

The City Record

Official Publication of the Council of the City of Cleveland



November the Twenty-First, Two Thousand and Twelve

Frank G. Jackson
Mayor

Martin J. Sweeney
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward Name

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

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

Containing	PAGE
City Council	3
The Calendar	18
Board of Control	19
Civil Service	26
Board of Zoning Appeals	31
Board of Building Standards and Building Appeals	31
Public Notice	31
Public Hearings	31
City of Cleveland Bids	32
Adopted Resolutions and Ordinances	33
Committee Meetings	36
Index	37



DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

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

City Clerk, Clerk of Council – Patricia J. Britt, 216 City Hall, 664–2840
First Assistant Clerk – Sandra Franklin

MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff
Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer
Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs
Chris Warren, Executive Assistant to the Mayor, Chief of Regional Development
Monyka S. Price, Executive Assistant to the Mayor, Chief of Education
Maureen Harper, Executive Assistant to the Mayor, Chief of Communications
Andrea V. Taylor, Executive Assistant to the Mayor, Press Secretary
Jenita McGowan, Executive Assistant to the Mayor, Chief of Sustainability
Natoya J. Walker Minor, Chief of Public Affairs – Interim Director of Equal Opportunity.

OFFICE OF CAPITAL PROJECTS – Jomarie Wasik, Director

DIVISIONS:

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

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

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

Frank Badalamenti, Manager, Internal Audit

DIVISIONS:

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

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

DIVISIONS:

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

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

DIVISIONS:

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

DEPT. OF PUBLIC WORKS – Michael Cox, Director

OFFICES:

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

DIVISIONS:

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

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

DIVISIONS:

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

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

DIVISIONS:

Dog Pound – John Baird, Chief Dog Warden, 2690 West 7th Street
Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.
Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive
Fire – Paul A. Stubbs, Chief, 1645 Superior Avenue
Police – Michael C. McGrath, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director

DIVISIONS:

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

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

DIVISIONS:

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

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

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

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

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

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

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

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

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

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

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS – Room 516, J. F. Denk, Chairman; _____, Arthur Saunders, Alternate Members – D. Cox, P. Frank, E. P. O’Brien, Richard Pace, J.S. Sullivan.

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

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

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Barbara A. Langhenry; Utilities Director Barry A. Withers; Council President Martin J. Sweeney.

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

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

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

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

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

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

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

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

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

Judge Courtroom

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

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

The City Record



71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 99

WEDNESDAY, NOVEMBER 21, 2012

No. 5163

CITY COUNCIL

MONDAY, NOVEMBER 19, 2012

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

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2010-2013

MONDAY — Alternating

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

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

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

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

MONDAY

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

TUESDAY

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

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

WEDNESDAY — Alternating

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

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

WEDNESDAY — Alternating

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

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

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

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

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

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, November 19, 2012

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

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

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

Pursuant to Ordinance No. 2926-76 prayer was offered by Rabbi Emeritus Alan B. Lettovsky of Beth Israel The West Temple, 14308 Triskett Road located in Ward 19. Pledge of Allegiance.

MOTION

On the motion of Council Member Cummins, the reading of the minutes of the last meeting was dispensed with and the journal

approved. Seconded by Council Member Cleveland.

COMMUNICATIONS

File No. 1669-12.

From Office of Equal Opportunity — Compliance Report pursuant to Chapter 188 — October 31, 2012. Bi-Monthly Report. Received.

File No. 1670-12.

From Office of Equal Opportunity — City Resident Utilization Report, October 31, 2012. Bi-Monthly Report. Received.

FROM OHIO DIVISION OF LIQUOR CONTROL

File No. 1663-12.

Re: 5687120 — D1, D2, D3A, — Transfer Ownership and Location Application — Mazel Tov Cocktail, LLC, d.b.a. The Spotted Owl, 710 Jefferson Avenue. Ward 3. Received.

File No. 1664-12.

Re: 8177552 — D5J — Stock Transfer Application — Simply Food, LLC, d.b.a. Simply Food, 1807 East 12th Street. Ward 3. Received.

File No. 1665-12.

Re: 6548258 — C1 — New Application — 10716 Woodland, Inc., d.b.a. Food Plus, 10716-18 Woodland Avenue. Ward 6. Received.

File No. 1666-12.

Re: 8700950 — C1, C2 — Transfer Ownership and Location Application — Superior Food & Deli, Inc., 12420 Superior Avenue. Ward 9 Received.

File No. 1667-12.

Re: 7165681 — C1 — New Application — Raees Food Store, Inc. — 9800 Almira Avenue. Ward 16. Received.

File No. 1668-12.

Re: 4182952 — D1,D2 — Transfer of Ownership Application — J & R Rocco Pizza, LLC, 14304 Puritas Avenue. Ward 18. Received.

CONDOLENCE RESOLUTION

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

Res. No. 1671-12—Ralph Howard.

CONGRATULATIONS RESOLUTIONS

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

Res. No. 1672-12—Rev. Dr. Todd C. Davidson.

Res. No. 1673-12—Donald Walter, Jr.

RECOGNITION RESOLUTIONS

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

- Res. No. 1674-12**—World AIDS Day.
Res. No. 1675-12—Lebanon's Independence Day — 69th Anniversary.
Res. No. 1676-12—Dt. Alvalois Elaine Petty.
Res. No. 1677-12—Carlwin L. Collins.
Res. No. 1678-12—Nawassa Brown Williams.

WELCOME RESOLUTION

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

- Res. No. 1679-12**—Bilal Kabalan, Consul General of Lebanon.

FIRST READING EMERGENCY ORDINANCES REFERRED**Ord. No. 1629-12.**

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

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

Whereas, the Council of the City of Cleveland, by Resolution No. 1256-12, adopted October 29, 2012, declared the necessity and intention of appropriating up to six easements, including the two easement interests described in this ordinance, for the public purpose of implementing the Harvard Avenue Bridge Project; and

Whereas, notice of the adoption of this resolution has been served on the persons in possession or having an interest in these two easements; and

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

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

Section 1. That for the public purpose of implementing the Harvard Avenue Bridge Project, the following described easement interests shall be appropriated:

**PARCEL 9-T
 CUY-HARVARD AVENUE
 TEMPORARY EASEMENT FOR
 THE PURPOSE OF
 PERFORMING THE WORK
 NECESSARY TO
 REMOVE AND REPLACE BRIDGE
 FOR 12 MONTHS FROM DATE OF
 ENTRY BY THE
 CITY OF CLEVELAND,
 CUYAHOGA COUNTY, OHIO**

Being a parcel of land lying on the right side of the centerline of right of way of Harvard Avenue and being located within the following described boundary:

Being a part of original Newburgh Township Lot 466, the City of Cleveland, Cuyahoga County, State of Ohio and more particularly bounded and described as follows:

Beginning at a drill hole in monument box found at the northwest corner of Lot 466 and the centerline of right of way of Harvard Avenue at Station 101+15.36; thence, following the centerline of right of way of Harvard Avenue, North 89 degrees 41 minutes 41 seconds East a distance of 569.41 feet to a point on the centerline of right of way of Harvard Avenue

Station 106+84.77; thence, South 00 degrees 18 minutes 19 seconds East a distance of 20.00 feet to a point on the southerly right of way line of Harvard Avenue Station 106+84.77, 20.00 feet right at grantor's northwesterly property corner and the TRUE PLACE OF BEGINNING of the parcel herein described;

1. thence, following grantor's northerly property line North 89 degrees 41 minutes 41 seconds East a distance of 30.00 feet to a point at Station 107+14.77, 20.00 feet right of the Harvard Avenue centerline of right of way;

2. thence, South 00 degrees 18 minutes 19 seconds East a distance of 11.30 feet to a point at Station 107+14.77, 31.30 feet right of the Harvard Avenue centerline of right of way;

3. thence, South 89 degrees 41 minutes 41 seconds West a distance of 22.60 feet to a point at Station 106+92.17, 31.30 feet right of the Harvard Avenue centerline of right of way;

4. thence, South 00 degrees 18 minutes 19 seconds East a distance of 8.50 feet to a point at Station 106+92.17, 39.80 feet right of the Harvard Avenue centerline of right of way;

5. thence, South 89 degrees 41 minutes 41 seconds West a distance of 7.40 feet to a point at Station 106+84.77, 39.80 feet right of the Harvard Avenue centerline of right of way;

6. thence, North 00 degrees 18 minutes 19 seconds West a distance of 19.80 feet to the TRUE PLACE OF BEGINNING and containing 402.00 square feet of land, more or less.

The above described area is contained within the Cuyahoga County Auditor's permanent parcel number 136-16-004.

This description was prepared and reviewed on February 17, 2012, by Kiran C. Patel, Registered Surveyor No. 7554.

This description is based on a survey made under the direction and supervision of Kiran C. Patel, Registered Surveyor No. 7554 on January 27, 2011.

Grantor claims title by instrument of record in Vol. 81-15485, Page 145, Cuyahoga County Recorder's Office.

The basis of bearings is the centerline of Harvard Avenue (North 89°41'41" East) per Cleveland Regional Geodetic Survey and all other bearings are relative thereto for the purpose of indicating angular measurement.

**PARCEL 9-U
 CUY-HARVARD AVENUE
 PERPETUAL EASEMENT FOR
 UTILITY PURPOSES IN THE NAME
 AND FOR THE USE OF
 CLEVELAND PUBLIC POWER
 CITY OF CLEVELAND,
 CUYAHOGA COUNTY, OHIO**

Utility purpose of performing the work necessary to build, operate and maintain overhead electricity, communications and street lighting system. Said easement to include the right of ingress and egress for access to facilities. Grantee shall notify grantor before entry upon grantor's property.

Being a parcel of land lying on the right side of the centerline of right of way of Harvard Avenue and being located within the following described boundary:

Being a part of original Newburgh Township Lot 466, the City of Cleveland, Cuyahoga County, State of Ohio and more particularly bounded and described as follows:

Beginning at a drill hole in monument box found at the northwest corner of Lot 466 and the centerline of right of way of Harvard Avenue at Station 101+15.36; thence, following the centerline of right of way of Harvard Avenue, North 89 degrees 41 minutes 41 seconds East a distance of 569.41 feet to a point on the centerline of right of way of Harvard Avenue Station 106+84.77; thence, South 00 degrees 18 minutes 19 seconds East a distance of 20.00 feet to a point on the southerly right of way line of Harvard Avenue Station 106+84.77, 20.00 feet right at grantor's northwesterly property corner and the TRUE PLACE OF BEGINNING of the parcel herein described;

1. thence, following grantor's northerly property line North 89 degrees 41 minutes 41 seconds East a distance of 30.00 feet to a point at Station 107+14.77, 20.00 feet right of the Harvard Avenue centerline of right of way;

2. thence, South 00 degrees 18 minutes 19 seconds East a distance of 12.00 feet to a point at Station 107+14.77, 32.00 feet right of the Harvard Avenue centerline of right of way;

3. thence, South 89 degrees 41 minutes 41 seconds West a distance of 17.38 feet to a point at Station 106+97.39, 32.00 feet right of the Harvard Avenue centerline of right of way;

4. thence, North 00 degrees 18 minutes 19 seconds West a distance of 0.60 feet to a point at Station 106+97.39, 31.40 feet right of the Harvard Avenue centerline of right of way;

5. thence, South 89 degrees 41 minutes 41 seconds West a distance of 5.00 feet to a point at Station 106+92.39, 31.40 feet right of the Harvard Avenue centerline of right of way;

6. thence, South 00 degrees 18 minutes 19 seconds East a distance of 0.60 feet to a point at Station 106+92.39, 32.00 feet right of the Harvard Avenue centerline of right of way;

7. thence, South 89 degrees 41 minutes 41 seconds West a distance of 7.62 feet to a point at Station 106+84.77, 32.00 feet right of the Harvard Avenue centerline of right of way;

8. thence, North 00 degrees 18 minutes 19 seconds West a distance of 12.00 feet to the TRUE PLACE OF BEGINNING and containing 357.00 square feet of land, more or less.

The above described area is contained within the Cuyahoga County Auditor's permanent parcel number 136-16-004.

This description was prepared and reviewed on March 2, 2012, by Kiran C. Patel, Registered Surveyor No. 7554.

This description is based on a survey made under the direction and supervision of Kiran C. Patel, Registered Surveyor No. 7554 on January 27, 2011.

Grantor claims title by instrument of record in Vol. 81-15485 pg. 145 Cuyahoga County Recorder's Office.

The basis of bearings is the centerline of Harvard Avenue (North 89°41'41" East) per Cleveland Regional Geodetic Survey and all other bearings are relative thereto for

the purpose of indicating angular measurement.

Section 2. That the Director of Law is directed to apply to a court of competent jurisdiction to have a jury impaneled to make inquiry into and assess the compensation to be paid for the fee simple easement interests described above.

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

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

Ord. No. 1630-12.

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

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

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

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

Section 1. That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a two year period of the necessary items of rigging services, and labor, materials, and services needed to maintain, repair, or refurbish material handling equipment, including training if needed, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a two year period of the necessary items of the rental of material handling equipment, cranes, and other heavy equipment, including training if needed, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of

Purchases and Supplies on a unit basis for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 3. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase or procurement under the contract, each of which purchases or procurements 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. (Request RQN 2002, RL 2012-46)

Section 4. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Utilities may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

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

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

Ord. No. 1631-12.

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

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

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

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

Section 1. That the Director of Public Utilities is authorized to 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 Department of Public Utilities in order to provide professional services, necessary to provide general information technology services on an as-needed basis, for a period of two years.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Utilities from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Public Utilities for the purpose of compiling a list. The com-

pensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Public Utilities, and certified by the Director of Finance.

Section 2. That the cost of the contract or contracts authorized shall be paid from Fund No. 52 SF 001, Request No. RQS 2002, RL2012-144.

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

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

Ord. No. 1632-12.

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

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

Whereas, under the authority of Ordinance No. 1404-07, passed November 12, 2007, the Director of Port Control entered into Contract No. CT 3001-PS2011-59 with Cleveland State University, to provide business and management training and development content, activities, and programs in support of employee performance and professional development programs at Cleveland Hopkins International Airport and Burke Lakefront Airport; and

Whereas, Ordinance No. 1404-07 requires further legislation before exercising the first option to renew on this contract; and

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

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

Section 1. That the Director of Port Control is authorized to exercise the first option to renew Contract No. CT 3001-PS2011-59 for an additional year at a cost not to exceed \$5,000, with Cleveland State University, to provide business and management training and development content, activities, and programs in support of employee performance and professional development programs at Cleveland Hopkins International Airport and Burke Lakefront Airport. This ordinance constitutes the additional legislative authority required by Ordinance No. 1404-07 to exercise this option. (RQS 3001, RL 2012-174)

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

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

Ord. No. 1633-12.

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

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

Whereas, under the authority of Ordinance No. 1404-07, passed November 12, 2007, the Director of Port Control entered into Contract No. CT 3001-PS2011-129 with The Institute for Organizational Excellence LLC, an Ohio Limited Liability Company, to provide Lean Six Sigma and general training and development content, activities, and programs in support of employee performance and professional development programs at Cleveland Hopkins International Airport and Burke Lakefront Airport; and

Whereas, Ordinance No. 1404-07 requires further legislation before exercising the first option to renew on this contract; and

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

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

Section 1. That the Director of Port Control is authorized to exercise the first option to renew Contract No. CT 3001-PS2011-129 for an additional year at a cost not to exceed \$40,000, with The Institute for Organizational Excellence LLC, an Ohio Limited Liability Company, to provide Lean Six Sigma and general training and development content, activities, and programs in support of employee performance and professional development programs at Cleveland Hopkins International Airport and Burke Lakefront Airport. This ordinance constitutes the additional legislative authority required by Ordinance No. 1404-07 to exercise this option. (RQS 3001, RL 2012-175)

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

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

Ord. No. 1634-12.

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

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. CT 3001-PS 2011-67 with Southwest General Health Center to provide ARFF medical training and development content, activities, and

programs in support of employee performance and professional development programs at Cleveland Hopkins International Airport and Burke Lakefront Airport.

Whereas, under the authority of Ordinance No. 1404-07, passed November 12, 2007, the Director of Port Control entered into Contract No. CT 3001-PS 2011-67 with Southwest General Health Center to provide ARFF medical training and development content, activities, and programs in support of employee performance and professional development programs at Cleveland Hopkins International Airport and Burke Lakefront Airport; and

Whereas, Ordinance No. 1404-07 requires further legislation before exercising the first option to renew on this contract; and

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

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

Section 1. That the Director of Port Control is authorized to exercise the first option to renew Contract No. CT 3001-PS 2011-67 for an additional year with Southwest General Health Center to provide ARFF medical training and development content, activities, and programs in support of employee performance and professional development programs at Cleveland Hopkins International Airport and Burke Lakefront Airport. This ordinance constitutes the additional legislative authority required by Ordinance No. 1404-07 to exercise this option.

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

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

Ord. No. 1635-12.

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

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

Whereas, under the authority of Ordinance No. 1404-07, passed November 12, 2007, the Director of Port Control entered into Contract No. CT 3001-PS 2011-68 with Cuyahoga Community College to provide professional technical and general training and development content, activities, and programs in support of employee performance and professional development programs at Cleveland Hopkins International Airport and Burke Lakefront Airport; and

Whereas, Ordinance No. 1404-07 requires further legislation before exercising the first option to renew on this contract; and

Whereas, this ordinance constitutes an emergency measure providing for

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

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

Section 1. That the Director of Port Control is authorized to exercise the first option to renew Contract No. CT 3001-PS 2011-68 for an additional year with Cuyahoga Community College to provide professional technical and general training and development content, activities, and programs in support of employee performance and professional development programs at Cleveland Hopkins International Airport and Burke Lakefront Airport. This ordinance constitutes the additional legislative authority required by Ordinance No. 1404-07 to exercise this option.

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

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

Ord. No. 1636-12.

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

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

Whereas, under the authority of Ordinance No. 1404-07, passed November 12, 2007, the Director of Port Control entered into Contract No. CT 3001-PS2011-32 with MindLeaders Inc., a Delaware Corporation, to provide E-learning training and development content, activities, and programs in support of employee performance and professional development programs at Cleveland Hopkins International Airport and Burke Lakefront Airport; and

Whereas, Ordinance No. 1404-07 requires further legislation before exercising the first option to renew on this contract; and

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

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

Section 1. That the Director of Port Control is authorized to exercise the first option to renew Contract No. CT 3001-PS2011-32 for an additional year at a cost not to exceed \$42,500, with MindLeaders Inc., a Delaware Corporation, to provide E-learning training and development content, activities, and programs in support of employee performance and professional development programs at Cleveland Hopkins International Airport and Burke Lakefront Airport. This ordinance constitutes the additional legislative authority required by Ordinance No. 1404-07 to exercise this option. (RQS 3001, RL 2012-173)

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

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

Ord. No. 1637-12.

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

An emergency ordinance authorizing the Director of Port Control to enter into an amendment to Contract No. 46972 with Landmark Aviation FBO Holding, LLC, to extend the term of the lease and to increase the leased premises, for the Department of Port Control.

