Repeal Section(s) 213.02 and 213.03 — Public Swimming Pools, Public Spas and Special Use Pools (O 1234-12)	1928
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Liquor Permits

East 131st St., 4213 — new application (Ward 01) (F 1742-12)	1909
East 131st St., 4231 — objection to issuance (Ward 01) (R 1740-12)	1927
East 152nd St., 657 — withdraw objection to renewal — repeal Res. 1091-12 (Ward 11) (R 1739-12)	1927
East 4th St., 2061 — transfer of ownership and location application (Ward 03) (F 1744-12)	1909
Euclid Ave., 668 — transfer of ownership and location application (Ward 03) (F 1743-12)	1909
Freeman Ave., 2102 — withdraw objection to renewal — repeal Res. 1185-12 (Ward 03) (R 1735-12)	1926
Jefferson Ave., 710 — objection to transfer of ownership and location (Ward 03) (R 1707-12)	1943

Old River Rd., 1295 — withdraw objection to renewal — repeal Res. 1121-12 (Ward 03) (R 1736-12)	1926
Professor St., 2221 (1st Fl. & Rear Patio) — withdraw objection to transfer of ownership — repeal Res. 1220-12 (Ward 03) (R 1737-12)	1927
St. Clair Ave., 6201 (1st Fl.) — objection to stock transfer (Ward 07) (R 1738-12)	1927
Superior Ave., 6816 — transfer of ownership and location application (Ward 07) (F 1745-12)	1909
West 98th St., 2136 — transfer of ownership application (Ward 16) (F 1746-12)	1909

Loans

Community Development — Amendment to Contract No. 65607 with PLV Associates, L.P. — The rehabilitation of Park Lane Villa Apartments (Ward 08) (O 1598-12)	1947
Community Development — Arbor Park Refinancing (O 1602-12)	1947
Discount Repayment Contract No. 46868 with Lakeside Ave., 425 and Contract No. 48736 with JF West St. Clair — Hoyt Block II Project (Ward 03) (O 1700-12)	1932
Economic Development — Assumption of UDAG Contract No. 49231 from JF West St. Clair and Nautica Peninsula by Jacobs Investments Inc. (O 1699-12)	1932
ED — Amend Contract No. 67924 & Promissory Note — Detroit Shoreway CD — Historical renovation of the Capitol Theatre (Ward 15) (O 1723-12)	1915

Moral Claims

Authorize Payment — Finance Department (O 1725-12)	1916
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Neighborhood Equity Funds

Fine Arts Program — agreement — Broadway School of Music and Arts — Community Development (Ward(s) 12, 03, 05 NEF) (O 1734-12)	1926
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Newspaper Dispensing Devices

City Planning — Amend Ord. No. 407-12, Section 680.051 (O 1459-12)	1945
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Northeast Ohio Areawide Coordinating Agency (NOACA)

Commercial Road Bridge — name change — Canal Road Bridge — Removal And Replacement — Amend Ord. No. 1612-10 (O 1716-12)	1910
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Northeast Ohio Regional Sewer District

Public Works — Grant easement to NEORS D accept from Flats East Development (O 1406-12)	1928
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Office of Criminal Justice Services

State Byrne Memorial Justice Assistance Grant, 2012 — Northern Ohio Violent Crime Consortium Program — Kent State University — Safety Department (O 1717-12)	1910
State Byrne Memorial Justice Assistance Grant, 2012 — Northern Ohio Law Enforcement Task Force Program — Safety Department (O 1718-12)	1910

Ohio Department of Education

Summer Food Service Program, 2013 — Grant — contract with various non-profit organizations — Camp George L. Forbes — Public Works — Recreation Division (O 1585-12)	1929
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Ohio Department of Public Health

STD Control Prevention Program, 2013 — Grant — Health Department (O 1641-12)	1931
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Ohio Department of Transportation (ODOT)

