

The City Record

Official Publication of the Council of the City of Cleveland



January the Eighteenth, Two Thousand and Seventeen

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 Kerry McCormack
- 4 Kenneth L. Johnson
- 5 Phyllis E. Cleveland
- 6 Mamie J. Mitchell
- 7 TJ Dow
- 8 Michael D. Polensek
- 9 Kevin Conwell
- 10 Jeffrey D. Johnson
- 11 Dona Brady
- 12 Anthony Brancatelli
- 13 Kevin J. Kelley
- 14 Brian J. Cummins
- 15 Matthew Zone
- 16 Brian Kazy
- 17 Martin J. Keane

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Containing	PAGE
City Council	3
The Calendar	3
Board of Control	4
Civil Service	7
Board of Zoning Appeals	8
Board of Building Standards and Building Appeals	9
Public Notice	10
Public Hearings	11
City of Cleveland Bids	11
Adopted Resolutions and Ordinances	12
Committee Meetings	15
Index	15



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	Kerry McCormack	1429 West 38th Street	44113
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44105
6	Mamie J. Mitchell	12701 Shaker Boulevard, #712	44120
7	TJ Dow	7715 Decker Avenue	44103
8	Michael D. Polensek	17855 Brian Avenue	44119
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Jeffrey D. Johnson	9024 Parkgate Avenue	44108
11	Dona Brady	1272 West Boulevard	44102
12	Anthony Brancatelli	6924 Ottawa Road	44105
13	Kevin J. Kelley	5904 Parkridge Avenue	44144
14	Brian J. Cummins	3104 Mapledale Avenue	44109
15	Matthew Zone	1228 West 69th Street	44102
16	Brian Kazy	4300 West 143rd Street	44135
17	Martin J. Keane	15907 Colletta Lane	44111

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

MAYOR – Frank G. Jackson

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

OFFICE OF CAPITAL PROJECTS – Matthew L. Spronz, Director

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

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

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

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

Natasha Brandt, Manager, Internal Audit

DIVISIONS:
 Accounts – Lonya Moss Walker, Commissioner, Room 19
 Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122
 City Treasury – James Hartley, Interim Treasurer, Room 115
 Financial Reporting and Control – James Gentile, Controller, Room 18
 Information Technology and Services – Douglas Divish, Commissioner, 205 W. St. Clair Avenue

Purchases and Supplies – Tiffany White, Commissioner, Room 128
 Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue
 Taxation – Nassim Lynch, Tax Administrator, 205 W. St. Clair Avenue

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

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

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

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

DEPT. OF PUBLIC WORKS – Michael Cox, Director

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

DIVISIONS:
 Motor Vehicle Maintenance – Jeffrey Brown, Commissioner
 Park Maintenance and Properties – Richard L. Silva, Commissioner
 Parking Facilities – Kim Johnson, Interim Commissioner
 Property Management – Tom Nagle, Commissioner
 Recreation – Samuel Gissentaner, Interim Commissioner
 Streets – Frank D. Williams, Interim Commissioner
 Traffic Engineering – Robert Mavec, Commissioner
 Waste Collection and Disposal – Randell T. Scott, Interim Commissioner

DEPT. OF PUBLIC HEALTH – Merle Gordon, Director, 75 Erieview Plaza

DIVISIONS:
 Air Quality – David Heame, Interim Commissioner
 Environment – Brian Kimball, Commissioner, 75 Erieview Plaza
 Health – Persis Sosiak, Commissioner, 75 Erieview Plaza

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

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

DEPT. OF COMMUNITY DEVELOPMENT – Michael Cosgrove, Acting Director

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

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

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

DEPT. OF HUMAN RESOURCES – Nycole West, Director, Room 121

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

DEPT. OF AGING – Mary McNamara, 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, Joan Shaver Washington, Tim Donovan, Elizabeth Kukla, Secretary.

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

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

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

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Barbara A. Langhenry; Public Utilities Director Robert L. Davis; Council President Kevin J. Kelley.

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

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

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

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

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

CLEVELAND LANDMARKS COMMISSION – Room 519 – Julie Trott, Chair; Giancarlo Calicchia, Vice Chair; Laura M. Bala, Freddy L. Collier, Jr., Allan Dreyer, Council Member Terrell H. Pruitt, Robert Strickland, Donald Petit, 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 15C
 Judge Marilyn B. Cassidy – Courtroom 13A
 Judge Janet Rath Colaluca – Courtroom 12B
 Judge Michelle Denise Earley – Courtroom 14C
 Judge Emanuella Groves – Courtroom 14B
 Judge Jimmy L. Jackson, Jr. – Courtroom 12A
 Judge Lauren C. Moore – Courtroom 14A
 Judge Charles L. Patton, Jr. – Courtroom 13D
 Judge Raymond L. Pianka (Housing Court Judge) – Courtroom 13B
 Judge Michael R. Sliwinski – Courtroom 13C
 Judge Suzan Marie Sweeney – Courtroom 12C
 Judge Joseph J. Zone – Courtroom 14D

Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Robert J. Furda – Chief Bailiff; Dean Jenkins – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate.

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71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

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CITY COUNCIL

MONDAY, JANUARY 16, 2017

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216 City Hall

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

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

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

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

Section 1. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving the Marion Motley Park, including but not limited to site improvements and appurtenances to implement a motorcross sports and mountain bike program (the "Improvement"), for the Department of Public Works, by one or more design-build or engineer-procure-construct contracts duly let to the person, firm, or corporation or combination of them submitting the best proposal, taking into consideration the engineering and design, the construction method, the proposed design and construction costs, the total life-cycle costs, the qualifications of the proposed design professional and construction firm, and the other objectives of the Improvement.

The selection of the person, firm, or corporation to design and construct the Improvement shall be made by the Board of Control on the nomination of the Director of Public Works or Capital Projects, as appropriate from a list of qualified and available persons, firms, or corporations, as may be determined by the Director of Public Works or Capital Projects, as appropriate, after making a full and complete canvass for the purpose of compiling the list. The Board of Control shall fix the total compensation to be paid for all design and construction and procurement necessary for the Improvement. The contract or contracts shall be prepared by the Director of Law, approved by the Director of Public Works or Capital Projects, as appropriate, and certified by the Director of Finance.

Section 1a. That the Director of Public Works or Capital Projects, as appropriate, is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide environmental, engineering, geotechnical services, construction inspection services, and other related professional consulting services needed for the Improvement.

The selection of the consultant or consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Works or Capital Projects, as appropriate, from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Public Works or Capital Projects, as appropriate, for the purpose

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2015-2017

MONDAY — Alternating

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

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

MONDAY

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

TUESDAY

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

TUESDAY — Alternating

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

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

WEDNESDAY — Alternating

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

Ord. No. 808-16.
By Council Members K. Johnson, Brancatelli and Kelley (by departmental request).

An emergency ordinance determining the method of making the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving the Marion Motley Park to implement a motorcross sports and mountain bike program, including but not limited to site improvements and appurtenances; authorizing the Director of Public Works or Capital Projects, as appropriate, to enter into one or more contracts to make the improvement and authorizing standard and requirement contracts; authorizing one or more management agreements for the maintenance, operation, and management services of the program, for a period of five years with five one-year options to renew, exercisable by the Director of Public Works.

Whereas, the unique design, time, budgetary, or other material elements of this project can benefit from the special care, coordination, and expeditiousness possible by performance of both the professional design services and the construction under a design-build approach contract with a single entity; 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:

of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Public Works or Capital Projects, as appropriate, and certified by the Director of Finance.

Section 1b. That the Clerk of Council is authorized to enter into an agreement with a consultant to provide professional services necessary to monitor and report to the Council on the status of the Marion Motley Park project as described in this ordinance. The selection of the consultant shall be made by Cleveland City Council and the agreement shall not exceed \$50,000, payable from funds approved by the Director of Finance.

Section 2. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of Codified Ordinances of the City of Cleveland, the Director of Public Works or Capital Projects, as appropriate, is authorized to execute all documents and pay all fees necessary to acquire any real estate interests needed for the Improvement.

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

Section 4. That the Director of Public Works or Capital Projects, as appropriate is authorized to make one or more written standard purchase contracts and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of requirements to be determined by the director, for the necessary items of materials, equipment, supplies, and services necessary to construct the Improvement, including labor and materials if necessary, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Public Works or Capital Projects, as appropriate. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines.

Section 5. That the Director of Public Works or Capital Projects, as appropriate, is authorized to apply for and accept any gifts or grants for this purpose from any public or private entity; and that the Director is authorized to file all papers and execute all documents necessary to receive any gift or grant funds; and that the funds are appropriated for the purposes described in this ordinance.

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

Section 7. That, notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to

the contrary, the Director of Public Works is authorized to enter into one or more management agreements, or other such agreements as are appropriate for use with bonded property, on the basis of competitive proposals for the purpose of operating and managing a motorcross sport and mountain bike program and maintaining the park, for a period of five years with five one-year options to renew, exercisable by the Director of Public Works. The selection of the contractor shall be made by the Board of Control upon the nomination of the Director of Public Works. The agreements shall be prepared by the Director of Law and shall contain additional terms and conditions as the Director deems necessary to protect and benefit the public interest.

Section 8. That the costs of the requirement contract or contracts shall be paid from Fund Nos. 20 SF 516, 20 SF 523, 20 SF 535, 20 SF 538, 20 SF 544, 20 SF 552, 20 SF 558, 20 SF 561, 20 SF 565, 20 SF 572 and from the fund or funds to which are credited the proceeds from the sale future bonds, if issued for this purpose, and shall also be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance.