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

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

Section 1. That the Director of Port Control is authorized to enter into an amendment to Lease No. 46972 with Landmark Aviation FBO Holding, LLC ("Landmark"), to extend the lease term an additional twenty years, through March 4, 2043, and to increase the leasehold by approximately four additional acres. Landmark's Minimum Annual Guarantee ("MAG") shall be increased from \$70,000 to \$115,000 per year, plus an additional amount equal to the fair market appraised ground lease rate for the land necessary to develop their proposed development project. The MAG will be subject to CIP adjustments each year. If greater in any given year than the MAG, Landmark shall pay the greater of the MAG or a mutually agreed upon sum of fees and royalties.

All other terms and conditions of the lease shall remain the same.

Section 2. That the amendment to the Lease shall be prepared by the Director of Law.

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

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

Ord. No. 1638-12.

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

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

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 Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 139.21 to read as follows:

Section 139.21 Acceptance of Art, Cash, Sponsorships, and Other Donations to Enhance the Physical Appearance at the Cleveland Airport System

The Director of Port Control is authorized to accept gifts of art, cash, sponsorships, and other donations to enhance the physical appearance at the Cleveland Airport System, provided:

(a) The gift is used in the operation of the department;

(b) The donor has provided written notification to the Director of Port Control of intent to make a gift, specifying the type of gift and the amount;

(c) The Director has accepted the gift in writing prior to the date of donation; and

(d) The aggregate fair market value of all gifts made by the donor under this section during the calendar year does not exceed one hundred thousand dollars (\$100,000.00).

The Director shall notify the Clerk of Council of the acceptance of any gift under this section.

Section 2. That the Director of Port Control shall deposit any funds received under this section into a fund or funds designated by the Director of Finance and appropriated for this purpose.

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

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

Ord. No. 1639-12.

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

An emergency ordinance authorizing the Director of Public Works to enter into a Concession Agreement with the Family Soccer League for the operation of a concession building at Zone Recreation Center, for the Department of Public Works, for a period of one year, with one option to renew for an additional year, exercisable by the Director of Public Works.

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

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

Section 1. That notwithstanding and as an exception to any section of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Works is authorized to enter into a Concession Agreement with the Family Soccer League for the operation of the concession building at Zone Recreation Center, for the Department of Public Works, for a period of one year, with one option to renew for an additional year, exercisable by the Director of Public Works.

Section 2. That the Concession Agreement shall be prepared by the Director of Law.

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

Referred to Directors of Public Works, Finance, Law; Committees on Public Parks, Properties, and Recreation, Finance.

Ord. No. 1640-12.

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

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

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

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

Section 1. That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$350,000, and any other funds that may become available during the grant term, from the St. Luke's Foundation to conduct the 2013 Making Greater Cleveland Lead Safe and Healthy Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

Section 2. That the summary for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 1640-12-A, is made a part of this ordinance as if fully rewritten, is approved in all respects, and shall not be changed without additional legislative authority.

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

Section 4. That the Director of Public Health shall deposit the grant accepted under this ordinance into a fund or funds designated by the Director of Finance to implement the program as described in the file and appropriated for that purpose.

Section 5. That the Director of Public Health is authorized to enter into one or more contracts with Lutheran Metropolitan Ministry, Cuyahoga County Board of Health, the Cleveland Tenants Organization, and the Environmental Health Watch needed to implement the grant as described in the file.

Section 6. That, unless expressly prohibited by the grant agreement, under Section 108(b) of the Charter, purchases made under the grant agreement may be made through cooperative arrangements with other governmental agencies. The Director of Public Health may sign all documents and do all things that are nec-

essary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 7. That the cost of the contract or contracts authorized by this ordinance shall be paid from the fund or funds which are credited the grant proceeds accepted under this ordinance.

Section 8. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Public Health, Finance, Law; Committees on Health and Human Services, Finance.

Ord. No. 1641-12.
By Council Members Cimperman and Kelley (by departmental request).

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

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

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

Section 1. That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$156,048, and any other funds as they become available during the grant term, from the Ohio Department of Health, to conduct the 2013 STD Control Prevention Program, for the purposes in the summary and budget and according thereto; that the Director of Public Health is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes in the summary for the grant.

Section 2. That the summary for the grant, File No. 1641-12-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the Director of Public Health is authorized to enter into one or more contracts with Pacific Interpreters, The Free Medical Clinic of Greater Cleveland, and other agencies or entities to implement the grant as described in the file.

Section 4. That the Director of Public Health shall have the authority to extend the term of the grant during the grant term.

Section 5. That the Director of Public Health is authorized to enter into an agreement with the Ohio Department of Health for the City to receive payments from the Medicaid programs to implement this ordinance.

Section 6. That the Director of Public Health is authorized to charge and accept fees from participants of this

program and to deposit those fees into a revolving fund which will be used to provide additional materials equipment, supplies, and services under the program described in the file, and the funds are appropriated for that purpose.

Section 7. That the Director of Public Health shall deposit the grant accepted under this ordinance into a fund or funds designated by the Director of Finance to implement the program as described in the file and appropriated for that purpose.

Section 8. That, unless expressly prohibited by the grant agreement, under Section 108(b) of the Charter, purchases made under the grant agreement may be made through cooperative arrangements with other governmental agencies. The Director of Public Health may sign all documents and do all things that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 9. That the costs of the contract or contracts authorized by this ordinance shall be paid from the fund or funds to which are credited the grant proceeds, Medicaid payments accepted under this ordinance, and from the fund or funds to which are credited any fees received under this program.

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 Public Health, Finance, Law; Committees on Health and Human Services, Finance.

Ord. No. 1642-12.
By Council Members Cimperman, Mitchell and Kelley (by departmental request).

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

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

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

Section 1. That Sections 227.03, 227.04, 227.05, 227.33, 227.34, and 227.35, as amended by Ordinance No. 924-09, passed August 5, 2009, are amended to read as follows:

Section 227.03 Permit Application
(a) Any person, firm, association or corporation desiring a permit to open, maintain and conduct a day care center shall make written application to the Commissioner of Assessments and Licenses, and that application shall state the name and residence of the applicant, and if the applicant is a corporation or association, the name and residence of all the officers; the present or proposed location of the day care center; the purpose for which it is to be opened, maintained or conducted; the accommodations provided for the children to be admitted to the day care center; the name and address

of the superintendent or of the person or persons to be in charge; and other information as the Commissioner may request.

(b) Permits for the calendar year following the year in which the application is being made shall be accepted no earlier than November 1.

Section 227.04 Inquiry Preliminary to Granting Permit

The Director of Public Health, after a day care application is made, shall make or cause to be made a strict investigation of the statements and information contained in the application, and a thorough inspection of the premises intended to be used for the day care center.

Section 227.05 Conditions on Which Permit is Granted; Fee

(a) If the Director of Public Health finds that the statements in the application are correct; that the premises intended to be used as a day care center are suitably located for a day care center and adequately equipped with all necessary heating, ventilating and sanitary devices to ensure the health and well-being of the children to be admitted to the day care center; that the application is made in good faith for the care and betterment of the children; that the superintendent or person to be in charge of the day care center is of good moral character and of sufficient knowledge, experience and ability to properly conduct, manage and maintain the day care center; that the proposed day care center and the premises occupied by the same comply in all respects with the requirements of this chapter; then, but not otherwise, the Director of Public Health shall recommend to the Commissioner of Assessments and Licenses in writing, that a license be issued. The Commissioner of Assessments and Licenses shall issue or cause to be issued a permit authorizing the applicant or applicants in question to open and conduct a day care center at the place specified, which permit shall state the maximum number of children that may be admitted to or cared for in the day care center at one time. The fee to be paid annually to the City Treasurer for the permit shall be fifty dollars (\$50.00) and no permit shall be issued except upon payment of the fee. Every permit issued under this section shall expire on December 31 of the year in which it is issued, and no second or succeeding permit shall be issued to any person, firm, association, or corporation, except after a reinspection of the premises, as provided for in the case of the issuance of an original permit.

(b) Upon full payment of a day care permit to the City Treasurer, the City's Building Department shall verify through its records, that the location has a valid certificate of occupancy. The Division of Fire and the Division of Health shall also conduct an annual inspection after payment is received by the City Treasurer. Upon certification that the day care center is in full compliance by the City's Building Department, the Division of Fire and the Division of Health, the Commissioner of Assessments and Licenses shall issue a permit to operate.

Section 227.33 Reports to the Director of Public Health

(a) Every person, firm, association or corporation conducting, managing

or maintaining a day care center shall report to the **Director of Public Health within timelines specified in OAC rule 3701-3-05. Every person, firm, association or corporation conducting, managing or maintaining a day care center shall report to the Director of Public Health, all cases and suspected cases of contagious diseases, such as smallpox, chickenpox, diphtheria, scarlet fever, mumps, measles, whooping cough, impetigo contagiosa, typhoid fever, tuberculosis, hand, foot and mouth disease, meningitis (bacterial, viral/aseptic), flu, diarrheal diseases, and any other disease classified as communicable in accordance with OAC rule 3701-3-02.** The report shall give the names and addresses of persons so afflicted and **all other known facts relating to the case or incident in accordance with OAC rule 3701-3-03,** which may aid in eradicating such diseases.

(b) Every person, firm, association or corporation conducting a day care center shall also make out a Monthly Illness Report Form in writing on or before the fifth day of each calendar month, giving a complete record of the operation of the center during the preceding calendar month, showing the number of children admitted, all relevant illnesses, all accidental injuries and deaths, the cause of the same and other information as may be necessary to an intelligent supervision of the center. This report shall be kept in the permanent records of the day care center.

(c) All reports required in this section shall be made upon blanks approved by the **Director of Public Health** and shall be signed by the superintendent or the official in charge. All records placed in permanent files under the requirements of this chapter shall be open to inspection by the **Director of Public Health** or any officer or employee of the Division of Health designated by the **Director of Public Health** at any time.

Section 227.34 Appeal

A day care center's license may be suspended or revoked at any time by the **Director of Public Health** on his or her own initiative. Before suspending or revoking the license the **Director of Public Health** shall afford the licensee the opportunity of a hearing on the charges. The licensee may appeal from the order in the manner provided by Section 201.03. A second suspension for the same reason or, in any case a third suspension of a day care center's license shall operate as a revocation of such license. No day care center's owner or administrator whose license has been revoked shall again be licensed as a day care provider in the City unless on presentation of reasons satisfactory to the **Director of Public Health.** The **Director of Public Health shall notify the Building Department, the Division of Fire and the Commissioner of Assessments and Licenses** of all suspensions or revocations of day care licenses.

Section 227.35 Violations

(a) If any person, firm, association or corporation conducting a day care center violates any of the provisions of this chapter relating to the safety of, or the accommodations for the children, the **Director of Public Health** is authorized to issue an order to close the day care center and keep it closed until such repairs or alterations have

been made as will comply with the provisions of this chapter.

(b) No person shall fail to comply with a lawful order issued by the **Director of Public Health** under this section.

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

Referred to Directors of Public Health, Finance, Law; Committees on Health and Human Services, Legislation, Finance.

Ord. No. 1643-12.

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

An emergency ordinance authorizing the Director of Public Safety to enter into one or more contracts without competitive bidding with Physio-Control, Inc. for maintenance of various types of LifePak defibrillators, including but not limited to, repair, battery and part replacement, on-site service, and other services and repairs needed to restore covered equipment to original specifications, including labor, testing, calibrations, and safety checks, for the Divisions of Emergency Medical Service, Fire, and Police, Department of Public Safety, for a period up to one year, with one option to renew for an additional one-year period, exercisable by the Director of Public Safety.

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

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

Section 1. That this Council determines that the within commodities are non-competitive and cannot be secured from any source other than Physio-Control, Inc. Therefore the Director of Public Safety is authorized to make one or more written contracts with Physio-Control, Inc. on the basis of its proposal dated September 14, 2012, in the total sum of \$58,035, for maintenance of various types of LifePak 12, LifePak 15, and LifePak 1000 defibrillators, including but not limited to, repair, battery and part replacement, on-site service, and other services and repairs needed to restore covered equipment to original specifications, including labor, testing, calibrations, and safety checks, to be purchased by the Commissioner of Purchases and Supplies, for the Divisions of Emergency Medical Service, Fire, and Police, Department of Public Safety, for a period up to one year. The contract or contracts authorized shall be paid from funds appropriated in budget year 2013 for this purpose.

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

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

Ord. No. 1644-12.

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

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the U.S. Department of Homeland Security for the FY12 Port Security Grant; authorizing the purchase by one or more requirement contracts of materials, equipment supplies and services; and authorizing the purchase by one or more contracts of a response vehicle with detection capabilities needed to implement the grant.

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

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

Section 1. That the Director of Public Safety is authorized to apply for and accept a grant in the approximate amount of \$206,803, and any other funds that may become available during the grant term from the U.S. Department of Homeland Security to conduct the FY12 Port Security Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

Section 2. That the summary for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 1644-12-A, is made a part of this ordinance as if fully rewritten, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$51,701 from Fund No. 11 SF 006, is approved in all respects, and shall not be changed without additional legislative authority. RQS 6001, RL 2012-177.

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

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

Section 5. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a delivery order against the contract or contracts certified by the Director of Finance.

Section 6. That the Director of Public Safety is authorized to make one

or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: one response vehicle with detection capabilities, to be purchased by the Commissioner of Purchases and Supplies for a gross price, for the Department of Public Safety.

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

Section 8. That the costs of the contract or contracts authorized by this ordinance shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance and the cash match.

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

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

Ord. No. 1645-12.

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

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

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

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

Section 1. That the Director of Community Development is authorized to enter into one or more contracts with various non-profit agencies for the implementation of homeless assistance activities.

Section 2. The aggregate cost of the contracts authorized shall not exceed \$1,776,000, and shall be paid from Fund Nos. 14 SF 038 and 19 SF 661, RQS 8006, RL 2012-167.

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

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

Ord. No. 1646-12.

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

An emergency ordinance authorizing the Director of Community Development to employ one or more professional consultants to provide grant writing services; and authorizing the

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

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

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

Section 1. That the Director of Community Development is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide grant writing services needed to assist the City with preparing the applications needed to receive the grants identified in this ordinance.

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

Section 2. That the Director of Community Development is authorized to apply for and accept either the Lead Hazard Reduction Demonstration or Lead Hazard Control Grant, in the amount of up to approximately \$3,000,000 and to apply for and accept the Healthy Homes grant in the amount of up to approximately \$2,000,000, and any other funds that may become available during the grant terms, both from the U.S. Department of Housing and Urban Development to conduct the Lead Hazard Reduction Demonstration or Lead Hazard Control Grant and the Healthy Homes Programs; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grants; and that the funds are appropriated for the purposes described in the summaries for the grants contained in the file below.

Section 3. That the summaries for the grants, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 1646-12-A, are made a part of this ordinance as if fully rewritten, are approved in all respects, and shall not be changed without additional legislative authority.

Section 4. That the Director of Community Development shall have the authority to extend the term of the grants during the grant terms.

Section 5. That the Director of Community Development shall deposit the grants accepted under this ordinance into a fund or funds designated by the Director of Finance to implement the programs as described in the file and appropriated for those purposes.

Section 6. That the Director of Community Development is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements, during the grant terms, for the necessary items materials, equipment, supplies, and services necessary to implement the grants and for the rental of furniture and other household articles to supply and accommodate displaced persons during lead abatement performed under the grants. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control shall determine. Alternate bids for a period less than the grant terms may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire terms.

Section 7. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase or rental under the contract, each of which purchases or rentals 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 8. That the Director of Community Development is authorized to make one or more written standard purchase and/or written requirement purchase contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the period during the grant terms, for each or all of the following items: materials, equipment, supplies, and services needed to implement the grant as described in the file, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Department of Community Development.

Section 9. That, unless expressly prohibited by the grant agreements, under Section 108(b) of the Charter, purchases made under the grant agreements may be made through cooperative arrangements with other governmental agencies. The Director of Community Development may sign all documents and do all things that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 10. That the Director of Community Development is authorized to enter into one or more contracts with or make payments to various entities, agencies, or individuals to implement the grants, including but not limited to, the Cleveland Tenants Organization (CTO), Environmental Health Watch, Healthy Homes Advisory Council, Cleveland Housing Network, Lutheran Metropolitan Ministries, and the Neighborhood Housing Service of Greater Cleveland, to implement the grants as described in the file.

Section 11. That the costs of the contract or contracts authorized by this ordinance shall be paid from the fund

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

Section 12. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 1647-12.

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

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

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

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

Section 1. That the title and Section 1 of Ordinance No. 958-11, passed August 17, 2011, are amended to read as follows:

An emergency ordinance authorizing the Director of Community Development to enter into **one or more contracts with Cleveland Housing Network, Cleveland Action to Support Housing, and other agencies** to perform home energy assessments in connection with the Cleveland Energy Savers Pilot Program, with a term expiring **September 30, 2013.**

Section 1. That the Director of Community Development is authorized to enter into one or more contracts with Cleveland Housing Network ("CHN"), Cleveland Action to Support Housing ("CASH"), **and other agencies**, with a term expiring **September 30, 2013**, to implement the Cleveland Energy Savers Pilot Program more fully described in File No. 958-11-A.

Section 2. That the existing title and Section 1 of Ordinance No. 958-11, passed August 17, 2011 are repealed.

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

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

Ord. No. 1648-12.

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

An emergency ordinance to amend Section 343.23 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 889-10, passed October 4, 2010, relating to drive-through lanes in pedestrian retail overlay (PRO) districts.

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

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

Section 1. That Section 343.23 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 889-10, passed October 4, 2010, is amended to read as follows:

Section 343.23 Pedestrian Retail Overlay (PRO) District

(a) *Purpose.* The Pedestrian Retail Overlay (PRO) District is established to maintain the economic viability of older neighborhood shopping districts by preserving the pedestrian-oriented character of those districts and to protect public safety by minimizing conflicts between vehicles and pedestrians in neighborhood shopping districts.

(b) *Mapping.* The PRO District is an overlay district which shall be mapped only in an area where at least seventy-five (75%) of the underlying zoning is either Local Retail or General Retail. In every PRO District, any street frontage to be considered a "Pedestrian Retail Street Frontage," as defined in this section, shall be marked on the Zoning Map, with either one (1) or both sides of a street designated as such.

(c) *Applicability.* The PRO District regulations shall apply only in those portions of a PRO District in which the underlying zoning is either Local Retail or General Retail. In the relevant portions of a PRO District, the regulations of the underlying zoning district shall govern except where in conflict with the regulations of the PRO District, in which case the regulations of the PRO District shall govern.

(d) *Definitions.* As used in this section, the following terms shall be defined as stated below:

(1) "Pedestrian Retail Street Frontage" means that side or sides of a public street frontage where pedestrian-oriented retail shopping activity exists or is expected to exist and such street frontage is specifically designated on the Zoning Map.

(2) "Pedestrian Retail Space" means that portion of a building or property located at or closest to the level of the public sidewalk and within forty (40) feet of a Pedestrian Retail Street Frontage.

