

The City Record

Official Publication of the Council of the City of Cleveland



March the Fifth, Two Thousand and Fourteen

Frank G. Jackson
Mayor

Kevin J. Kelley
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward Name

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

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www.clevelandcitycouncil.org

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Kevin J. Kelley

Ward	Name	Residence	
1	Terrell H. Pruitt	16920 Throckley Avenue	44128
2	Zack Reed	3734 East 149th Street	44120
3	Joe Cimperman	P.O. Box 91688	44101
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44105
6	Mamie J. Mitchell	12701 Shaker Boulevard, #712	44120
7	TJ Dow	7715 Decker Avenue	44103
8	Michael D. Polensek	17855 Brian Avenue	44119
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Jeffrey D. Johnson	9024 Parkgate Avenue	44108
11	Dona Brady	1272 West Boulevard	44102
12	Anthony Brancatelli	6924 Ottawa Road	44105
13	Kevin J. Kelley	5904 Parkridge Avenue	44144
14	Brian J. Cummins	3104 Mapledale Avenue	44109
15	Matthew Zone	1228 West 69th Street	44102
16	Martin J. Sweeney	3632 West 133rd Street	44111
17	Martin J. Keane	15907 Colletta Lane	44111

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

MAYOR – Frank G. Jackson

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

OFFICE OF CAPITAL PROJECTS – Matthew L. Spronz, Director

DIVISIONS:

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

DEPT. OF LAW – Barbara A. Langhenry, Director, _____, Chief Counsel,
 Richard F. Horvath, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel,
 Room 106: John Skrtic, Law Librarian, Room 100

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

Natasha Brandt, Manager, Internal Audit

DIVISIONS:

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

DEPT. OF PUBLIC UTILITIES – Paul Bender, Director, 1201 Lakeside Avenue

DIVISIONS:

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

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

DIVISIONS:

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

DEPT. OF PUBLIC WORKS – Michael Cox, Director

OFFICES:

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

DIVISIONS:

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

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

DIVISIONS:

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

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

DIVISIONS:

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

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director

DIVISIONS:

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

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

DIVISIONS:

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

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

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

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

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

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

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

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

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

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

BOARD OF SIDEWALK APPEALS – Capital Projects Director Jomarie Wasik, Law Director Barbara A. Langhenry; Council Member _____.

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

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

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

HOUSING ADVISORY BOARD – Room 310 – Keith Brown, Terri Hamilton Brown, Vickie Eaton-Johnson, Mike Foley, Eric Hodderson, Janet Loehr, Mark McDermott, Marcia Nolan, David Perkowski, Joan Shaver Washington, Keith Sutton.

CLEVELAND BOXING AND WRESTLING COMMISSION – Robert Jones, Chairman; Clint Martin, Mark Rivera.

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

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

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

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

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

Judge Courtroom

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

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

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Vol. 101

WEDNESDAY, MARCH 5, 2014

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CITY COUNCIL

MONDAY, MARCH 3, 2014

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City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2014-2017

MONDAY — Alternating

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

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

MONDAY

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

TUESDAY.

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

TUESDAY — Alternating

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

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

WEDNESDAY — Alternating

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

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

The following Committees meet at the Call of the Chair:

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

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio
Monday, March 3, 2014

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

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

Also present were: Chief of Staff Ken Silliman, Chief Operating Officer Darnell Brown, Chief of Education Monyka S. Price, Chief of Communications Maureen Harper, Chief of Sustainability Jenita McGowan, and Directors Langhenry, Dumas, Bender, Smith, Spronz, Butler, McGrath, Cox, Rush, Rybka, Southerington, Nichols, Griffin, Fumich, and Ambroz.

Pursuant to Ordinance No. 2926-76, the opening prayer was offered by Associate Pastor John Coaxum, Glenville Seventh Day Adventist Church, Cleveland, Ohio (Ward 9). Pledge of Allegiance.

MOTION

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

COMMUNICATIONS

File No. 318-14.
From Michael McGrath, Director, Department of Public Safety, City of

Cleveland. Notice of acceptance of a gift from David A. Russo of two weight lifting benches in the value of \$500 for the First District Police Fitness Room. Received.

STATEMENT OF WORK ACCEPTANCE

File No. 317-14.

From Department of Public Utilities, City of Cleveland, for Crown Filter Rehabilitation Project #601. Contractor: Shook, Inc. Contract: #PI2010*054. Date of Acceptance: February 23, 2012. Received.

FROM OHIO DIVISION OF LIQUOR CONTROL

File No. 315-14.

RE: #80036070155. Stock Application, C1 C2. 7 Eleven, Inc., 1035 East 85th Street. (Ward 8). Received.

File No. 316-14.

RE: #5432735. Economic Development Transfer Application, D5. Michelle Mahone, 14804 St. Clair Avenue. (Ward 10). Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 319-14—Thomas Jason Watkins.

Res. No. 320-14—Roland L. Osborn, Jr.

Res. No. 331-14—Steven Knaus.

CONGRATULATIONS RESOLUTIONS

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

Res. No. 321-14—Thomas M. Lynch — 2014 "Hibernian of the Year".

Res. No. 322-14—Margie Bradley.

Res. No. 323-14—Raymond J. Marvar.

Res. No. 324-14—Anthony W. Hiti.

Res. No. 325-14—Rose Marie Jisa.

Res. No. 326-14—Martha Gabrosek.

Res. No. 327-14—Ann Dagg.

Res. No. 328-14—East 80th Slovenian National Home.

Res. No. 329-14—Calvin Williams, Chief of Cleveland Police.

COMMEMORATION RESOLUTIONS

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

Res. No. 330-14—John Turk.

**FIRST READING EMERGENCY
ORDINANCES REFERRED**

Ord. No. 298-14.

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

An emergency ordinance authorizing the Director of Public Safety to enter into an agreement with Cuyahoga County to transfer the responsibility of answering cellular 9-1-1 calls made within the City of Cleveland from the County to the City for a period of five years, with one five-year option to renew exercisable by the Director of Public Safety; authorizing the City to accept funds from the County to support the City's increased responsibility; and authorizing other agreements with various wireless providers.

Whereas, currently Cuyahoga County through the Cuyahoga Emergency Communications System ("CECOMS") answers all cellular 9-1-1 calls made in Cuyahoga County, including those calls made within the City of Cleveland; and

Whereas, currently CECOMS then transfers these calls to the appropriate Public Safety Answering Point ("PSAP") based upon caller location; and

Whereas, the City's Department of Public Safety, Division of Police, operates a PSAP in Cleveland; and

Whereas, the County and the City desire to have CECOMS no longer answer cellular 9-1-1 calls originating in Cleveland but rather for the City's PSAP to directly answer and handle these calls; and

Whereas, the County desires to assist the City in taking over CECOM's responsibilities for these calls by providing certain funding; and

Whereas, the Cuyahoga County 9-1-1 Board has approved the transfer of this responsibility from CECOMS to the City's PSAP; 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 Safety is authorized to enter into an agreement with Cuyahoga County to transfer the responsibility of directly answering 9-1-1 cellular calls made within the City of Cleveland from the County's CECOMS to the City of Cleveland Department of Public Safety's PSAP for a period of five years, with one five-year option to renew, exercisable by the Director of Public Safety (the "Transfer Agreement").

Section 2. That the Transfer Agreement shall provide that the City receive up to \$600,000 annually from the County to support the City's increased responsibilities following the transfer, and shall not exceed \$3,000,000 over the five-year initial term. That under the Transfer Agreement, the parties agree that the amount of the County's payments to the City under the Transfer Agreement is contingent upon the amount of funding the County receives from the State of Ohio Wireless Government Assistance Fund.

Section 3. That the Director of Public Safety is authorized to enter into one or more agreements with various cellular providers to implement this

ordinance (the "Provider Agreements"). The Provider Agreements shall run independently of the Transfer Agreement and may, as determined appropriate by the Director of Public Safety, exceed the term of the Transfer Agreement and continue even if the Transfer Agreement is terminated early under the terms of the Transfer Agreement.

Section 4. That Transfer Agreement and Provider Agreements shall be prepared by the Director of Law.

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 Safety, Finance.

Ord. No. 299-14.

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

An emergency ordinance authorizing the Director of Public Safety to enter into an agreement with Cuyahoga County to permit the County's Sheriff's Department to provide the City with all booking, housing, and other related services for City Prisoners for a per diem rate per prisoner.

Whereas, the City desires to cease operations at its Jails and Cleveland House of Correction, both currently operated by the Division of Correction in the Department of Public Safety; and

Whereas, the Cuyahoga County, through its Sheriff's Department, operates County jail and correctional facilities and contracts with various political subdivisions to provide jail housing and related services for their prisoners; and

Whereas, the City desires to have the County's Sheriff Department take over booking, housing and other related services for individuals designated "City Prisoners" for a per diem rate per City Prisoner, and the County is agreeable to this; 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 Safety is authorized to enter into an agreement with Cuyahoga County to have the County's Sheriff Department provide all booking, housing and other related services for "City Prisoners" for a fee calculated at a per diem rate per City Prisoner established by the Board of Control. The agreement shall provide for a transition period for the orderly transfer of operations and upon completion of the transition period, the total per diem per City Prisoner payable to the County shall not fall below the annual amount of \$2,365,658.95. The Agreement shall have no termination date but either party may terminate the Agreement without cause with twenty four (24) months prior written notice. The per diem rate may be increased upon written agreement of the parties with Board of Control approval up to, but not to exceed, 2% after completion of the transition

period and no more than once every twelve month period, but only upon substantiation by County of increased County costs directly attributable to City Prisoners.

Section 2. That the Director of Public Safety is authorized to permit the County to use the City-allocated space on the 3rd floor of the County's Detention Center known as the "120 Space" for temporary prisoner housing during the term of the Agreement. City shall no longer be charged by County for any expenses related to the 120 Space, including, but not limited to, remodeling, updates, maintenance, utilities, and other expenses that currently are charged to the City for use of the 120 Space.

Section 3. That the cost of the agreement, including the transitional period, shall be paid from the fund or funds approved by the Director of Finance and are appropriated for this purpose.

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

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

Ord. No. 300-14.

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

An emergency ordinance authorizing the Chief of Police, with concurrence of the Director of Public Safety, to enter into an agreement with University Hospitals Health System to exercise the authority permitted under division (D) of Section 4973.17 of the Revised Code; to set forth standards and criteria governing interaction and cooperation between police officers for the hospital and officers in the Cleveland Division of Police; and, to permit certain UHHS Police services within such areas of the City as may be authorized by the City's Chief of Police.

Whereas, division (D) of Section 4973.17 of the Revised Code authorizes the Secretary of State, upon application of a hospital that is operated by a public or nonprofit hospital agency that employs and maintains its own proprietary police department or security department, to appoint and commission persons designated by the hospital to act as police officers for the hospital; and

Whereas, the persons appointed as police officers for a hospital shall not engage in any duties or activities as police officers for the hospital unless requirements set forth in division (D) of Section 4973.17 of the Revised Code are met; and

Whereas, the statute requires that the chief of police of the municipal corporation the hospital is located in grant approval to the hospital to permit the appointed officers to engage in police duties and activities; and requires that the hospital enter into a written agreement with the chief of police of the municipal corporation to set forth certain standards and criteria governing interaction and cooperation between the hospital and municipal police departments; and

Whereas, under division (D) of Section 4973.17 of the Revised Code the chief of police may grant approval for the hospital's police to act as a police officers outside hospital property in the municipal corporation when engaging directly in the discharge of the person's duties as police officers for the hospital.