Section 9 That the cost of this ordinance shall be paid from Fund Nos. 20 SF 516, 20 SF 523, 20 SF 535, 20 SF 538, 20 SF 544, 20 SF 552, 20 SF 558, 20 SF 561, 20 SF 565, 20 SF 572, the fund or funds to which are credited the proceeds from the sale of future bonds, if issued for this purpose, from the fund or funds to which are credited any gift or grant received for this project and any other funds approved by the Director of Finance, RQS 0103, RL 2016-72.

Section 10. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

BOARD OF CONTROL

January 11, 2017

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, January 11, 2017 at 10:36 a.m. with Director Langhenry presiding.

Present: Directors Langhenry, Davis, Acting Director Flask, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors West, McNamara, and O'Leary.

Absent: Mayor Jackson and Director Dumas.

Others: Tiffany White Johnson, Commissioner, Purchases & Supplies.

Melissa Burrows, Director, Office of Equal Opportunity.

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

Resolution No. 7-17.

By Director Davis.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on September 21, 2016 for Automotive and Truck Parts/Service, for the Division of Water Pollution Control, Department of Public Utilities, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976, are rejected.

Yeas: Directors Langhenry, Davis, Acting Director Flask, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors McNamara, and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, and West.

Resolution No. 8-17.

By Director Davis.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Underwater Marine Contractors, Inc. for an estimated quantity of diving and underwater inspection services, all items, for the Division of Water, Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, with two one-year options to renew, received on November 2, 2016 under the authority of Ordinance No. 659-16, passed July 13, 2016, which on the basis of the estimated quantity would amount to \$657,290.00 (0%), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services necessary for the specified items.

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

Yeas: Directors Langhenry, Davis, Acting Director Flask, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors McNamara, and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and West.

Resolution No. 9-17.

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of The Goodyear Tire & Rubber Company, fka Wingfoot Commercial Tire Systems, LLC dba Goodyear Commercial Tire & Service Centers, for an estimated quantity of new and recapped tires, all items, for the Division of Motor Vehicle Maintenance, Department of Public Works, for a period of one year, beginning with the date of execution of a contract, with two one-year renewal options, received on November 3, 2016 under the authority of

Section No. 131.64 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$464,000.00 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a requirement contract for the goods and/or services specified.

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

Yeas: Directors Langhenry, Davis, Acting Director Flask, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors McNamara, and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and West.

Resolution No. 10-17.

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on October 27, 2016, for the maintenance and repair of generators and related components for the Division of Motor Vehicle Maintenance, Department of Public Works, under the authority of Section 131.64 of the Codified Ordinances of Cleveland, Ohio, 1976, are rejected.

Yeas: Directors Langhenry, Davis, Acting Director Flask, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors McNamara, and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and West.

Resolution No. 11-17.

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Liberty Tire Services of Ohio, LLC, for an estimated quantity of transfer and disposal of tires, Bid 2, Item 1, for the Division of Waste Collection and Disposal, Department of Public Works, for a period of two years, beginning with the date of execution of a contract, received on November 9, 2016 under the authority of Ordinance No. 1442-15, passed by City Council on December 7, 2015, which on the basis of the estimated quantity would amount to \$550,000.00 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a requirement contract for the goods and/or services specified.

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

Be it further resolved, by the Board of Control that the employment of the following subcontractor by Liberty Tire Services of Ohio, LLC is approved.

<u>Subcontractor</u>	<u>Percentage Amount</u>
Kolenz Transport, Inc.	0%
	\$132,000.00

Yeas: Directors Langhenry, Davis, Acting Director Flask, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors McNamara, and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and West.

Resolution No. 12-17.

By Acting Director Cosgrove.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 865-15, passed by the Council of the City of Cleveland on August 19, 2015, the Graddic Company is selected from a list of qualified firms determined after a full and complete canvass by the Director of Community Development as the firm to be employed by contract to perform the professional services to conduct Decent, Safe and Sanitary (DS&S) inspections for the HOME Program and Uniform Relocation Act (URA) Property Standards, for the Division of Administrative Services, Department of Community Development.

Be it further resolved that the Director of Community Development is authorized to enter into a written contract with the Graddic Company, based on its proposal dated December 2, 2016, for compensation not to exceed \$43,330.00. The agreement authorized hereby shall be prepared by the Director of Law and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Langhenry, Davis, Acting Director Flask, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors West, McNamara, and O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 13-17.

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. 006-07-027 located at 2082 West 73rd Street; and

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

Whereas, Detroit Shoreway Community Development Organization has proposed to the City to lease and develop the parcel as a community pocket park; and

Whereas, the following conditions exist:

1. The member of Council from Ward 15 has either approved the proposed lease or has not disapproved or requested a hold of the proposed lease within 45 days of notification of it;

2. The proposed lessee 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 a lease for a term of five (5) years, for and on behalf of the City of Cleveland, with Detroit Shoreway Community Development Organization for the lease and development of Permanent Parcel No. 006-07-027 located at 2082 West 73rd Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the lease of the parcel shall be \$5.00, which amount is determined to be not less than the fair rental value of the parcel for uses according to the Program.

Yeas: Directors Langhenry, Davis, Acting Director Flask, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors West, McNamara, and O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 14-17.

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. 115-28-058 located at 893 Stevenson Road; and

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

Whereas, Pamela Catney 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 8 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Pamela Catney for the sale and development of Permanent Parcel No. 115-28-058 located at 893 Stevenson Road, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel

shall be \$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, Davis, Acting Director Flask, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors West, McNamara, and O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 15-17.

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. 105-28-076 located at 1125 East 72nd Street; and

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

Whereas, Tanya T. Gardner 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 10 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Tanya T. Gardner for the sale and development of Permanent Parcel No. 105-28-076 located at 1125 East 72nd Street according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$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, Davis, Acting Director Flask, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors West, McNamara, and O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 16-17.

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. 131-26-033 located at 3480 Independence Road; and

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

Whereas, Denise M. Denham and Michael G. Denham have 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 either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

2. The proposed purchasers of the parcel are 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 Denise M. Denham and Michael G. Denham for the sale and development of Permanent Parcel No. 131-26-033 located at 3480 Independence Road, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$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, Davis, Acting Director Flask, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors West, McNamara, and O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 17-17.

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. 107-10-041 located at 1241 East 85th Street; and

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

Whereas, Catherine C. Swope-Blade 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 7 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Catherine C. Swope-Blade for the sale and development of Permanent Parcel No. 107-10-041 located at 1241 East 85th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$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, Davis, Acting Director Flask, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors West, McNamara, and O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 18-17.

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. 115-11-039 located at 940 East 150th Street; and

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

Whereas, Deborah D. Dennis and Michael A. Thompson have 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 10 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

2. The proposed purchasers of the parcel are 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 Deborah D. Dennis and Michael A. Thompson for the sale and development of Permanent Parcel No. 115-11-039 located at 940 East 150th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$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, Davis, Acting Director Flask, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors West, McNamara, and O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 19-17.

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. 107-10-050 located at 1211 East 85th Street; and

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

Whereas, Joyce Hockett 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 7 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Joyce Hockett for the sale and development of Permanent Parcel No. 107-10-050 located at 1211 East 85th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$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, Davis, Acting Director Flask, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors West, McNamara, and O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 20-17.

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. 116-15-024 located at 1373 East 170th Street; and

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

Whereas, Rachel R. Williams 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 10 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Rachel R. Williams for the sale and development of Permanent Parcel No. 116-15-024 located at 1373 East 170th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$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, Davis, Acting Director Flask, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors West, McNamara, and O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 21-17.

By Director West.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 407-16, passed by Cleveland City Council on April 18, 2016, CVS Caremark and EyeMed Vision Care are selected from a list of qualified carriers determined after a full and complete canvass by the Director of Human Resources as the carriers to be employed by separate contracts to supplement the regularly employed staff of the Department of Human Resources to perform the professional services necessary to

provide respectively, prescription and vision care coverage for City of Cleveland employees for a period of one (1) year with two (2) one-year options to re-new, exercisable by the Director.

Be it further resolved that the Director of Human Resources is authorized to enter into contract with each of the following listed firms based on their prior service for the professional services necessary to provide prescription and vision care coverage including, but not limited to, as applicable, group discount guarantees, monthly compilation and reimbursable payment of claims, calculation and evaluation of experience:

1. CVS Caremark, based on its December 14, 2015 proposal for prescription coverage pricing provided to the Health Action Council (HAC) for the years 2017 through 2019, for an amount not to exceed \$15,000,000.00 per year.

2. EyeMed Vision Care, based on its November 17, 2015 proposal, for the vision care coverage plan effective during the 2016 contract year, for the three-year period starting April 1, 2017, for an amount not to exceed \$375,000.00 per year.

Be it further resolved that each contract shall be prepared by the Director of Law, shall provide for the furnishing of professional services as described in the respective proposals, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Langhenry, Davis, Acting Director Flask, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors West, McNamara, and O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

Application blanks must be properly filled out on the official form prescribed by the Civil Service Commission and filed at the office of the commission not later than the final closing date 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, JANUARY 30, 2017

9:30 A.M.

Calendar No. 16-321: 1969 West 50th Street (Ward 3)

Eric Butler, owner, proposes to erect a 23' x 63' - 6" two story frame two-family residence and a rear 22' - 7" x 35' two story frame accessory garage and dwelling on second floor in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.02 which states that a three family residence is not a permitted use in a Two-Family district but first allowed in Multi-Family District (per section 337.08).