(3) "Open Sales Lot" means a property or portion of a property used for the sale of merchandise stored in outdoor, unenclosed locations.

(4) "Institutional Use" means, for purposes of this section, a school, day care center, place of worship, place of assembly, hospital, nursing home, residential treatment facility, or similar use.

(5) "Non-Retail Office" means an office use whose primary activity does not involve service to customers or clients on the premises.

(e) *Use Regulations.* All uses permitted in the underlying retail zoning district shall be permitted in the PRO District, except that the use of Pedestrian Retail Spaces, as defined in this section, shall be further limited as follows.

(1) *Prohibited Uses.* For Pedestrian Retail Spaces, as defined in this section, the following uses shall be prohibited:

A. Open sales lots, as defined in this section;

B. Filling and service stations;

C. Car washes; and

D. **Any business served by a drive-through lane providing access to windows or other facilities at which an order can be placed and merchandise can be picked up.**

(2) *Conditional Uses.* For Pedestrian Retail Spaces, as defined in this section, the following uses shall be permitted as Conditional Uses, as approved by the City Planning Commission under the approval criteria provided in this section:

A. Off-street parking or loading areas;

B. Driveways extending across a public sidewalk;

C. Residential, institutional and non-retail office uses, as defined herein, except that ground-floor entrances and lobbies serving such uses located on upper floors or in a basement level shall be permitted without the requirement for conditional approval;

D. Any building-enclosed use that does not have a public pedestrian entrance from the Pedestrian Retail Street Frontage;

E. Any use with more than forty (40) feet of frontage along the Pedestrian Retail Street Frontage; and

F. A building with an interior side yard more than four (4) feet in width and located within forty (40) feet of a Pedestrian Retail Frontage.

(f) *Criteria for Conditional Uses.* The City Planning Commission shall approve a Conditional Use application if it determines that the application meets the following criteria:

(1) In the case of a proposed residential, institutional or non-retail office use, one (1) or more of the following conditions apply:

A. The subject building space was designed specifically for the type of use proposed and, as such, occupancy by an allowed use is an unreasonable expectation;

B. Denial of the application for occupancy by a conditional use would result in a long-term vacancy of the subject property, as demonstrated by the applicant;

C. It has been determined that the proposed use is needed in the immediate area and that suitable alternative locations are unavailable.

(2) In the case of a proposed off street parking or loading area or driveway, one (1) or both of the following conditions apply.

A. The size, shape or layout of the subject property does not permit placement of the parking, loading or driveway in a more suitable location.

B. It has been demonstrated by the applicant that placement of the parking, loading or driveway in an allowed location would jeopardize the continued occupancy of the subject property by uses suited to the PRO District.

(3) In the case of a building enclosed use that does not have an entrance from the Pedestrian Retail Street Frontage, one (1) or both of the following conditions apply:

A. The proposed use will occupy an existing building that lacks such pedestrian entrance, and the addition of a conforming pedestrian entrance is made infeasible by the configuration of the interior space or other factors related to the design and placement of the building.

B. Placement of the pedestrian entrance in a location other than on

the Pedestrian Retail Street Frontage will result in more suitable pedestrian access.

(4) In the case of a proposed use with more than forty (40) feet of frontage along the Pedestrian Retail Street Frontage, the subject space was designed for use at such size and the proposed use, in the determination of the City Planning Commission, will not have adverse impacts on the functioning of nearby pedestrian-oriented retail uses.

(5) In the case of an interior side yard more than four (4) feet in width and located within forty (40) feet of a Pedestrian Retail Frontage, the subject building will be occupied by residential units which require the greater side yard area to allow for desirable levels of light and air.

(g) *Maximum Setbacks.* Notwithstanding the provisions of the underlying zoning district, properties in PRO Districts shall conform to the following regulations with respect to maximum setbacks.

(1) *Front Street Yard.* No main building on a lot abutting a Pedestrian Retail Street Frontage shall be set back more than five (5) feet from the Pedestrian Retail Street Frontage unless the City Planning Commission has approved establishment of a surface parking lot in such location as a Conditional Use. Such building features as entrances and display windows may be set back up to an additional five (5) feet as long as these features occupy no more than fifty percent (50%) of the building's total frontage. These setback regulations shall not apply to portions of buildings above the first-story level.

(2) *Interior Side Yard.* No portion of an interior side yard located within forty (40) feet of a Pedestrian Retail Street Frontage shall exceed four (4) feet in width on the ground floor level, unless the City Planning Commission has approved a driveway or a residential side yard in such location as a Conditional Use.

(3) *Exceptions for Outdoor Cafes.* A building may be set back a maximum of fifteen (15) feet from the Pedestrian Retail Street Frontage in order to accommodate a permanent outdoor café. If use of such café is discontinued for a period of two (2) years or more, the setback area shall be landscaped or otherwise improved in accordance with a plan approved by the City Planning Commission.

(h) *Window Areas.* For any nonresidential building or storefront facing a Pedestrian Retail Street Frontage, not less than sixty percent (60%) of the front facade between two and one-half (2-1/2) and seven and one-half (7-1/2) feet in height shall be composed of transparent windows or doors. In addition, not more than twenty-five percent (25%) of such window or door area on a building or storefront shall be covered with permanent signs.

(i) *Parking.* In recognition of the expected greater use of public transit, bicycles and walking by customers and employees traveling to PRO Districts, the minimum number of parking spaces otherwise required by the Zoning Code shall be reduced by thirty-three percent (33%) for retail business uses in the districts. The Board of Zoning Appeals may further reduce parking requirements where it has been demonstrated that additional parking is available in common or shared parking facilities or in on-street parking areas located within a

reasonable walking distance of the use, given the nature of the use and the district. The Board shall also consider factors as the number of bicycle racks available in proximity to a use. In making its determination, the Board shall be guided by an up-to-date analysis of parking supply and demand and other relevant factors submitted by or on behalf of the applicant. The City Planning Commission shall maintain a file of all such parking analyses submitted for properties in each PRO District.

(j) *Signs in the Public Street Right-of-Way.* An ordinance to map a PRO District in a particular location may include permission to place private signs in the public street right-of-way under the regulations of Chapter 512 of the Codified Ordinances. Such provision shall be included in the PRO designation only if it is determined, on the basis of a survey and analysis conducted by the City Planning Commission, that the particular PRO District is characterized by a preponderance of restaurants and small independent stores for which signs placed near the street curb would provide useful information to pedestrians seeking goods and services and would enhance the pedestrian-oriented image of the district. Any PRO District designated for display of signs in the street right-of-way shall be shown on the Zoning Map as a "PRO-S" District, with "S" noting the presence of special sign provisions. No sign permitted by these provisions shall be displayed without design approval of the sign's structure and permanent elements by the City Planning Commission, or where applicable, by the Landmarks Commission.

(k) *Variances.* The Board of Zoning Appeals may grant variances to requirements of this section under the applicable criteria stated in Chapter 329 of this code. **In the case of an appeal for a variance to permit a drive-through business in a PRO District, the Board shall consider following factors:**

(1) **the anticipated volume of vehicular use of the proposed drive-through facility, with higher volumes considered to detract from the pedestrian character of the district;**

(2) **the anticipated proportion of all customer sales represented by drive-through sales at the business, with higher proportions indicating that the business is an inappropriate use for a Pedestrian Retail District;**

(3) **the impact of the drive-through facility on the pedestrian character of the designated Pedestrian Retail Street Frontage;**

(4) **the impact on traffic safety and pedestrian safety in the vicinity of the drive-through business.**

(l) *Appeals.* Appeals from the decision of the City Planning Commission to approve or disapprove Conditional Uses in Pedestrian Retail Spaces shall be made to the Board of Zoning Appeals.

Section 2. That existing Section 343.23 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 889-10, passed October 4, 2010, is repealed.

Section 3. That 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 City Planning Commission, Finance, Law; Committees on City Planning, Legislation, Finance.

Ord. No. 1649-12.

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

An emergency ordinance authorizing the Director of Public Works to lease certain space known as the greenhouse building located in Rockefeller Park and is adjacent to the Rockefeller Park Greenhouse, at 750 East 88th Street, to Cleveland Botanical Garden for the purpose of operating a greenhouse, shall not exceed five years, with one option to renew for an additional five-year period, exercisable by the Director of Public Works.

Whereas, the City of Cleveland owns certain space known as the greenhouse building located in Rockefeller Park and is adjacent to the Rockefeller Park Greenhouse at 750 East 88th Street; and

Whereas, Cleveland Botanical Garden has proposed to lease the space from the City; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Works is authorized to lease to Cleveland Botanical Garden ("Lessee"), up to 2,000 square feet of the greenhouse building that is located adjacent to the Rockefeller Park Greenhouse which is not needed for the City's use.

Section 2. That the term of the lease authorized by this ordinance shall not exceed five years, with one option to renew for an additional five-year period, exercisable by the Director of Public Works.

Section 3. That the space authorized by this ordinance shall be leased at a rental of \$2,400 annually, and other valuable considerations, which is determined to be fair market value, exclusive of utilities.

Section 4. That the lease may authorize the Lessee to make improvements to the leased premises subject to the approval of appropriate City agencies and officials.

Section 5. That the lease shall be prepared by the Director of Law.

Section 6. That the Director of Public Works, the Director of Law, and other appropriate City officials are authorized to execute any other documents and certificates, and take any other actions which may be necessary or appropriate to effect the lease authorized by this ordinance.

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

Referred to Directors of Public Works, City Planning Commission, Finance, Law; Committees on Public Parks, Properties, and Recreation, City Planning, Finance.

Ord. No. 1650-12.
By Council Members Dow, K. Johnson, Cleveland, Mitchell and Kelley (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 131.36 relating to the lease of the Hough Multi-Service Center.

Whereas, the City of Cleveland owns certain property known as the Hough Multi-Service Center located at 8555 Hough Avenue, which is suitable for lease by another party for a public use; and

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 131.36 to read as follows:

Section 131.36 Lease of the Hough Multi-Service Center

(a) Notwithstanding the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Works is authorized to lease space at the Hough Multi-Service Center located at 8555 Hough Avenue, Cleveland, Ohio, following a rental formula which shall be set by the Board of Control.

(b) The Director may lease all or any portion of the Center or grant the right to use the same, for a period not to exceed one (1) year. The Director may make such provision for renewal or extension of the lease or grant as he or she may deem advisable from time to time for additional periods not exceed one (1) year each, providing that the option or right of renewal shall be exercisable by the Director. The lease or grant shall not be transferred or assigned by the lessee or grantee thereof to any other person without the consent, in writing, of the Director. Such right or grant may be revoked by the Director upon violation of terms of the lease. Provisions shall be made by the Director for the payment of the rent at such regular times and at such place as may be deemed by the Director to be most advisable.

(c) That the lease may authorize the Lessee to make improvements to the leased premises subject to the approval of appropriate City agencies and officials.

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

Referred to Directors of Public Works, City Planning Commission, Finance, Law; Committees on Public Prks, Properties, and Recreation, City Planning, Legislation, Finance.

Ord. No. 1659-12.
By Council Member Conwell.
An emergency ordinance to amend Section 403.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No.672-12

passed June 4, 2012, relating to Traffic Code Misdemeanor Classifications and Penalties.

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

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

Section 1. That Section 403.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 672-12, passed June 4, 2012, is hereby amended to read as follows:

Section 403.99 Traffic Code Misdemeanor Classifications and Penalties

(a) *Misdemeanor Classifications.*

(1) *General Classification.* Whoever violates any provision of this Traffic Code or any regulation lawfully adopted pursuant thereto, for which violation no penalty is otherwise provided, is guilty of a minor misdemeanor on a first offense; on a second offense within one (1) year after the first offense, such person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one (1) year after the first offense such person is guilty of a misdemeanor of the third degree. (RC 4511.99). When any person is found guilty of a first offense for violation of Section 433.03, upon a finding that he or she operated a motor vehicle in excess of the posted speed limit by ten (10) miles an hour or more, such person is guilty of a misdemeanor of the fourth degree. When any person is found guilty of a violation of division (b) (9) of Section 433.03, in addition to all other penalties provided by law, such person shall be fined two (2) times the usual amount imposed for the violation.

(2) *Street Racing.* Whoever violates Section 433.07 is guilty of a misdemeanor of the first degree.

(3) *Licensing Drivers.* Whoever violates any provision of Sections 435.01 to 435.07, inclusive, is guilty of a misdemeanor of the first degree.

(4) *Accidents.* Whoever violates any provision of Sections 435.15 to 435.17, inclusive, is guilty of a misdemeanor of the first degree.

(5) *Willfully Fleeing a Police Officer.* Whoever violates division (b) of Section 403.02 is guilty of a misdemeanor of the first degree.

(6) *Stopping for School Buses.* Whoever violates division (a) of Section 431.38 is guilty of a misdemeanor of the first degree.

(7) *Placing Dangerous Material on Streets.* Whoever violates division (e) of Section 411.01 is guilty of a misdemeanor of the first degree.

(8) *Bicycle Safety Violations.* Whoever violates divisions (d) and (e) of Section 431.03, division (e) of Section 431.08, division (e) of Section 431.10, and Section 451.07 is guilty of a minor misdemeanor on a first offense; on each subsequent offense within one (1) year of the first offense such person is guilty of a misdemeanor of the fourth degree; if such a violation causes a collision between a motor vehicle and a bicycle, such person is guilty of a misdemeanor of the third degree.

(b) *Penalties.* Whoever is convicted of or pleads guilty to a violation of this Traffic Code shall be imprisoned for a definite term or fined, or both, which term of imprisonment and fine shall be fixed by the court as provided in this section.

Misdemeanor Classification	Maximum Imprisonment Term	Maximum Fine
1st degree	6 months	\$1,000.00
2nd degree	90 days	\$ 750.00
3rd degree	60 days	\$ 500.00
4th degree	30 days	\$ 250.00
Minor	None	\$ 150.00

(RC 2929.21)

(c) *License Suspension.*

(1) The trial judge of the Cleveland Municipal Court, in addition to or independent of all other penalties provided by law or ordinance, shall suspend for not less than thirty (30) days nor more than three (3) years or revoke the driver's or commercial driver's license or permit or nonresident operating privileges of any person who is convicted of or pleads guilty to any of the following:

A. Division (a) of Section 431.38;

B. Sections 435.01 to 435.07, inclusive;

The trial judge, in addition to suspensions or revocations of licenses, permits, or privileges pursuant to this division and in addition to or independent of all other penalties provided by law or by ordinance, shall impose a suspended jail sentence of not to exceed six (6) months, if that imprisonment was not imposed for the offense for which the person was convicted.

(2) The trial judge of the Cleveland Municipal Court, in addition to or independent of all other penalties provided by law or ordinance, shall suspend or revoke the driver's or commercial driver's license or permit or nonresident operating privileges of any person who is convicted of or pleads guilty to a violation of division (b) of Section 433.01. The length of the suspension or revocation imposed by the trial judge upon a person who is convicted or pleads guilty to a violation of division (b) of Section 433.01 shall be the same as that imposed pursuant to division (B) of RC 4507.16 upon a person who is convicted of or pleads guilty to a violation of RC 4511.19, or a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine.

(3) The trial judge of the Cleveland Municipal Court may, in addition to or independent of all other penalties provided by law, suspend the license of any person for not more than fifteen (15) days who is convicted of or pleads guilty to a violation of operating a motor vehicle faster than five (5) miles per hour in excess of the prima-facie speed limits specified in Section 433.03 relating to passing a school building or grounds or operating a motor vehicle in a residential district. For any subsequent conviction of any such provision, the trial judge shall, in addition to or independent of all other penalties provided by law, suspend the license of any person for not more than thirty (30) days who is convicted of or pleads guilty to any offense specified in this division. The first five (5) days may not be suspended by the Court.

Section 2. That existing Section 403.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 672-12, passed June 4, 2012, is hereby repealed.

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

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

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 1651-12.

By Council Member Westbrook.

An emergency ordinance authorizing the Clerk of Council to enter into an agreement with Cobalt Group, Inc. for the professional services necessary to provide for implementation of an operations and sustainability plan 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 Cobalt Group, Inc. ("Consultant") for the professional services necessary to provide for the implementation of an operations and sustainability plan for Cleveland City Council, including the services set forth in Consultant's 2013 Statement of Work and those services as may be directed by the Clerk or her designee. This agreement shall be entered into as of January 1, 2013 and shall be for a term of one year, concluding December 31, 2013.

The agreement shall be certified in an amount not to exceed \$60,000.00 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.

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

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

Ord. No. 1652-12.

By Council Member Kelley.

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

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

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

Section 1. That the Clerk of Council is authorized to enter into an agreement with Guy Gadomski, CPA to provide professional financial consulting and auditing services necessary for Cleveland City Council, including, but not limited to, analysis of the Mayor's Estimate, preparation and presentation of the Council budget

retreat, and briefings to the Council President, and any other financial advisory services as directed by the Clerk or her designee. This agreement shall be entered into as of January 1, 2013 and shall be for a term of one year, concluding December 31, 2013.

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.

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

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

Ord. No. 1653-12.

By Council Member Sweeney.

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, 2013 and concluding December 31, 2013.

The cost of this agreement shall not exceed \$60,000 and shall be certified 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.

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

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

Ord. No. 1654-12.

By Council Member Westbrook.

An emergency ordinance authorizing the Clerk of Council to enter into an agreement with NetX Internet LLC to provide wireless internet service to Cleveland City Council.

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

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

Section 1. That the Clerk of Council is authorized to enter into an agreement with NetX Internet LLC to pro-

vide wireless internet service to Cleveland City Council, including installation, equipment, management, maintenance and repair for a period of three years, beginning on January 1, 2013. The cost of the agreement shall be \$799 per month and shall be paid from fund 01, dept. 0101 subfund 001 object code 6320.

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

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

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

Ord. No. 1655-12.

By Council Member Westbrook.

An emergency ordinance authorizing the Clerk of Council to enter into a contract or contracts with professional photographers to provide photography 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 a contract or contracts with professional photographers to provide photography services for Cleveland City Council as may be directed by the Clerk or her designee.

The total amount of all agreements together that are entered into under this ordinance shall not exceed \$15,000 and shall be certified 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.

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

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

Ord. No. 1656-12.

By Council Member Pruitt.

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 pro-

professional assistance in investigating utility-related matters pertaining to the Divisions of Cleveland Public Power, Water and Water Pollution Control for Cleveland City Council.

The agreement shall be certified in an amount not to exceed \$250,000.00 from fund 52-001, 54-001 and/or 58-001 and such other funds as may be deemed appropriate by the Director of Finance.

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

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

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

Ord. No. 1657-12.

By Council Member Westbrook.

An emergency ordinance authorizing the Clerk of Council to enter into a fourth amendment to the agreement with Solar Systems Networking Inc., City Contract No. PS 2010*83, for additional money for the continuation of professional services necessary to advise and assist in the maintenance and performance of computer technology projects 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 a fourth amendment to the agreement with Solar Systems Networking Inc. ("Consultant"), City Contract No. PS 2010*83, to add \$80,000 to the agreement for the continuation of the professional services necessary to advise and assist in the maintenance and performance of computer technology projects, as more specifically set forth in Consultant's 2013 Statement of Work and as may be directed by the Clerk.