Amend Title & Section(s) 1, 2, and 3 of Ord. No. 399-12, — Walworth Road Infrastructure Improvement (O 1418-12)	1945
Capital Projects — Consent agreement for Innerbelt — Non-Financial (O 1686-12)	1931
Capital Projects — Preliminary consent and cause payment — Resurfacing of Triskett Rd. & Warren Rd. (Ward(s) 17, 18, 19) (O 1703-12)	1933
Capital Projects — Preliminary consent and cause payment — Constructing a North Coast Harbor Pedestrian Bridge (O 1690-12)	1932
Capital Projects — Preliminary consent and cause payment — Constructing a North Coast Harbor Pedestrian Bridge (O 1690-12)	1932
Capital Projects — Preliminary consent and cause payment for rehab. of Waterloo Rd. (Ward 11) (O 1687-12)	1931
Capital Projects — Preliminary consent and cause payment for rehab. of Larchmere Blvd. (O 1689-12)	1932
Capital Projects — Preliminary consent and cause payment for rehab. of Waterloo Rd. (Ward 11) (O 1687-12)	1931

Capital Projects — Preliminary consent and cause payment for rehab. of Larchmere Blvd. (O 1689-12)	1932
Commercial Road Bridge — name change — Canal Road Bridge — removal and replacement — NOACA — Amend Ord. No. 1612-10 (O 1716-12).....	1910

Permits

East 6th St., & St. Clair Ave., — encroach into right — of -way — Canopy, Sign, Sidewalk Planter, Flag Poles — Optima 777, LLC — Capital Projects (Ward 03) (O 1726-12)	1911
Enact New Section 571.91 — Required for Commercial Ground Transportation Vehicles Operating at CHIA — Amend Section 571.99 Penalty (O 8-12)	1933-T
Hudson Relays, 2013 — April 27th — Case Western Reserve University (O 1741-12)	1926
Kinsman Rd., Abell Ave., and East 139th St. — encroach into right-of-way — Christmas Wreaths — East 139th Street Block Club — Capital Projects — CPP (Ward 04) (O 1722-12)	1914

Police Division

Record Management System Consultant — professional services — Divisions of Police and Fire (F 1755-12)	1909
Seeking Experience and Motivated Police Officers (F 1754-12)	1909

Port Control Department

Amend Section 9 of Ord. No. 710-12 — Design and Construction — Burke Lakefront Airport Runway 6L-24R Safety Area (O 1693-12)	1932
Aviation Lobbying Services — Federal Government — LHD & Associates, Inc. (O 1714-12)	1914
Business and Management Training and Development, Employee Performance and Professional Development Program — Renew Contract No. CT 3001 — PS2011-59 — CSU (O 1632-12)	1930
Contracts — Professional Consultants — Web-Based Power Monitoring and Communication System (O 1583-12)	1929
Enact New Section 571.91 — Permits required for Commercial Ground Transportation Vehicles Operating at CHIA — Amend Section 571.99 Penalty (O 8-12)	1933-T
Enacting New Section 139.21 — Gifts of Art, Cash, Sponsorships, and other donations to enhance the physical appearance at Cleveland Airport System (O 1638-12)	1931
Exercise first option to Renew Contract No. CT 3001-PS2011-32 with Mindleaders Inc., A Delaware Corporation — Provide E-Learning Training and Development Activities and program (O 1636-12)	1930
Exercise first option to Renew Contract No. NF2010-016 with AEROMAG 2000 Cle, LLC — Usage of Certain Airport-Owned Space at CHIA (O 1584-12)	1929
Exercise option to renew Contract No. 67376 with Standard Parking Corp. — Manage outbound Taxicabs at CHIA (O 1455-12)	1929
Lean Six Sigma, General Training and Development; Support Employee Performance and Professional Development — Renew Contract No. CT. 3001-PS2011-129 with The Institute for Organization Excellence LLC. (O 1633-12)	1930
Professional Technical and General Training and Development Activities and Programs in Support of Employee Performance and Development — Renew Contract No. CT 3001 — PS 2011-68 with CCC (O 1635-12)	1930
Public improvement contract — professional service — Public Art Displays (O 1728-12)	1913