2. Section 337.23(a)(7)(A) which states that an accessory garage shall not exceed 690 square feet, proposing 5,280 square feet.

3. Section 355.04(a) which states that the required minimum lot area is 7,200 square feet where the appellant is proposing 5,280 square feet.

4. Section 357.06(a) which states that the Average line of existing building setback is 18'; and the appellant is proposing 14' - 4" for the main building.

5. Section 357.08(b)(1) which states that the required rear yard in Multi-Family district is half the height of main building. In this case 12 feet is required and 3' provided for the rear dwelling.

6. Section 357.09 (C) which states that the Required Interior Side yard is 8 feet and the appellant is proposing 4' - 8" for main building and 3' - 10" and 1' - 9" for rear building.

7. Section 357.13(b)(4) which states that Open front porches require 10 feet from front property line where the appellant is providing; 7' - 7". This section also states that Open porches shall not project more than 6 feet and the appellant is proposing 6' - 7".

8. Section 357.13 (c) which states that air conditioners and other uses are not permitted as Interior side yard encroachments.

9. Section 357.15(a) which states that a residence building erected in the rear yard of main building the distance between the buildings shall not be less than 40 feet and the appellant is proposing 26' - 6". (Filed December 19, 2016)

Calendar No. 16-322: 4444 East 153rd Street (Ward 1)

Gegauer Co., owner, proposes to install 580 linear feet of 7 foot tall fence (which is a 6 foot tall fence topped with one foot of barbed wire) in a B1 Semi-Industry District. The owner appeals for relief from the strict applications of the following sections of the Cleveland Codified Ordinances:

1. Section 358.05(a)(2) which states that a fence in the actual front yard (the entire lot area between a main building and the corresponding lot line) cannot exceed six feet in height.

2. Section 358.05(b)(2)(3) which states that a Barbed wire fence must be at least four feet from residential district line. Shrubs and trees must also be planted as a landscaped barrier in this four feet area. (Filed December 20, 2016)

**POSTPONED FROM
DECEMBER 12, 2016**

Calendar No. 16-269: 2011 West Boulevard (Ward 15)

Pascal Boutros, owner, proposes to renovate and change use of former school building to a 6 unit apartment in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.03 which states that a six unit apartment structure is not permitted in a two family residential district, first permitted in a multi-family residential district.

2. Section 359.01(a) which states that substitution of nonconforming use to other than a conforming use requires approval of the Board of Zoning Appeals. Use is not permitted indistinct as cited above, and building is nonconforming due to a lack of a required rear yard equal to the height of the building but in no case less than 20 feet per Zoning Code Section 357.08(b)(1). (Filed October 13, 2016 - No Testimony)

Second postponement made at the request of the appellant. First postponement made at the request of the councilman for further review.

**POSTPONED FROM
DECEMBER 19, 2016**

Calendar No. 16-274: 2469 Tremont Street Aka 2471 Tremont Street (Ward 3)

Civic Builders, owner, propose to erect a 1,900 square feet single family house on a 3,510 square foot lot in a B1 Two-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(a) which states that the minimum lot width allowed for a single family dwelling in a "B" area district is 40 feet and a 30 foot wide lot is proposed. This section also states that a minimum lot area of 4,800 square feet is required for a single family dwelling and a lot area of approximately 3,510 square feet is proposed.

2. Section 357.08 which states that in a Multi-Family District the depth of the required rear lot shall be not less than 20' and the proposed depth of rear lot is 9' - 5".

3. Section 357.09(b)(2)(A) which states that no building shall be erected less than ten feet from a main building on an adjoining lot. The proposed distance to adjacent residence is 18 inches.

4. Section 357.09(b)(2)(C) which states that in a Multi-Family District no interior side yard shall be less in width than one-fourth (1/4) the height of the main building on the premises nor less than eight (8) feet. Building mean height is approximately 30' - 8" thus no interior side yard shall be less than the

minimum 8' - 0" and a 1' - 6" side yard is proposed.

5. Section 341.02(b) which states that City Planning approval is required prior to the issuance of a building permit. (Filed October 19, 2016 - No Testimony)

First and second postponement made at the request of the appellant in order to allow for time to work with the Block Club.

**POSTPONED FROM
DECEMBER 19, 2016**

Calendar No. 16-294: 2330 East 30th Street (Ward 5)

CMHA, owner, proposes to erect an 8' x 3' - 11" and 8' tall single faced, illuminated identification message center ground sign in a C1 Multi-Family Residential District. The owner appeals for relief from Section 350.13 of the Cleveland Codified Ordinances which states that message center ground sign for a community facility in a Residential District requires Board of Zoning Appeals approval. (Filed November 9, 2016 - Testimony Taken)

First postponement made at the request of the Board in order to allow for the appellant to meet with design review.

**POSTPONED FROM
DECEMBER 19, 2016**

Calendar No. 16-297: 16419 St. Clair Avenue (Ward 8)

Recycle Midwest Inc., owner, proposes to establish use as outside storage of used materials in a C2 Semi-Industry District. The owner appeals for relief from the strict application of Section 345.03(c)(33) of the Cleveland Codified Ordinances which states that outside storage of used or salvaged materials is not permitted in a Semi Industry District. Outside storage of used materials is first permitted in a General Industry District, but only if surrounded by a seven foot high opaque fence or wall and only if 500 feet from a residence district per Section 345.04(a)(1)(C)(3). Premises are not enclosed with seven foot high opaque fence, and are within 500 feet of residence districts to the South and West. (Filed November 17, 2016 - No Testimony)

First postponement made at the request of the appellant in order to give time for the appellant to meet with the Councilman.

**POSTPONED FROM
JANUARY 3, 2017**

Calendar No. 16-299: 3182-3184 West 14th Street (Ward 12)

Thomas Stewart, owner, proposes to build a 1,294 square foot two story, approximately 23' - 9" tall, wood frame garage with second floor storage on an 8,250 square foot lot in a D2 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 335.05 which states that in Residence Districts an accessory building shall not exceed fifteen (15) feet in height, or the distance from the accessory building to a main building or potential location of a main building on adjoining premises in a Residence District, whichever is less. Proposed garage mean height is 20' - 9".

2. Section 337.23(a)(6)(A) which states that in a Dwelling House District the floor area of a private garage erected as an accessory building shall not exceed six hundred fifty (650) square feet unless the lot area exceeds four thousand eight hundred (4,899) square feet in which event the floor area may be increased in the ratio of one (1) square foot for each twelve (12) square feet of additional lot area. Accessory use permitted 937.5 square feet and 1,294 square feet are proposed. (Filed November 22, 2016 - No Testimony)

First postponement made at the request of Matt Moss from the Development Corporation to allow time for a community meeting.

REPORT OF THE BOARD OF ZONING APPEALS

TUESDAY, JANUARY 17, 2017

At the meeting of the Board of Zoning Appeals on Tuesday, January 17, 2016 the following appeals were scheduled for hearing before the Board and;

The following appeals were **APPROVED**:

Calendar No. 16-279: 10818 Bernard Avenue

Ramdatt Sarran, owner, proposes to erect approximately 60 linear feet of 6 foot high fence and 43 linear feet of 4 foot height fence in a B1 Two-Family Residential District.

Calendar No. 16-310: 3870 West 25th Street

Bassell Lahoud, owner, proposes to establish use as a Motor Vehicle Service Garage in a C2 Local Retail Business District.

Calendar No. 16-313: 4383 West 155th Street

John Lobin, owner, proposes to erect 14' x 20' addition to existing 20' x 20' accessory garage in an A1 One Family Residential District.

The following appeals were **DENIED**:

None.

The following appeals were **WITHDRAWN**:

Calendar No. 16-271: The Kronenberger Company
4856 Broadview Road.

Calendar No. 16-307: Ron Williams
3805 John Avenue.

The following appeals were **DISMISSED**:

None.

The following cases were **POSTPONED**:

Calendar No. 16-311: Old Brooklyn Investment
4899 Pearl Road. Postponed to February 27, 2017.

Calendar No. 16-312: Andrew Pierson
1827 West 38th Street. Postponed to February 13, 2017.

The following cases were heard by the Board of Zoning Appeals on Monday, January 9, 2016 and the decisions are adopted and approved on Tuesday, January 17, 2016:

The following appeals were **APPROVED**:

Calendar No. 16-301: 7306 Detroit Avenue

7306 Company LLC., owner, proposes to construct a parking lot in a K2 Local Retail Business District and a Pedestrian Retail Overlay District (PRO).

Calendar No. 16-304: 1810 West 48th Street

Harstone Electric proposes to erect a 22' x 44' - 2" two story frame single family residence with detached garage in a B1 Two Family Residential District on a City of Cleveland Land Bank lot.

Calendar No. 16-305: 1702 West 28th Street

Kirt Montlack, owner, proposes to change use from office and apartment to 31 apartment units in C2 Local Retail Zoning District.

The following case was heard by the Board of Zoning Appeals on Tuesday, January 3, 2016 and the decision was adopted and approved on Tuesday, January 17, 2016:

The following appeal was **APPROVED**:

Calendar No. 16-303: 11604-11636 Clifton Boulevard

Carnegie Co. Inc., owner, proposes to erect a multi-tenant retail development consisting of two, one story buildings (7,129 square feet and 23,597 square feet) containing retail sales, restaurant, and food market and a 139 space parking lot.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of
December 14, 2016

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-194-16.