The cost of all services under this agreement 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.

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

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

Ord. No. 1660-12.

By Council Member K. Johnson.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into an agreement with the Buckeye Area Development Corporation for the Holiday Food Card Program through the use of Ward 4 Neighborhood Capital Funds.

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

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

Section 1. That the Director of the Department of Community Development is authorized to enter into an agreement effective November 20, 2012 with for the Buckeye Area Development Corporation for the Holiday Food Gift Card Program for the public purpose of providing food gift cards to low moderate income residents through the use of Ward 4 Neighborhood Capital Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$27,500 and shall be paid from Fund No. 10 SF 177.

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

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

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

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

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 1625-12.

By Council Member Dow.

An emergency resolution objecting to a New C1 Liquor Permit at 7038 Linwood Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 Liquor Permit at Annette Green, DBA Green's Linwood Deli, 7038 Linwood Avenue, Cleveland, Ohio 44103, Permanent Number 33502090005; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C1 Liquor Permit at Annette Green, DBA Green's Linwood Deli, 7038 Linwood Avenue, Cleveland, Ohio 44103, Permanent Number 33502090005; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 1626-12.

By Council Member Polensek.

An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 1035 East 185th Street.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Franchise USA LLC, DBA AM PM 2413, 1035 East 185th Street, Cleveland, Ohio 44119, Permanent Number 28672160075 to 7 Eleven, Inc., DBA 7 Eleven, #36237, 1035 East 185th Street, Cleveland, Ohio 44119, Permanent Number 80036070155; and

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

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

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

Whereas, the place for which the permit is sought is so arranged or constructed that law enforcement officers or agents of the Department of

Liquor Control are prevented reasonable access to the establishment; and

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from Franchise USA LLC, DBA AM PM 2413, 1035 East 185th Street, Cleveland, Ohio 44119, Permanent Number 28672160075 to 7 Eleven, Inc., DBA 7 Eleven, #36237, 1035 East 185th Street, Cleveland, Ohio 44119, Permanent Number 80036070155; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 1627-12.

By Council Member Polensek.

An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 788 East 200th Street.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Ash Kirat Corporation, DBA Convenient Food Mart #3-030, 788 East 200th Street, Cleveland, Ohio 44119, Permanent Number 0292783 to Ghuman, Inc., 788 East 200th Street, Cleveland, Ohio 44119, Permanent Number 3172780; and

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

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard of

the laws, regulations or local ordinances of this state or any other state; and

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from Ash Kirat Corporation, DBA Convenient Food Mart #3-030, 788 East 200th Street, Cleveland, Ohio 44119, Permanent Number 0292783 to Ghuman, Inc., 788 East 200th Street, Cleveland, Ohio 44119, Permanent Number 3172780; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 1628-12.

By Council Member Kelley.

An emergency resolution objecting to the transfer of ownership of a C1 Liquor Permit to 4744 Broadview Road.

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 Liquor Permit at Astral Enterprises, Ltd., DBA Broadview Food Market, 4744 Broadview Road, Cleveland, Ohio 44109, Permanent Number 0304410; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C1 Liquor Permit at Astral Enterprises, Ltd., DBA Broadview Food Market, 4744 Broadview Road, Cleveland, Ohio 44109, Permanent Number 0304410; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 1658-12.

By Council Member Cimperman.

An emergency resolution withdrawing objection to the transfer of liquor license of a D2, D2X, D3 and D3A Liquor Permit at 1293 West 9th Street and repealing Resolution No. 1024-12, objecting to said transfer.

Whereas, this Council objected to the transfer of liquor license of a D2, D2X, D3 and D3A Liquor Permit to Tomo Hibachi Restaurant & Lounge, LLC, 1293 West 9th Street, Cleveland, Ohio 44113, Permanent No. 8980087, adopted by the Council on August 8, 2012; and

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

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

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

Section 1. That objection to a D2, D2X, D3 and D3A Liquor Permit to Tomo Hibachi Restaurant & Lounge, LLC, 1293 West 9th Street, Cleveland, Ohio 44113, Permanent No. 8980087; be and the same is hereby withdrawn and Resolution No. 1024-12, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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

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

Res. No. 1661-12.

By Council Member Cleveland.

An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 5275-79 Broadway Avenue, 1st floor & basement.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from 5275 Broadway, Inc., DBA Mike's Beverage, 5275-79 Broadway Avenue, 1st floor and basement, Cleveland, Ohio 44127, Permanent Number 2759362 to Tina 1 2 3, Inc., DBA Mike's Beverage, 5275-79 Broadway Avenue, 1st floor and basement, Cleveland, Ohio 44127, Permanent Number 8939161; and

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

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

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

Whereas, the place for which the permit is sought is so arranged or constructed that law enforcement officers or agents of the Department of

Liquor Control are prevented reasonable access to the establishment; and

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from 5275 Broadway, Inc., DBA Mike's Beverage, 5275-79 Broadway Avenue, 1st floor and basement, Cleveland, Ohio 44127, Permanent Number 2759362 to Tina 1 2 3, Inc., DBA Mike's Beverage, 5275-79 Broadway Avenue, 1st floor and basement, Cleveland, Ohio 44127, Permanent Number 8939161; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 1662-12.

By Council Member Miller.

An emergency resolution objecting to the transfer of ownership of stock of a C1 Liquor Permit to 831 East 140th Street.

Whereas, Council has been notified by the Department of Liquor Control of an application for a transfer of stock of a C1 Liquor Permit at New Look Beverage, LLC, 831 East 140th Street, Cleveland, Ohio 44110, Permanent Number 6363210; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a transfer of stock of a C1 Liquor Permit at New Look Beverage, LLC, 831 East 140th Street, Cleveland, Ohio 44110, Permanent Number 6363210, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 900-12.

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

An emergency ordinance authorizing the Director of Public Works to exercise the first option to renew Contract No. 69917 with A Taste of Excellence, Inc. to operate a first-class food and beverage service at the cafeteria located in the Carl B. Stokes Public Utilities Building and the cafeteria located in Cleveland City Hall; and to amend Contract No. 69917 to remove cafeteria service from the Carl B. Stokes Public Utilities Building.

Approved by Directors of Public Works, Finance, Law; Relieved of Committee on City Planning; Passage

recommended by Committee on Finance, when amended, as follows:

1. In Section 1 at the end, insert the following new sentence:

"The Director of Public Works shall not exercise any remaining options to renew Contract No. 69917 unless this Council passes additional legislative authority, notwithstanding any provision of the ordinances that authorized the contract, as identified in the preamble, to the contrary."

Amendment agreed to.

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

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

Ord. No. 1125-12.

By Council Members Westbrook and Mitchell.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 681A.01 through 681A.04 and 681A.99, relating to Precious Metals Dealers.

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

1. In the title, line 4, strike "through 681A.04" and insert ", 681A.02,".

2. In Section 1, line 2, strike "through 681A.04" and insert ", 681A.02,"; and in line 3, strike "Section 681A" and insert "CHAPTER 681A,".

3. In Section 1, strike amended Sections 681A.02, 681A.03, 681A.04, and 681A.99 in their entirety, and insert:

"Section 681A.02 State License Required

No person shall act as a precious metals dealer unless that person has a current, valid license issued under Revised Code Chapter 4727 or 4728, when required to be licensed under those chapters.

Section 681A.99 Penalty

(a) Any person who violates this section shall be guilty of a misdemeanor of the first degree.

(b) This section shall not apply whenever the conduct prohibited by this section constitutes a felony under Revised Code 4728.99."

Amendments agreed to.

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

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

Ord. No. 1233-12.

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

An emergency ordinance to amend Section 559.242 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1062-06, passed December 11, 2006, relating to the Turkish Cultural Garden.

Approved by Directors of Public Works, City Planning Commission, Finance, Law; Passage recommended by Committees on Public Parks, Prop-

erties, and Recreation, City Planning, Legislation, Finance.

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

Ord. No. 1399-12.

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

An emergency ordinance to amend Section 1 of Ordinance No. 886-12, passed July 11, 2012, relating to the Purchase and Sale Agreement with Cleveland Business Park, Ltd.

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

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

Ord. No. 1452-12.

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

An emergency ordinance authorizing the Mayor to apply to the District One Public Works Integrating Committee for state funding for various infrastructure capital improvement projects and state funding to obtain credit enhancements and loan assistance in support of the City's general obligation bonds issued for road and bridge improvements.

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

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

Ord. No. 1458-12.

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

An emergency ordinance authorizing the Director of Community Development to transfer property described as Permanent Parcel Nos. 106-13-039, 106-13-042, 106-13-043, 106-13-067, 106-13-069, 106-13-070, 106-13-071, 106-13-072, 106-13-073, 106-13-074, 106-13-076, and 106-13-102, to the control, possession, and use of the Department of Public Works, for future development of League Park.

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

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

Ord. No. 1492-12.

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

An emergency ordinance to amend Section 10 of Ordinance No. 592-11, passed June 6, 2011 relating to the Cedar Avenue Rehabilitation Phase II (East 89th Street to Martin Luther King Jr. Blvd.) to authorize the Director of Capital Projects to add Water Pollution Control utility fund num-

bers for the making of the public improvement.

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

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

Ord. No. 1532-12.

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

An emergency ordinance authorizing the Director of Public Works to exercise the first option to renew Contract No. CT 7012 NF2010-024 with Executive Caterers at Landerhaven, Inc. to provide food and beverage services.

Approved by Directors of Public Works, Finance, Law; Relieved of Committee on Public Park, Properties and Recreation; Passage recommended by Committee on Finance.

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

SECOND READING EMERGENCY RESOLUTION ADOPTED

Res. No. 1460-12.

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

An emergency resolution authorizing the Mayor to sign a Dedication Plat of the new rights of way proposed as part of the Flats East Bank Development.

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

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

MOTION

By Council Member Cummins, seconded by Council Member Cleveland and unanimously carried that the absence of Council Members Anthony Brancatelli and Zachary Reed be and is hereby authorized.

MOTION

The Council Meeting adjourned at 8:20 p.m. to meet on Monday, November 26, 2012 at 7:00 p.m. in the Council Chambers.



Patricia J. Britt
City Clerk, Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

November 14, 2012

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, November 14, 2012 at 10:55 a.m. with Director Langhenry presiding.

Present: Director Langhenry, Acting Director Midgett, Directors Withers, Smith, Cox, Acting Director Gehlmann, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Absent: Mayor Jackson and Director Butler.

Others: Jomarie Wasik, Director, Mayor's Office of Capital Projects.

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

Deborah Midgett, Acting Commissioner, Purchases & Supplies.

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

Resolution No. 580-12.

By Director Withers.

Whereas, under the authority of Ordinance No. 1845-08, passed by the Council of the City of Cleveland on January 26, 2009, and Board of Control Resolution No. 320-10, adopted August 4, 2010, the City of Cleveland entered into City Contract No. PS2010*238 with Pure Technologies US Inc. for the professional services necessary to inspect deterioration of the six trunk mains for a period of up to two years beneath the following segments 1) E. 70th Street, E. 71st Street and Brecksville Road; 2) Butternut Ridge Road, Columbia Road, Mastick Road and Brookpark Road; 3) Clark Avenue from the Cuyahoga River to W. 73rd Street; 4) Cleveland Heights along Hampshire Lane, Morningside Lane and St. James Parkway; 5) Superior Avenue from E. 55th Street to Ansel Road; and 6) in Euclid from the Nottingham Water Works to Georgetown Road, and to design any necessary repair or replacement of the trunk mains in the amount of \$1,757,034.00, and further approved the employment of Elite Pipeline Services, among others, as a subcontractor, for the Division of Water, Department of Public Utilities; and

Whereas, by its October 23, 2012 letter, Pure Technologies US Inc. requested the City's consent to substitute subcontractor Applus RTD Canada LP for Elite Pipeline Services; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 320-10, adopted August 4, 2010, under authority of Ordinance No. 1845-08, passed by the Council of the City of Cleveland on January 26, 2009, approving Pure Technologies US Inc. for the professional services necessary to inspect deterioration of the six trunk mains for a period of up to two years, and to design any necessary repair or replacement of the trunk mains, for the Division of Water, Department of Public Utilities is amended by deleting Elite Pipeline Services \$55,240.00 (3.144%).

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following additional subcontractor

by Pure Technologies US Inc. for the abovementioned professional services is approved:

<u>SUBCONTRACTOR</u>	<u>WORK PERCENTAGE</u>
Applus RTD Canada LP	\$35,580.00 2.025%

Be it further resolved that all other provisions of Resolution No. 320-10 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Director Langhenry, Acting Director Midgett, Directors Withers, Smith, Cox, Acting Director Gehlmann, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson and Director Butler.

Resolution No. 581-12.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Energy Mechanical Corp., Inc. under Contract No. RC2012*49 for labor and materials to provide maintenance, repair, enhancement and/or replacement of heating, ventilation and air conditioning systems, including rental, for a period of two years, for the various divisions of the Department of Public Utilities, is approved:

<u>Subcontractors</u>	<u>Work Percentage</u>
RCR Services Inc.	\$50,000.00 5.912%

Yeas: Director Langhenry, Acting Director Midgett, Directors Withers, Smith, Cox, Acting Director Gehlmann, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson and Director Butler.

Resolution No. 582-12.

By Director Smith.

Whereas, Cleveland Browns Stadium Company, LLC ("Browns") wishes to utilize the Dock 28B, Dock 30 and Dock 32 parking facilities ("Docks") for parking and special events between November 8, 2012 and January 9, 2013; and

Whereas, the City is willing to grant the Browns the privilege, permit and license to utilize the Docks for parking and special events; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.04 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of the Department of Port Control is authorized to enter into an agreement ("Agreement") granting Cleveland Browns Stadium Company, LLC the privilege, permit and license to utilize the Dock 28B, Dock 30 and Dock 32 parking facilities for parking and special events between November 8, 2012 and January 9, 2013. The number of days on which the Docks may be used for parking and special events shall not exceed sixty days. Cleveland Browns Stadium Company, LLC shall pay to the City a fee equal to \$183,693.60 per annum pro-rated at

\$510.26 per day during the term of this Agreement.

Be it further resolved that the above-authorized Agreement shall be prepared by the Director of Law and shall contain such other provisions as the Director deems necessary to benefit and protect the public interest.

Yeas: None.

Nays: Director Langhenry, Acting Director Midgett, Directors Withers, Smith, Cox, Acting Director Gehlmann, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Absent: Mayor Jackson and Director Butler.

Resolution No. 583-12.

By Director Smith.

Whereas, Cleveland Browns Stadium Company, LLC ("Browns") wishes to utilize the Dock 28B, Dock 30 and Dock 32 parking facilities ("Docks") for parking and special events between November 8, 2012 and January 9, 2013; and

Whereas, the City is willing to grant the Browns the privilege, permit and license to utilize the Docks for parking and special events; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.04 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of the Department of Port Control is authorized to enter into an agreement ("Agreement") granting Cleveland Browns Stadium Company, LLC the privilege, permit and license to utilize the Dock 28B, Dock 30 and Dock 32 parking facilities for parking and special events between November 8, 2012 and January 9, 2013. The number of days on which the Docks may be used for parking and special events shall not exceed sixty days. Cleveland Browns Stadium Company, LLC shall pay to the City a fee equal to \$172,749.60 per annum pro-rated at \$479.86 per day during the term of this Agreement.

Be it further resolved that the above-authorized Agreement shall be prepared by the Director of Law and shall contain such other provisions as the Director deems necessary to benefit and protect the public interest.

Yeas: Director Langhenry, Acting Director Midgett, Directors Withers, Smith, Cox, Acting Director Gehlmann, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson and Director Butler.

Resolution No. 584-12.

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of Ordinance No. 499-10, as amended by Ordinance Nos. 1624-10 and 1435-11, passed by the Council of the City of Cleveland on June 7, 2010, December 6, 2010 and October 31, 2011, respectively, the firm of Inland Waters of Ohio, Inc. ("Consultant"), is selected upon the nomination of the Director of Port Control from a list of qualified persons or firms determined after a full and complete canvass by the Director of Port Control as the firm of consultants available to be employed by contract to supplement the regularly employed staff of the

several departments of the City to provide professional services necessary to provide emergency spill response for regulatory actions and inspections, environmental and infrastructure conditions requiring specialized immediate response and corrective measures at Cleveland Hopkins International Airport, Burke Lakefront Airport and the Division of Harbors, for a period of two years, with two one-year options to renew, for the Department of Port Control.

Be it further resolved that the Director of Port Control is authorized to enter into a written contract with Inland Waters of Ohio, Inc. for the above-mentioned services, based upon its proposal dated May 22, 2012, which contract shall be prepared by the Director of Law, shall provide that the compensation to Inland Waters of Ohio, Inc. for the services authorized shall not exceed \$70,000.00, and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control that the employment of the following subconsultants by Inland Waters of Ohio, Inc. is approved:

<u>Subconsultant</u>	<u>Percentage</u>	<u>Amount</u>
Precision Analytical, Inc.	3.0% CSB/MBE	\$2,100.00
Samsel Supply Company	7.0% CSB/FBE	\$4,900.00

Yeas: Director Langhenry, Acting Director Midgett, Directors Withers, Smith, Cox, Acting Director Gehlmann, Directors Rush, Southerington, Nichols, Fumich and Rybka.
Nays: None.
Absent: Mayor Jackson and Director Butler.

Resolution No. 585-12.

By Director Smith.
Be it resolved by the Board of Control of the City of Cleveland that, under the authority of Ordinance No. 499-10, as amended by Ordinance Nos. 1624-10 and 1435-11, passed by the Council of the City of Cleveland on June 7, 2010, December 6, 2010 and October 31, 2011, respectively, the firm of Inland Waters of Ohio, Inc. ("Consultant"), is selected upon the nomination of the Director of Port Control from a list of qualified persons or firms determined after a full and complete canvass by the Director of Port Control as the firm of consultants available to be employed by contract to supplement the regularly employed staff of the several departments of the City to provide professional services necessary to inspect, operate and provide required analysis and reporting on a variety of oil/water separators, sanitary and storm water lines, electrical vaults, holding tanks, lift stations and associated appurtenances at Cleveland Hopkins International Airport, Burke Lakefront Airport and the Division of Harbors, for a period of two years, with two one-year options to renew, for the Department of Port Control.