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 Chief of Police, with concurrence of the Director of Public Safety, is authorized to enter into an agreement with University Hospitals Health System ("UHHS") pursuant to Division (D) of 4973.17 of the Ohio Revised Code to permit UHHS police officers meeting the criteria under Division (D) to exercise the authority permitted under that Section; to set forth the standards and criteria to govern the interaction and cooperation between police officers for UHHS and officers in the Cleveland Division of Police; and, within the limits set by the City's Chief of Police, to permit UHHS police officers to act as police officers outside UHHS property within the municipal corporation when engaging directly in the discharge of their duties as police officers for UHHS.

Section 2. That the agreement may contain a provision that it may be amended from time to time as the Chief of Police with concurrence of the Director of Public Safety, and UHHS deem necessary.

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

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

Ord. No. 301-14.

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

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to Near West Theater, Inc. to encroach into the public right-of-way below and at grade of West 67th Street by installing, using, and maintaining a frost slab, pier shoring, and an entrance doorway.

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 Near West Theater, Inc., 6702 Detroit Avenue N.W. Cleveland, Ohio 44102 ("Permittee"), to encroach into the public right-of-way below and at grade of West 67th Street by installing, using, and maintaining a frost slab, pier shoring, and an entrance doorway at the following locations:

**Below Grade frost slab and pier shoring
Legal Description of 3.5 foot wide Encroachment Area For Near West Theatre, Inc.**

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 32, bounded and described as follows: Beginning at the intersection of the northerly line of Detroit Avenue N.W. (66 feet wide) with the westerly line of West 67th Street (40 feet wide), said point also being the southeasterly corner of a parcel of land conveyed to Near West Theatre, Inc., as recorded in File Number _____ of Cuyahoga County Deed Records;

Thence along the westerly line of said West 67th Street, North 00°52'45" East, a distance of 70.74 feet to the Principal Place of Beginning;

Thence continuing along the westerly line of said West 67th Street, North 00°52'45" East, a distance of 150.68 feet to the northeasterly corner of said parcel of land conveyed to Near West Theatre, Inc.

Thence South 89°07'15" East a distance of 3.50 feet to a point;

Thence parallel with the aforesaid westerly line of West 67th Street bearing South 00°52'45" West, a distance of 150.68 feet to a point;

Thence North 89°09'47" West a distance of 3.50 feet to the Principal Place of Beginning and containing 0.0121 acre of land according to a survey by Matthew C. Neff, Professional Ohio Surveyor #7315, of the M. Neff Design Group dated February 26, 2013. Be the same more or less but subject to all legal highways Below Grade Legal Description of 3.5 foot wide Encroachment Area For Near West Theatre, Inc.

**At Grade entrance doorway.
Legal Description of 3.5 foot wide Encroachment Area For Near West Theatre, Inc.**

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 32, bounded and described as follows: Beginning at the intersection of the northerly line of Detroit Avenue N.W. (66 feet wide) with the westerly line of West 67th Street (40 feet wide), said point also being the southeasterly corner of a parcel of land conveyed to Near West Theatre, Inc., as recorded in File Number _____ of Cuyahoga County Deed Records;

Thence along the westerly line of said West 67th Street, North 00°52'45" East, a distance of 185.02 feet to the Principal Place of Beginning;

Thence continuing along the westerly line of said West 67th Street, North 00°52'45" East, a distance of 15.00 feet to a point.

Thence South 89°07'15" East a distance of 3.50 feet to a point;

Thence parallel with the aforesaid westerly line of West 67th Street bearing South 00°52'45" West, a distance of 15.00 feet to a point;

Thence North 89°09'47" West a distance of 3.50 feet to the Principal Place of Beginning and containing 0.0012 acre of land according to a survey by Matthew C. Neff, Professional Ohio Surveyor #7315, of the M. Neff Design Group dated February 26, 2013. Be the same more or less but subject to all legal highways.

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 Municipal Services and Property; Planning, Development, Planning and Sustainability.

Ord. No. 302-14.

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

An emergency ordinance authorizing the Director of Public Utilities to exercise the first option to renew Contract No. PS 2012-180 with SourceLink, Ohio LLC to provide professional services relating to the customer care and billing systems for the Divisions of Water and Cleveland Public Power.

Whereas, under the authority of Ordinance No. 409-12, passed April 23, 2012, the Director of Public Utilities entered into Contract No. PS 2012-180 with SourceLink, Ohio LLC to provide professional services relating to the customer care and billing systems for the Divisions of Water and Cleveland Public Power; and

Whereas, Ordinance No. 409-12 requires further legislation before exercising the first option to renew on this contract; 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 exercise the first option to renew Contract No. PS 2012-180 for an additional year in the approximate amount of \$1,500,000 with SourceLink, Ohio LLC to provide professional services relating to the customer care and billing systems for the Divisions of Water and Cleveland Public Power. This ordinance consti-

tutes the additional legislative authority required by Ordinance No. 409-12 to exercise this option. (RQS 2002, RL 2014-7)

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

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

Ord. No. 304-14.

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

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

Whereas, Applied Industrial Technologies, formerly known as Bearings, Inc., ("Applied") is a Fortune 1000 Company with its headquarters located at Applied Plaza, 3201 Euclid Avenue (Permanent Parcel Nos. 103-07-001 and 103-06-003) in Cleveland; and

Whereas, in 1996, the City worked with the State, Cleveland Development Partnership, Cuyahoga County, and the Cleveland-Cuyahoga County Port Authority ("Port Authority") to construct a deal with Applied to build their headquarters in the City of Cleveland; and

Whereas, among other things, the 1996 deal provided that the Port Authority would acquire the land and construct the new headquarters and that Applied would lease the property from the Port Authority for a term of 20 years funded in part by bonds issued by the Port Authority, which would be repaid over 20 years with a balloon payment of \$3.8 million due in 2016; and

Whereas, the lease also provided for an option for Applied to renew the lease or an option for Applied to purchase the property outright at the end of the term and if neither option were exercised by Applied, then the City of Cleveland would own the building in 2016; and

Whereas, the approximately \$3.8 million debt reserve would pay the bonds, however, the City would be required to pay balloons to the State in an approximate amount of \$4 million and Cleveland Development Partnership an approximate amount of \$1.9 million if another buyer was not immediately available; and

Whereas, it is in the best interests of the parties to restructure the 1996 deal; and

Whereas, under the restructured deal, Applied will remain in Cleveland and purchase the property, eliminating the obligation of the City to purchase the property at the end of the lease for an approximate amount of \$5.9 million; 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 release debt reserve proceeds from a zero coupon bond that the City holds, with an estimated current value of \$3,843,741.74, and any interest accrued from the date of the passage of this ordinance to Applied, towards the purchase of their headquarters building at Permanent Parcel Nos. 103-07-001 and 103-06-003, in exchange for Applied's obligation to keep its headquarters in Cleveland for a period of at least 10 years.

Section 2. That the Director of Economic Development is authorized to enter into an agreement with Applied containing terms and conditions necessary to implement 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.

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

Ord. No. 305-14.

By Council Member Kelley (by departmental request).

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

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

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

Section 1. That the Director of Finance is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: paging equipment, cellular devices and data services, and for wireless connectivity and equipment, and various related products and services, including maintenance, training, support and monthly fees and charges for citywide use, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Division of Information Technology and Services, Department of Finance, for a period of one year, with two one-year options to renew, the second of which requires additional legislative authority.

Section 2. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Finance may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 3. That the cost of the initial contract or contracts authorized shall not exceed \$625,000, and the cost of

the first option, if exercised, shall not exceed \$625,000, if appropriated in budget year 2015 for this purpose, and each shall be paid from the fund or funds designated by the Director of Finance for this purpose.

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

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

Ord. No. 306-14.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with the County of Cuyahoga, Ohio, or its designee, to partially finance the construction of an approximately 600-room, 580,000 square feet Hotel, adjacent to the Global Center for Health Innovation and Cleveland Convention Center, to be located at 1219 Ontario Street, Cleveland; to provide for payments to the Cleveland City School District; and to declare certain improvements to real property to be a public purpose.

Whereas, the City is engaged in various urban redevelopment activities for the development and improvement of downtown Cleveland, including certain activities in support of the Connecting Cleveland 2020 Plan, the Cleveland Downtown Lakefront Plan and the report of the group Plan Commission; and

Whereas, to continue to carry out its urban redevelopment activities, to eliminate deteriorating conditions and to prevent the recurrence of those conditions, the City entered into a Cooperative Agreement dated as of December 17, 2013 (the "Cooperative Agreement") with the County of Cuyahoga, Ohio (the "County") and the Cleveland-Cuyahoga County Port Authority (the "Port Authority") that provided for undertaking certain cooperative activities including financing, constructing, owning and operating a public hotel to be built on publicly-owned land adjacent to the Global Center for Health Innovation and Cleveland Convention Center and the City's Mall B (the "Hotel Project") which cooperative activities have been determined to be a proper public purpose of the City; and

Whereas, to further carry out those urban redevelopment activities and to provide for the Hotel Project pursuant to the terms of the Cooperative Agreement, and to satisfy the requirements of Ohio Revised Code Section 5709.41, and under the authority of Ordinance No. 1518-13, passed December 2, 2013, the City acquired from the County certain property described [on Exhibit A attached hereto] (the "Property") and the City has conveyed the Property to the Port Authority prior to the adoption of this ordinance; and

Whereas, under Section 5709.41 of the Ohio Revised Code, improvements to real property may be declared to be a public purpose where fee title to the real property was, at one time, held by the City of Cleveland and the real

property is then leased or conveyed by the City; and

Whereas, under Section 5709.41 of the Ohio Revised Code, the improvements declared to be a public purpose may be exempt from real property taxation; and

Whereas, the City has determined that it is necessary and appropriate and in the best interest of carrying out its public purposes as part of its cooperative activities and in the best interests of the City to provide for annual service payments in lieu of taxes with respect to the Property ("Service Payments") pursuant to Sections 5709.41 to 5709.43 of the Ohio Revised Code; and

Whereas, under Section 5709.41 of the Ohio Revised Code, the exemption may exceed 75% of the improvements for up to 30 years when a portion of the Service Payments so collected are distributed to the Cleveland Metropolitan School District ("District") in an amount equal to the amount the District would have received had the improvement not been exempt; and

Whereas, the District has been notified of the City's intent to declare improvements to be a public purpose, in compliance with Sections 5709.41(C)(4) and 5709.83 of the Ohio Revised Code; 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, pursuant to and in accordance with the provisions of Ohio Revised Code Section 5709.41, this Council hereby finds and determines that 100% of the increase in assessed value of the Property subsequent to its acquisition by the City (which increase in assessed value is hereinafter referred to as the "Improvement" as defined in Section 5709.41) will be a public purpose, and said Improvement is hereby declared to be exempt from real property taxation commencing on the effective date of this ordinance and ending after the

Improvements have been exempted from real property taxation for 30 years, all in accordance with the requirements of Ohio Revised Code Sections 5709.41 and 5709.42.