RE: Appeal of Willie E. Cater C/O Robin Cater P.O.A., Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property, located on the premises known as 4134 East 154th Street from a NOTICE OF VIOLATION — HAZARDOUS CONDITIONS, dated September 29, 2016, and from a VACATE ORDER, dated September 30, 2016 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 and find that the Vacate Order was issued properly; 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, Bradley, Maschke. Nays: None. Absent: Messrs. Gallagher, Saab.

* * *

Docket A-200-16.

RE: Appeal of Barbara Sinclair, Owner of the One Dwelling Unit Single-Family Residence One Story Frame Property, located on the premises known as 4264 East 175th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated September 29, 2016 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 Appellant's request for additional time and to REMAND the property to the Department of Building and Housing for supervision and any required further action, noting that the Appellant will need financial assistance before anything can happen. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

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

* * *

Docket A-210-16.

RE: Appeal of Eileen Ables C/O Dewey Beard, Owner of the One Dwelling Unit Single-Family Residence One & One-half Story Frame Property, located on the premises known as 3730 West 128th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated September 29, 2016 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 until June 1, 2017 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, Bradley, Maschke. Nays: None. Absent: Messrs. Gallagher, Saab.

* * *

Docket A-212-16.

RE: Appeal of Trinity Cathedral, Owner of the Property, located on the premises known as 2230 Euclid Avenue from an ADJUDICATION

ORDER, dated October 12, 2016 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).

No action.

* * *

Docket A-213-16.

RE: Appeal of Tina Louise Castro C/O Marcella Abuali, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property, located on the premises known as 6013 Wakefield Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated October 18, 2016 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 until June 1, 2017 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, Bradley, Maschke. Nays: None. Absent: Messrs. Gallagher, Saab.

* * *

Docket A-214-16.

RE: Appeal of Heidi Kilbane, Owner of the One Dwelling Unit Single-Family Residence One & One-half Story Frame Property, located on the premises known as 3528 West 126th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated October 5, 2016 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 until June 1, 2017 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, Bradley, Maschke. Nays: None. Absent: Messrs. Gallagher, Saab.

* * *

Docket A-215-16.

RE: Appeal of George Caraman, Owner of the One Dwelling Unit Single-Family Residence One & One-half Story Frame Property, located on the premises known as 3218 West 50th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated October 6, 2016 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 Appellant's appeal request for additional time, based upon photographic evidence of the hazardous conditions, neglect, and lack of progress, and noting that the Appellant was not present for the hearing; 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, Bradley, Maschke. Nays: None. Absent: Messrs. Gallagher, Saab.

* * *

Docket A-216-16.

RE: Appeal of Avelo Mortgage, LLC, Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property, located on the premises known as 9613 Stroughton Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE & GARAGE, dated September 12, 2016 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 violations are valid based upon the photographic evidence, and that based upon the testimony presented by the Appellant and the City that Avelo Mortgage, LLC is not the responsible party; 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, Bradley, Maschke. Nays: None. Absent: Messrs. Gallagher, Saab.

* * *

EXTENSION OF TIME:

Docket A-154-16.

Joseph W. Lieber/2020 Capital LLC - 3255 West 115th Street:

A motion is in order at this time to grant the Appellant until March 1, 2017 to submit a plan to the Building Department and obtain all required permits; 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, Bradley, Maschke. Nays: None. Absent: Messrs. Gallagher, Saab.

* * *

Docket A-189-16.

Hitham Najjar - 4450 Puritas Avenue (aka 4450 Rocky River Drive):

A motion is in order at this time to grant the Appellant until March 1, 2017 to clean up and straighten up the exterior of the building and it presentable, and to submit plans the Building Department and obtain

all required permits; 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, Bradley, Maschke. Nays: None. Absent: Messrs. Gallagher, Saab.

* * *

APPROVAL OF RESOLUTIONS:

Separate motions were entered by Mr. Maschke and seconded by Mr. Bradley 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-193-16 — Anthony Kushlak
- A-203-16 — Derick Williams
- A-204-16 — Christine Blevins
- A-206-16 — Marvin Alvarez
- A-207-16 — Richard Strunk
- A-208-16 — Timothy Blake
- A-209-16 — Grover Poindexter
- A-217-16 — Jude Darby

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

* * *

APPROVAL OF MINUTES:

Separate motions were entered by Mr. Gallagher and seconded by Mr. Bradley 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):

December 14, 2016

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

* * *

JOSEPH F. DENK
Chairman

PUBLIC NOTICE

REQUEST FOR PROPOSALS

This Request for Proposals (RFP) is an invitation to vendors to offer proposals for the salvaging of vehicles for the City of Cleveland, Department of Public Safety, Division of Police.

Submission deadline is Friday, February 10, 2017, by 3:00 pm. There will be an optional pre-proposal conference on Friday, January 27, 2017, at 2:00 pm, at Cleveland City Hall, in Room 230, 601 Lakeside Avenue, Cleveland, Ohio.

To get the RFP and for more information, contact Sgt. Keith Larson, 216-623-5066, klarson@city.cleveland.oh.us.

January 18, 2017, January 25, 2017, February 1, 2017, February 8, 2017.

NOTICE OF PUBLIC HEARING**Notice of Public Hearing
By the Council Committee
On Development, Planning
and Sustainability**

**Mercedes Cotner
Committee Room 217
City Hall, Cleveland, Ohio
On Tuesday, January 31, 2017
9:30 a.m.**

Notice is hereby given to all interested property owners that the Council Committee on Development, Planning and Sustainability will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Tuesday, January 31, 2017, at 9:30 a.m., to consider the following ordinances now pending in the Council:

Ord. No. 1446-16.

By Council Member Mitchell.

An ordinance establishing a Planned Unit Development (PUD) for the Legacy Pointe at St. Luke's housing development between E. 110th Street and E. 115th Street north of MLK Jr. Drive and south of Woodland Ave and designating Britt Oval as an Open Space Recreation district as shown on the attached map (Map Change No. 2552).

Anthony Brancatelli, Chair
Committee on Development,
Planning and Sustainability

January 18, 2017 and January 25, 2017

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."

WEDNESDAY, FEBRUARY 1, 2017

File No. 1-17 — Purchase of Transformers and Accessories, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, JANUARY 20, 2017 AT 11:00 A.M. CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CONFERENCE ROOM A, CLEVELAND, OH 44114.

File No. 3-17 — Hand Held Tools, for the Division of Purchases and Supplies, Department of Finance, as authorized by Ordinance No. 1222-14, passed by the Council of the City of Cleveland, September 29, 2014.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, JANUARY 20, 2017 AT 10:30 A.M. CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, CONFERENCE ROOM 18, CLEVELAND, OH 44114.

January 11, 2017 and January 18, 2017

WEDNESDAY, FEBRUARY 8, 2017

File No. 2-17 — Purchase of Promotional Items, for the Division of Water, Department of Public Utilities, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, THURSDAY, JANUARY 19, 2017 AT 2:30 P.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, 2ND FLOOR ATRIUM CONFERENCE ROOM, CLEVELAND, OH 44114.

January 11, 2017 and January 18, 2017

WEDNESDAY, FEBRUARY 8, 2017

File No. 4-17 — Repairing or Replacing Roofs or Roof Systems, for various Divisions of the Department of Port Control, as authorized by Ordinance No. 1196-16, passed by the Council of the City of Cleveland, November 21, 2016.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, JANUARY 27, 2017 AT 10:00 A.M. CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OH 44135.

January 18, 2017 and January 25, 2017

FRIDAY, FEBRUARY 10, 2017

File No. 7-17 — Sodium Hypochlorite Solution, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, JANUARY 27, 2017 AT 9:30 A.M. THE CARL B. STOKES UTILITIES BUILDING, 4TH FLOOR SOUTH CONFERENCE ROOM, 1201 LAKESIDE AVENUE, CLEVELAND, OH 44114.

January 18, 2017 and January 25, 2017

WEDNESDAY, FEBRUARY 15, 2017

File No. 5-17 — New City of Cleveland Kennel, for the Division of Architecture and Site Development, Department of Capital Projects, as authorized by Ordinance No. 246-15, passed by the Council of the City of Cleveland, April 13, 2015.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, THURSDAY, JANUARY 26, 2017 AT 2:00 P.M. CLEVELAND CITY HALL, ROOM 514, 601 LAKESIDE AVENUE, CLEVELAND, OH 44114.

January 18, 2017 and January 25, 2017

THURSDAY, FEBRUARY 16, 2017

File No. 6-17 — Fire Station Number One Mechanical and General Improvement, for the Division of Architecture and Site Development, Department of Capital Projects, as authorized by Ordinance No. 734-14, passed by the Council of the City of Cleveland, June 9, 2014.

THERE WILL BE A NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR 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, JANUARY 26, 2017 AT 10:00 A.M. CLEVELAND CITY HALL, ROOM 517A, 601 LAKESIDE AVENUE, CLEVELAND, OH 44114.

January 18, 2017 and January 25, 2017

FRIDAY, FEBRUARY 17, 2017

File No. 8-17 — Phase 2 AMR Deployment, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 655-16, passed by the Council of the City of Cleveland, July 13, 2016.

THERE WILL BE A NO FEE FOR PLANS AND SPECIFICATIONS. THERE WILL BE A NON-MANDATORY PRE-BID MEETING, THURSDAY, JANUARY 26, 2017

AT 10:00 A.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, MAIN AUDITORIUM, 1201 LAKESIDE AVENUE, CLEVELAND, OH 44114.