Be it further resolved that the Director of Port Control is authorized to enter into a written contract with Inland Waters of Ohio, Inc. for the above-mentioned services, based upon its proposal dated August 10, 2012, which contract shall be prepared by the Director of Law, shall provide that the compensation to Inland Waters of Ohio, Inc. for the services authorized shall not exceed \$2,200,000.00, and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control that the employment of the following subconsultants by Inland Waters of Ohio, Inc. is approved:

<u>Subconsultant</u>	<u>Percentage</u>	<u>Amount</u>
Precision Analytical, Inc.	1.0% CSB/MBE	\$ 22,000.00
Samsel Supply Company	2.5% CSB/FBE	\$ 55,000.00
Wilk Environmental, Inc.	5.0% CSB	\$110,000.00
Eden Environmental, Inc.	1.5% Non-CSB/MBE/FBE	\$ 33,000.00

Yeas: Director Langhenry, Acting Director Midgett, Directors Withers, Smith, Cox, Acting Director Gehlmann, Directors Rush, Southerington, Nichols, Fumich and Rybka.
Nays: None.
Absent: Mayor Jackson and Director Butler.

Resolution No. 586-12.

By Director Smith.
Be it resolved by the Board of Control of the City of Cleveland that, under the authority of Ordinance No. 1587-09, passed by the Council of the City of Cleveland on November 30, 2009, the firm of Leo A. Daly ("Consultant"), is selected upon the nomination of the Director of Port Control from a list of qualified persons or firms determined after a full and complete canvass by the Director of Port Control as the firm of consultants available to be employed by contract to supplement the regularly employed staff of the several departments of the City to provide professional services necessary to design the public improvement of rehabilitating the Terminal Exterior Facade of Cleveland Hopkins International Airport, for the Department of Port Control.

Be it further resolved that the Director of Port Control is authorized to enter into a written contract with Leo A. Daly for the above-mentioned services, based upon its proposal dated June 15, 2012, which contract shall be prepared by the Director of Law, shall provide that the compensation to Leo A. Daly for the services authorized shall not exceed \$1,022,074.00, and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control that the employment of the following subconsultants by Leo A. Daly is approved:

<u>Sub-consultant</u>	<u>Percentage</u>	<u>Amount</u>
Van Auken Akins Architects, LLC	23.61%-CSB/FBE	\$241,330.00
McGuiness Unlimited, Inc.	3.94%-CSB/FBE	\$40,310.00
Solar Testing Laboratories, Inc.	3.37%-CSB	\$ 34,400.00
ConstructAbility, Inc.	1.59%-CSB/MBE	\$ 16,280.00
KS Associates, Inc.	1.24%-Non-CSB	\$ 12,696.00
C & S Engineers, Inc.	16.37%-Non-CSB	\$167,341.00
Westlake, Reed, Leskosky	15.05%-Non-CSB	\$153,850.00

Yeas: Director Langhenry, Acting Director Midgett, Directors Withers, Smith, Cox, Acting Director Gehlmann, Directors Rush, Southerington, Nichols, Fumich and Rybka.
Nays: None.
Absent: Mayor Jackson and Director Butler.

Resolution No. 587-12.

By Director Smith.
Resolved, by the Board of Control of the City of Cleveland that the bid of Hi-Lite Markings, Inc. for the necessary items of labor and materials necessary to remove rubber and any other contaminants from paved surfaces, all items, for the various divisions of the Department of Port Control, for a period of two years, with two one-year options to renew, beginning with the date of execution of a contract, received on August 16, 2012, under the authority of Ordinance No. 745-12, passed by the Cleveland City Council on June 4, 2012 which on the basis of the estimated quantity would amount to \$392,400.00, is affirmed and approved as the lowest and best bid, and the Director of Port Control is requested to enter into a requirement contract for the labor and materials necessary for the specified items.

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

Yeas: Director Langhenry, Acting Director Midgett, Directors Withers, Smith, Cox, Acting Director Gehlmann, Directors Rush, Southerington, Nichols, Fumich and Rybka.
Nays: None.
Absent: Mayor Jackson and Director Butler.

Resolution No. 588-12.

By Director Wasik.
Whereas, on December 22, 2011, the City of Cleveland entered into Contract No. CT4004-PI2011-162 with the Shelly Company, Inc. for the public improvement of Martin Luther King, Jr. Drive Rehabilitation Project, for the Office of Capi-

tal Projects in the aggregate amount of \$3,442,266.16; and

Whereas, the Shelly Company, Inc. desires to utilize certain subcontractors under Contract No. CT4004-PI2011-162 for which it requires previous written consent of the Board of Control under Section 185.36 C.O.; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that the employment of the following subcontractors by the Shelly Company, Inc. for the public improvement of Martin Luther King, Jr. Drive Rehabilitation Project.

Sagamore Soils
\$10,230.00 (0.30%)

Yeas: Director Langhenry, Acting Director Midgett, Directors Withers, Smith, Cox, Acting Director Gehlmann, Directors Rush, Southerington, Nichols, Fumich and Rybka.
Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 589-12.

By Director Rush.

Whereas, under the authority of Ordinance No. 1259-12, passed October 25, 2012, by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies is authorized, by and at the direction of the Board of Control, to sell certain City-owned property no longer needed for public use, located at East 153rd Street, also known as Permanent Parcel Nos. 142-23-005 and 142-23-006, to Waterford One, LLC, holding company for the Gebauer Company, or its designee, for the purposes of constructing a new driveway and to install fencing; and

Whereas, Ordinance No. 1259-12 provided that the consideration to be paid for the property shall be not less than the appraised value of One Hundred and Forty Thousand Dollars (\$140,000.00); now, therefore

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 1259-12, passed by the Council of the City of Cleveland on October 25, 2012, the Commissioner of Purchases and Supplies is hereby directed to sell certain City-owned property no longer needed for public use, located at East 153rd Street, also known as Permanent Parcel Nos. 142-23-005 and 142-23-006, to Waterford One, LLC, holding company for the Gebauer Company, or its designee.

Be it further resolved that the Mayor of the City of Cleveland is hereby requested to execute and deliver the Official Deed of the City of Cleveland conveying the property which document shall contain such additional terms and conditions as the Director of Law shall deem necessary to protect and benefit the public

Yeas: Director Langhenry, Acting Director Midgett, Directors Withers, Smith, Cox, Acting Director Gehlmann, Directors Rush, Southerington, Nichols, Fumich and Rybka.
Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 590-12.

By Director Rush.

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

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 006-23-086 located at 2237 West 53rd Street in Ward 15; and

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

Whereas, Frank Camarda 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 15 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

2. The proposed purchaser of the parcel is neither tax delinquent nor 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 Frank Camarda for the sale and development of Permanent Parcel No. 006-23-086 located at 2237 West 53rd 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 \$1.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Director Langhenry, Acting Director Midgett, Directors Withers, Smith, Cox, Acting Director Gehlmann, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson and Director Butler.

Resolution No. 591-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 116-14-030 located at 16021 Holmes Avenue in Ward 11; 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, Baker Candies, Inc. has proposed to the City to purchase and develop the parcel for landscaped green space; and

Whereas, the following conditions exist:

1. The member of Council from Ward 11 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Baker Candies, Inc. for the sale and development of Permanent Parcel No. 116-14-030 located at 16021 Holmes Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Director Langhenry, Acting Director Midgett, Directors Withers, Smith, Cox, Acting Director Gehlmann, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson and Director Butler.

Resolution No. 592-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel Nos. 142-27-081 and 142-27-082 located on Florida Avenue in Ward 1; 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, Ebenezer Assembly of Christ has proposed to the City to purchase and develop the parcels for open space; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is

requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Ebenezer Assembly of Christ for the sale and development of Permanent Parcel Nos. 142-27-081 and 142-27-082 located on Florida Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Director Langhenry, Acting Director Midgett, Directors Withers, Smith, Cox, Acting Director Gehlmann, Directors Rush, Southerington, Nichols, Fumich and Rybka.
Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 593-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 138-10-023 located at 4072 East 131st Street in Ward 2; and

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

Whereas, Greater Harvard Avenue Church has proposed to the City to purchase and develop the parcel for parking; and

Whereas, the following conditions exist:

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

2. The proposed purchaser of the parcel 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 Greater Harvard Avenue Church for the sale and development of Permanent Parcel No. 138-10-023 located at 4072 East 131st 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 \$100.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Director Langhenry, Acting Director Midgett, Directors Withers, Smith, Cox, Acting Director

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

Absent: Mayor Jackson and Director Butler.

Resolution No. 594-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 120-09-084 located at 11302 Knowlton Avenue in Ward 9; 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, Larry E. Anderson 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 9 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Larry E. Anderson for the sale and development of Permanent Parcel No. 120-09-084 located at 11302 Knowlton Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$1.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Director Langhenry, Acting Director Midgett, Directors Withers, Smith, Cox, Acting Director Gehlmann, Directors Rush, Southerington, Nichols, Fumich and Rybka.
Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 595-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 133-03-026 located at 3626 East 75th Street in Ward 12; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland,

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

Whereas, Carl J. Blocksom has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

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

2. The proposed purchaser of the 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 Carl J. Blocksom for the sale and development of Permanent Parcel No. 133-03-026 located at 3626 East 75th 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 \$1.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Director Langhenry, Acting Director Midgett, Directors Withers, Smith, Cox, Acting Director Gehlmann, Directors Rush, Southerington, Nichols, Fumich and Rybka.
Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 596-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 105-23-101 located at 6807 Bonna Avenue in Ward 7; and

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

Whereas, Bessie M. Collins 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 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 Bessie M. Collins for the sale and development of Permanent Parcel No. 105-23-101 located at 6807 Bonna Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$1.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Director Langhenry, Acting Director Midgett, Directors Withers, Smith, Cox, Acting Director Gehlmann, Directors Rush, Southerington, Nichols, Fumich and Rybka.
Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 597-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 119-32-054 located at 2340 East 89th Street in Ward 6; and

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

Whereas, Annie B. Davis has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Annie B. Davis for the sale and development of Permanent Parcel No. 119-32-054 located at 2340 East 89th 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 \$1.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Director Langhenry, Acting Director Midgett, Directors Withers, Smith, Cox, Acting Director Gehlmann, Directors Rush, Southerington, Nichols, Fumich and Rybka.
Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 598-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 133-19-067 located at 7203 Ottawa Road in Ward 12; and

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

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

Whereas, the following conditions exist:

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

2. The proposed purchaser of the 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 Anne M. Galka for the sale and development of Permanent Parcel No. 133-19-067 located at 7203 Ottawa 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 \$1.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Director Langhenry, Acting Director Midgett, Directors Withers, Smith, Cox, Acting Director Gehlmann, Directors Rush, Southerington, Nichols, Fumich and Rybka.
Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 599-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 105-33-024 located at 7503 Superior Avenue in Ward 7; and

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

Whereas, Constance Goshay 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 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 Constance Goshay for the sale and development of Permanent Parcel No. 105-33-024 located at 7503 Superior Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$1.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Director Langhenry, Acting Director Midgett, Directors Withers, Smith, Cox, Acting Director Gehlmann, Directors Rush, Southerington, Nichols, Fumich and Rybka.
Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 600-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 107-12-063 located at 1351 East 92nd Street in Ward 7; and

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

Whereas, Bennie F. Neal 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 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 Bennie F. Neal for the sale and development of Permanent Parcel No. 107-12-063 located at 1351 East 92nd 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 \$1.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Director Langhenry, Acting Director Midgett, Directors Withers, Smith, Cox, Acting Director Gehlmann, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 601-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 118-26-058 located at 2214 East 78th Street in Ward 5; 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, Richard Nelson 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 5 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

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

for the sale and development of Permanent Parcel No. 118-26-058 located at 2214 East 78th 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 \$1.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Director Langhenry, Acting Director Midgett, Directors Withers, Smith, Cox, Acting Director Gehlmann, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 602-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 109-04-074 located at 10413 Pierpont Avenue in Ward 8; 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, Michael O'Neal 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 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 Michael O'Neal for the sale and development of Permanent Parcel No. 109-04-074 located at 10413 Pierpont Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$1.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Director Langhenry, Acting Director Midgett, Directors Withers, Smith, Cox, Acting Director Gehlmann, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 603-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 108-08-086 located on East 102nd Street in Ward 8; 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, Audrey Peak 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 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 Audrey Peak for the sale and development of Permanent Parcel No. 108-08-086 located on East 102nd Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Director Langhenry, Acting Director Midgett, Directors Withers, Smith, Cox, Acting Director Gehlmann, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 604-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 005-26-111 located at 2118 West 93rd Street in Ward 16; 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, Patricia A. Pettry 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 16 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Patricia A. Pettry for the sale and development of Permanent Parcel No. 005-26-111 located at 2118 West 93rd 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 \$1.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Director Langhenry, Acting Director Midgett, Directors Withers, Smith, Cox, Acting Director Gehlmann, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 605-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 132-24-060 located at 6722 Clement Avenue in Ward 12; and

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

Whereas, Reginaldo Ramirez has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

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

2. The proposed purchaser of the 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 Reginaldo Ramirez for the sale and development of Permanent Parcel No. 132-24-060 located at 6722 Clement Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$1.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Director Langhenry, Acting Director Midgett, Directors Withers, Smith, Cox, Acting Director Gehlmann, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 606-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 006-24-055 located at 3025 West 47th Street in Ward 15; and

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

Whereas, Thomas Ressler 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 15 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

2. The proposed purchaser of the 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 Thomas Ressler for the sale and development of Permanent Parcel No. 006-24-055 located at 3025 West 47th Street in Ward 15, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Director Langhenry, Acting Director Midgett, Directors Withers,

Smith, Cox, Acting Director Gehlmann, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 607-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 129-09-135 located at 11910 Hamlen Avenue in Ward 6; and

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

Whereas, Joseph Stanley has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Joseph Stanley for the sale and development of Permanent Parcel No. 129-09-135 located at 11910 Hamlen Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$1.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Director Langhenry, Acting Director Midgett, Directors Withers, Smith, Cox, Acting Director Gehlmann, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 608-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 135-07-042 located at 3544 East 104th Street in Ward 6; and

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

Whereas, William Storer has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with William Storer for the sale and development of Permanent Parcel No. 135-07-042 located at 3544 East 104th 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 \$1.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Director Langhenry, Acting Director Midgett, Directors Withers, Smith, Cox, Acting Director Gehlmann, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson and Director Butler.

Resolution No. 609-12.

By Director Smith.
Resolved, by the Board of Control of the City of Cleveland that all bids received for the public improvement of renovating and upgrading the air handling system and chilled water system in the South Terminal at Cleveland Hopkins International Airport, for the Department of Port Control, received on May 25, 2012, under the authority of Ordinance No. 359-05, passed by the Council of the City of Cleveland on May 2, 2005, are rejected.

Yeas: Director Langhenry, Acting Director Midgett, Directors Withers, Smith, Cox, Acting Director Gehlmann, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson and Director Butler.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

Application blanks and information, regarding minimum entrance qualifications, scope of examination,

and suggested reference materials may be obtained at the office of the Civil Service Commission, Room 119, City Hall, East 6th Street, and Lakeside Avenue.

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

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

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

ROBERT BENNETT,
President

CIVIL SERVICE NOTICE

**ANNOUNCEMENTS — 2012
11/26/12 - 11/30/12**

Announ- cement No.	Exam Method	Classi- fication	Exam Type
134	EE	Airport Maintenance Superintendent (Custodial)	N/C
135	EE	Chief Of Traffic Signal Unit	N/C
136	EE	Electrical Safety Inspector I	Open
137	EE	Engineering & Construction Inspector (Div. Of Engineering & Constr)	Open
138	WR	General Shop Unit Leader	Open
139	EE	General Superintendent Waste Collection	Of N/C
140	WR & TYP	Police Radio Dispatcher	Open
141	EE	Senior Internal Auditor	Open

PROOF OF CITY RESIDENCY

Any applicant wishing to receive residency credit will be asked to show that he/she is a bona fide resident of the City of Cleveland. The following list gives examples of items that an applicant may present **at the time of filing**. The Civil Service Commission requires a minimum of three items from at least three **different** categories, where applicable. All items must be **current**. Please note that presentation

of these items does not constitute conclusive proof of bona fide residency. Acceptable categories include, but are not limited to, the following:

- Lease - from rental agency.
- Lease - from independent party. Must include copy of cancelled check or money order receipts for previous rent and/or security deposit, and fully executed; otherwise, it is unacceptable.
- Utility bills bearing the property address **and** your name.
- Post Office change of address form properly date stamped.
- Official documents relating to home ownership including deed, purchase agreement, or insurance policy.
- Bank statements (Within last three months).
- School registration of children.
- Car insurance documents.
- Car registration **or** Driver's License **or** Ohio I.D. (**One only**).
- Loans and credit card statements (Within last three months).
- Rental contracts (e.g.: furniture, tools, car, etc.).

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

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

- Library cards.
- Voter registration cards.
- Birth certificates.
- Notarized letters or affidavits.
- Social Security card.
- Rental receipts from independent party without cancelled checks or money order receipt.

**APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 134**

**AIRPORT MAINTENANCE SUPER-
INTENDENT (Custodial) (NON-
COMP)**

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$20,092.80 - \$63,135.10 per year.

FILING OF APPLICATION

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

MONDAY, NOVEMBER 26, 2012 UNTIL 4:30 P.M. ON FRIDAY, NOVEMBER 30, 2012.

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

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

EXAMINATION INFORMATION

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

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

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

DUTIES OF THE POSITION

Under general supervision, coordinates the activities of the airport maintenance department. Prepares equipment specifications and maintenance contracts. Develops and monitors preventative maintenance contracts. Develops and monitors preventative maintenance programs for airport vehicles and equipment. Reviews monthly vehicle reports. Orders maintenance equipment and supplies. Coordinates maintenance department activities with outside contractors and City personnel. Assists with the development and implementation of policies and procedures. Implements snow removal plan and directs snow removal operations. Assists in field and facility preparations for special events. Oversees summer youth programs and temporary personnel hiring. Serves as a representative of the division as requested. Performs other job-related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam). Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

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

CUSTODIAL - A High School Diploma from an accredited High School program or GED is required. An Associate's Degree in Facilities Management, Real Estate, Hospitality, or related discipline is required. The equivalent of two years of full time paid experience in housekeeping at an airport, shopping mall, or large hospitality facilities is required. (Substitution: One year of relevant experience may substitute for each year of college education lacking.) A valid State of Ohio Driver's License is required. Certified Housekeeper Executive designation is desired.

Must possess good communication skills and the ability to manage a large staff at a 24-hour, 7-day a week facility. Sound computer skills in Microsoft Office Suite are required.

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

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 135

CHIEF, TRAFFIC SIGNAL UNIT (NON-COMP)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$18.60 - \$36.80 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON, MONDAY, NOVEMBER 26, 2012 UNTIL 4:30 P.M. ON FRIDAY, NOVEMBER 30, 2012.

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

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

EXAMINATION INFORMATION

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

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

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

DUTIES OF THE POSITION

Under general direction, oversees the installation and maintenance of all traffic signal systems. Oversees

installation and maintenance of telephone, computer, and associated systems. Determines and assesses whether job assignments can be performed internally or contracted out. Researches traffic signal location need, new equipment capabilities, and current repair requirements. Interfaces with City Council members concerning Safety Signal matters. Performs other job-related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam). Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

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

A High School Diploma or GED is required. Five years of full time paid experience as a Low Tension Lineman, Low Tension Trouble Lineman, and/or a Signal Technician is required. Must have completed an apprenticeship program and be considered a Low Tension Lineman. A valid State of Ohio Driver's License is required. Must be computer proficient and have a thorough knowledge of traffic signal controllers, both mechanical and solid state.