Section 2. That, as provided in Section 5709.42 of the Revised Code, the owner or owners of the Improvement are hereby required to and shall pay the Service Payments to the Cuyahoga County Treasurer on or before the final dates for payment of real property taxes. Those Service Payments shall be distributed to the District, in an amount equal to the amounts the District would otherwise receive as real property tax payments derived from the Improvement absent the exemption provided for in this ordinance, and to the City, all remaining amounts for further deposit in the urban redevelopment tax increment equivalent fund established in Section 3 hereof. This Council hereby authorizes the Mayor, Director of Finance, Director of Economic Development, and Law Director, and other appropriate officers of the City, to provide such information and certifications, and execute and deliver or accept delivery of such instruments, as are necessary and incidental to collect those Service Payments, and to make such arrangements as are necessary and proper for payment of the Service Payments.

Section 3. That under Section 5709.43 of the Revised Code, there is established an Urban Redevelopment Tax Increment Equivalent Fund (the "Fund") into which shall be deposited the Service Payments distributed to the City with respect to the Improvement on the Property, by or on behalf of the County Treasurer as provided in Section 5709.42 of the Revised Code. One hundred percent (100%) of the moneys distributed to the City shall be deposited in the Fund and shall be used for the purpose of funding Hotel Project debt and, consistent with the Cooperative Agreement, delivered to the County, or as otherwise directed to the County, promptly following receipt by the City of each payment. The Fund shall remain in existence so

long as such service payments are collected, after which the Fund may be dissolved in accordance with Section 5709.43.

Section 4. That, pursuant to Section 5709.41 of the Ohio Revised Code, the Clerk of this Council is hereby directed to deliver a copy of this Ordinance to the Director of the Development Services Agency of the State of Ohio ("DSA") within fifteen days after its passage. On or before March 31 of each year that the exemption set forth in Section 1 hereof remains in effect, the Clerk or other authorized officer of this City shall prepare and submit to the Director of the DSA the status report required under Section 5709.41(E) of the Ohio Revised Code.

Section 5. That the Director of Economic Development is authorized to enter into an agreement or agreements with the owner or owners of the Property that may be necessary or desirable to provide for the exemption and service payments described in this ordinance, including agreements securing the payments described in this ordinance, which agreement or agreements shall contain terms consistent with the executive summary which has been placed in File No. 306-14-A.

Section 6. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in open meetings of this Council, and any of its committees that resulted in formal action were in meetings open to the public in compliance with the law.

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

FIRST READING ORDINANCE REFERRED

Ord. No. 309-14.

By Council Member Zone.

An ordinance changing the Use, Area and Height Districts of lands located on the east side of West 117th Street and on both sides of West 116th Street south of Clifton Boulevard and along the railroad tracks as shown on the attached map to General Retail Business, Local Retail Business, Multi-Family Residential, Two Family Residential, a 'B', 'C' or 'D' Area District and a '1', '2' or '3' Height District (Map Change No. 2478).

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

Section 1. That the Use, Area and Height Districts of lands bounded and described as follows:

Beginning at the intersection of Detroit Avenue and W. 117th Street;

Thence northerly along the centerline of W. 117th Street to its intersection with the westerly prolongation of the northerly line of a parcel of land conveyed to BAMF LLC by deed dated April 15, 2008 and recorded in Auditor's File Number 200804150571 said parcel also being known as 001-20-001;

Thence easterly along said westerly prolongation to its intersection with the northerly line of said parcel;

Thence easterly along said northerly line a distance of 140.03 feet to its intersection with the easterly line of said parcel;

Thence southerly along said easterly line a distance of 16.25 feet to its intersection with the northerly line of said parcel;

Thence easterly along said northerly line a distance of 25.00 feet to its intersection with the easterly line of said parcel;

Thence southerly along said easterly line a distance of 38.95 feet to its intersection with the southerly line of said parcel;

Thence westerly along said southerly line a distance of 68.20 feet to its intersection with the easterly line of said parcel;

Thence southerly along said easterly line and its southerly prolongation to its intersection with the centerline of Detroit Avenue;

Thence westerly along Detroit Avenue to its intersection with the place of origin; and as shaded on the attached map is changed to a Local Retail Business District, a 'C' Area District and a '3' Height District.

Section 2. That the Use, Area and Height Districts of lands bounded and described as follows:

Beginning at the intersection of Detroit Avenue and W. 117th Street;

Thence northerly along the centerline of W. 117th Street to its intersection with the westerly prolongation of the southerly line of a parcel of land conveyed to GFS MARKETPLACE REALTY FIVE LLC by deed dated December 20, 2012 and recorded in Auditor's File Number 201212200567 said parcel also being known as 001-20-057;

Thence easterly along said prolongation and southerly line to its intersection with the westerly line thereof;

Thence southerly along said westerly line to its intersection with the southerly line thereof;

Thence easterly along said southerly line to its intersection with the westerly line thereof;

Thence southerly along said westerly line to its intersection with the southerly line thereof;

Thence easterly along said southerly line to its intersection with easterly line thereof;

Thence northerly along said easterly line to its intersection with the southerly line thereof;

Thence easterly along said southerly line and its easterly prolongation to its intersection with the centerline of W. 116th Street;

Thence northerly along the centerline of W. 116th Street to its intersection with the easterly prolongation of the southerly line of Sublot No. 1 in the Charles A. Cook Allotment shown on the recorded plat in Volume 16, Page 6 of Cuyahoga County Map Records;

Thence westerly along said easterly prolongation and southerly line to its intersection with the westerly line thereof;

Thence northerly along said westerly line and its northerly prolongation to its intersection with the northerly line of a parcel of land conveyed to PAPPAS, TOM by deed dated May 15, 2003 and recorded in Auditor's File Number 200305190028 said parcel also being known as 001-20-073;

Thence westerly along said northerly line and its westerly prolongation to its intersection with the centerline of W. 117th Street;

Thence northerly along the centerline of W. 117th Street to its intersection with the westerly prolongation of the northerly line of Sublot No. 10 in the S.B. Marshall Allotment shown on the recorded plat in Volume 15, Page 34 of Cuyahoga County Map Records;

Thence easterly along said westerly prolongation and northerly line to its intersection with the easterly line thereof;

Thence northerly along the northerly prolongation of said easterly line to its intersection with the northerly line of a parcel of land conveyed to Kazimour, Jeffrey M. and Kazimour, Terri L. by deed dated June 3, 1996 and recorded in Auditor's File Number V96051380008 said parcel also being known as 001-21-006;

Thence westerly along said northerly line and its westerly prolongation to its intersection with W 117th Street;

Thence southerly along the centerline of W. 117th Street to its intersection with the place of origin;

and as shaded on the attached map is changed to a Local Retail Business District, a 'C' Area District and a '2' Height District.

Section 3. That the Use, Area and Height Districts of lands bounded and described as follows:

Beginning at the intersection of Clifton Boulevard and W. 117th Street;

Thence southerly along the centerline of W. 117th Street to its intersection with the westerly prolongation of the northerly line of Sublot No. 10 in the S.B. Marshall Allotment shown on the recorded plat in Volume 15, Page 34 of Cuyahoga County Map Records;

Thence easterly along said westerly prolongation and northerly line to its intersection with the easterly line thereof;

Thence southerly along said easterly line and its southerly prolongation to its intersection with the northerly line of a parcel of land conveyed to PAPPAS, TOM by deed dated May 15, 2003 and recorded in Auditor's File Number 200305190028 said parcel also being known as 001-20-073;

Thence westerly along said northerly line and its westerly prolongation to its intersection with the centerline of W. 117th Street;

Thence northerly along the centerline of W. 117th Street to its intersection with the place of origin;

and as shaded on the attached map is changed to a General Retail Business District, a 'C' Area District and a '2' Height District.

Section 4. That the Use, Area and Height Districts of lands bounded and described as follows:

Beginning at the intersection of W. 116th Street and Clifton Boulevard;

Thence southerly along the centerline of W. 116th Street to its intersection with the westerly prolongation of the southerly line of Sublot No. 42 in the Charles A. Cook Allotment shown on the recorded plat in Volume 16, Page 6 of Cuyahoga County Map Records;

Thence easterly along said westerly prolongation and southerly line to its intersection with the southerly line of Sublot No. 50 in said allotment;

Thence easterly along said southerly line and its easterly prolongation to its intersection with the northerly prolongation of the easterly line of Sublot No. 49 in said allotment;

Thence southerly along said northerly prolongation and easterly line to its intersection with the southerly line of a parcel of land conveyed to Delrio, Abraham and Delrio, Francisca by deed dated June 1, 1999 and recorded in Auditor's File Number 199906010511 said parcel also being known as 001-20-080;

Thence easterly along said southerly line and its easterly prolongation to its intersection with the centerline of W. 114th Street;

Thence southerly along said centerline to its intersection with the easterly prolongation of the northerly line of Sublot No. 71 in the Clifton Boulevard (Walton Realty Company) Allotment shown on the recorded plat in Volume 29, Page 17 of Cuyahoga County Map Records;

Thence westerly along said easterly prolongation and northerly line and its westerly prolongation to its intersection with the centerline of W. 116th Street;

Thence southerly along said centerline to its intersection with the easterly prolongation of the southerly line of a parcel of land conveyed to Carisa White by deed dated April 14, 2000 and recorded in Auditor's File Number 200004140021 said parcel also being known as 001-20-054;

Thence westerly along said easterly prolongation and southerly line to its intersection with the westerly line thereof;

Thence northerly along said westerly line to its intersection with the southerly line of a parcel of land conveyed to Holda Rosemary&Rose(Life Est by deed dated March 22, 1985 and recorded in Auditor's File Number V85512860024 said parcel also being known as 001-20-055;

Thence westerly along said southerly line to its intersection with the westerly line thereof;

Thence northerly along said westerly line and its northerly prolongation to its intersection with the northerly line of a parcel of land conveyed to Mc Clelland Charles E and Mc Clelland Doris L by deed dated October 17, 1985 and recorded in Auditor's File Number V85558430003 said parcel also being known as 001-20-056;

Thence easterly along said northerly line and its easterly prolongation to its intersection with the centerline of W. 116th Street;

Thence northerly along the centerline of W. 116th Street to its intersection with the place of origin; and as shaded on the attached map is changed to a Two Family District, a 'B' Area District and a '1' Height District.