Professional Services

Aviation Lobbying Services — Federal Government — LHD & Associates, Inc. — Port Control (O 1714-12)	1914
Capital Projects — public improvement contracts — right-of-way agreements with Private Utility Companies & RTA — East 79th St. Bridge (O 1325-12)	1928
Donn R. Nottage — Amend and extend the term of the agreement with City Council (O 1680-12)	1951
Exercise first option to renew Contract No. CT 3001-PS2011-32 with Mindleaders Inc., A Delaware Corporation — Provide E-Learning Training and Development Activities and program (O 1636-12)	1930
Lean Six Sigma, General Training and Development; Support Employee Performance and Professional Development — Renew Contract No. CT. 3001-PS2011-129 with The Institute for Organization Excellence LLC. (O 1633-12)	1930
Lobbying Services — Federal — Crowell & Moring LLP — Finance (O 1715-12)	1914
Port Control — Contracts — Professional Consultants — Web-Based Power Monitoring and Communication System (O 1583-12)	1929
Port Control — public improvement contract — Public Art Displays (O 1728-12)	1913
Professional Technical and General Training and Development Activities and Programs in Support of Employee Performance and Development — Renew Contract No. CT 3001 — PS 2011-68 with CCC (O 1635-12)	1930
Record Management System Consultant — Divisions of Police and Fire (F 1755-12)	1909
Thunder Tech — agreement — Cleveland City Council Website and Create Digital Records for The City Record (O 1705-12)	1952
Utilities Department — Professional Consultants — General Information Technology Services (O 1631-12)	1930
Utilities Department — public improvement contract — Year 6 Thru Year 10 Suburban Water Main Renewal Program (O 1727-12)	1912

Public Improvements

Amend Section 9 of Ord. No. 710-12 — Design and Construction — Burke Lakefront Airport
 Runway 6L-24R Safety Area (O 1693-12) 1932

Amend Title & Section(s) 1, 2, and 3 of Ord. No. 399-12, — Walworth Road Infrastructure
 Improvement (O 1418-12) **1945**

Capital Projects — Consent agreement for Innerbelt — Non — Financial (O 1686-12) 1931

Capital Projects — contract — professional services — right — of — way — agreement with
 Private Utility Companies & RTA — Resurfacing East 9th St. (O 1363-12) 1928

Capital Projects — contracts — professional services — right-of — way — agreements with
 Private Utility Companies & RTA — East 79th St. Bridge (O 1325-12)..... 1928

Capital Projects — Preliminary consent and cause payment — Resurfacing of Triskett Rd.
 & Warren Rd. (Ward(s) 17, 18, 19) (O 1703-12) 1933

Capital Projects — Preliminary consent and cause payment — Constructing a North
 Coast Harbor Pedestrian Bridge (O 1690-12)..... 1932

Capital Projects — Preliminary consent and cause payment for rehab. of Waterloo Rd. (Ward
 11) (O 1687-12)..... 1931

Capital Projects — Preliminary consent and cause payment for rehab. of Larchmere Blvd.
 (O 1689-12) 1932

Cleaning, Cement Mortar and Structural Lining, and replacing various distribution Water
 Mains In 2013 (O 1691-12) 1932

Community Development — contract — The Finch Group, Inc., — Upper Chester
 Development Project (Ward 07) (O 1697-12) 1932

Community Development — Subsidiary Additions — Contract No. CT 4004 PI 2011-044 with
 Fabrizi Trucking & Paving, Inc. — Morgana Run Subdivision Phase 1 Project
 (O 1592-12) **1946**

Port Control — contract — professional service — Public Art Displays (O 1728-12) 1913

Public Works — Subsidiary Agreement with Nerone & Sons, Inc. — Contract No. CT 7003 PI
 2012-006 — For Miles Pointe Crossing Parking Lot (O 1587-12)..... 1929

Repairing Sidewalks, Driveway Aprons, and Curbing, Restoring Grass Tree Lawns and
 Adjusting Castings — W. 105 St., W 106 St., W 114 St., & E. 151 St. (O 1688-12) 1931

Utilities Department — New Restricted Transmission Water Main for Orange Village (O 1692-12) 1932

Utilities Department — professional service — contract — Year 6 Thru Year 10 Suburban Water
 Main Renewal Program (O 1727-12) 1912

Public Works

Accept Donation of GE Energy Efficient LED Streetlights for Public Square
 & West Side Market (O 1683-12)..... **1951**

Amend Section 559.02 — Cleveland Cultural Gardens Boundary — Enact New Sect(s) 559.244
 and 559.245 (O 1327-12)..... 1928

Amend Sections 559.14 and 559.15 — Croatian and The Hebrew Cultural Gardens (O 1533-12) 1929

Grant easement to NEORS Development from Flats East Development (O 1406-12) 1928

Property Adoption Agreement — The Putman Sculpture Collection — Rockefeller
 Park (O 1531-12) 1929