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

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 136

ELECTRICAL SAFETY INSPECTOR I (OPEN)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$14.83 - \$24.60 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available online or at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON MONDAY, NOVEMBER

26, 2012 UNTIL 4:30 P.M. ON FRIDAY, NOVEMBER 30, 2012.

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

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

EXAMINATION INFORMATION

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

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

DUTIES OF THE POSITION

Under the supervision of the Commissioner of Code Enforcement, makes inspections of residential and commercial buildings and structures for the purposes of ensuring compliance with laws, ordinances, rules, and regulations relating to the design, installation, maintenance, alteration, repair, relocation, replacement, addition to, use, and inspection of electrical components, equipment and systems used in buildings and structures. Performs related duties as required that pertain to enforcement of the Cleveland Housing Code, Cleveland Building Code, Ohio Building Code, Residential Code of Ohio, and the National Electric Code. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

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

A High School Diploma or GED is required. One of the following is required: (1) Must be a Journeyman Electrician or equivalent for four years, two as an Electrician Unit Leader, and two years as a building department ESI trainee; (2) Must be a Journeyman Electrician or equivalent for four years and three years experience as a building department ESI trainee; (3) Must have four years experience as a building department ESI trainee; (4) Must be a Journeyman Electrician or equivalent for six years; or (5) Must be an Electrical Engineer registered in the State of Ohio. A valid State of Ohio Driver's License is required. State of Ohio Board of Building Standards (OBBS) certification as an Electrical Safety Inspector certification is required and must be maintained throughout

employment. (Substitution: An OBBS Interim Electrical Safety Inspector or an OBBS Electrical Safety Inspector Trainee Certification may substitute for Electrical Safety Inspector.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee payable in cash or money order (no checks). Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination. Any applicant who can provide proof of unemployment, public assistance, or indigence is exempt from the filing fee. A copy of such proof must be included with the application.

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

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 137

ENGINEERING & CONSTRUCTION INSPECTOR (Div. of Engineering & Construction) (OPEN)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$19.05 - \$21.05 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available online or at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON MONDAY, NOVEMBER 26, 2012 UNTIL 4:30 P.M. ON FRIDAY, NOVEMBER 30, 2012.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, NOVEMBER 30, 2012. THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be deter-

mined based on Education and Experience found in Resume. Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

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

DUTIES OF THE POSITION

Under supervision, inspects the construction of sewers. Examines paving construction and maintenance work. Insures compliance with contract plans, specifications, and good workmanship, and performs relative duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

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

A High School Diploma or GED is required. Seven years of full time paid field experience in inspecting progressively larger civil engineering projects (Five years on projects of at least \$2 million) is required (Substitution: A Construction Technician certification may substitute for two years of experience lacking). A valid State of Ohio Driver's License is required.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee payable in cash or money order (no checks). Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination. Any applicant who can provide proof of unemployment, public assistance, or indigence is exempt from the filing fee. A copy of such proof must be included with the application.

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

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 138

GENERAL SHOP UNIT LEADER
(OPEN)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$23.23 - \$27.58 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available online or at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON MONDAY, NOVEMBER 26, 2012 UNTIL 4:30 P.M. ON FRIDAY, NOVEMBER 30, 2012.

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

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

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION: Applicants will be notified of the time, date, and place of the exam by U.S. Mail.

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

DUTIES OF THE POSITION

(A) Weld Shop - Under general supervision, orders supplies, maintains records, and supervises the personnel of the Weld Shop. Supervises steel fabrication, welding on stationary or mobile equipment, inventory maintenance on snow plows and all other winter operations' equipment and supplies. Supervises the maintenance and repair of buildings. Performs other job-related duties as required. (B) Central Operations Center - Under general supervision, orders supplies, maintains records, and supervises the personnel of the Central Operations Center. Schedules and supervises Radio Operators. Supervises data collection and ensures public records requests are completed. Manages unit coordination with other Divisions within the City. Creates reports to provide clear real time information to the entities reporting to the Central Operations Center, to other Divisions, and to upper management. Performs other job-related duties as required. Follows up on orders and handles complaints. Maintains records of prices and sources of supply. Approves invoices for purchases. Follows all operations and safety policies and safe work practices. Attends

and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

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

A High School Diploma or GED is required. A college degree from an accredited institution is preferred. Two years of full time paid supervisory experience in either shop or field supervision is required. Must have a general knowledge of construction equipment and heavy trucks. Computer skills are required including, but not limited to, proficiency in all related Microsoft Office applications and any other comparable program related to documents, spreadsheets, and data collection. A valid State of Ohio Driver's License is required.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee payable in cash or money order (no checks). Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination. Any applicant who can provide proof of unemployment, public assistance, or indigence is exempt from the filing fee. A copy of such proof must be included with the application.

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

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 139

GENERAL SUPERINTENDENT OF WASTE COLLECTION (NON-COMP)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$30,473.96 - \$63,768.11 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commis-

sion, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON MONDAY, NOVEMBER 26, 2012 UNTIL 4:30 P.M. ON FRIDAY, NOVEMBER 30, 2012.

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

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

EXAMINATION INFORMATION

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

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

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

DUTIES OF THE POSITION

Under administrative direction, supervises the City's waste collection operations. Balances waste collection installation manpower requirements and equipment on a daily basis. Receives, records, and distributes employee incident reports. Investigates and resolves waste collection complaints and personnel issues. Implements and maintains divisional policies and programs. Analyzes and evaluates information received from waste collection and disposal personnel. Oversees the maintenance of waste collection schedules. Inspects waste collection installations for safety and sanitation. Rides district routes on a daily basis to oversee waste collection operations. Performs other job-related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam). Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

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

A High School Diploma or GED is required. Seven years of full time paid supervisory/managerial experience in the Waste Collection field is required. A valid State of Ohio Driver's License is required. Must have a good driving and work record.

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

if copies are not submitted with application at time of filing.

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 140

POLICE RADIO DISPATCHER
(OPEN)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$11.00 - \$20.46 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available online or at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON MONDAY, NOVEMBER 26, 2012 UNTIL 4:30 P.M. ON FRIDAY, NOVEMBER 30, 2012.

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

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

EXAMINATION INFORMATION

TYPE: WRITTEN TEST = 60% OF FINAL GRADE. TYPING TEST = 40% OF FINAL GRADE. THE WRITTEN TEST WILL BE ADMINISTERED FIRST. CANDIDATES MUST RECEIVE A PASSING GRADE ON THE WRITTEN TEST IN ORDER TO BE ABLE TO TAKE THE TYPING TEST WHERE A MINIMUM OF 30 WPM IS REQUIRED IN ORDER TO HAVE THEIR EXAMS GRADED. FAILURE TO OBTAIN 30 WPM ON THE TYPING PORTION OF THE EXAM WILL RESULT IN AN AUTOMATIC SCORE OF ZERO. (FAILURE) Applicants will be notified of the time, date, and place of the exam by U.S. Mail.

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

DUTIES OF THE POSITION

Operates the police radio equipment and dispatch police units as directed. Maintains familiarity with the streets of the City and the various social agencies available to assist those in need. Answers telephone calls from citizens, elicits pertinent information, analyzes situations and makes deci-

sions as to the appropriate response. Writes out dispatch tickets and assigns the proper priority code. Contacts other agencies when needed, that is, Fire, EMS, Utilities, Dog Warden, etc. Maintains the bank alarm board and follow proper procedures in handling bank alarms. Performs any other duty as directed by proper authority. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

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

A High School Diploma or GED is required. A valid State of Ohio Driver's License or State ID is required. Must be able to type at least 30 words per minute, less than 30 wpm is not acceptable. Must pass a criminal background check, drug test, and physical.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee payable in cash or money order (no checks). Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination. Any applicant who can provide proof of unemployment, public assistance, or indigence is exempt from the filing fee. A copy of such proof must be included with the application.

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

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

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 141

SENIOR INTERNAL AUDITOR
(OPEN)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$23,647.11 - \$67,017.93 per year.

FILING OF APPLICATION

Application must be made on the regular application form available online or at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON MONDAY, NOVEMBER 26, 2012 UNTIL 4:30 P.M. ON FRIDAY, NOVEMBER 30, 2012.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON FRIDAY, NOVEMBER 30, 2012. THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

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

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

DUTIES OF THE POSITION

Under administrative direction, plans and conducts financial compliance and operational audits of designated City departments or divisions according to accepted accounting principles. Supervises staff auditors and assists external auditors. Prepares auditing reports. Audits inventories, cash function, and outside contractor documents. May prepare accounting policies and procedures and footnote calculations. Performs other job-related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

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

A High School Diploma or GED is required. A Bachelor's Degree in Accounting, Finance, Business, Public Administration, Information Systems, or related field from an accredited four year college or university is required. Three years of full time paid experience in accounting or

auditing is required. Must possess a valid State of Ohio Driver's License. Strong written and verbal communication skills are required. Should be proficient in Microsoft Office Suites and have a knowledge of various computerized accounting software packages. Individual must be able to lift and carry a minimum of thirty (30) pounds.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee payable in cash or money order (no checks). Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination. Any applicant who can provide proof of unemployment, public assistance, or indigence is exempt from the filing fee. A copy of such proof must be included with the application.

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

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

AN EQUAL OPPORTUNITY EMPLOYER

ROBERT BENNETT,
President

November 21, 2012

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, DECEMBER 3, 2012

9:30 A.M.

Calendar No. 12-194: 7200 Brookpark Road (Ward 13)

M&G Equities, a New York Partnership, owner, and HH Gregg appeal to erect single faced wall signs that measure 7' x 28', 10' 6" x 28' and 12' 6" x 36' to a building located on property in split zoning for a C1 General Retail Business and requesting 947 square feet of sign area, contrary to 450 square feet that is allowed for sign uses in an industrial district, as regulated in the Schedule of Permitted Types, Number, Area and Height under Section 350.15(a) in the Cleveland Codified Ordinances.

Calendar No. 12-198: 1730 Starkweather Avenue (Ward 3)

Cuyahoga County Land Reutilization Corporation, owner, and Adam Sywanyk, prospective purchaser, appeal to erect an 8' x 19' wooden platform rear porch to a two-family dwelling on a 30' x 78.69' parcel located in a C1 Multi-Family District; contrary to Section 357.09(2)A proposing 4 feet and 10 inches

where 10 feet is required from a main building on an adjoining lot; and two feet three inches is proposed where interior side yards are required to be eight feet in a Multi-Family District, according to Section 357.09(2)C in the Cleveland Codified Ordinances.

Calendar No. 12-199: 2020 West 81st Street (Ward 15)

Billy Hoselton, owner, appeals to erect a 7' x 24' one-story frame, enclosed front porch to a single family dwelling located on a 35' x 125' lot in a B1 Two-Family District; subject to the limitations under Section 357.13(b)(4) an enclosed front porch shall not project more than 4 feet and 7 feet is proposed contrary to the Cleveland Codified Ordinances.

Violation Notice

Calendar No. 12-201: 516 East 108th Street (Ward 9)

Natalie Poretsky appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances and disputes the decision rendered by the City of Cleveland Parking Violations Bureau, Waste Collection and Photo Safety Division on November 7, 2012 and the violation information described on Civil Infraction Ticket Number WC00073908, issued August 14, 2012 for the property located at 516 East 108th Street and failure to comply with Section 551.111(A) in the Cleveland Codified Ordinances.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, NOVEMBER 19, 2012

At the meeting of the Board of Zoning Appeals on Monday, November 19, 2012, the following appeals were heard by the Board.

The following appeals were **APPROVED:**

Calendar No. 12-193: 300 East 185th Street

Hospice of the Western Reserve, Inc. appealed to erect a 128 foot high wind turbine on an acreage parcel in an A1 One-Family District; subject to conditions.

Calendar No. 12-174: 2327 Holmden Avenue

Iglesia Nueva Vida and Pastor Jose Reyes appealed to expand a parking lot on a consolidated lot in a C1 Multi-Family District; subject to revised plan.

The following appeals were **DENIED:**

Calendar No. 12-154: 8601 Euclid Avenue

Euclid Avenue Church of God appealed from a ruling of the Cleveland Landmarks Commission to disapprove a Certificate of Appropriateness for demolition.

Calendar No. 12-183: 11405 Sylvia Avenue

Raymond Gould appealed from a decision rendered by the City of Cleveland Parking Violations

Bureau, Waste Collection and Photo Safety Division.

The following appeals were **DISMISSED:**

None.

The following appeals were **POSTPONED:**

Calendar No. 12-184: 6555 Carnegie Avenue postponed to January 22, 2013.

Calendar No. 12-187: Appeal of City View Mechanical, Inc. postponed from November 26, 2012 to January 7, 2013.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

REQUEST FOR PROPOSALS

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

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

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

NOTICE OF PUBLIC HEARING

Notice of Public Hearing By the Council Committee On City Planning

Mercedes Cotner Committee Room 217 City Hall, Cleveland, Ohio On Monday, November 26, 2012 1:30 p.m.

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Monday, November 26, 2012, at 1:30 p.m., to consider the following ordinance now pending in the Council:

Ord. No. 1648-12.

By Council Member Cimperman. An emergency ordinance to amended Section 343.23 of the Codified Ordinances of Cleveland, Ohio,

1976, as amended by Ordinance No. 889-10, passed October 4, 2010, relating to drive-through lanes in pedestrian retail overlay (PRO) districts.

All interested persons are urged to be present or to be represented at the above time and place.

Phyllis E. Cleveland, Chair
Committee on City Planning

November 14, 2012 and November 21, 2012

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

FRIDAY, DECEMBER 7, 2012

File No. 150-12 — East 176th Street Sewer Replacement Project, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 739-12, passed by the Council of the City of Cleveland, June 4, 2012.

THERE WILL BE A **NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS** IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) ONLY IN THE FORM OF

A CASHIER'S CHECK OR A MONEY ORDER (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS).

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** MONDAY, NOVEMBER 26, 2012 AT 10:30 A.M. WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

File No. 152-12 — Lubricants, for the Divisions of Water Pollution Control, Water, and Cleveland Public Power, Department of Public Utilities, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** MONDAY, NOVEMBER 26, 2012 AT 10:00 A.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, 4TH FLOOR ATRIUM CONFERENCE ROOM, CLEVELAND, OHIO 44114.

November 14, 2012 and November 21, 2012

WEDNESDAY, DECEMBER 12, 2012

File No. 149-12 — Wakefield Avenue Sewer Replacement Project, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 741-12, passed by the Council of the City of Cleveland, June 4, 2012.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** MONDAY, NOVEMBER 26, 2012 AT 10:00 A.M. WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

File No. 154-12 — Various Bulk Multi-Purpose Bond Paper and Envelopes, for the Division of Printing and Reproduction, Department of Finance, as authorized by Ordinance No. 1453-12, passed by the Council of the City of Cleveland, October 15, 2012.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** MONDAY, NOVEMBER 26, 2012 AT 11:00 A.M. THE DIVISION OF PRINTING AND REPRODUCTION, 1735 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

November 14, 2012 and November 21, 2012

FRIDAY, DECEMBER 14, 2012

File No. 153-12 — Labor and Materials for Pipe Type Cable Repair Maintenance, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 810-11,

passed by the Council of the City of Cleveland, August 17, 2011.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** WEDNESDAY, NOVEMBER 28, 2012 AT 10:30 A.M. THE TOM L. JOHNSON BUILDING, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

November 14, 2012 and November 21, 2012

THURSDAY, JANUARY 24, 2013

File No. 151-12 — Terminal Security Bollards Project WBS NO. A1-A400-3, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance Nos. 748-11 and 395-12, passed by the Council of the City of Cleveland, July 20, 2011 and May 14, 2012, Respectively.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, NOVEMBER 30, 2012 AT 9:00 A.M. THE CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE, CLEVELAND PLUS CONFERENCE ROOM (BAGGAGE LEVEL IN TERMINAL), CLEVELAND, OHIO 44135.

November 14, 2012 and November 21, 2012

FRIDAY, DECEMBER 7, 2012

File No. 158-12 — Exterminating Services, for the Various Divisions of City Government, Department of Finance, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, NOVEMBER 30, 2012 AT 10:30 A.M. THE CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, CLEVELAND, OHIO 44114.

File No. 159-12 — Miscellaneous Sized Steel, for the Various Divisions of City Government, Department of Finance, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, NOVEMBER 30, 2012 AT 2:00 P.M. THE CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, CLEVELAND, OHIO 44114.

November 21, 2012 and November 28, 2012

FRIDAY, DECEMBER 14, 2012

File No. 157-12 — Duct Line, Street Lighting Bases and Pull Box Installation, Maintenance

Replace and Repair, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1575-11, passed by the Council of the City of Cleveland, December 5, 2011.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, NOVEMBER 30, 2012 AT 10:00 A.M. THE TOM L. JOHNSON BUILDING, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

November 21, 2012 and November 28, 2012

WEDNESDAY, DECEMBER 19, 2012

File No. 156-12 — Labor and Materials Maintenance of Decorative and Special Lighting For City Bridges, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 811-11, passed by the Council of the City of Cleveland, July 20, 2011.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, NOVEMBER 29, 2012 AT 10:30 A.M. THE TOM L. JOHNSON BUILDING, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

November 21, 2012 and November 28, 2012

WEDNESDAY, JANUARY 23, 2013

File No. 155-12 — Purchase Gas Detection (Thermal Imaging) Camera for Air Quality, for the Division of Air Quality, Department of Public Health, as authorized by Ordinance No. 564-12, passed by the Council of the City of Cleveland, June 4, 2012.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** WEDNESDAY, DECEMBER 12, 2012 AT 11:00 A.M. 75 ERIEVIEW PLAZA, SECOND FLOOR, CDAQ CONFERENCE, CLEVELAND, OHIO 44114.

November 21, 2012 and November 28, 2012

ADOPTED RESOLUTIONS AND ORDINANCES

Ord. No. 1456-12.

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

An emergency ordinance to amend the title, and Section 1 of Ordinance No. 535-12, passed May 14, 2012, relating to professional services for ongoing air and cargo consulting to change the term of the renewal options.

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

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

Section 1. That the title, and Section 1 of Ordinance 535-12, passed May 14, 2012, are amended to read as follows:

An Emergency Ordinance authorizing the Director of Port Control to employ one or more professional consultants, to provide air and cargo service consulting and related services

for a period of one year, with three one-year options to renew, the second of which requires additional legislative authority.

Section 1. That the Director of Port Control is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide air and cargo service consulting and related services, for a period of one year, with three one-year options to renew, the first of the one-year options to renew may be exercised by the Director of Port Control, without the necessity of obtaining additional authority of this Council. The second of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the second of the one-year options to renew is exercised, then the third of the one-year options to renew may be exercisable at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council.

Section 2. That the existing title and Section 1 of Ordinance 535-12, passed May 14, 2012, are repealed.

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

Passed November 12, 2012.

Effective November 16, 2012.