Section 5. That the Use, Area and Height Districts of lands bounded and described as follows:

Beginning at the intersection of Clifton Boulevard and W. 116th Street;

Thence southerly along the centerline of W. 116th Street to its intersection with the easterly prolongation of the northerly line of Sublot No. 2 in the Charles A. Cook Allotment shown on the recorded plat in Volume 16, Page 6 of Cuyahoga County Map Records;

Thence westerly along said easterly prolongation and northerly line to its intersection with the westerly line thereof;

Thence southerly along said westerly line and its southerly prolongation to its intersection with the southerly line of Sublot No. 1 in said allotment;

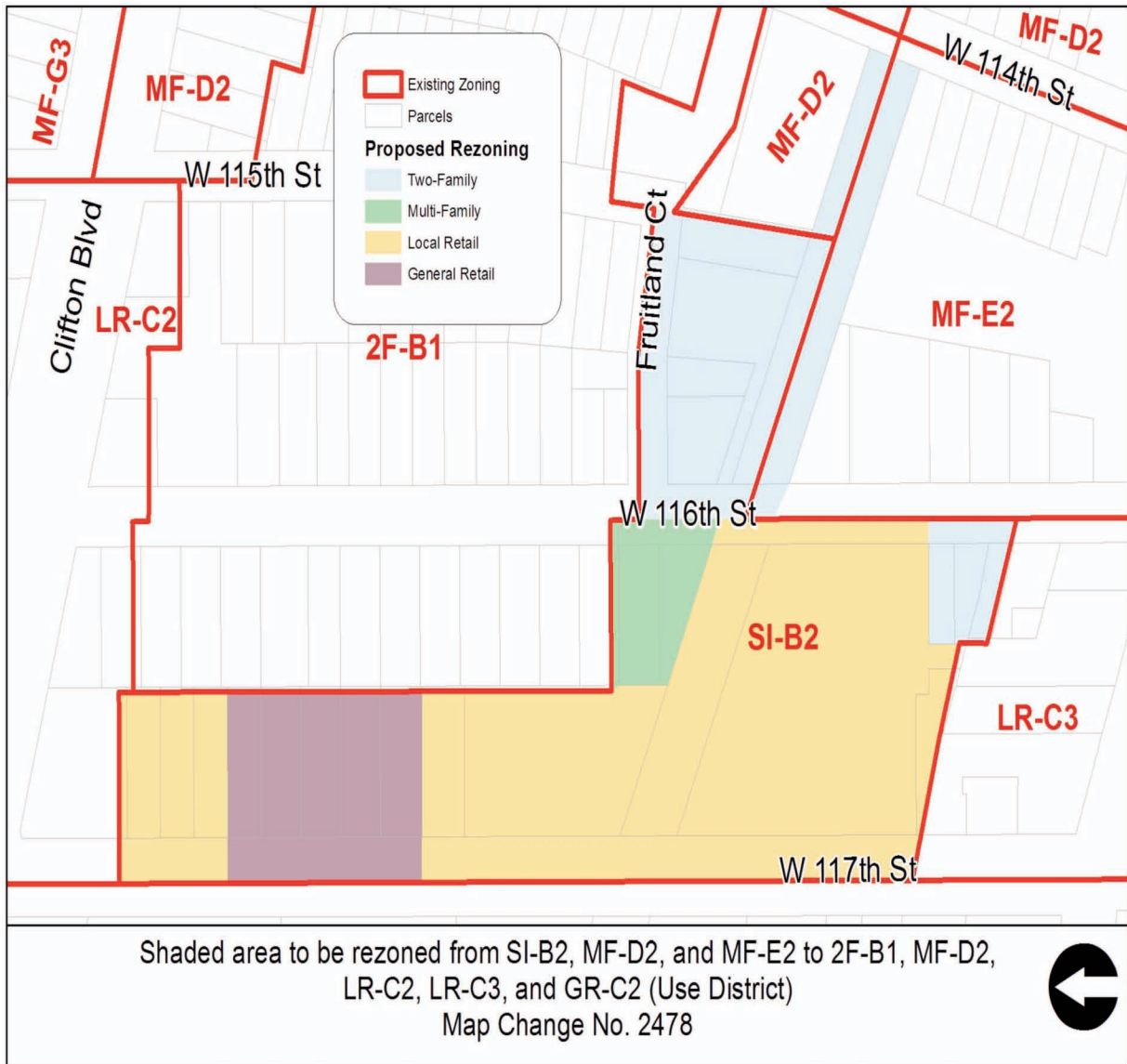
Thence easterly along said southerly line and its easterly prolongation to its intersection with the centerline of W. 116th Street;

Thence northerly along the centerline of W. 116th Street to its intersection with the place of origin;

and as shaded on the attached map is changed to a Multi Family District, a 'D' Area District and a '2' Height District.

Section 6. That the changed designation of lands described in Section 1 through 5 shall be identified as Map Change No. 2478, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

Section 7. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.



Referred to Directors of City Planning Commission, Law; Committee on Development, Planning and Sustainability.

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

Ord. No. 303-14.

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

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

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

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

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

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

Whereas, the Ohio Director of Transportation has approved the legislation proposing cooperation and has caused to be made plans and specifications and an estimate of costs and expense for the Improvement and has transmitted copies of the same to this legislative authority; and

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

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

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

Section 1. That this Council requests the Ohio Director of Transportation to proceed with the Improvement.

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

Section 3. That the Clerk of Council is authorized and directed to transmit

to the State three (3) certified copies of this ordinance immediately on its taking effect, and it shall become the basis for proceeding with the Improvement.

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

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

Ord. No. 307-14.

By Council Member Cimperman.

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

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Ragin Cajin Run/Walk, on March 4, 2014, starting at West 6th Street and Lakeside Avenue; east on Lakeside to East 9th Street; south on East 9th to Superior Avenue; east on Superior to East 12th Street; south on East 12th to Chester Avenue; west on Chester to East 9th Street; south on East 9th to Prospect Avenue; west on Prospect to East 4th Street; north on East 4th to Euclid Avenue; west on Euclid to Ontario Street; north on Ontario to St. Clair Avenue; west on St. Clair to West 6th Street; north on West 6th to Lakeside Avenue and finish; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of 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 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

Ord. No. 308-14.

By Council Member Cimperman.

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

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the St. Malachi's Church Run, on March 15, 2014, starting at Veterans Memorial Bridge; east on Bridge/Superior Avenue to West 6th Street; north on West 6th to St. Clair Avenue; east on St. Clair to Ontario Street; north on Ontario to Lakeside Avenue; west on Lakeside to West 3rd; north on West 3rd to Erieside Avenue; east on Erieside to North Marginal Road; east on North Marginal to Burke Airport Loop Drive; Airport Loop Drive around to North Marginal Road; west on North Marginal to Erieside Avenue; west on Erieside to West 3rd Street; south on West 3rd to Lakeside Avenue; west on Lakeside to West 10th Street; south on West 10th to Robert Lockwood Drive; west on Robert Lockwood to Center Street; north on Center to Winslow Avenue and finish; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

Ord. No. 310-14.

By Council Members Brancatelli and Cleveland.

An emergency ordinance authorizing the Director of the City Planning Commission to enter into agreement with Slavic Village Development for the Slavic Village Broadway Gateway Project "Cycle of Arches" through the use of Wards 12 and 5 Casino Funds.

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

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

Section 1. That the Director of the City Planning Commission be authorized to enter into agreement with Slavic Village Development for the Slavic Village Broadway Gateway Project "Cycle of Arches" for the public purpose of promoting public art in the city of Cleveland through the use of Ward (s) 12 and 5 Casino Funds

Section 2. That the cost of said contract shall be in an amount not to exceed \$90,000 and shall be paid from Fund No. 10 SF 188.

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

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

Ord. No. 311-14.

By Council Members Cleveland and Brancatelli.

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

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

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

Section 1. That Section 1 of Ordinance No. 1533-13 passed on November 11, 2013 is hereby amended to read as follows:

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

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

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 312-14.

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

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

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

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

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

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

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

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

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

Whereas, this Council urges the Ohio Environmental Protection Agency to deny the Corps' application, and force the Corps to continue the current practice of using confined disposal facilities — or work with the Cleveland-Cuyahoga County Port Authority on a workable and environmentally sound alternative to dumping; and

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

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

Section 1. That this Council urges the Ohio Environmental Protection

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

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

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

Res. No. 313-14.

By Council Member Brancatelli.

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

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

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

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

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

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

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

Res. No. 314-14.

By Council Member J. Johnson.

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

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

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

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

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

Section 1. That objection to a C2 and C2X Liquor Permit to Daniel Roman, Inc., 5300 Superior Avenue, Cleveland, Ohio 44103, Permanent No. 7494401, be and the same is hereby withdrawn and Resolution No. 1206-13, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

Res. No. 332-14.

By Council Member Polensek.

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

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

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

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

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

Section 1. That objection to a D1 and D2 Liquor Permit to Food Xpress and Gas, Inc., DBA Gas USA, 12307 St. Clair Avenue, Cleveland, Ohio 44108, Permanent Number 2805847, be and the same is hereby withdrawn and Resolution No. 1067-13, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

Res. No. 333-14.

By Council Member Cimperman.

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

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

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

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

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

Section 1. That objection to the transfer of ownership of a D1, D2, D3 and D6 Liquor Permit to 55 Public Square, 1st floor, basement and patio, Cleveland, Ohio 44113, Permanent No. 50966040010, be and the same is hereby withdrawn and Resolution No. 1355-13, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

**SECOND READING
EMERGENCY ORDINANCE**

Ord. No. 180-14.

By Council Member Kelley (by departmental request).

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

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

1. In Section 1, strike lines 3 and 4 in their entirety and insert **"The sum of Five Hundred Forty Million, Five Hundred Eighty-Nine Thousand, Seven Hundred Eighty-One Dollars (\$540,589,781) from the General Fund";**

2. In Section 1, strike lines 13 and 14 in their entirety and insert **"The sum of Eighty-Six Million, Six Hundred Ninety Thousand, Four Hundred Sixty Dollars (\$86,690,460) from the Debt Service Fund";**

3. In Section 1, at the list under "Executive Branch", at "Department of Public Health" strike "5,563,719" and insert **"5,763,719";** at "Department of Public Safety" strike "309,137,283" and insert **"309,187,909";** at "Department of Public Works" strike "66,390,729" and insert **"66,441,355";** at "Total Executive Branch" strike "493,283,884" and insert **"493,585,136";** at "TOTAL GENERAL FUND" strike "540,288,529" and insert **"540,589,781"** at "Debt Service Funds" strike "70,690,460" and insert **"86,690,460";** and at "TOTAL APPROPRIATIONS FOR 2014" strike "1,469,741,143" and insert **"1,486,042,395".**

4. In Section 1, at "GENERAL FUND" at "DEPARTMENT OF PUBLIC HEALTH" at "Division of Health", strike "3,179,286" and insert **"3,379,286";** at "II Other Expenses" strike "1,253,213" and insert **"1,453,213";** and at "TOTAL DEPARTMENT OF PUBLIC HEALTH", strike "5,563,719" and insert **"5,763,719".**

5. In Section 1, at "GENERAL FUND" at "DEPARTMENT OF PUBLIC SAFETY" at "Division of Animal Control Services", strike "1,374,317" and insert **"1,424,943";** at "I Personnel and Related Expenses", strike "979,164" and insert **"1,029,790";** and at TOTAL DEPARTMENT OF PUBLIC SAFETY, strike "309,137,283" and insert **"309,187,909".**

6. In Section 1, at "GENERAL FUND" at "DEPARTMENT OF PUBLIC WORKS" at "Division of Property Management", strike "7,960,191" and insert **"8,010,817";** at "I Personnel and Related Expenses" strike "5,482,736" and insert **"5,533,362";** and at "TOTAL DEPARTMENT OF PUBLIC WORKS", strike "66,390,729" and insert **"66,441,355".**

7. In Section 1, at "GENERAL FUND" at the end, at the total on page 8, at "TOTAL EXECUTIVE BRANCH", strike "493,283,884" and insert **"493,585,136";** and at "TOTAL GENERAL FUND", strike "540,288,529" and insert **"540,589,781".**

8. In Section 1, on page 11, at "DEBT SERVICE FUND", at "Sinking Fund Commission" strike "70,690,460" and insert **"86,690,460";** at "III Debt Service", strike "70,690,460"

and insert "86,690,460", and at "TOTAL DEBT SERVICE FUNDS, strike "70,690,460" and insert "86,690,460".