January 18, 2017 and January 25, 2017

**ADOPTED RESOLUTIONS
AND ORDINANCES**

Res. No. 30-17.

By Council Member Brancatelli.

An emergency resolution withdrawing objection to the transfer of ownership of a D2, D2X, D3, D3A and D6 Liquor Permit at 1104 Rowley Avenue, 1st floor and basement and repealing Resolution No. 1180-16 objecting to said permit.

Whereas, this Council objected to a transfer of ownership of a D2, D2X, D3, D3A and D6 Liquor Permit to R Jay Enterprises, LLC, DBA Rowley Inn, 1104 Rowley Avenue, 1st floor and basement, Cleveland, Ohio 44109, Permanent Number 7148728 by Resolution No. 1180-16 adopted by the Council on October 3, 2016; and

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

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

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

Section 1. That objection to the transfer of ownership of a D2, D2X, D3, D3A and D6 Liquor Permit to R Jay Enterprises, LLC, DBA Rowley Inn, 1104 Rowley Avenue, 1st floor and basement, Cleveland, Ohio 44109, Permanent Number 7148728, be and the same is hereby withdrawn and Resolution No. 1180-16, 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.

Adopted January 9, 2017.

Effective January 11, 2017.

Res. No. 31-17.

By Council Member McCormack.

An emergency resolution objecting to the transfer of location of a C2 Liquor Permit to 3153 West 73rd Street.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of location of a C2 Liquor Permit from R & Bee, Inc., DBA Rons Mini Mart, 4382 West 130th Street, Cleveland, Ohio 44135, Permanent Number 7148574 to Fiar, Inc., 3153 West 73rd Street, Cleveland, Ohio 44102, Permanent Number 2705361; 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 location of a C2 and C2X Liquor Permit from R & Bee, Inc., DBA Rons Mini Mart, 4382 West 130th Street, Cleveland, Ohio 44135, Permanent Number 7148574 to Fiar, Inc., 3153 West 73rd Street, Cleveland, Ohio 44102, Permanent Number 2705361; 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 January 9, 2017.

Effective January 11, 2017.

Res. No. 32-17.

By Council Member Kazy.

An emergency resolution objecting to the transfer of stock of a D2,

D2X, D3 and D6 Liquor Permit to 3670 West 130th Street, 1st floor only.

Whereas, Council has been notified by the Division of Liquor Control of an application for a transfer of stock of a D2, D2X, D3 and D6 Liquor Permit at RG Max Enterprises, LLC, 3670 West 130th Street, 1st floor only, Cleveland, Ohio 44111, Permanent Number 7146940; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a transfer of stock of a D2, D2X, D3 and D6 Liquor Permit at RG Max Enterprises, LLC, 3670 West 130th Street, 1st floor only, Cleveland, Ohio 44111, Permanent Number 7146940, 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 January 9, 2017.

Effective January 11, 2017.

Res. No. 33-17.**By Council Member Kazy.****An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 4677 West 130th Street, S/End.**

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Nishkam One, Inc., DBA The Pantry, 4677 West 130th Street, S/End, Cleveland, Ohio 44135, Permanent Number 6430483 to Aulakh Corporation, 4677 West 130th Street, S/End, Cleveland, Ohio 44135, Permanent Number 0335525; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from Nishkam One, Inc., DBA The Pantry, 4677 West 130th Street, S/End, Cleveland, Ohio 44135, Permanent Number 6430483 to Aulakh Corporation, 4677 West 130th Street, S/End, Cleveland, Ohio 44135, Permanent Number 0335525; 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 January 9, 2017.

Effective January 11, 2017.

Res. No. 34-17.**By Council Member Brady.****An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 11121 Western Avenue, 1st floor & basement.**

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Kickstand Smit-tys Saloon, Inc., 11121 Western Avenue, 1st floor and basement, Cleveland, Ohio 44111, Permanent Number 4622081 to Janet Jeffrey, DBA Cruise Inn, 11121 Western Avenue, 1st floor and basement, Cleveland, Ohio 44111, Permanent Number 4236476; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from Kickstand Smit-tys Saloon, Inc., 11121 Western Avenue, 1st floor and basement, Cleveland, Ohio 44111, Permanent Number 4622081 to Janet Jeffrey, DBA Cruise Inn, 11121 Western Avenue, 1st floor and basement, Cleveland, Ohio 44111, Permanent Number 4236476; 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 January 9, 2017.

Effective January 11, 2017.

Res. No. 38-17.**By Council Member Kelley.****An emergency resolution urging Giant Eagle not to close two local stores and a Get-Go gas station in Cleveland, and to work with the City of Cleveland to retain these stores in order to preserve access to fresh foods and pharmacy services for east and west side residents.**

Whereas, the City of Cleveland has been a partner with Giant Eagle over the years, working towards the development of new grocery stores and Get-Go gas stations within the City limits; and

Whereas, the recently announced closing in February of two stores located at East 116th Street and Buckeye Road and 140th Street and Lorain Avenue, and a Get-Go gas station leaves only two Giant Eagle stores left in a community of nearly 400,000 people, and marks the end of Giant Eagle on the east side of Cleveland; and

Whereas, these stores provide access to fresh foods and pharmacy service for Cleveland residents, many of who are elderly and rely on public transportation; and

Whereas, the impending closing of three locations, puts 120 workers at risk of losing their jobs; and

Whereas, the closing of pharmacies in mid-January leaves little time for customers to transfer prescriptions, placing a hardship especially on our seniors and those with disabilities; and

Whereas, if these Giant Eagle stores close, the remaining lease terms may prevent other grocery stores from leasing at these locations, leaving vacant stores that negatively influence our community and affect other leases for nearby retail; and

Whereas, this Council urges Giant Eagle not to close these local stores, and to discuss ways the City of Cleveland may help retain them; 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 Giant Eagle not to close two local stores and a Get-Go gas station in Cleveland, and to work with the City of Cleveland to retain these

stores in order to preserve access to fresh foods and pharmacy services for east and west side residents.

Section 2. That the Clerk of Council is directed to transmit copies of this resolution to Laura Karet, Chief Executive Officer, Giant Eagle and Mayor Frank G. Jackson.

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

Adopted January 9, 2017.
Effective January 11, 2017.

Ord. No. 1448-16.

By Council Member Kelley.

An emergency ordinance authorizing the Clerk of Council to enter into an agreement with On Technology Partners for the professional services necessary to advise and assist in the maintenance and performance of computer technology projects and to provide specific computer technology services for Cleveland City Council.

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

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

Section 1. That the Clerk of Council ("Clerk") is authorized to enter into an agreement with On Technology Partners ("Consultant"), for the professional services necessary to advise and assist in the maintenance and performance of computer technology projects and to provide specific computer technology services to assist with specific projects as set forth in the agreement. This agreement shall be entered into as of January 1, 2017 and shall be for a term of one year, concluding December 31, 2017. The cost of all services under this agreement shall not exceed \$80,000 and shall be paid for from fund 11-006 and/or 21-006.

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

Passed January 9, 2017.
Effective January 11, 2017.

Ord. No. 1449-16.

By Council Member Kelley.

An emergency ordinance authorizing the Clerk of Council to enter into an agreement with The Project Group for professional assistance in investigating utility-related matters pertaining to the Divisions of Cleveland Public Power, Water and Water Pollution Control for Cleveland City Council.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of

a municipal department; now, therefore,

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

Section 1. That the Clerk of Council is authorized to enter into an agreement with the Project Group for professional assistance in investigating utility-related matters pertaining to the Divisions of Cleveland Public Power, Water and Water Pollution Control for Cleveland City Council. This agreement shall be entered into as of January 1, 2017 and shall be for a term of one year, concluding December 31, 2017. The agreement shall be certified in an amount not to exceed \$200,000.00 from fund 52-001, 54-001 and/or 58-001 and such other funds as may be deemed appropriate by the Director of Finance.

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

Passed January 9, 2017.
Effective January 11, 2017.

Ord. No. 1450-16.

By Council Member Kelley.

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

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

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

Section 1. That the Clerk of Council is authorized to enter into an agreement with The Batchelder Company for professional lobbying services for Cleveland City Council. This agreement shall be for a term of one year beginning January 1, 2017 and ending December 31, 2017, and shall be certified in an amount not to exceed \$48,000 from fund 01, dept. 0101 subfund 001 object code 6320 by the Director of Finance.

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

Passed January 9, 2017.
Effective January 11, 2017.

Ord. No. 1451-16.

By Council Member Kelley.

An emergency ordinance authorizing the Clerk of Council to enter into an agreement with Guy Gadowski, CPA to provide professional financial consulting and auditing services necessary for Cleveland City Council.

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

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

Section 1. That the Clerk of Council is authorized to enter into an agreement with Guy Gadowski, CPA to provide professional financial consulting and auditing services necessary for Cleveland City Council, including but not limited to, analysis of the Mayor's Estimate, preparation and presentation of the Council budget retreat, and briefings to the Council President, and any other financial advisory services as directed by the Clerk or her designee. This agreement shall be entered into as of January 1, 2017 and shall be for a term of one year, concluding December 31, 2017.

The agreement shall be certified in an amount not to exceed \$50,000.00 from fund 01, dept. 0101 subfund 001 object code 6320.

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

Passed January 9, 2017.
Effective January 11, 2017.

Ord. No. 1473-16.

By Council Member Kelley.

An emergency ordinance authorizing the Council President to enter into an agreement with Cobalt Group, Inc. to provide professional services regarding Cleveland City Council operations and staff development.