Ord. No. 1489-12.

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

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. MA1505 RC2012-008 with Clariant Corporation and Contract No. MA1505 RC2012-030 with NA Churs Plant Food to provide runway deicing chemicals for the various divisions of Cleveland Hopkins International Airport and Burke Lakefront Airport.

Whereas, under the authority of Ordinance No. 597-11, passed June 6, 2011, the Director of Port Control entered into Contract No. MA1505 RC2012-008 with Clariant Corporation and Contract No. MA1505 RC2012-030 with NA Churs Plant Food to provide runway deicing chemicals for the various divisions of Cleveland Hopkins International Airport and Burke Lakefront Airport; and

Whereas, Ordinance No. 597-11 requires further legislation before exercising the first option to renew on these contracts; and

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

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

Section 1. That the Director of Port Control is authorized to exercise the first option to renew Contract No. MA1505 RC2012-008 with Clariant Corporation for an additional year for the requirements for an additional year of FAA-approved

deicing chemicals in the approximate amount of \$1,798,350. This ordinance constitutes the additional legislative authority required by Ordinance No. 597-11 to exercise this option.

Section 2. That the Director of Port Control is authorized to exercise the first option to renew Contract No. MA1505 RC2012-030 with NA Churs Plant Food for an additional year for the requirements for an additional year of FAA-approved deicing chemicals, in the approximate amount of \$885,375. This ordinance constitutes the additional legislative authority required by Ordinance No. 597-11 to exercise this option. (RQN 3001, RL 2012-58)

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

Passed November 12, 2012.

Effective November 16, 2012.

Ord. No. 1529-12.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of wireless cards for data services on mobile computers to interface with the CRIS System, including maintenance, for the Division of Information Technology and Services, Department of Finance, for a period of one year with two one-year options to renew exercisable by the Director of Finance.

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

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

Section 1. That the Director of Finance is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a one year period, with two one-year options to renew, exercisable by the Director of Finance, of the necessary items of wireless cards for data services on mobile computers to interface with the CRIS System, including maintenance, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Information Technology and Services, Department of Finance. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of 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. (RQN 1511, RL 2012-60)

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

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

Passed November 12, 2012.
Effective November 16, 2012.

Ord. No. 1530-12.
By Council Members Keane and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into one or more requirement contracts without competitive bidding with Tyco Simplex-Grinnell to maintain, repair and expand the integrated fire and security system, for the various divisions of Port Control, for a period of one year with three one-year options to renew, the second of which is exercisable with additional legislative authority.

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

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

Section 1. That this Council determines that the within commodities are non-competitive and cannot be secured from any source other than Tyco Simplex-Grinnell. Therefore, the Director of Port Control is authorized to make one or more written requirement contracts with Tyco Simplex-Grinnell, for the requirements for a period not to exceed one year with three one-year options to renew, of the necessary items of materials, equipment, supplies, and services necessary to maintain, repair, and expand the integrated fire and security system, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the various divisions of the Department of Port Control. The first of the one-year options to renew may be exercised by the Director of Port Control, without the necessity of obtaining additional authority of this Council. The second of the one-year options to renew

may not be exercised without additional legislative authority. If such additional legislative authority is granted and the second of the one-year options to renew is exercised, then the third of the one-year options to renew may be exercisable at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of 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 3. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Port Control may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process. (RQN 3001, RL 2012-057)

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

Passed November 12, 2012.
Effective November 16, 2012.

Ord. No. 1536-12.
By Council Members Cimperman, Brancatelli and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into contract with Jay Avenue Development Corporation or its designee to provide economic development assistance to partially finance the renovation and site improvements of 2515 Jay Avenue and other associated costs necessary to redevelop the property.

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

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

Section 1. That, the Director of Economic Development is authorized to enter into a forgivable loan agreement under the Vacant Property Initiative with Jay Avenue Development Corporation or its designee in an amount of \$180,000, and a non-forgivable loan agreement in an amount of \$540,000 to provide

economic development assistance to partially finance the renovation and site improvements of 2515 Jay Avenue and other associated costs necessary to redevelop the property.

Section 2. That the terms of the loan shall be according to the terms set forth in the Summary contained in File No. 1536-12-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, and are approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the costs of any funding under this ordinance, including forgivable and nonforgivable portions, shall not exceed \$720,000, and shall be paid from Fund No. 17 SF 008, RQS 9501, RL 2012-151.

Section 4. That the Director of Economic Development is authorized to accept such collateral as set forth in the file referenced above in order to secure repayment of the loan. Any loan agreement, security instrument, or other document shall be prepared and approved by the Director of Law.

Section 5. That the Director of Economic Development is authorized to accept monies in repayment of the loan and to deposit the monies in Fund No. 17 SF 006.

Section 6. That the Director of Economic Development is authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and the fees are appropriated to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. The fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

Section 7. That the contract and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

Section 8. The contract authorized in this legislation will require the recipient of financial assistance to work with, and/or cause their Tenants to work with, The Workforce Investment Board for Workforce Area No. 3 to identify and solicit qualified candidates for job opportunities related to the City's contracts, and place special emphasis on the hard to employ, including but not limited to the disabled and persons who have been convicted of or have pled guilty to a criminal offense, unless the criminal conviction or related circumstances relate to the duties for the particular job sought.

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

Passed November 12, 2012.
Effective November 16, 2012.

Ord. No. 1537-12.
By Council Members Zone and Kelley (by departmental request).

An emergency ordinance to amend Section 56 of Ordinance No. 1689-11, passed November 28, 2011, as amended by Ordinance No. 610-12, passed May 21, 2012, relating to compensation for various classifications.

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

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

Section 1. That Section 56 of Ordinance No. 1689-11, passed November 28, 2011, as amended by Ordinance No. 610-12, passed May 21, 2012, is amended to read as follows:

Section 56. Division of Police; Various Positions

The annual salaries of persons appointed to the following classifications within the Division of Police shall be fixed by the Director of Public Safety within the limits established in the following schedules:

	Minimum	Maximum
1. Police Stress Consultant	\$60,000.00	\$105,000.00
2. Occupational Medical Director.....	43,107.75	82,687.47
3. Public Safety Information Technology Manager	65,000.00	110,000.00

Section 2. That existing Section 56 of Ordinance No. 1689-11, passed November 28, 2011, as amended by Ordinance No. 610-12, passed May 21, 2012, is repealed.

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

Passed November 12, 2012.
Effective November 16, 2012.

**Ord. No. 1540-12.
By Council Members Brancatelli and Kelley (by departmental request).**

An emergency ordinance authorizing the Director of Economic Development to apply for and accept a grant from United States Environmental Protection Agency to conduct a brownfield revolving loan program to make loans or grants to assist with certain environmental remediation costs for eligible projects; and authorizing the director to enter into one or more contracts with various agencies, entities, or individuals to implement the grant.

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

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

Section 1. That the Director of Economic Development is authorized to apply for and accept a grant in an amount up to \$1,000,000, from the United States Environmental Protection Agency to conduct a brownfield revolving loan program to make loans or grants to assist with certain environmental remediation costs for eligible projects; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the executive summary for the grant contained in the file described below.

Section 2. That the executive summary for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 1540-12-A, is made a part of this ordinance as if fully rewritten, including the obligation of the City of Cleveland to provide cash matching funds in the required amount of 20% of the grant amount, which is estimated to be \$200,000, is approved in all respects, and shall not be changed without additional legislative authority. (RQS 9501, RL 2012-156)

Section 3. That the Director of Economic Development is authorized to enter into one or more contracts with various agencies, entities, or individuals to provide loans or grants in amounts not to exceed \$250,000 to assist with certain environmental remediation costs for eligible projects.

Section 4. That the terms of the loans or grants shall be according to the terms set forth in the file.

Section 5. That the Director of Economic Development is authorized to accept the collateral determined by the Director to secure repayment of the loans. Any loan agreements, security instruments, or other documents shall be prepared and approved by the Director of Law.

Section 6. That the Director of Economic Development is authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and the fees are appropriated to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. The fees shall be deposited to and expended from a loan fees funds to be designated by the Director of Finance.

Section 7. That the contracts and other appropriate documents needed to complete the transactions authorized by this legislation shall be prepared by the Director of Law.

Section 8. That the loan or grant contracts authorized in this legislation will require the recipient of financial assistance to work with The Workforce Investment Board for Workforce Area No. 3 to identify and solicit qualified candidates for job opportunities related to the City's contracts, and place special emphasis on the hard to employ, including but not limited to the disabled and persons who have been convicted of or have pled guilty to a criminal offense, unless the criminal conviction or related circumstances relate to the duties for the particular job sought.

Section 9. That any loan or grant entered into under this ordinance shall be authorized when approved by the Cleveland Citywide Development Corporation and the Mayor, and the Council Member in whose ward the project is being given assistance shall submit a letter of support for the project. The Director of Economic Development shall notify the Council Member in whose ward the project will occur before it has been approved by the Cleveland Citywide Development Corporation.

Section 10. That the Director of Economic Development is authorized to accept the grant funds authorized by this ordinance and deposit the monies into a fund designated by the Director of Finance; and to accept repayment of the loans and to deposit the monies into a fund or fund to be designated by the Director of Finance.

Section 11. That the costs of each loan or grant shall be paid from the fund or funds to which are credited the proceeds of the grant accepted under this ordinance, the cash match, and from the fund or fund to which are credited any loan repayments made from loans authorized under this ordinance, and are appropriated for this purpose.

Section 12. That the Director of Economic Development shall report to this Council annually on the Brownfield Revolving Loan Program to include reporting of applications received for loans and grants under this ordinance, awards made, and fund balances.

Section 13. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed November 12, 2012.
Effective November 16, 2012.

**Ord. No. 1580-12.
By Council Member Sweeney.**

An emergency ordinance authorizing the Clerk of Council to enter into a third amendment to the agreement with Solar Systems Networking Inc., City Contract No. PS 2010*83, for additional money for the continuation of professional services necessary to advise and assist in the maintenance and performance of computer technology projects 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 amendment to the agreement with Solar Systems Networking Inc. ("Consultant"), City Contract No. PS 2010*83, to add \$13,500 to the agreement for the continuation of the professional services necessary to advise and assist in the maintenance and performance of computer technology projects, as more specifically set forth in Consultant's Statement of Work received October 26,

2012, and as may be directed by the Clerk.

The cost of all services under this agreement 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 November 12, 2012.

Effective November 16, 2012.

Ord. No. 1581-12.

By Council Member Sweeney.

An emergency ordinance authorizing the Clerk of Council to enter into an agreement with Paladin Protective Systems, Inc. for professional services necessary to provide a sound system analysis and acoustical engineering services for the Council Chambers and Committee Room 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 in to enter into an agreement with Paladin Protective Systems, Inc., ("Consultant") for the professional services necessary to provide a sound system analysis and acoustical engineering services for the Council Chambers and Committee Room for Cleveland City Council. The services will include, but not be limited to, providing recommendations for upgrading the sound systems in both areas, equipment, installation, system programming, testing, balancing and training on the systems.

The cost of the agreement shall not exceed \$46,000 which shall be paid for from fund 20-524

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

Passed November 12, 2012.

Effective November 16, 2012.

Ord. No. 1582-12.

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

An emergency ordinance to amend Sections 1 and 2 of Ordinance No. 491-12, passed April 9, 2012, relating to the 2012 Home Weatherization Assistance Program; and to enter into contracts necessary to implement the program.

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

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

Section 1. That Sections 1 and 2 of Ordinance No. 491-12, passed April 9, 2012, is amended to read as follows:

Section 1. That the Director of Community Development is authorized to apply and accept additional grant funds of \$1,314,266 for a total of \$3,563,009, from the State of Ohio Department of Development now known as the Ohio Development Services Agency to conduct the 2012 Home Weatherization Assistance Program; that the Director of Community Development is authorized to file all papers and execute all documents necessary to receive the funds under the grants; and that the funds are appropriated for the purposes set forth in the summaries for the grants contained in the files described below.

Section 2. That the summaries for the grants, presented to the Finance Committee of this Council at public hearings on this legislation and set forth in File Nos. 491-12-A and 491-12-B, are made a part of this ordinance as if fully rewritten, are approved in all respects, and shall not be changed without additional legislative authority.

Section 2. That existing Sections 1 and 2 of Ordinance No. 491-12, passed April 9, 2012, is repealed.

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

Passed November 12, 2012.

Effective November 12, 2012.

Ord. No. 1601-12.

By Council Member Dow.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into an agreement with Burten, Bell, Carr Development, Inc. for the Holiday Gift Card Food Program through the use of Ward 7 Neighborhood Capital Funds.

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

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

Section 1. That the Director of the Department of Community Development is authorized to enter into an agreement with the Burten, Bell, Carr Development, Inc. for the Holiday Gift Card Food Program for the public purpose of providing holiday gift cards for low income families residing in the city of Cleveland through the use of Ward 7 Neighborhood Capital Fund.

Section 2. That the cost of said contract shall be in an amount not to exceed \$13,000 and shall be paid from Fund No. 10 SF 177.

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

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

Passed November 12, 2012.

Effective November 12, 2012.

COUNCIL COMMITTEE MEETINGS

**Monday, November 19, 2012
9:30 a.m.**

Health and Human Services Committee: Present: Cimperman, Chair; J. Johnson, Vice Chair; Keane, Kelley, Polensek. *Authorized Absence:* Conwell, Reed. *Pro tempore:* Cummins.

11:00 p.m.

Legislation Committee: Present: Mitchell, Chair; Cleveland, Sweeney. *Authorized Absence:* K. Johnson, Vice Chair; Brancatelli, Cimperman, Reed. *Pro tempore:* Westbrook, Keane, Kelley.

2:00 p.m.

Finance Committee: Present: Kelley, Chair; Sweeney, Vice Chair; Brady, Cleveland, Keane, Miller, Mitchell, Westbrook, Zone. *Authorized Absence:* Brancatelli, Pruitt.

5:00 p.m.

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

**Tuesday, November 20, 2012
9:30 a.m.**

Community and Economic Development Committee: Present: Dow, Vice Chair; Cimperman, Cummins, J. Johnson, Miller, Pruitt, Westbrook, Zone. *Authorized Absence:* Brancatelli, Chair.

**Wednesday, November 21, 2012
10:00 a.m.**

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

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

Colbalt Group, Inc. — agreement — operations and sustainability plan (O 1651-12).....	1824
Guy Gadowski, CPA — agreement — professional consulting and auditing services (O 1652-12).....	1824
Mita Marketing, LLC — agreement — communications and public relations (O 1653-12).....	1824
NetX Internet, LLC — agreement — wireless internet service (O 1654-12).....	1824
Paladin Protective Systems, Inc. — Sound System Analysis and Acoustical Engineering Services (O 1581-12).....	1846
Solar Systems Networking Inc. — Third Amendment -City Contract No. PS 2010*83 (O 1580-12).....	1845
Solar Systems Networking Inc. — Fourth amendment to the agreement — additional money for continuation of computer technology projects — City Contract No. PS 2010*83 (O 1657-12).....	1825
The Project Group — agreement — utility related matters (O 1656-12).....	1824

Board of Control — Burke Lakefront Airport Division

Emergency spill response, environmental and infrastructure conditions — per Ord. 499-10, 1624-10, 1435-11 to Inland Waters of Ohio, Inc. — Dept. of Port Control (BOC Res. 584-12).....	1829
Sewer, oil water separators, electrical vaults and appurtenances, holding tanks, lift station cleaning and maintenance, including waste material disposal — per Ord. 499-10, 1624-10, 1435-11 to Inland Waters of Ohio, Inc. — Dept. of Port Control (BOC Res. 585-12).....	1830

Board of Control — Capital Projects Office

Martin Luther King, Jr. Drive rehabilitation project — approve subcontractors — Contract #CT4004-PI2011-162 per BOC Res. 544-11 (BOC Res. 588-12).....	1830
---	------

Board of Control — Cleveland Hopkins International Airport Division

Air handling system and chilled water system upgrades for South Terminal — per Ord. 359-05 — all bids rejected — Dept. of Port Control (BOC Res. 609-12).....	1836
Design services for Terminal Exterior facade improvement — per Ord. 1587-09 to Leo A. Daly — Dept. of Port Control (BOC Res. 586-12).....	1830
Emergency spill response, environmental and infrastructure conditions — per Ord. 499-10, 1624-10, 1435-11 to Inland Waters of Ohio, Inc. — Dept. of Port Control (BOC Res. 584-12).....	1829
Sewer, oil water separators, electrical vaults and appurtenances, holding tanks, lift station cleaning and maintenance, including waste material disposal — per Ord. 499-10, 1624-10, 1435-11 to Inland Waters of Ohio, Inc. — Dept. of Port Control (BOC Res. 585-12).....	1830

Board of Control — Community Development Department

Bonna Avenue, 6807 (Ward 7) — PPN 105-23-101 — Bessie M. Collins (BOC Res. 596-12).....	1832
Clement Avenue, 6722 (Ward 12) — PPN 132-24-060 — Reginaldo Ramirez (BOC Res. 605-12).....	1835
East 102nd Street (Ward 8) — PPN 108-08-086 — Audrey Peak (BOC Res. 603-12).....	1834
East 104th Street, 3544 (Ward 6) — PPN 135-07-042 — William Storer (BOC Res. 608-12).....	1835
East 131st Street, 4072 (Ward 2) — PPN 138-10-023 — Greater Harvard Avenue Church (BOC Res. 593-12).....	1832
East 75th Street, 3626 (Ward 12) — PPN 133-03-026 — Carl J. Blocksom (BOC Res. 595-12).....	1832
East 78th Street, 2214 (Ward 5) — PPN 118-26-058 — Richard Nelson (BOC Res. 601-12).....	1834
East 89th Street, 2340 (Ward 6) — PPN 119-32-054 — Annie B. Davis (BOC Res. 597-12).....	1833
East 92nd Street, 1351 (Ward 7) — PPN 107-12-063 — Bennie F. Neal (BOC Res. 600-12).....	1833
Florida Avenue (Ward 1) — PPN 142-27-081/082 — Ebenezer Assembly of Christ (BOC Res. 592-12).....	1831
Hamlen Avenue, 11910 (Ward 6) — PPN 129-09-135 — Joseph Stanley (BOC Res. 607-12).....	1835
Knowlton Avenue, 11302 (Ward 9) — PPN 120-09-084 — Larry E. Anderson (BOC Res. 594-12).....	1832
Ottawa Road, 7203 (Ward 12) — PPN 133-19-067 — Anne M. Galka (BOC Res. 598-12).....	1833
Pierpont Avenue, 10413 (Ward 8) — PPN 109-04-074 — Michael O'Neal (BOC Res. 602-12).....	1834
Superior Avenue, 7503 (Ward 7) — PPN 105-33-024 — Constance Goshay (BOC Res. 599-12).....	1833
West 47th Street, 3025 (Ward 15) — PPN 006-24-055 — Thomas Ressler (BOC Res. 606-12).....	1835
West 53rd Street, 2237 (Ward 15) — PPN 006-23-086 — Frank Camarda (BOC Res. 590-12).....	1831
West 93rd Street, 2118 (Ward 16) — PPN 005-26-111 — Patricia A. Pettry (BOC Res. 604-12).....	1834