Amendments agreed to.

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 123-14.

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

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

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Passage recommended by Committees on Development, Planning and Sustainability, Municipal Services and Property, Finance.

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

Ord. No. 190-14.

By Council Member Kelley (by departmental request).

An emergency ordinance to amend Sections 34 and 39 of Ordinance No. 1689-11, passed November 28, 2011, as amended, relating to compensation for various classifications.

Approved by Directors of Human Resources, Finance, Law; Committee on Finance.

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

Ord. No. 197-14.

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

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

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

Sustainability, Finance, when amended, as follows:

1. In the title, lines 4 and 5, and in the first whereas clause, line 3, strike "National Terminals LLC" and insert "National Terminal Apartments Limited Liability Company" in both places.

Amendment agreed to.

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. 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. 280-14.

By Council Member Kelley.

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

Approved by Director of Law; Passage recommended by Committee on Finance.

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

APPROPRIATION FOR THE YEAR 2014 (SECOND READING EMERGENCY ORDINANCE) ORDINANCE NO. 180-14

Ord. No. 180-14.

By Council Member Kelley (by departmental request).

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

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

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

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

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

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

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

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

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

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

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

GENERAL FUND

Legislative Branch	\$ 6,937,206
Judicial Branch	40,067,439
Executive Branch	
General Government	13,697,250
Department of Aging	1,119,361
Department of Human Resources	2,182,400
Department of Law	10,625,473
Department of Finance	15,095,079
Department of Public Health	5,763,719
Department of Public Safety	309,187,909
Department of Public Works	66,441,355
Department of Community Development	292,661
Department of Building and Housing	9,744,178
Department of Economic Development	1,734,407
Nondepartmental	57,701,344
	<hr/>
Total Executive Branch	\$493,585,136
	<hr/>
TOTAL GENERAL FUND	\$540,589,781
	<hr/> <hr/>

Special Revenue Funds	77,777,124
Internal Service Funds	85,625,883
Enterprise Funds	685,122,847
Agency Funds	10,236,300
Debt Service Funds	86,690,460

TOTAL APPROPRIATIONS FOR 2014 **\$1,486,042,395**

GENERAL FUND

LEGISLATIVE BRANCH

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

TOTAL LEGISLATIVE BRANCH **\$ 6,937,206**

JUDICIAL BRANCH

Municipal Court - Judicial Division		\$ 22,072,868
I. Personnel and Related Expenses	\$ 19,404,866	
II. Other Expenses	2,668,002	

Municipal Court - Clerk's Division		\$ 14,411,958
I. Personnel and Related Expenses	\$ 9,402,010	
II. Other Expenses	5,009,948	

Municipal Court - Housing Division		\$ 3,582,613
I. Personnel and Related Expenses	\$ 3,425,754	
II. Other Expenses	156,859	

TOTAL JUDICIAL BRANCH **\$ 40,067,439**

EXECUTIVE BRANCH

GENERAL GOVERNMENT

Office of the Mayor		\$ 2,568,177
I. Personnel and Related Expenses	\$ 2,445,626	
II. Other Expenses	122,551	

Office of Capital Projects		\$ 5,116,416
I. Personnel and Related Expenses	\$ 4,563,722	
II. Other Expenses	552,694	

Landmarks Commission		\$ 243,795
I. Personnel and Related Expenses	\$ 236,627	
II. Other Expenses	7,168	

Board of Building Standards and Appeals		\$ 135,785
I. Personnel and Related Expenses	\$ 124,201	
II. Other Expenses	11,584	

Board of Zoning Appeals		\$ 235,197
I. Personnel and Related Expenses	\$ 220,089	
II. Other Expenses	15,108	

Civil Service Commission		\$ 803,520
I. Personnel and Related Expenses	\$ 612,365	
II. Other Expenses	191,155	

Community Relations Board		\$ 1,313,422
I. Personnel and Related Expenses	\$ 1,267,261	
II. Other Expenses	46,161	

City Planning Commission		\$ 1,641,585
I. Personnel and Related Expenses	\$ 1,537,955	
II. Other Expenses	103,630	

Boxing and Wrestling Commission		\$ 7,697
I. Personnel and Related Expenses	\$ 7,697	

Office of Equal Opportunity		\$	847,918
I. Personnel and Related Expenses	\$	824,038	
II. Other Expenses		23,880	
Office of Budget & Management-Budget Admin.		\$	783,738
I. Personnel and Related Expenses	\$	762,532	
II. Other Expenses		21,206	
TOTAL GENERAL GOVERNMENT		\$	<u>13,697,250</u>

DEPARTMENT OF AGING

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

DEPARTMENT OF HUMAN RESOURCES

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

DEPARTMENT OF LAW

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

DEPARTMENT OF FINANCE

Finance Administration		\$	1,263,146
I. Personnel and Related Expenses	\$	916,726	
II. Other Expenses		346,420	
Division of Accounts		\$	2,019,147
I. Personnel and Related Expenses	\$	1,336,536	
II. Other Expenses		682,611	
Division of Assessments and Licenses		\$	3,770,120
I. Personnel and Related Expenses	\$	2,395,114	
II. Other Expenses		1,375,006	
Division of Treasury		\$	728,556
I. Personnel and Related Expenses	\$	633,407	
II. Other Expenses		95,149	
Division of Purchases and Supplies		\$	720,820
I. Personnel and Related Expenses	\$	685,772	
II. Other Expenses		35,048	
Bureau of Internal Audit		\$	1,224,341
I. Personnel and Related Expenses	\$	590,187	
II. Other Expenses		634,154	
Division of Financial Reporting and Control		\$	1,355,047
I. Personnel and Related Expenses	\$	1,335,505	
II. Other Expenses		19,542	
Information Systems Services		\$	4,013,902
I. Personnel and Related Expenses	\$	2,117,180	
II. Other Expenses		1,896,722	
TOTAL DEPARTMENT OF FINANCE		\$	<u>15,095,079</u>

DEPARTMENT OF PUBLIC HEALTH

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

DEPARTMENT OF PUBLIC SAFETY

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

DEPARTMENT OF PUBLIC WORKS

Division of Public Works Administration		\$	3,013,016
I. Personnel and Related Expenses	\$	2,810,254	
II. Other Expenses		202,762	
Division of Recreation		\$	12,149,793
I. Personnel and Related Expenses	\$	8,153,758	
II. Other Expenses		3,996,035	
Division of Parking Facilities-On Street		\$	1,234,244
I. Personnel and Related Expenses	\$	1,148,983	
II. Other Expenses		85,261	
Division of Property Management		\$	8,010,817
I. Personnel and Related Expenses	\$	5,533,362	
II. Other Expenses		2,477,455	
Division of Park Maintenance and Properties		\$	13,569,303
I. Personnel and Related Expenses	\$	8,400,230	
II. Other Expenses		5,169,073	
Division of Waste Collection and Disposal		\$	24,998,028
I. Personnel and Related Expenses	\$	13,674,442	
II. Other Expenses		11,323,586	

Division of Traffic Engineering		\$ 3,466,154
I. Personnel and Related Expenses	\$ 2,658,405	
II. Other Expenses	807,749	
TOTAL DEPARTMENT OF PUBLIC WORKS		\$ 66,441,355

DEPARTMENT OF COMMUNITY DEVELOPMENT

Department of Community Development Director's Office		\$ 292,661
I. Personnel and Related Expenses	\$ 280,645	
II. Other Expenses	12,016	
TOTAL DEPARTMENT OF COMMUNITY DEVELOPMENT		\$ 292,661

DEPARTMENT OF BUILDING AND HOUSING

Building and Housing Director's Office		\$ 2,217,253
I. Personnel and Related Expenses	\$ 1,703,239	
II. Other Expenses	514,014	
Division of Code Enforcement		\$ 5,906,484
I. Personnel and Related Expenses	\$ 5,712,984	
II. Other Expenses	193,500	
Division of Construction Permit		\$ 1,620,441
I. Personnel and Related Expenses	\$ 1,593,841	
II. Other Expenses	26,600	
TOTAL DEPARTMENT OF BUILDING AND HOUSING		\$ 9,744,178

DEPARTMENT OF ECONOMIC DEVELOPMENT

Economic Development		\$ 1,734,407
I. Personnel and Related Expenses	\$ 1,668,285	
II. Other Expenses	66,122	
TOTAL DEPARTMENT OF ECONOMIC DEVELOPMENT		\$ 1,734,407

NONDEPARTMENTAL

County Auditor Deductions		\$ 2,314,000
II. Other Expenses	\$ 2,314,000	
Other Administrative		\$ 22,464,124
II. Other Expenses	\$ 22,464,124	
Transfers to Other Funds		\$ 32,923,220
II. Other Expenses	\$ 32,923,220	
TOTAL NONDEPARTMENTAL		\$ 57,701,344
TOTAL EXECUTIVE BRANCH		\$ 493,585,136
TOTAL GENERAL FUND		\$ 540,589,781

SPECIAL REVENUE FUND

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

INTERNAL SERVICE FUND

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

ENTERPRISE FUNDS

DEPARTMENT OF PUBLIC UTILITIES

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

DEPARTMENT OF PORT CONTROL

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

DEPARTMENT OF PUBLIC WORKS

Division of Cemeteries		\$	1,681,105
I. Personnel and Related Expenses	\$	1,212,369	
II. Other Expenses		468,736	
Golf Course Fund		\$	298,000
I. Personnel and Related Expenses	\$	45,000	
II. Other Expenses		253,000	

Division of Parking Facilities-Off Street Parking		\$ 8,643,915
I. Personnel and Related Expenses	\$ 1,262,328	
II. Other Expenses	7,381,587	
Division of Public Auditorium		\$ 2,617,386
I. Personnel and Related Expenses	\$ 1,280,062	
II. Other Expenses	1,337,324	
Division of Public Auditorium & Stadium- West Side Market		\$ 1,274,592
I. Personnel and Related Expenses	\$ 433,973	
II. Other Expenses	840,619	
Division of Property Management - East Side Market		\$ 40,000
II. Other Expenses	\$ 40,000	
TOTAL DEPARTMENT OF PUBLIC WORKS		\$ 14,554,998
TOTAL ENTERPRISE FUNDS		\$ 685,122,847
AGENCY FUND		
Central Collection Agency		\$ 10,236,300
I. Personnel and Related Expenses	\$ 6,495,959	
II. Other Expenses	3,740,341	
TOTAL AGENCY FUND		\$ 10,236,300
DEBT SERVICE FUND		
Sinking Fund Commission		\$ 86,690,460
III. Debt Service	\$ 86,690,460	
TOTAL DEBT SERVICE FUNDS		\$ 86,690,460

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

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

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

**Schedule of Changes
(Published pursuant to Section 39 of the Charter)**

The following changes are made to provide for reductions/increases in various departments of City Government: to correct the total of the 2014 Appropriation Ordinance No. 180-14.