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

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

Section 1. That the Council President is authorized to enter into an agreement with Cobalt Group, Inc. ("Consultant") to provide professional services regarding Cleveland City Council operations and staff development, including the services set forth in Consultant's Statement of Work, as directed by the Clerk of Council or her designee. This agreement shall be entered into as of January 1, 2017 and shall be for a term of one year, concluding December 31, 2017.

The agreement shall be certified in an amount not to exceed \$66,000.00 from fund 01, dept. 0101, subfund 001, and object code 6320.

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

Passed January 9, 2017.
Effective January 11, 2017.

**Ord. No. 1474-16.
By Council Member Kelley.
An emergency ordinance authorizing the Clerk of Council to enter into an agreement with Mita Marketing LLC for the professional services necessary to assist Cleveland City Council with communications and public relations.**

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

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

Section 1. That the Clerk of Council is authorized to enter into an agreement with Mita Marketing LLC for the professional services necessary to assist Cleveland City Council with communications and public relations, for a one year period beginning January 1, 2017 and concluding December 31, 2017.

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

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

Passed January 9, 2017.
Effective January 11, 2017.

**Ord. No. 20-17.
By Council Member Kelley.
An emergency ordinance repealing Ordinance No. 1011-16, passed September 12, 2016.**

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 Ordinance No. 1011-16, passed September 12, 2016, is repealed.

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

Passed January 9, 2017.
Effective January 11, 2017.

COUNCIL COMMITTEE MEETINGS

**Tuesday January 17, 2017
9:30 a.m.**

Development, Planning and Sustainability Committee: Present: Brancatelli, Chair; Cleveland, Vice Chair; Cummins, Dow, McCormack. *Authorized Absence:* Pruitt, Zone.

Index

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

Agreements

Authorizing the Clerk of Council to enter into an agreement with Guy Gadomski, CPA to provide professional financial consulting and auditing services necessary for Cleveland City Council. (O 1451-16) **56**
Authorizing the Clerk of Council to enter into an agreement with Mita Marketing LLC for the professional services necessary to assist Cleveland City Council with communications and public relations. (O 1474-16) **57**
Authorizing the Clerk of Council to enter into an agreement with On Technology Partners for the professional services necessary to advise and assist in the maintenance and performance of computer technology projects and to provide specific computer technology services for Cleveland City Council. (O 1448-16)..... **56**
Authorizing the Clerk of Council to enter into an agreement with The Batchelder Company for professional lobbying services for Cleveland City Council. (O 1450-16) **56**
Authorizing the Clerk of Council to enter into an agreement with The Project Group for professional assistance in investigating utility related matters pertaining to the Divisions of Cleveland Public Power, Water and Water Pollution Control for Cleveland City Council. (O 1449-16) **56**
Authorizing the Council President to enter into an agreement with Cobalt Group, Inc. to provide professional services regarding Cleveland City Council operations and staff development. (O 1473-16) **56**

Board of Building Standards and Building Appeals

East 154th Street, 4134 (Ward 1) — Willie E. Cater c/o Robin Cater P.O.A., owner — appeal resolved on 1/11/17 (Doc. A-194-16) 51
East 175th Street, 4246 (Ward 1) — Barbara Sinclair, owner — appeal resolved on 1/11/17 (Doc. A-200-16) 51
Euclid Avenue, 2230 (Ward 5) — Trinity Cathedral, owner — no action on 1/11/17 (Doc. A-212-16) 51
Glendale Avenue, 15110 (Ward 1) — Grover Poindexter (Deceased) c/o Loretta Poindexter, owner — appeal adopted on 1/11/17 (Doc. A-209-16) 52
Holborn Avenue, 12406 (Ward 4) — Jude Darby, owner — appeal adopted on 1/11/17 (Doc. A-217-16) 52
Puritas Avenue, 4450 (a.k.a. 4450 Rocky River Drive) (Ward 17) — Hitham Najjar, owner — extension of time granted on 1/11/17 (Doc. A-189-16) 52
Stroughton Avenue, 9613 (Ward 4) — Avelo Mortgage, LLC, owner — appeal resolved on 1/11/17 (Doc. A-216-16) 52
Treadway Avenue, 1714 (Ward 12) — Anthony Kushlak, owner — appeal adopted on 1/11/17 (Doc. A-193-16) 52
Wade Park Avenue, 7011 (Ward 7) — Timothy Blake, owner — appeal adopted on 1/11/17 (Doc. A-208-16) 52

Wakefield Avenue, 6013 (Ward 15) — Tina Louise Castro c/o Marcella Abuali, owner — appeal resolved on 1/11/17 (Doc. A-213-16) 52

West 115th Street, 3255 (Ward 11) — Joseph W. Lieber/2020 Capital LLC, owner — extension of time granted on 1/11/17 (Doc. A-154-16) 52

West 126th Street, 3528 (Ward 11) — Heidi Kilbane, owner — appeal resolved on 1/11/17 (Doc. A-214-16) 52

West 128th Street, 3730 (Ward 11) — Eileen Ables c/o Dewey Beaird, owner — appeal resolved on 1/11/17 (Doc. A-210-16)..... 51

West 140th Street, 4190 (Ward 16) — Richard Strunk, owner — appeal adopted on 1/11/17 (Doc. A-207-16) 52

West 44th Street, 3456 (Ward 14) — Derick Williams, owner — appeal adopted on 1/11/17 (Doc. A-203-16) 52

West 50th Street, 3218 (Ward 14) — George Caraman, owner — appeal resolved on 1/11/17 (Doc. A-215-16) 52

West 54th Street, 3163 (Ward 3) — Christine Blevins, owner — appeal adopted on 1/11/17 (Doc. A-204-16) 52

West 81st Street, 2111 (Ward 15) — Marvin Alvarez, owner — appeal adopted on 1/11/17 (Doc. A-206-16) 52

Board of Control — Administrative Services Division

Decent, Safe and Sanitary (DS&S) inspections for the HOME Program and Uniform Relocation Act (URA) Property Standards — per Ord. 865-15 to the Graddic Company — Dept. of Community Development (BOC Res. 12-17) 47

Board of Control — Community Development Department

Decent, Safe and Sanitary (DS&S) inspections for the HOME Program and Uniform Relocation Act (URA) Property Standards — per Ord. 865-15 to the Graddic Company — Division of Administrative Services (BOC Res. 12-17)..... 47

East 150th Street, 940 (Ward 10) — PPN 115-11-039 — Deborah D. Dennis and Michael A. Thompson (BOC Res. 18-17)..... 48

East 170th Street, 1373 (Ward 10) — PPN 116-15-027 — Rachel R. Williams (BOC Res. 20-17)..... 49

East 72nd Street, 1125 (Ward 10) — PPN 105-28-076 — Tanya T. Gardner (BOC Res. 15-17)..... 48

East 85th Street, 1211 (Ward 7) — PPN 107-10-050 — Joyce Hockett (BOC Res. 19-17) 49

East 85th Street, 1241 (Ward 7) — PPN 107-10-041 — Catherine C. Swope-Blade (BOC Res. 17-17) 48

Independence Road, 3480 (Ward 12) — PPN 131-26-033 — Denise M. Denham and Michael G. Denham (BOC Res. 16-17) 48

Stevenson Road, 893 (Ward 8) — PPN 115-28-058 — Pamela Catney (BOC Res. 14-17) 47

West 73rd Street, 2082 (Ward 15) — PPN 006-07-027 — lease — Detroit Shoreway Community Development Organization (BOC Res. 13-17) 47

Board of Control — Human Resources Department

Prescription and Vision Care Coverage — per Ord. 407-16 to CVS Caremark and EyeMed Vision Care (BOC Res. 21-17) 49

Board of Control — Land Reutilization Program

East 150th Street, 940 (Ward 10) — PPN 115-11-039 — Deborah D. Dennis and Michael A. Thompson (BOC Res. 18-17)..... 48

East 170th Street, 1373 (Ward 10) — PPN 116-15-027 — Rachel R. Williams (BOC Res. 20-17)..... 49

East 72nd Street, 1125 (Ward 10) — PPN 105-28-076 — Tanya T. Gardner (BOC Res. 15-17)..... 48

East 85th Street, 1211 (Ward 7) — PPN 107-10-050 — Joyce Hockett (BOC Res. 19-17) 49

East 85th Street, 1241 (Ward 7) — PPN 107-10-041 — Catherine C. Swope-Blade (BOC Res. 17-17) 48

Independence Road, 3480 (Ward 12) — PPN 131-26-033 — Denise M. Denham and Michael G. Denham (BOC Res. 16-17) 48

Stevenson Road, 893 (Ward 8) — PPN 115-28-058 — Pamela Catney (BOC Res. 14-17) 47

West 73rd Street, 2082 (Ward 15) — PPN 006-07-027 — lease — Detroit Shoreway Community Development Organization (BOC Res. 13-17) 47

Board of Control — Motor Vehicle Maintenance Division

Generators, maintenance and repair — per C.O. Sec. 131.64 — all bids rejected — Dept. of Public Works (BOC Res. 10-17) 47

Tires, new and recapped — per C.O. Sec. 131.64 to The Goodyear Tire & Rubber Company, fka Wingfoot Commercial Tire Systems, LLC dba Goodyear Commercial Tire & Service Centers — Dept. of Public Works (BOC Res. 9-17)..... 46

Board of Control — Professional Service Contracts

Decent, Safe and Sanitary (DS&S) inspections for the HOME Program and Uniform Relocation Act (URA) Property Standards — per Ord. 865-15 to the Graddic Company — Division of Administrative Services, Dept. of Community Development (BOC Res. 12-17) 47