Sell easement at Highland Park Cemetery to Cuyahoga County (O 1588-12) 1929

Subsidiary Agreement with Nerone & Sons, Inc. — Contract No. CT 7003 PI 2012-006 — For
 Miles Pointe Crossing Parking Lot (O 1587-12) 1929

Summer Food Service Program, 2013 — Grant — contract with various non-profit organizations —
 Camp George L. Forbes — Ohio Department of Education — Recreation Division
 (O 1585-12) 1929

Purchases and Supplies Division

Capital Projects — Accept property for Quigley & Steelyard Common, easement for Install
 Signage (O 1362-12) **1943**

Sell City-Owned Property no longer needed for public use — Miles Ave., 9127 to Northeast
 Ohio Neighborhood Health Services, Inc. (“Neon”) (Ward 02) (O 1335-12) 1928

Races

Hudson Relays, 2013 — permit — April 27th — Case Western Reserve University (O 1741-12)..... 1926

Recognition

Scarpitti, Nikki (R 1753-12)..... 1910

Regional Transit Authority (RTA)

Capital Projects — public important contract — professional services — right — of — way —
 agreement with Private Utility Companies — Resurfacing East 9th St. (O 1363-12) 1928

Capital Projects — public improvement contracts — professional services — right-of — way —
 agreements with Private Utility Companies — East 79th St. Bridge (O 1325-12)..... 1928

Commercial Road Bridge — name change — Canal Road Bridge — removal and replacement —
 NOACA — Amend Ord. No. 1612-10 (O 1716-12)..... 1910

Resolution of Support

Clean Air Act (R 1365-12) 1942
 State of Ohio Legislature — Increasing Penalty — Failure to Stop for a Stopped School Bus
 (R 1681-12) 1942

Resolutions — Miscellaneous

State of Ohio Legislature — Increasing Penalty — Failure to Stop for a Stopped School Bus
 (R 1681-12) 1942

Right-Of-Way

Capital Projects — public important contract — professional services —
 Agreement with Private Utility Companies & RTA — Resurfacing East 9th
 St. (O 1363-12) 1928

Safety Department

Amend Section 367.05 — Noncompliance with Notice; Vacation of Premises; Board and
 Demolition of Premises (O 1684-12) 1951
 Amend Sections 135.42 and 405.06 — Contracts for Towing, Storage and Disposal of Impounded
 Motor Vehicles — Impounding and Towing Fees (O 1543-12) 1929
 Bulletproof Vest Program, 2012 — Bureau of Justice Assistance — Grant — U.S. Department
 of justice (O 1720-12) 1911
 Cleveland Domestic Violence Program, 2012 — Grant — Cuyahoga County Criminal Justice
 Services Agency — Department of Justice Violence Against Women Act (O 1719-12) 1911
 Community Development — agreements — CMSD & CMHA to Swap Properties — Charles
 Dickens & Anton Grdina Elementary Schools (O 1704-12) 1933
 Record Management System Consultant — professional services — Divisions of Police and Fire
 (F 1755-12) 1909
 Repeal Ord. No. 1550-11 — Grant easement for Ingress / Egress onto East 105th St. — Ronald
 McDonald House of Cleveland, Inc. (Ward 07) (O 1535-12) 1929
 Seeking Experience and Motivated Police Officers (F 1754-12) 1909
 State Byrne Memorial Justice Assistance Grant, 2012 — Northern Ohio Violent Crime
 Consortium Program — Kent State University — Ohio Office of Criminal Justice
 (O 1717-12) 1910
 State Byrne Memorial Justice Assistance Grant, 2012 — Northern Ohio Law Enforcement Task
 Force Program — Ohio Office of Criminal Justice (O 1718-12) 1910

Salaries

Salary and Wage Schedules — Section 38 — Amend Ord. 1689-11, as amended — Finance
 Department — Human Resources Department (O 1724-12) 1915
 Salary and Wage Schedules — Sections 33 and 56 — Amend Ord. 1689-11, as amend — Finance
 Department — Human Resources Department (O 1701-12) 1933

State Of Ohio

Home Weatherization Assistance Program, 2013 — Grants — contracts with various entities —
 Community Development Department — Ohio Development Services Agency (O 1591-12) 1930
 State of Ohio Legislature — Increasing Penalty — Failure to stop for a stopped School Bus
 (R 1681-12) 1942