2014 Mayor's Estimate Ordinance	DIFFERENCE
EXECUTIVE BRANCH	
Department of Public Health	200,000
Department of Public Safety	50,626
Department of Public Works	50,626
TOTAL EXECUTIVE BRANCH	301,252
TOTAL GENERAL FUND	301,252
DEBT SERVICE FUNDS	16,000,000
TOTAL APPROPRIATIONS FOR 2014	16,301,252

GENERAL FUND		
EXECUTIVE BRANCH		
DEPARTMENT OF PUBLIC HEALTH		
Division of Health		200,000
II. Other Expenses	200,000	_____
TOTAL DEPARTMENT OF PUBLIC HEALTH		200,000 =====
DEPARTMENT OF PUBLIC SAFETY		
Division of Animal Control Services		50,626
I. Personnel and Related Expenses	50,626	_____
TOTAL DEPARTMENT OF PUBLIC SAFETY		50,626 =====
DEPARTMENT OF PUBLIC WORKS		
Division of Property Management		50,626
I. Personnel and Related Expenses	50,626	_____
TOTAL DEPARTMENT OF PUBLIC WORKS		50,626 =====
TOTAL EXECUTIVE BRANCH		301,252 =====
TOTAL GENERAL FUND		301,252 =====
DEBT SERVICE FUND		
Sinking Fund Commission		16,000,000
III. Debt Service	16,000,000	_____
TOTAL DEBT SERVICE FUND		16,000,000 =====

Ordinance No. 180-14 is herein published following the Public Hearing and before the third reading and final passage and reflects the necessary amendments required by this schedule.

MOTION

The Council Meeting adjourned at 7:42 p.m. to meet on Monday, March 10, 2014, at 7:00 p.m. in the Council Chamber.



Patricia J. Britt
City Clerk, Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

February 26, 2014

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, February 26, 2014 at 10:50 a.m. with Director Langhenry presiding.

Present: Directors Langhenry, Bender, Smith, Cox, Butler, McGrath, Rush, Southerington, Acting Director Thornton, Directors Fumich and Rybka.

Absent: Mayor Jackson and Director Dumas.

Others: Matthew Spronz, Director, Office of Capital Projects.

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

Deborah Midgett, Acting, Division of Purchases & Supplies.

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

Resolution No. 96-14.

By Director Bender.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Fabrizi Recycling, Inc. under Contract No. PI2013*047 for the Cleveland Water Main Replacement Phase 2, for the Division of Water, Department of Public Utilities, is approved:

Subcontractor	Work Percentage
Utilicon Corporation (CSB)	\$56,800.00 3.67%
Trafftech, Inc. (CSB)	\$ 2,400.00 0.16%
Fabrizi Trucking & Paving Co.	\$ 3,500.00 0.23%

Yeas: Directors Langhenry, Bender, Smith, Butler, McGrath, Rush,

Southerington, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Cox and Acting Director Thornton.

Resolution No. 97-14.

By Director Bender.

Whereas, by Board of Control Resolution No. 699-13, adopted on December 18, 2013, the City of Cleveland affirmed and approved Huron Lime, Inc. ("Huron") as lowest and best bidder for a requirement contract for an estimated quantity of quicklime and hydrated lime, for the Division of Water, Department of Public Utilities and

Whereas, by its January 6, 2014 letter, Mississippi Lime Company, Inc. ("Mississippi Lime") announced that it had completed its acquisition of all assets of Huron and planned to service Huron's customer contracts and customer agreements, thereby substituting Mississippi Lime for Huron as the successful bidder and prospective contractor for the above-mentioned requirement contract; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that Board of Control Resolution No. 699-13, adopted December 18, 2013, affirming and approving Huron Lime, Inc. as lowest and best bidder for a requirement contract for quicklime and hydrated lime, for the Division of Water, Department of Public Utilities, is amended by changing the recommended bidder for the con-

tract from Huron Lime, Inc. to Mississippi Lime Company, Inc.

Be it further resolved that all other provisions of Board of Control Resolution No. 699-13 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Directors Langhenry, Bender, Smith, Butler, McGrath, Rush, Southerington, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Cox and Acting Director Thornton.

Resolution No. 98-14.

By Director Bender.

Whereas, under the authority of Ordinance No. 1039-07, passed by the Cleveland City Council on August 8, 2007, the City of Cleveland entered into City Contract No. 67538 with Datamatic, Ltd. for professional services for maintenance and repair of meter reading, collections, investigations, and maintenance systems, including hardware and software for the Datamatic System, for the Division of Water, Department of Public Utilities; and

Whereas, under the authority of Ordinance No. 738-12, passed by the Cleveland City Council on June 4, 2012, the City entered into City Contract No. PS2013-011 with Datamatic, Ltd. for professional services for software support, maintenance services and licenses for the Datamatic System, hardware, software, and support and maintenance, including maintenance and repair of the meter reading system for one year starting January 1, 2013, for the Division of Water, Department of Public Utilities; and

Whereas, on or about September 24, 2013, Datamatic, Ltd. transferred to Communications Leasing Corporation dba Datamatic, Inc. its interests in the Datamatic System and its rights, interests, and obligations in several license and maintenance agreements, including City Contract No. PS2013-011; and

Whereas, on or about September 26, 2013, Datamatic, Ltd. filed a Chapter 7 Petition in the United States Bankruptcy Court for the Eastern District of Texas, Case No. 13-42337, and since that time, Datamatic, Ltd. is no longer an operating business; and

Whereas, division (c) of Section 181.102 of the Codified Ordinances of Cleveland, Ohio, 1976, ("C.O.") authorizes a director to execute one or more license agreements for software needed to implement or maintain a previously acquired software system directly with software licensing firm; and

Whereas, C.O. § 181.102(d) authorizes a director to enter into an agreement with a software vendor for professional services necessary to implement or maintain the software system, including but not limited to maintenance, repair, upgrades, enhancements and technical support; and

Whereas, under the authority of C.O. §181.102, the City intends to enter into an agreement with Communications Leasing Corporation, dba Datamatic, Inc. for the necessary software licenses and software-specific support and maintenance services for the Datamatic system, hardware, software, and support and

maintenance, including maintenance and repair of the meter reading system, for a period of one year; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of C.O. §181.102(e), the compensation to be paid for license fees and for maintenance and support services to be performed under the contract with Communications Leasing Corporation, dba Datamatic, Inc. for a period of one year, shall not exceed \$225,000.00.

Yeas: Directors Langhenry, Bender, Smith, Butler, McGrath, Rush, Southerington, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Cox and Acting Director Thornton.

Resolution No. 99-14.

By Director Spronz.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Vandra Brothers Construction, Inc. (CSB/LPE) for the public improvement of Puritas Avenue Resurfacing (State Route 237 to West 130th Street), for Items 1-120 for the Division of Engineering & Construction Mayor's Office of Capital Projects, received on January 30, 2014, under the authority of Ordinance No. 674-13, passed on May 20, 2013, upon a unit basis for the improvement in the aggregate amount of \$3,630,317.60, is affirmed and approved as the lowest responsible bid; and the Director of Capital Projects is authorized to enter into contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Vandra Brothers Construction, Inc. (CSB/LPE) for the aforementioned public improvement is approved:

<u>SUBCONTRACTOR</u>	<u>AMOUNT PERCENTAGE</u>
Tech Ready Mix, Inc. (CSB)	\$ 300,000.00 8.264%
Fabrizi Recycling, Inc. (CSB)	\$ 240,000.00 6.611%
Trafftech, Inc. (CSB)	\$ 200,000.00 5.509%
Cuyahoga Supply & Tool (CSB)	\$ 180,000.00 4.958%
Down to Earth Landscaping (CSB)	\$ 62,000.00 1.708%
RAR Contracting Company, Inc. (CSB)	\$ 55,000.00 1.515%
Cook Paving and Construction, Inc. (CSB)	\$ 25,000.00 0.689%
Chagrin Valley Paving (non-certified)	\$1,225,000.00 N. A.
Asphalt Fabrics (non-certified)	\$ 183,000.00 N. A.

Cuyahoga Saw (non-certified)
\$ 30,000.00
N. A.

Yeas: Directors Langhenry, Bender, Smith, Butler, McGrath, Rush, Southerington, Acting Director Thornton. Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Cox.

Resolution No. 100-14.

By Director Spronz.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Vandra Brothers Construction, Inc. (CSB/LPE) for the public improvement of Martin Luther King Jr. Boulevard Resurfacing (Buckingham Avenue to Cedar Avenue), for Items 1-143 for the Division of Engineering & Construction Mayor's Office of Capital Projects, received on January 30, 2014, under the authority of Ordinance No. 649-13, passed on May 20, 2013, upon a unit basis for the improvement in the aggregate amount of \$2,750,655.90, is affirmed and approved as the lowest responsible bid; and the Director of Capital Projects is authorized to enter into contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Vandra Brothers Construction, Inc. (CSB/LPE) for the aforementioned public improvement is approved:

<u>SUBCONTRACTOR</u>	<u>AMOUNT PERCENTAGE</u>
Fabrizi Recycling, Inc. (CSB)	\$330,000.00 11.997%
Rack Transport LLC (CSB)	\$200,000.00 7.271%
Tech Ready Mix, Inc. (CSB)	\$145,000.00 5.271%
Trafftech, Inc. (CSB)	\$ 83,000.00 3.017%
Cuyahoga Supply & Tool (CSB)	\$ 50,000.00 1.818%
Cuyahoga Concrete-Sawing & Drilling (CSB)	\$ 10,000.00 0.364%
Ronyak (non-certified)	\$625,000.00 N. A.
Lake Erie Construction (non-certified)	\$ 88,000.00 N. A.

Yeas: Directors Langhenry, Bender, Smith, Butler, McGrath, Rush, Southerington, Acting Director Thornton. Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Cox.

Resolution No. 101-14.

By Directors Cox and Spronz.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of R. J. Platten Con-

tracting (CSB/LPE) for the public improvement of Municipal Parking Lot Site Improvements, for Base Bid Items 1-48 and Alternate Items 1AA and 2AA including the 5% contingency for the Division of Architecture and Site Development Department of Public Works, received on January 22, 2014, under the authority of Ordinance No. 1229-13, passed on November 18, 2013, upon a unit basis for the improvement in the aggregate amount of \$335,248.99, is affirmed and approved as the lowest responsible bid; and the Directors of the Department of Public Works and Capital Projects is authorized to enter into contract for the improvement with the bidder.

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

<u>SUBCONTRACTOR</u>	<u>AMOUNT</u>	<u>PERCENTAGE</u>
Signature Control System (non-certified)	\$86,290.00	25.739%
Tech Ready Mix (CSB/MBE)	\$19,000.00	5.667%
Ballast Fence (CSB/FBE)	\$10,860.00	3.239%
RWJ Wiring, Inc. (CSB)	\$10,454.70	3.118%
Ramos Trucking (CSB/MBE)	\$10,000.00	2.983%
Cunningham Paving (CSB)	\$ 9,002.00	2.685%
Lakewood Supply (CSB)	\$ 4,162.23	1.242%
Down to Earth Landscaping (CSB/FBE)	\$ 2,301.00	0.686%
Industrial Surface Sealer, Inc. (CSB)	\$ 720.00	0.215%
Krusoe Sign (CSE/FBE)	\$ 525.00	0.157%

Yeas: Directors Langhenry, Bender, Smith, Cox, Butler, McGrath, Rush, Southerington, Acting Director Thornton, Directors Fumich and Rybka.