Prescription and Vision Care Coverage — per Ord. 407-16 to CVS Caremark and EyeMed Vision Care — Dept. of Human Resources (BOC Res. 21-17) 49

Board of Control — Public Utilities Department

Automotive and Truck Parts/Service — per C.O. Sec. 181.101 — all bids rejected — Division of Water Pollution Control (BOC Res. 7-17) 46

Diving and Underwater Inspection services — per Ord. 659-16 to Underwater Marine Contractors, Inc. — Division of Water (BOC Res. 8-17)..... 46

Board of Control — Public Works Department

Generators, maintenance and repair — per C.O. Sec. 131.64 — all bids rejected — Division of Motor Vehicle Maintenance (BOC Res. 10-17) 47

Tires, new and recapped — per C.O. Sec. 131.64 to The Goodyear Tire & Rubber Company, fka Wingfoot Commercial Tire Systems, LLC dba Goodyear Commercial Tire & Service Centers — Division of Motor Vehicle Maintenance (BOC Res. 9-17) 46

Tires, transfer and disposal — per Ord. 1442-15 to Liberty Tire Services of Ohio, LLC — Division of Waste Collection and Disposal (BOC Res. 11-17) 47

Board of Control — Requirement Contracts

Automotive and Truck Parts/Service — per C.O. Sec. 181.101 — all bids rejected — Division of Water Pollution Control, Dept. of Public Utilities (BOC Res. 7-17) 46

Diving and Underwater Inspection services — per Ord. 659-16 to Underwater Marine Contractors, Inc. — Division of Water, Dept. of Public Utilities (BOC Res. 8-17) 46

Generators, maintenance and repair — per C.O. Sec. 131.64 — all bids rejected — Division of Motor Vehicle Maintenance, Dept. of Public Works (BOC Res. 10-17)..... 47

Tires, new and recapped — per C.O. Sec. 131.64 to The Goodyear Tire & Rubber Company, fka Wingfoot Commercial Tire Systems, LLC dba Goodyear Commercial Tire & Service Centers — Division of Motor Vehicle Maintenance, Dept. of Public Works (BOC Res. 9-17)..... 46

Tires, transfer and disposal — per Ord. 1442-15 to Liberty Tire Services of Ohio, LLC — Division of Waste Collection and Disposal, Dept. of Public Works (BOC Res. 11-17)..... 47

Board of Control — Waste Collection and Disposal Division

Tires, transfer and disposal — per Ord. 1442-15 to Liberty Tire Services of Ohio, LLC — Dept. of Public Works (BOC Res. 11-17) 47

Board of Control — Water Division

Diving and Underwater Inspection services — per Ord. 659-16 to Underwater Marine Contractors, Inc. — Dept. of Public Utilities (BOC Res. 8-17) 46

Board of Control — Water Pollution Control Division

Automotive and Truck Parts/Service — per C.O. Sec. 181.101 — all bids rejected — Dept. of Public Utilities (BOC Res. 7-17) 46

Board of Zoning Appeals — Report

Bernard Avenue, 10818 (Ward 11) — Ramdat Sarran, owner — appeal heard on 1/17/17 (Cal. 16-279)..... 51

Broadview Road, 4856 (Ward 13) — The Kronenberger Company, owner, and Elie Abou Touma, lessee — appeal withdrawn on 1/17/17 (Cal. 16-271)..... 51

Clifton Boulevard, 11604-11636 (Ward 15) — Carnegie Co. Inc., owner — appeal granted and adopted on 1/17/17 (Cal. 16-303) 51

Detroit Avenue, 7306 (Ward 15) — 7306 Company LLC, owner — appeal granted and adopted on 1/17/17 (Cal. 16-301) 51

John Avenue, 3805 (Ward 3) — Ron Williams, owner — appeal withdrawn on 1/17/17 (Cal. 16-307)..... 51

Pearl Road, 4899 (Ward 13) — Old Brooklyn Investment, owner — appeal postponed to 2/27/17 on 1/17/17 (Cal. 16-311) 51

West 155th Street, 4383 (Ward 16) — John Lobin, owner — appeal heard on 1/17/17 (Cal. 16-313)..... 51

West 25th Street, 3870 (Ward 12) — Bassell Lahoud, owner — appeal heard on 1/17/17 (Cal. 16-310)..... 51

West 28th Street, 1702 (Ward 3) — Kirt Montlack, owner — appeal granted and adopted on 1/17/17 (Cal. 16-305)..... 51

West 38th Street, 1827 (Ward 3) — Andrew P. Pierson, owner — appeal postponed to 2/13/17 on 1/17/17 (Cal. 16-312) 51

West 48th Street, 1810 (Ward 3) — Harstone Electric — appeal granted and adopted on 1/17/17 (Cal. 16-304) 51

Board of Zoning Appeals — Schedule

East 153rd Street, 4444 (Ward 1) — Gegauer Co., owner — appeal to be heard on 1/30/17 (Cal. 16-322)..... 50

West 50th Street, 1969 (Ward 3) — Eric Butler, owner — appeal to be heard on 1/30/17 (Cal. 16-321)..... 50

Capital Projects

Determining the method of making the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving the Marion Motley Park to implement a motocross sports and mountain bike program, including but not limited to site improvements and appurtenances; authorizing the Director of Public Works or Capital Projects, as appropriate, to enter into one or more contracts to make the improvement and authorizing standard and requirement contracts; authorizing one or more management agreements for the maintenance, operation, and management services of the program, for a period of five years with five one year options to renew, exercisable by the Director of Public Works. (O 808-16) 45

City Council

Authorizing the Council President to enter into an agreement with Cobalt Group, Inc. to provide professional services regarding Cleveland City Council operations and staff development. (O 1473-16) 56

City of Cleveland Bids

Fire Station Number One Mechanical and General Improvement — Office of Capital Projects — Division of Architecture and Site Improvement — per Ord. 734-14 — bid due February 16, 2017 (advertised 1/18/2017 and 1/25/2017) 53

Hand Held Tools — Department of Finance — Division of Purchases and Supplies — per Ord. 1222-14 — bid due February 1, 2017 (advertised 1/11/2017 and 1/18/2017) 53

New City of Cleveland Kennel — Office of Capital Projects — Division of Architecture and Site Improvement — per Ord. 246-15 — bid due February 15, 2017 (advertised 1/18/2017 and 1/25/2017) 53

Phase 2 AMR Deployment — Department of Public Utilities — Division of Water — per Ord. 655-16 — bid due February 17, 2017 (advertised 1/18/2017 and 1/25/2017) 53

Promotional Items — Department of Public Utilities — Division of Water — per C.O. Sec. 181.101 — bid due February 8, 2017 (advertised 1/11/2017 and 1/18/2017) 53

Repairing or Replacing Roofs or Roof Systems — Department of Port Control — per Ord. 1196-16 — bid due February 8, 2017 (advertised 1/18/2017 and 1/25/2017) 53

Sodium Hypochlorite Solution — Department of Public Utilities — Division of Water — per C.O. Sec. 129.24 — bid due February 10, 2017 (advertised 1/18/2017 and 1/25/2017) 53

Transformers and Accessories — Department of Public Utilities — Division of Cleveland Public Power — per C.O. Sec. 129.26 — bid due February 1, 2017 (advertised 1/11/2017 and 1/18/2017) 53

City Planning Commission

Establishing a Planned Unit Development (PUD) for the Legacy Pointe at St. Luke’s housing development between E. 110th Street and E. 115th Street north of MLK Jr. Drive and south of Woodland Ave and designating Britt Oval as an Open Space Recreation district as shown on the attached map (Map Change No. 2552). (O 1446-16) 53

Clerk of Council

Authorizing the Clerk of Council to enter into an agreement with Guy Gadowski, CPA to provide professional financial consulting and auditing services necessary for Cleveland City Council. (O 1451-16) 56

Authorizing the Clerk of Council to enter into an agreement with Mita Marketing LLC for the professional services necessary to assist Cleveland City Council with communications and public relations. (O 1474-16) 57

Authorizing the Clerk of Council to enter into an agreement with On Technology Partners for the professional services necessary to advise and assist in the maintenance and performance of computer technology projects and to provide specific computer technology services for Cleveland City Council. (O 1448-16) 56

Authorizing the Clerk of Council to enter into an agreement with The Batchelder Company for professional lobbying services for Cleveland City Council. (O 1450-16) 56

Authorizing the Clerk of Council to enter into an agreement with The Project Group for professional assistance in investigating utility related matters pertaining to the Divisions of Cleveland Public Power, Water and Water Pollution Control for Cleveland City Council. (O 1449-16) 56

Cleveland Public Power (CPP)

Authorizing the Clerk of Council to enter into an agreement with The Project Group for professional assistance in investigating utility related matters pertaining to the Divisions of Cleveland Public Power, Water and Water Pollution Control for Cleveland City Council. (O 1449-16) 56

Contracts

Determining the method of making the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving the Marion Motley Park to implement a motorcross sports and mountain bike program, including but not limited to site improvements and appurtenances; authorizing the Director of Public Works or Capital Projects, as appropriate, to enter into one or more contracts to make the improvement and authorizing standard and requirement contracts; authorizing one or more management agreements for the maintenance, operation, and management services of the program, for a period of five years with five one year options to renew, exercisable by the Director of Public Works. (O 808-16) 45