Street Vacation

Alley North of Miles Ave. (Between East 162nd St. & East 163rd St.) — intention to vacate
 a portion — Capital Projects — City Planning Commission (Ward 01) (R 1721-12) 1914
 Amend Res. No. 1068-12 — intention to vacate a portion — West 20th St. & Moore Court
 (Ward 03) (O 1685-12) 1931
 Brookpark Rd. and relocated Grayton Rd. — intention to vacate a portion — Capital Projects —
 City Planning Commission (Ward 18) (R 1538-12) 1933
 Franklin Avenue N.W. — intention to vacate a portion — City Planning Commission — Capital
 Projects (Ward 03) (R 1408-12) 1933

Summer Food Program

Summer Food Service Program, 2013 — Grant — contract with various non-profit organizations —
 Camp George L. Forbes — Ohio Department of Education — Public Works — Recreation
 Division (O 1585-12) 1929

Taxes

Tax Incentive Review Council — Approve 2011 Recommendations (O 1593-12)..... 1930

Taxicabs

Exercise option to renew Contract No. 67376 with Standard Parking Corp. — Manage outbound
Taxicabs at CHIA (O 1455-12) 1929

Towing

Amend Sections 135.42 and 405.06 — Contracts for Towing, Storage and Disposal of Impounded
Motor Vehicles — Impounding and Towing Fees (O 1543-12) 1929

Utilities Department

Accept Donation of GE Energy Efficient LED Streetlights for Public Square
& West Side Market (O 1683-12)..... **1951**
Accept the gift of up to Sixty Energy Efficient LED Streetlights — Cooper Industries
(O 1682-12) **1951**
Contracts — Material Handling, Cranes, Rigging, Heavy Equipment (O 1630-12) 1930
New Restricted Transmission Water Main for Orange Village (O 1692-12)..... 1932
Professional Consultants — General Information Technology Services (O 1631-12)..... 1930
Professional Service — public improvement contract — Year 6 Thru Year 10 Suburban Water
Main Renewal Program (O 1727-12) 1912
Public improvement of cleaning, Cement Mortar and Structural Lining, and replacing various
Distribution Water Mains In 2013 (O 1691-12)..... 1932

Vehicles

Amend Sections 135.42 and 405.06 — Contracts for Towing, Storage and Disposal of Impounded
Motor Vehicles — Impounding and Towing Fees (O 1543-12) 1929

Ward 01

Alley North of Miles Ave. (Between East 162nd St. & East 163rd St.) — intention to vacate
a portion — Capital Projects — City Planning Commission (R 1721-12) 1914
East 131st St., 4213 — new application — liquor permit (F 1742-12) 1909
East 131st St., 4231 — objection to issuance — liquor permit (R 1740-12)..... 1927
Repairing Sidewalks, Driveway Aprons, and Curbing, Restoring Grass Tree Lawns and
Adjusting Castings — W. 105 St., W 106 St., W 114 St., & E. 151 St. (O 1688-12) 1931
Sternad, Evelyn — Condolence (R 1747-12) 1909

Ward 02

Repairing Sidewalks, Driveway Aprons, and Curbing, Restoring Grass Tree Lawns and
Adjusting Castings — W. 105 St., W 106 St., W 114 St., & E. 151 St. (O 1688-12) 1931
Sell City-Owned Property no longer needed for public use — Miles Ave., 9127 to Northeast
Ohio Neighborhood Health Services, Inc. ("Neon") (O 1335-12) 1928
Sternad,, Evelyn — Condolence (R 1747-12)..... 1909

Ward 03

Accept Donation of GE Energy Efficient LED Streetlights for Public Square
& West Side Market (O 1683-12)..... **1951**
Amend Res. No. 1068-12 — intention to vacate a portion — West 20th St. & Moore Court
(O 1685-12) 1931
Capital Projects — Accept property for Quigley & Steelyard Common, Easement for Install
Signage (O 1362-12) **1943**
Capital Projects — Preliminary consent and cause payment — Constructing a North
Coast Harbor Pedestrian Bridge (O 1690-12)..... 1932
Capital Projects — public important contract — professional services — right — of — way —
agreement with Private Utility Companies & RTA — Resurfacing East 9th
St. (O 1363-12) 1928
Clean Air Act (R 1365-12) **1942**
Discount Repayment Contract No. 46868 with Lakeside Ave., 425 and Contract No. 48736 with
JF West St. Clair — Hoyt Block II Project (O 1700-12) 1932
East 4th St., 2061 — transfer of ownership and location application — liquor permit
(F 1744-12) 1909
East 6th St., & St. Clair Ave., — encroach into right — of -way — Canopy, Sign, Sidewalk
Planter, Flag Poles — Optima 777, LLC — Capital Projects (O 1726-12) 1911
Economic Development — Assumption of UDAG Contract No. 49231 from JF West St. Clair and
Nautica Peninsula by Jacobs Investments Inc. (O 1699-12) 1932