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

Resolution No. 102-14.

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

Whereas, under the Program, the City has acquired Permanent Parcel

Nos., 006-05-073 and 006-05-074 located on Dudley Avenue in Ward 15; 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, Ohio Conference Association of the Seventh Day Adventist Church has proposed to the City to purchase and develop the parcels for institutional expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 15 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 parcels is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Ohio Conference Association of the Seventh Day Adventist Church for the sale and development of Permanent Parcel Nos., 006-05-073 and 006-05-074 located on Dudley Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcels 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, Bender, Smith, Cox, Butler, McGrath, Rush, Southerington, Acting Director Thornton, Directors Fumich and Rybka.

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

Resolution No. 103-14.

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., 106-13-011 located at 7006 Lawnview Avenue in Ward 7; 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, New Mount Zion Baptist Church has proposed to the City to purchase and develop the parcel for playground/ open space; and

Whereas, the following conditions exist:

1. The member of Council from Ward 7 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 New Mount Zion Baptist Church for the sale and development of Permanent Parcel No., 106-13-011 located at 7006 Lawnview Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$100.00, 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, Bender, Smith, Cox, Butler, McGrath, Rush, Southerington, Acting Director Thornton, Directors Fumich and Rybka.

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

Resolution No. 104-14.

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., 132-20-071 located at 7007 Worley Avenue in Ward 12; 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, Bobbie Mae Duncan 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 12 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 parcels is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City

of Cleveland, with Bobbie Mae Duncan for the sale and development of Permanent Parcel No., 132-20-071 located at 7007 Worley Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$200.00, 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, Bender, Smith, Cox, Butler, McGrath, Rush, Southerington, Acting Director Thornton, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Directors 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 slated in the examination announcement.

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

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

ROBERT BENNETT, President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, MARCH 17, 2014

9:30 A.M.

Calendar No. 14-022: 5209 Detroit Avenue (Ward 15)

Westside Ministries, owner, and The Centers for Families and Children, tenant, appeals to erect six new wall signs varying in size in addition to the two existing wall signs on a two story brick building located in a C2 Local Retail Business District and a B1 Semi-Industry District and contrary to Section 350.15 of the Cleveland Codified Ordinances the maximum square

footage for wall signs allowed is 121 square feet and 226 feet are proposed. (Filed 2-21-2014).

Calendar No. 14-021: 4108 Clinton Avenue (Ward 3)

Alexandru Brown, owner, appeals to erect a 14' x 26' one story frame attached garage addition to an existing two-family residence located in a B1 Two-Family Residential District and contrary to Section 355.04 (b) of the Cleveland Codified Ordinances the maximum gross floor area shall not exceed 50 percent of the lot area of 1,828 square feet and 2,395 square feet are proposed; and subject to Section 357.08 (b) (1) the required rear yard is 24 feet and 10 feet are proposed; and pursuant to Section 357.09 (2) (A) and (B) no building shall be erected less than 10 feet from a main building on an adjoining lot within a Residence District and 4 feet are proposed and the minimum required interior side yard of 3 feet is allowed and 2 feet are proposed and the total width of both interior side yards on the same premises must be 10 feet and 4 feet are proposed; and subject to the limitations set forth in Section 357.13 (c) (2) the eaves shall not project more than 2 feet into the interior side yard and 3 feet are proposed. (Filed 2-20-2014).

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, MARCH 3, 2014

At the meeting of the Board of Zoning Appeals on Monday, March 3, 2014, the following appeals were scheduled for hearing before the Board.

The following appeals were APPROVED:

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

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

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

The following appeals were DENIED:

None

The following appeal was WITHDRAWN:

Calendar No. 14-16: 11700 Putnam Eric Witherspoon appealed to erect a new building and establish out door storage and distribution of scrap material in a B1 Two-Family District.

The following appeal was DISMISSED:

Calendar No. 14-15: 3936 East 93rd Street

FPT Cleveland appealed to erect 126 feet of 7 foot high metal fence on a parcel located in a B2 Semi-Industry District.

The following appeal was POSTPONED:

Calendar No. 13-247: 4414-20 Pearl Road

Brian Bodach Change from retail to 3 residential units Postponed to April 7, 2014 at 9:30 a.m.

The following appeals were heard by the Board on February 24, 2014; decisions were adopted and approved on March 3, 2014;

The following appeals were DISMISSED:

Calendar No. 13-206, 13-207, 13-208, 13-209, 13-210 & 13-211: 1819 Abbey Avenue Parcels A-1 through A-6

Forsgren Properties appealed to erect 6 townhouse units in a C1 Semi-Industry District.

Calendar No. 13-252: 12716 Buckeye Road

Laniece Davis appealed to established use as a restaurant a one-story building on a 75' x 160' corner parcel in a C2-Residence Office District.

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of February 26, 2014

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

* * *

Docket A-295-13.

RE: Appeal of Northern Ohio Cleaners C/O James Jallo, Owner of the M Mercantile - Retail Shops, Carry-out Food Shops Property, located on the premises known as 4049 Rocky River Drive from a NOTICE OF VIOLATION - EXTERIOR MAINTENANCE, dated November 5, 2013 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to uphold the Violation Notice and find that it was issued properly, to require that all required permits be obtained and to grant the Appellant four (4) months in which to complete abatement of the violations. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

Docket A-305-13.

RE: Appeal of Neil T. Clough, Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property, located on the premises known as 7012 Colgate Avenue (aka 7014 Colgate Avenue (Front) from a NOTICE OF VIOLATION — HAZARDOUS CONDITIONS, dated November 26, 2013, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant two (2) weeks in which to obtain all required permits and sixty (60) days in which to complete abatement of the violations, noting that failure to meet either date, will Remand the property immediately; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

* * *

Docket A-306-13.

RE: Appeal of Neil T. Clough, Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property, located on the premises known as 7014 Colgate Avenue (aka 7012 Colgate Avenue (Rear) from a NOTICE OF VIOLATION — HAZARDOUS CONDITIONS, dated November 26, 2013, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant two (2) weeks in which to obtain all required permits and sixty (60) days in which to complete abatement of the violations, noting that failure to meet either date, will Remand the property immediately; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

* * *

Docket A-312-13.

RE: Appeal of Tracy C. Bober, Owner of the One Dwelling Unit Single-Family Residence One & One/half Story Masonry Property, located on the premises known as 12807 Triskett Road from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated November 26, 2013 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant six (6) months in which

to abate the violations, with an evaluation of the property by the inspector as required and requested; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

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

* * *

Docket A-313-13.

RE: Appeal of Rayford Wells/Sam Sapienza, Owner/Contractor of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property, located on the premises known as 12213 Buckingham Avenue from a NOTICE OF VIOLATION — POOR WORKMANSHIP, dated July 10, 2013 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-313-13 has been POSTPONED; to be rescheduled for March 26, 2014.

* * *

Docket A-314-13.

RE: Appeal of Bethesda Lutheran Communities, Owner of Property, located on the premises known as 3951 Rocky River Drive from an ADJUDICATION ORDER, dated November 27, 2013 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance and permit the elevator to be installed and used as proposed, noting that there will be a knowledgeable person in attendance to lock and unlock the door, that there will be a telephone available through the security system to an attendant 24/7; and that the elevator must be registered and be subjected to annual inspections by the proper authorities. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

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

* * *

Docket A-3-14.

RE: Appeal of Patricia Hall, Owner of the Three Dwelling Units Three-Family Residence Two & One/half Story Frame Property, located on the premises known as 6823 Bayliss Avenue from a NOTICE OF VIOLATION — HAZARDOUS CONDITIONS, dated December 24, 2013 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant six (6) months in which to complete abatement of the violation, and that the property is not to be re-rented after the eviction of the

present tenant until the violations have been abated; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Bradley.

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

* * *

Docket A-4-14.

RE: Appeal of Elena Martinez, Owner of the Two Dwelling Units Two-Family Residence Two Story Frame Property, located on the premises known as 11101 Fidelity Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated December 12, 2013 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

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

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

* * *

Docket A-5-14.

RE: Appeal of John & Lynn Branch, Owner of the One Dwelling Unit Single-Family Residence Two & One/half Story Frame Property, located on the premises known as 4145 East 98th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated December 23, 2013 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant three (3) months in which to complete abatement of the violations by either rehabilitating the property or demolishing the property. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

* * *

Docket A-6-14.

RE: Appeal of Timothy I. Zupanic, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property, located on the premises known as 3899 West 34th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated December 18, 2013 of the Director of the Department of Building and Housing, requiring compli-

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

BE IT RESOLVED, a motion is in order at this time to find that based upon testimony presented by City officials and the interested public, that the property be maintained vacant, that no additional time be given to the Appellant and to REMAND the property at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

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

* * *

Docket A-7-14.

RE: Appeal of HHIG Ohio Properties, Owner of the R-2 Residential - Non-transient; Apartments (Shared Egress) Three Story Masonry Walls/Wood Floors Property, located on the premises known as 1373 West 80th Street from a CONDEMNATION ORDER - MAIN STRUCTURE, dated November 11, 2013 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that based on photographic evidence, testimony presented to the Board indicating the advance deterioration of the property, that the property is not habitable and must remain vacant, and that the Appellant is not present for the hearing, the request for additional time is DENIED; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action.

Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

* * *

Docket A-8-14.

RE: Appeal of Linda M. Matthews, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property, located on the premises known as 3440 West 132nd Street from a NOTICE OF VIOLATION - EXTERIOR MAINTENANCE, dated December 17, 2013 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

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

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

Docket A-9-14.

RE: Appeal of Tom Gillespie, Owner, Tyler Lombardo, Contractor, Owner/Contractor of the Property, located on the premises known as 1261 West 76th Street from an ADJUDICATION ORDER, dated December 23, 2013 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to require that the columns and the header beams of the partition structure to achieve a one hour rating and that any further development of the property must be preceded by plans and a permit; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

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

* * *

Docket A-10-14.

RE: Appeal of Classco Realty Corporation, Owner of the R-2 Residential - Non-transient; Apartments (Shared Egress) Four Story Masonry Walls/Wood Floors Property, located on the premises known as 1832 East 90th Street from a NOTICE OF VIOLATION - INTERIOR/EXTERIOR MAINTENANCE, dated December 26, 2013 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY the request for additional time and to REMAND the property to the Department of Building and Housing for supervision and any required further action, based upon testimony and photographic evidence indicating safety as well as maintenance problems that must have permits to be a safe structure; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Saab.

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

* * *

Docket A-11-14.

RE: Appeal of Shakertown Apt., Ltd., Owner of the R-2 Residential - Non-transient; Apartments (Shared Egress) Four Story Masonry Walls/Wood Floors Property, located on the premises known as 2804 S. Moreland Boulevard from a NOTICE OF VIOLATION - FIRE DAMAGE, dated December 23, 2013 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-11-14 has been POSTPONED; to be rescheduled for March 26, 2014.

Docket A-12-14.