Liquor Permits

Objecting to the transfer of location of a C2 Liquor Permit to 3153 West 73rd Street. (R 31-17) 54

Objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 11121 Western Avenue, 1st floor & basement. (R 34-17)..... 55

Objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 4677 West 130th Street, S/End. (R 33-17) 55

Objecting to the transfer of stock of a D2, D2X, D3 and D6 Liquor Permit to 3670 West 130th Street, 1st floor only. (R 32-17) 54

Withdrawing objection to the transfer of ownership of a D2, D2X, D3, D3A and D6 Liquor Permit at 1104 Rowley Avenue, 1st floor and basement and repealing Resolution No. 1180-16 objecting to said permit. (R 30-17) 54

Parks

Determining the method of making the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving the Marion Motley Park to implement a motorcross sports and mountain bike program, including but not limited to site improvements and appurtenances; authorizing the Director of Public Works or Capital Projects, as appropriate, to enter into one or more contracts to make the improvement and authorizing standard and requirement contracts; authorizing one or more management agreements for the maintenance, operation, and management services of the program, for a period of five years with five one year options to renew, exercisable by the Director of Public Works. (O 808-16) 45

Public Improvements

Determining the method of making the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving the Marion Motley Park to implement a motorcross sports and mountain bike program, including but not limited to site improvements and appurtenances; authorizing the Director of Public Works or Capital Projects, as appropriate, to enter into one or more contracts to make the improvement and authorizing standard and requirement contracts; authorizing one or more management agreements for the maintenance, operation, and management services of the program, for a period of five years with five one year options to renew, exercisable by the Director of Public Works. (O 808-16) 45

Public Works

Determining the method of making the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving the Marion Motley Park to implement a motorcross sports and mountain bike program, including but not limited to site improvements and appurtenances; authorizing the Director of Public Works or Capital Projects, as appropriate, to enter into one or more contracts to make the improvement and authorizing standard and requirement contracts; authorizing one or more management agreements for the maintenance, operation, and management services of the program, for a period of five years with five one year options to renew, exercisable by the Director of Public Works. (O 808-16) 45

Professional Services

Authorizing the Clerk of Council to enter into an agreement with Guy Gadowski, CPA to provide professional financial consulting and auditing services necessary for Cleveland City Council. (O 1451-16) 56

Authorizing the Clerk of Council to enter into an agreement with Mita Marketing LLC for the professional services necessary to assist Cleveland City Council with communications and public relations. (O 1474-16) 57

Authorizing the Clerk of Council to enter into an agreement with On Technology Partners for the professional services necessary to advise and assist in the maintenance and performance of computer technology projects and to provide specific computer technology services for Cleveland City Council. (O 1448-16)..... 56

Authorizing the Clerk of Council to enter into an agreement with The Batchelder Company for professional lobbying services for Cleveland City Council. (O 1450-16) 56

Authorizing the Clerk of Council to enter into an agreement with The Project Group for professional assistance in investigating utility related matters pertaining to the Divisions of Cleveland Public Power, Water and Water Pollution Control for Cleveland City Council. (O 1449-16) 56

Authorizing the Council President to enter into an agreement with Cobalt Group, Inc. to provide professional services regarding Cleveland City Council operations and staff development. (O 1473-16) 56

Public Hearings (Notices)

Establishing a Planned Unit Development (PUD) for the Legacy Pointe at St. Luke’s housing development between E. 110th Street and E. 115th Street north of MLK Jr. Drive and south of Woodland Ave and designating Britt Oval as an Open Space Recreation district as shown on the attached map (Map Change No. 2552). (O 1446-16) 53

Repealed Ordinances & Resolutions (Non Codified)

Repealing Ordinance No. 1011-16, passed September 12, 2016. (O 20-17) 57

Resolutions Miscellaneous

Urging Giant Eagle not to close two local stores and a Get Go gas station in Cleveland, and to work with the City of Cleveland to retain these stores in order to preserve access to fresh foods and pharmacy services for east and west side residents. (R 38-17) 55

Ward 01

Urging Giant Eagle not to close two local stores and a Get Go gas station in Cleveland, and to work with the City of Cleveland to retain these stores in order to preserve access to fresh foods and pharmacy services for east and west side residents. (R 38-17) 55

Ward 02

Urging Giant Eagle not to close two local stores and a Get Go gas station in Cleveland, and to work with the City of Cleveland to retain these stores in order to preserve access to fresh foods and pharmacy services for east and west side residents. (R 38-17) 55

Ward 03

Objecting to the transfer of location of a C2 Liquor Permit to 3153 West 73rd Street. (R 31-17) 54

Urging Giant Eagle not to close two local stores and a Get Go gas station in Cleveland, and to work with the City of Cleveland to retain these stores in order to preserve access to fresh foods and pharmacy services for east and west side residents. (R 38-17) 55

Ward 04

Urging Giant Eagle not to close two local stores and a Get Go gas station in Cleveland, and to work with the City of Cleveland to retain these stores in order to preserve access to fresh foods and pharmacy services for east and west side residents. (R 38-17) 55

Ward 05

Urging Giant Eagle not to close two local stores and a Get Go gas station in Cleveland, and to work with the City of Cleveland to retain these stores in order to preserve access to fresh foods and pharmacy services for east and west side residents. (R 38-17) 55

Ward 06

Establishing a Planned Unit Development (PUD) for the Legacy Pointe at St. Luke’s housing development between E. 110th Street and E. 115th Street north of MLK Jr. Drive and south of Woodland Ave and designating Britt Oval as an Open Space Recreation district as shown on the attached map (Map Change No. 2552). (O 1446-16) 53

Urging Giant Eagle not to close two local stores and a Get Go gas station in Cleveland, and to work with the City of Cleveland to retain these stores in order to preserve access to fresh foods and pharmacy services for east and west side residents. (R 38-17) 55

Ward 07

Urging Giant Eagle not to close two local stores and a Get Go gas station in Cleveland, and to work with the City of Cleveland to retain these stores in order to preserve access to fresh foods and pharmacy services for east and west side residents. (R 38-17) 55

Ward 08

Urging Giant Eagle not to close two local stores and a Get Go gas station in Cleveland, and to work with the City of Cleveland to retain these stores in order to preserve access to fresh foods and pharmacy services for east and west side residents. (R 38-17) 55

Ward 09

Urging Giant Eagle not to close two local stores and a Get Go gas station in Cleveland, and to work with the City of Cleveland to retain these stores in order to preserve access to fresh foods and pharmacy services for east and west side residents. (R 38-17) 55

Ward 10

Urging Giant Eagle not to close two local stores and a Get Go gas station in Cleveland, and to work with the City of Cleveland to retain these stores in order to preserve access to fresh foods and pharmacy services for east and west side residents. (R 38-17) 55

Ward 11

Objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 11121 Western Avenue, 1st floor & basement. (R 34-17)..... 55

Urging Giant Eagle not to close two local stores and a Get Go gas station in Cleveland, and to work with the City of Cleveland to retain these stores in order to preserve access to fresh foods and pharmacy services for east and west side residents. (R 38-17) 55

Ward 12

Urging Giant Eagle not to close two local stores and a Get Go gas station in Cleveland, and to work with the City of Cleveland to retain these stores in order to preserve access to fresh foods and pharmacy services for east and west side residents. (R 38-17) 55

Withdrawing objection to the transfer of ownership of a D2, D2X, D3, D3A and D6 Liquor Permit at 1104 Rowley Avenue, 1st floor and basement and repealing Resolution No. 1180-16 objecting to said permit. (R 30-17) 54

Ward 13

Urging Giant Eagle not to close two local stores and a Get Go gas station in Cleveland, and to work with the City of Cleveland to retain these stores in order to preserve access to fresh foods and pharmacy services for east and west side residents. (R 38-17) 55

Ward 14

Urging Giant Eagle not to close two local stores and a Get Go gas station in Cleveland, and to work with the City of Cleveland to retain these stores in order to preserve access to fresh foods and pharmacy services for east and west side residents. (R 38-17) 55

Ward 15

Urging Giant Eagle not to close two local stores and a Get Go gas station in Cleveland, and to work with the City of Cleveland to retain these stores in order to preserve access to fresh foods and pharmacy services for east and west side residents. (R 38-17) 55

Ward 16

Objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 4677 West 130th Street, S/End. (R 33-17) 55

Objecting to the transfer of stock of a D2, D2X, D3 and D6 Liquor Permit to 3670 West 130th Street, 1st floor only. (R 32-17) 54

Urging Giant Eagle not to close two local stores and a Get Go gas station in Cleveland, and to work with the City of Cleveland to retain these stores in order to preserve access to fresh foods and pharmacy services for east and west side residents. (R 38-17) 55

Ward 17

Urging Giant Eagle not to close two local stores and a Get Go gas station in Cleveland, and to work with the City of Cleveland to retain these stores in order to preserve access to fresh foods and pharmacy services for east and west side residents. (R 38-17) 55

Water Pollution Control Division (WPC)

Authorizing the Clerk of Council to enter into an agreement with The Project Group for professional assistance in investigating utility related matters pertaining to the Divisions of Cleveland Public Power, Water and Water Pollution Control for Cleveland City Council. (O 1449-16) 56

Zoning

Establishing a Planned Unit Development (PUD) for the Legacy Pointe at St. Luke's housing development between E. 110th Street and E. 115th Street north of MLK Jr. Drive and south of Woodland Ave and designating Britt Oval as an Open Space Recreation district as shown on the attached map (Map Change No. 2552). (O 1446-16) 53