Euclid Ave., 668 — transfer of ownership and location application — liquor permit (F 1743-12)	1909
Fine Arts Program — agreement — Broadway School of Music And Arts — Community Development (Ward(s) 12, 03, 05 NEF) (O 1734-12)	1926
Franklin Avenue N.W. — intention to vacate a portion — City Planning Commission — Capital Projects (R 1408-12)	1933
Freeman Ave., 2102 — withdraw objection to renewal — repeal Res. 1185-12 — liquor permit (R 1735-12)	1926
Jefferson Ave., 710 — objection to transfer of ownership and location — liquor permit (R 1707-12)	1943
Old River Rd., 1295 — withdraw objection to renewal — repeal Res. 1121-12 — liquor permit (R 1736-12)	1926
Professor St., 2221 (1st Fl. & Rear Patio) — withdraw objection to transfer of ownership — repeal Res. 1220-12 — Liquor Permit (R 1737-12)	1927
Ratner, Albert B. — Congratulations (R 1748-12)	1909
Sternad, Evelyn — Condolence (R 1747-12)	1909
Utilities Department — Accept the gift of up to Sixty Energy Efficient LED Streetlights — Cooper Industries (O 1682-12)	1951

Ward 04

Amend Section 2 of Ord. No. 1706-12 — Senior Landscaping and Snow Removal Program — Buckeye Area Development Corp. — Community Development (Ward(s) 04, 06 NCF) (O 1733-12)	1926
Kinsman Rd., Abell Ave., and East 139th St. — encroach into right-of-way — Christmas Wreaths — East 139th Street Block Club — Capital Projects — CPP (O 1722-12)	1914
Senior Landscaping and Snow Removal Program — Landscaping and Snow Removal Services for Seniors — agreement — Buckeye Area Development Corp. (Ward(s) 04, 06 NCF) (O 1706-12)	1952
Sternad, Evelyn — Condolence (R 1747-12)	1909

Ward 05

Community Development — Arbor Park Refinancing (O 1602-12)	1947
Fine Arts Program — agreement — Broadway School of Music And Arts — Community Development (Ward(s) 12, 03, 05 NEF) (O 1734-12)	1926
Sternad, Evelyn — Condolence (R 1747-12)	1909

Ward 06

Amend Section 2 of Ord. No. 1706-12 — Senior Landscaping and Snow Removal Program — Buckeye Area Development Corp. — Community Development (Ward(s) 04, 06 NCF) (O 1733-12)	1926
Capital Projects — Preliminary consent and cause payment for rehab. of Larchmere Blvd. (O 1689-12)	1932
Senior Landscaping and Snow Removal Program — Landscaping and Snow Removal Services for Seniors — agreement — Buckeye Area Development Corp. (Ward(s) 04, 06 NCF) (O 1706-12)	1952
Sternad, Evelyn — Condolence (R 1747-12)	1909

Ward 07

Community Development — contract — The Finch Group, Inc., — Upper Chester Development Project (O 1697-12)	1932
Repeal Ord. No. 1550-11 — Grant easement for Ingress / Egress onto East 105th St. — Ronald McDonald House of Cleveland, Inc. (O 1535-12)	1929
St. Clair Ave., 6201 (1st Fl.) — objection to stock transfer — liquor permit (R 1738-12)	1927
Sternad, Evelyn — Condolence (R 1747-12)	1909
Superior Ave., 6816 — transfer of ownership and location application — liquor permit (F 1745-12)	1909

Ward 08

Community Development — Amendment to Contract No. 65607 with PLV Associates, L.P. — The rehabilitation of Park Lane Villa Apartments (O 1598-12)	1947
Hinkle, Elizabeth C. — Congratulations (R 1752-12)	1910
Public Works — Property Adoption Agreement — The Putman Sculpture Collection — Rockefeller Park (O 1531-12)	1929
Sternad, Evelyn — Condolence (R 1747-12)	1909