RE: Appeal of Marlene Bowles, Owner of the Two Dwelling Units Two-Family Residence Two Story Frame Property, located on the premises known as 12204 Oakfield Avenue from a CONDEMNATION ORDER - MAIN STRUCTURE, dated December 23, 2013, the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant sixty (60) days in which to obtain all required permits and six (6) months in which to complete abatement of the violations, noting that failure to meet either date will Remand the property immediately; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action.

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

* * *

Docket A-13-14.

RE: Appeal of Sajjaad Shakir, Theresa Robinson Conner, Purchaser and Owner of the Two Dwelling Units Two-Family Residence Two Story Frame Property, located on the premises known as 8018 Platt Avenue from a NOTICE OF VIOLATION - INTERIOR/EXTERIOR MAINTENANCE, dated January 24, 2014, and from a VACATE ORDER, dated January 31, 2014 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the Violation Notice was properly issued, and the appeal for additional time is DENIED, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

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

* * *

APPROVAL OF RESOLUTIONS:

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

- A-284-13 - Melvin W. LaPrade
- A-292-13 - William Stefaniuk
- A-302-13 - Jason Perez
- A-303-13 - Lewis Lukanc
- A-307-13 - Theodore J. Mihalke
- A-308-13 - Theodore J. Mihalke
- A-309-13 - James L. Hronek Jr.
- A-311-13 - Carlos L. Diaz
- A-1-14 - Cabrera Enterprises, Ltd.
- A-14-14 - Flats East Bank Residential, LLC

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

APPROVAL OF MINUTES:

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

January 29, 2014

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

* * *

JOSEPH F. DENK
Chairman

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY of CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

on these forms may result in cancellation of the contract or other civil or criminal penalties."

FRIDAY, MARCH 14, 2014

File No. 21-14 — City of Cleveland Fleet Avenue Rehabilitation Project; Independence Road to Broadway Avenue, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 608-12, passed by the Council of the City of Cleveland, June 4, 2012.

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

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING THURSDAY, FEBRUARY 27, 2014 AT 10:00 A.M. CLEVELAND CITY HALL, ROOM 518, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

February 19, 2014 and February 26, 2014 and March 5, 2014

FRIDAY, MARCH 14, 2014

File No. 27-14 — Rehabilitating and Relining Sewers at Various Locations, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 996-03, passed by the Council of the City of Cleveland, July 16, 2003.

*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 FRIDAY, MARCH 7, 2014 AT 11:00 A.M. THE DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

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

February 26, 2014 and March 5, 2014

THURSDAY, MARCH 20, 2014

File No. 29-14 — Labor and Materials Necessary to Maintain and Replace Exterior Plants and Other Site Landscaping for the Various Divisions of Port Control, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING FRIDAY, MARCH 7, 2014 AT 10:00 A.M. THE CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135-3193.

February 26, 2014 and March 5, 2014

WEDNESDAY, MARCH 26, 2014

File No. 26-14 — Year 2014 - Harvard Yard Facility Improvements (Re-bid), for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1542-09, passed by the Council of the City of Cleveland, December 7, 2009.

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

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING THURSDAY, MARCH 6, 2014 AT 2:30 P.M. THE CARL B. STOKES UTILITIES BUILDING, 2ND ATRIUM CONFERENCE ROOM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

File No. 28-14 — Labor and Materials needed to Maintain, Test, Install, Replace, Improve, Restore and Refurbish Landscaping at Various Locations, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 863-13, passed by the Council of the City of Cleveland, August 14, 2013.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING THURSDAY, MARCH 6, 2014 AT 10:00 A.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 2ND FLOOR ATRIUM CONFERENCE ROOM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

February 26, 2014 and March 5, 2014

THURSDAY, MARCH 27, 2014

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

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

March 5, 2014 and March 12, 2014

FRIDAY, MARCH 28, 2014

File No. 30-14 — Demolition of City Facilities Package D Platt Avenue Park Station (Re-bid), for the Division of Architecture and Site Development, Department of Mayor's Office of Capital Projects, as authorized by Ordinance No. 747-13, passed by the Council of the City of Cleveland, July 10, 2013.

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

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

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

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

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

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

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

March 5, 2014 and March 12, 2014

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 277-14.

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

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

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

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

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

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

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

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

Section 1. That this Council supports the application of the James D. Denkins Trustee of the Revocable Trust to the Ohio Historic Preservation Office for State Historic Tax Credits for the Lion Knitting Mills Building at 3256 West 25th Street.

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

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

Adopted February 24, 2014.
Effective March 4, 2014.

Res. No. 278-14.

By Council Member Zone.

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

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

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

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

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

Whereas, Cleveland City Council supports the Detroit Shoreway Community Development Organization's proposal for the Near West Lofts Storefront as a high priority initiative for future development in the community for the benefit of the citizens of the City of Cleveland; and

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

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

Section 1. That this Council supports the application of Detroit Shoreway Community Development Organization to the Ohio Development Services Agency for State Historic Tax Credits for the Near West Lofts Storefront located at 6710 Detroit Avenue.

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

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

Adopted February 24, 2014.
Effective March 4, 2014.

Res. No. 279-14.

By Council Member Brady.

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

Whereas, each year the State of Ohio through the Ohio Historic

Preservation Office allocates State Historic Tax Credits for historic redevelopment projects throughout Ohio using a competitive proposal process; and

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

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

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

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

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

Section 1. That this Council supports the application of the Friends of the Historic Variety Theatre, Inc. to the Ohio Historic Preservation Office for State Historic Tax Credits for the Variety Theatre Building located at 11815 Lorain Avenue.

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

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

Adopted February 24, 2014.
Effective March 4, 2014.

Res. No. 281-14.
By Council Member Kelley.

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

Whereas, the Republican National Committee and Democratic National Committee have invited select U.S. cities, including the City of Cleve-

land, to respond to a formal request for proposal to host the Presidential Nominating National Convention in 2016; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Adopted February 24, 2014.
Effective March 4, 2014.

Res. No. 282-14.

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

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

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

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

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

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

Whereas, the Metal Theft Prevention Act of 2013 will significantly assist in improving prevention of metal theft from critical infrastructure as well as crack down on criminals who commit this crime; and

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

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

Section 1. That this Council hereby supports Federal Senate Bill 394, the Metal Theft Prevention Act of 2013.

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

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

Adopted February 24, 2014.
Effective March 4, 2014.

Res. No. 283-14.

By Council Member Brady.

An emergency resolution objecting to the transfer of ownership of a C1 Liquor Permit to 3935 West 130th Street.

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

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

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

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

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

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

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

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, prosperity, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code.

Council's objection to said permit must be received by the Superintendent of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 Liquor Permit from ZKS 130 Inc., 3935 West 130th Street, Cleveland, Ohio 44111, Permanent Number 98714520010 to MFY Gas, Inc., 3935 West 130th Street, Cleveland, Ohio 44111, Permanent Number 6273848; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted February 24, 2014.
Effective March 4, 2014.

Res. No. 284-14.

By Council Member Cimperman.

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

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

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit from Flextron, LLC, DBA Gotcha Inn, 3232 Lakeside Avenue and basement, Cleveland, Ohio 44114, Permanent Number 2779680 to 1515 LLC, DBA Bar 216, 3232 Lakeside Avenue and basement, Cleveland, Ohio 44114, Permanent Number 2714242; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted February 24, 2014.
Effective March 4, 2014.

Res. No. 285-14.

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

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

Whereas, the government of Ukraine made significant progress toward meeting the requirements and signing an Association Agreement and Free Trade Agreement with the European Union; and

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

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

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

Whereas, clashes between police and protesters have resulted in scores

of confirmed deaths and thousands of injuries including targeted attacks on members of the media and medical personnel; and

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

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

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

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

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

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

Section 1. That this Council hereby supports and is in solidarity with the people in Ukraine who continue to demonstrate in favor of their sovereign right to chart an independent and democratic future for their country.

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

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

Adopted February 24, 2014.
Effective March 4, 2014.

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

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

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

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

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

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

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

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

Section 1. That this Council declares that the following described real property is vacated:

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

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

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

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

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

Section 3. That provided all required approvals have been obtained, the Manager of Engineering and Construction is directed to record the vacation plat in the office of the Recorder of Cuyahoga County.

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

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

Passed February 24, 2014.
Effective March 4, 2014.

Ord. No. 274-14.
By Council Member Zone.

An emergency ordinance consenting and approving the issuance of a permit for the Hermes 10 Miler, on April 26, 2014, sponsored by the Hermes Sports & Events, Inc.

Whereas, this ordinance constitutes an emergency measure provid-

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Hermes 10 Miler, sponsored by the Hermes Sports & Events, Inc., on April 26, 2014, start: Run/Walk Route: Edgewater Park, exit park west up bike path to West Blvd., West Blvd. south to Lake, Lake west to West 117th then into the City of Lakewood, returning from Lakewood, Lake east to Detroit, Detroit east to West 67th, West 67th north to Father Caruso Dr., Father Caruso east to Tunnel to Edgewater park and finish; Road Usage: Only the westbound lanes will be used on Lake Avenue from West 117th to Detroit going out and coming back from Lakewood; all residents on Lake Ave, West 76th, Father Caruso Dr., will be notified and assisted to enter or exit as needed; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed February 24, 2014.
Effective March 4, 2014.

Ord. No. 275-14.
By Council Member Zone.

An emergency ordinance consenting and approving the issuance of a permit for the Max Hayes School Run, on April 6, 2014, sponsored by the Hermes Sports & Events, Inc.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Max Hayes School Run, sponsored by the Hermes Sports & Events, Inc., on April 6, 2014, start: Max Hayes High School, West 45th south to Franklin, Franklin west to West 52nd, West 52nd south to Lorain, Lorain west to West 53rd, West 53rd south to West 55th, West 55th south to Clark, turn around and return same route to finish line at Max Hayes School, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety

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

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

Passed February 24, 2014.
Effective March 4, 2014.

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

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the United Cerebral Palsy of Greater Cleveland Run, sponsored by the Hermes Sports & Events, Inc., on May 4, 2014, start: UCP office 10011 Euclid, Euclid east to East 105th, East 105th north to MLK, MLK north to Superior ramp turn around, return same route back to UCP office, finish line at rear of UCP offices in parking lot off East 100th St., provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed February 24, 2014.
Effective March 4, 2014.

COUNCIL COMMITTEE MEETINGS

Monday, March 3, 2014
2:00 p.m.

Development, Planning and Sustainability Committee & Finance Committee: Present in DP&S: Brancatelli, Chair; Cleveland, Vice Chair; Cummins, Pruitt, Zone. *Authorized Absence:* Dow. *Unauthorized Absence:* Cimperman. Present in Finance: Kelley, Chair; Cleveland, Vice Chair; Brady, Brancatelli, Conwell, Keane, Mitchell, Pruitt, Zone.

2:00 p.m.

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

Tuesday, March 4, 2014
9:30 a.m.

Development, Planning & Sustainability Committee: CANCELLED.

Wednesday, March 5, 2014
10:00 a.m.

Safety Committee: Present: Zone, Chair; Conwell, Vice Chair; Dow, Keane, Polensek. *Authorized Absence:* Cimperman, K. Johnson.

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