Ward 09

Hudson Relays, 2013 — permit — April 27th — Case Western Reserve University (O 1741-12)	1926
State of Ohio Legislature — Increasing Penalty — Failure to stop for a stopped School Bus (R 1681-12)	1942
Sternad, Evelyn — Condolence (R 1747-12)	1909

Ward 10

Sternad, Evelyn — Condolence (R 1747-12) 1909

Ward 11

Capital Projects — Preliminary consent and cause payment for rehab. of Waterloo Rd.
(O 1687-12) 1931
East 152nd St., 657 — withdraw objection to renewal — repeal Res. 1091-12 — liquor permit
(R 1739-12) 1927
Sternad, Evelyn — Condolence (R 1747-12) 1909

Ward 12

Community Development — Subsidiary Additions — Contract No. CT 4004 PI 2011-044 with
Fabrizi Trucking & Paving, Inc. — Morgana Run Subdivision Phase 1 Project
(O 1592-12) 1946
Fine Arts Program — agreement — Broadway School of Music And Arts — Community
Development (Ward(s) 12, 03, 05 NEF) (O 1734-12) 1926
Sternad, Evelyn — Condolence (R 1747-12) 1909

Ward 13

Sternad, Evelyn — Condolence (R 1747-12) 1909

Ward 14

Accept Donation of GE Energy Efficient LED Streetlights for Public Square
& West Side Market (O 1683-12) 1951
Building Signage Improvement Project — agreement — Great Lakes Integrated — Econ Dev.
(Ward 14 NCF) (O 1732-12) 1925
Sternad, Evelyn — Condolence (R 1747-12) 1909

Ward 15

Amend Title & Section(s) 1, 2, and 3 of Ord. No. 399-12, — Walworth Road Infrastructure
Improvement (O 1418-12) 1945
ED — Amend Contract No. 67924 & Promissory Note — Detroit Shoreway CD — Historical
renovation of the Capitol Theatre (Ward 15) (O 1723-12) 1915
Sternad, Evelyn — Condolence (R 1747-12) 1909

Ward 16

Repairing Sidewalks, Driveway Aprons, and Curbing, Restoring Grass Tree Lawns and
Adjusting Castings — W. 105 St., W 106 St., W 114 St., & E. 151 St. (O 1688-12) 1931
Sternad, Evelyn — Condolence (R 1747-12) 1909
West 98th St., 2136 — transfer of ownership application — liquor permit (Ward 16) (F 1746-12) 1909

Ward 17

Capital Projects — Preliminary consent and cause payment — Resurfacing of Triskett Rd.
& Warren Rd. (Ward(s) 17, 18, 19) (O 1703-12) 1933
Sternad, Evelyn — Condolence (R 1747-12) 1909

Ward 18

Brookpark Rd. and relocated Grayton Rd. — intention to vacate a portion — Capital Projects —
City Planning Commission (R 1538-12) 1933
Capital Projects — Preliminary consent and cause payment — Resurfacing of Triskett Rd.
& Warren Rd. (Ward(s) 17, 18, 19) (O 1703-12) 1933
Cleveland Fire Department — 150th Anniversary — Congratulations (R 1751-12) 1910
Henkel, Jr., Oliver C. — Congratulations (R 1750-12) 1909
Neal, Patricia A. — Congratulations (R 1749-12) 1909
Scarpitti, Nikki — Recognition (R 1753-12) 1910
Sternad, Evelyn — Condolence (R 1747-12) 1909

Ward 19

Capital Projects — Preliminary consent and cause payment — Resurfacing of Triskett Rd.
& Warren Rd. (Ward(s) 17, 18, 19) (O 1703-12) 1933
Sternad, Evelyn — Condolence (R 1747-12) 1909

Water Division

Public improvement of cleaning, Cement Mortar and Structural Lining, and replacing various
distribution Water Mains In 2013 (O 1691-12) 1932
Utilities Department — New Restricted Transmission Water Main for Orange Village (O 1692-12) 1932

Water Mains

Public improvement of cleaning, Cement Mortar and structural lining, and replacing various
distribution Water Mains In 2013 (O 1691-12) 1932
Utilities Department — New Restricted Transmission Water Main for Orange Village (O 1692-12) 1932
Utilities Department — professional service — public improvement contract — Year 6 Thru
Year 10 Suburban Water Main Renewal Program (O 1727-12)..... 1912