Board of Control — Concession Agreement

Dock 28B, Dock 30 and Dock 32 Parking facilities for parking and special events — November 8 to January 9 — Cleveland Browns Stadium Company, LLC — Dept. of Port Control — rejected (BOC Res. 582-12).....	1829
---	------

Dock 28B, Dock 30 and Dock 32 Parking facilities for parking and special events — November 8 to January 9 — Cleveland Browns Stadium Company, LLC — Dept. of Port Control (BOC Res. 583-12)	1829
---	------

Board of Control — Finance Department

East 153rd Street (Ward 12) — PPN 142-23-005/006 — sell to Waterford One, LLC (Gebauer Company) per Ord. 1259-12 (BOC Res. 589-12)	1831
---	------

Board of Control — Harbors Division

Emergency spill response, environmental and infrastructure conditions — per Ord. 499-10, 1624-10, 1435-11 to Inland Waters of Ohio, Inc. — Dept. of Port Control (BOC Res. 584-12)	1829
Sewer, oil water separators, electrical vaults and appurtenances, holding tanks, lift station cleaning and maintenance, including waste material disposal — per Ord. 499-10, 1624-10, 1435-11 to Inland Waters of Ohio, Inc. — Dept. of Port Control (BOC Res. 585-12)	1830

Board of Control — Land Reutilization Program

Bonna Avenue, 6807 (Ward 7) — PPN 105-23-101 — Bessie M. Collins (BOC Res. 596-12)	1832
Clement Avenue, 6722 (Ward 12) — PPN 132-24-060 — Reginaldo Ramirez (BOC Res. 605-12)	1835
East 102nd Street (Ward 8) — PPN 108-08-086 — Audrey Peak (BOC Res. 603-12)	1834
East 104th Street, 3544 (Ward 6) — PPN 135-07-042 — William Storer (BOC Res. 608-12)	1835
East 131st Street, 4072 (Ward 2) — PPN 138-10-023 — Greater Harvard Avenue Church (BOC Res. 593-12)	1832
East 75th Street, 3626 (Ward 12) — PPN 133-03-026 — Carl J. Blocksom (BOC Res. 595-12)	1832
East 78th Street, 2214 (Ward 5) — PPN 118-26-058 — Richard Nelson (BOC Res. 601-12)	1834
East 89th Street, 2340 (Ward 6) — PPN 119-32-054 — Annie B. Davis (BOC Res. 597-12)	1833
East 92nd Street, 1351 (Ward 7) — PPN 107-12-063 — Bennie F. Neal (BOC Res. 600-12)	1833
Florida Avenue (Ward 1) — PPN 142-27-081/082 — Ebenezer Assembly of Christ (BOC Res. 592-12)	1831
Hamlen Avenue, 11910 (Ward 6) — PPN 129-09-135 — Joseph Stanley (BOC Res. 607-12)	1835
Holmes Avenue, 16021 (Ward 11) — PPN 116-14-030 — Baker Candies, Inc. (BOC Res. 591-12)	1831
Knowlton Avenue, 11302 (Ward 9) — PPN 120-09-084 — Larry E. Anderson (BOC Res. 594-12)	1832
Ottawa Road, 7203 (Ward 12) — PPN 133-19-067 — Anne M. Galka (BOC Res. 598-12)	1833
Pierpont Avenue, 10413 (Ward 8) — PPN 109-04-074 — Michael O'Neal (BOC Res. 602-12)	1834
Superior Avenue, 7503 (Ward 7) — PPN 105-33-024 — Constance Goshay (BOC Res. 599-12)	1833
West 47th Street, 3025 (Ward 15) — PPN 006-24-055 — Thomas Ressler (BOC Res. 606-12)	1835
West 53rd Street, 2237 (Ward 15) — PPN 006-23-086 — Frank Camarda (BOC Res. 590-12)	1831
West 93rd Street, 2118 (Ward 16) — PPN 005-26-111 — Patricia A. Pettry (BOC Res. 604-12)	1834

Board of Control — Land Sales

East 153rd Street (Ward 12) — PPN 142-23-005/006 — sell to Waterford One, LLC (Gebauer Company) per Ord. 1259-12 (BOC Res. 589-12)	1831
---	------

Board of Control — Port Control Department

Air handling system and chilled water system upgrades for South Terminal — per Ord. 359-05 — all bids rejected — Division of Cleveland Hopkins International Airport (BOC Res. 609-12)	1836
Design services for Terminal Exterior facade improvement — per Ord. 1587-09 to Leo A. Daly — Division of Cleveland Hopkins International Airport (BOC Res. 586-12)	1830
Dock 28B, Dock 30 and Dock 32 Parking facilities for parking and special events — November 8 to January 9 — Cleveland Browns Stadium Company, LLC — rejected (BOC Res. 582-12)	1829
Dock 28B, Dock 30 and Dock 32 Parking facilities for parking and special events — November 8 to January 9 — Cleveland Browns Stadium Company, LLC (BOC Res. 583-12)	1829
Emergency spill response, environmental and infrastructure conditions — per Ord. 499-10, 1624-10, 1435-11 to Inland Waters of Ohio, Inc. (BOC Res. 584-12)	1829
Rubber and other contaminants removal from paved surfaces — per Ord. 745-12 to Hi-Lite Markings, Inc. (BOC Res. 587-12)	1830
Sewer, oil water separators, electrical vaults and appurtenances, holding tanks, lift station cleaning and maintenance, including waste material disposal — per Ord. 499-10, 1624-10, 1435-11 to Inland Waters of Ohio, Inc. (BOC Res. 585-12)	1830

Board of Control — Professional Service Contracts

Design services for Terminal Exterior facade improvement — per Ord. 1587-09 to Leo A. Daly — Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 586-12)	1830
Emergency spill response, environmental and infrastructure conditions — per Ord. 499-10, 1624-10, 1435-11 to Inland Waters of Ohio, Inc. — Dept. of Port Control (BOC Res. 584-12)	1829
Sewer, oil water separators, electrical vaults and appurtenances, holding tanks, lift station cleaning and maintenance, including waste material disposal — per Ord. 499-10, 1624-10, 1435-11 to Inland Waters of Ohio, Inc. — Dept. of Port Control (BOC Res. 585-12)	1830

Trunk water main inspection services — amend BOC Res. 320-10 — approve subcontractor for Contract #PS2010*238 — Division of Water, Dept. of Public Utilities (BOC Res. 580-12)	1829
--	------

Board of Control — Public Improvement Contracts

Martin Luther King, Jr. Drive rehabilitation project — approve subcontractors — Contract #CT4004-PI2011-162 per BOC Res. 544-11 — Office of Capital Projects (BOC Res. 588-12)	1830
--	------

Board of Control — Public Utilities Department

HVAC system maintenance, repair/replacement — approve subcontractor — Contract #RC2012*49 per BOC Res. 209-12 (BOC Res. 581-12)	1829
Trunk water main inspection services — amend BOC Res. 320-10 — approve subcontractor for Contract #PS2010*238 — Division of Water (BOC Res. 580-12)	1829

Board of Control — Purchases and Supplies Division

East 153rd Street (Ward 12) — PPN 142-23-005/006 — sell to Waterford One, LLC (Gebauer Company) per Ord. 1259-12 (BOC Res. 589-12)	1831
Holmes Avenue, 16021 (Ward 11) — PPN 116-14-030 — Baker Candies, Inc. (BOC Res. 591-12)	1831

Board of Control — Requirement Contracts

HVAC system maintenance, repair/replacement — approve subcontractor — Contract #RC2012*49 per BOC Res. 209-12 — Dept. of Public Utilities (BOC Res. 581-12)	1829
Rubber and other contaminants removal from paved surfaces — per Ord. 745-12 to Hi-Lite Markings, Inc. — Dept. of Port Control (BOC Res. 587-12)	1830

Board of Control — Water Division

Trunk water main inspection services — amend BOC Res. 320-10 — approve subcontractor for Contract #PS2010*238 — Dept. of Public Utilities (BOC Res. 580-12)	1829
---	------

Board of Zoning Appeals — Report

Carnegie Avenue, 6555, (Ward 5) — Hemingway at 6555 LLC, owner — appeal postponed to 1/22/13 on 11/19/12 (Cal. 12-184)	1841
City View Mechanical, Inc. — appeal postponed to 1/7/13 on 11/19/12 (Cal. 12-187)	1841
East 185th Street, 300, (Ward 11) — Hospice of the Western Reserve, Inc., owner — appeal heard on 11/19/12 (Cal. 12-193)	1841
Euclid Avenue, 8601, (Ward 6) — Euclid Avenue Church of God, by and through Kenneth J. Fisher, attorney — appeal heard on 11/19/12 (Cal. 12-154)	1841
Holmden Avenue, 2327, (Ward 14) — Iglesia Nueva Vida, owner and Pastor Jose Reyes — appeal heard on 11/19/12 (Cal. 12-174)	1841
Sylvia Avenue, 14405, (Ward 10) — Raymond Gould, owner — appeal heard on 11/19/12 (Cal. 12-183)	1841

Board of Zoning Appeals — Schedule

Brookpark Road, 7200, (Ward 13) — M&G Equities, a New York partnership, owner and HH Gregg, tenant — appeal to be heard on 12/3/12 (Cal. 12-194)	1841
East 108th Street, 516, (Ward 9) — Natalie Poretskiy, owner — appeal to be heard on 12/3/12 (Cal. 12-201)	1841
Starkweather Avenue, 1730, (Ward 3) — Cuyahoga County Land Reutilization Corporation, owner and Adam Sywanyk, prospective purchaser — appeal to be heard on 12/3/12 (Cal. 12-198)	1841
West 81st Street, 2020, (Ward 15) — Billy Hoselton, owner — appeal to be heard on 12/3/12 (Cal. 12-199)	1841

Burke Lakefront Airport

ARFF medical training, development activities, program in support of employee performance and professional development programs; renew Contract No. CT 3001-PS 2011-67 with Southwest General Health Center (O 1634-12)	1816
Business and management training and development, employee performance and professional development program — renew Contract No. CT 3001-PS2011-59 Cleveland State University (O 1632-12)	1815
E-learning training and development activities and programs in support of employee performance and professional development — renew Contract No. CT 3001-PS2011- + 32 with MindLeaderts Inc., a Delaware Corporation (O 1636-12)	1816
Enact new Section 139.21 of Codified Ordinances — Gifts of art, cash, sponsorships and other donations to enhance physical appearance at Cleveland Airport System (O 1638-12)	1817
Exercise option to renew Contract No. MA1505 RC2012-008 with Clariant Corp. and Contract No. MA1505 RC2012-030 with Na Churs Plant Food — FAA- Approved Deicing Chemicals (O 1489-12)	1843

Lean Six Sigma , general training and development; support employee performance and professional development — renew Contract No. CT 3001-PS2011-129 with The Institute for Organization Excellence LLC. (O 1633-12)	1816
Professional technical and general training and development activities and programs in support of employee performance and development — renew Contract No. CT3001-PS 2011-68 with Cuyahoga Community College (O 1635-12)	1816

Capital Projects

Amend Section 10 of Ord. No. 592-11 — Cedar Avenue Rehabilitation Phase II (East 89th St. to MLK Jr., Blvd.) (Ward 6) — Add WPC Utility Fund Numbers (O 1492-12)	1828
Apply for Issue 1 for Lorain Ave., MLK Jr., Blvd., Puritas Ave., & Bellaire., Woodland Ave., East 116th St. (O 1452-12)	1828
Dedication Plat — rights-of-way proposed as part of the Flats East Bank Development (R 1460-12)	1828
Harvard Avenue Bridge Project (O 1629-12)	1814

City of Cleveland Bids

Camera, gas detection (thermal imaging) — Department of Public Health — per Ord. 564-12 — bid due January 23, 2013 (advertised 11/21/2012 and 11/28/2012)	1843
Duct line installation, street lighting bases, pull box installation and repair — Department of Public Utilities — Division of Cleveland Public Power — per Ord. 1575-11 — bid due December 14, 2012 (advertised 11/21/2012 and 11/28/2012)	1842
East 176th Street sewer replacement project — Department of Public Utilities — Division of Water Pollution Control — per Ord. 739-12 — bid due December 7, 2012 (advertised 11/14/2012 and 11/21/2012)	1842
Exterminating services — Department of Finance — per C.O. Sec. 181.101 — bid due December 7, 2012 (advertised 11/21/2012 and 11/28/2012)	1842
Lighting, decorative and special for bridges — Department of Public Utilities — Division of Cleveland Public Power — per Ord. 811-11 — bid due December 19, 2012 (advertised 11/21/2012 and 11/28/2012)	1843
Lubricants — Department of Public Utilities — Division of Water Pollution Control — per C.O. Sec. 181.101 — bid due December 7, 2012 (advertised 11/14/2012 and 11/21/2012)	1842
Paper and envelopes, bulk multi-purpose bond — Department of Finance — Division of Printing and Reproduction — per Ord. 1453-12 — bid due December 12, 2012 (advertised 11/14/2012 and 11/21/2012)	1842
Pipe type cable repair maintenance — Department of Public Utilities — Division of Cleveland Public Power — per Ord. 810-11 — bid due December 14, 2012 (advertised 11/14/2012 and 11/21/2012)	1842
Steel, miscellaneous sized — Department of Finance — per C.O. Sec. 181.101 — bid due December 7, 2012 (advertised 11/21/2012 and 11/28/2012)	1842
Terminal Security Bollards Project, WBS No. A1-A400-3 — Department of Port Control — Division of Cleveland Hopkins International Airport — per Ord. 748-11, 395-12 — bid due January 24, 2013 (advertised 11/14/2012 and 11/21/2012)	1842
Wakefield Avenue sewer replacement project — Department of Public Utilities — Division of Water Pollution Control — per Ord. 741-12 — bid due December 12, 2012 (advertised 11/14/2012 and 11/21/2012)	1842

City Planning Commission

Amend Section 343.23 — Pedestrian Retail Overlay (PRO) District — drive-through lanes (O 1648-12)	1821-1841
Community Development — Interdepartmental Transfer — From CD Landbank to Public Works — Future Development of League Park (Ward 7) (O 1458-12)	1828

Clerk of Council

Colbalt Group, Inc. — agreement — operations and sustainability plan (O 1651-12)	1824
Guy Gadowski, CPA — agreement — professional consulting and auditing services (O 1652-12)	1824
Mita Marketing, LLC — agreement — communications and public relations (O 1653-12)	1824
NetX Internet, LLC — agreement — wireless internet service (O 1654-12)	1824
Paladin Protective Systems, Inc. — agreement — Sound System Analysis and Acoustical Engineering Services (O 1581-12)	1846
Professional photographers — contracts — photography services (O 1655-12)	1824
Solar Systems Networking Inc. — Third amendment to the agreement — City Contract No. PS 2010*83 (O 1580-12)	1845
Solar Systems Networking Inc. — Fourth amendment to the agreement — additional money for continuation of computer technology projects — City Contract No. PS 2010*83 (O 1657-12)	1825
The Project Group — agreement — utility related matters (O 1656-12)	1824

Cleveland Hopkins International Airport

ARFF medical training, development activities, program in support of employee performance and professional development programs; renew Contract No. CT 3001-PS 2011-67 with Southwest General Health Center (O 1634-12)	1816
---	------

Business and management training and development, employee performance and professional development program — renew Contract No. CT 3001-PS2011-59 Cleveland State University (O 1632-12) 1815

E-learning training and development activities and programs in support of employee performance and professional development — renew Contract No. CT 3001-PS2011- + 32 with MindLeaderts Inc., a Delaware Corporation (O 1636-12)..... 1816

Enact new Section 139.21 of Codified Ordinances — Gifts of art, cash, sponsorships and other donations to enhance physical appearance at Cleveland Airport System (O 1638-12) 1817

Exercise option to renew Contract No. MA1505 RC2012-008 with Clariant Corp. and Contract No. MA1505 RC2012-030 with Na Churs Plant Food — FAA- Approved Deicing Chemicals (O 1489-12)..... 1843

Lean Six Sigma , general training and development; support employee performance and professional development — renew Contract No. CT 3001-PS2011-129 with The Institute for Organization Excellence LLC. (O 1633-12) 1816

Professional technical and general training and development activities and programs in support of employee performance and development — renew Contract No. CT3001-PS 2011-68 with Cuyahoga Community College (O 1635-12) 1816

Cleveland Public Power

Rigging services, material handling equipment, cranes, heavy equipment — requirement contract (O 1630-12) 1815

Codified Ordinance

Amend Sect(s) 1 & 2 of Ord. No. 491-12 — Home Weatherization Assistance Program, 2012 — Grant — contracts with various entities — Ohio Department Of Development (O 1582-12) 1846

Amend Sections 227.03, 227.04, 227.05, 227.33, 227.34, 227.35 — Day Care Center fees, applications, inspections and contagious disease notification — Public Health (O 1642-12) 1818

Amend Section 343.23 — Pedestrian Retail Overlay (PRO) District — drive-through lanes — City Planning Commission (O 1648-12) 1821-1841

Amend Section 403-99 -Traffic Code Misdemeanor Classification Penalties -Stopping for School Buses — Public Safety — (O 1659-12) 1823

Amend Section 559-242 — Turkish ?Cultural Garden (O 1233-12)..... 1828

Enact new Section 131.36 — Hough Multi-Service Center (8555 Hough Avenue) (Ward 7) — lease (O 1650-12) 1823

Enact new Section 139.21 — Gifts of art, cash, sponsorships and other donations to enhance physical appearance at Cleveland Airport System (O 1638-12) 1817

Enact new Section 681A.01 — 681A.04 and 681A.99 — Precious Metals Dealers (O 1125-12) 1828

Holiday Gift Card Food Program — Burten, Bell, Carr Development, Inc. — agreement (Ward 07 NCF) (O 1601-12) 1846

Home Weatherization Assistance Program, 2013 — Grants — contracts with various entities — Ohio Development Services Agency (O 1582-12) 1846

Community Development

Amend title and Section 1 of Ord. No. 958-11 — Energy Savers Pilot Program — (O 1647-12) 1821

Interdepartmental Transfer — From CD Landbank to Public Works — Future Development of League Park (Ward 7) (O 1458-12) 1828

Non -Profit agencies — contract for implementation of homeless assistance activities. (O 1645-12)..... 1820

Professional Consultants for grant writing services; Lead Hazard Reduction Demonstration or lead Hazard Control grant — apply for and accept; Healthy Homes Grant from U. S. Department of Housing and Urban Development (O 1646-12) 1820

Concession Agreements

Public Works — Family Soccer League — Zone Recreation Center (Ward 15) (O 1639-12)..... 1817

Condolences

Howard , Ralph (R 1671-12) 1813

Congratulations

Davidson, Rev. Dr. Todd C. (R 1672-12)..... 1813

Walter, Donald, Jr. (R 1673-12)..... 1813

Contracts

ARFF medical training, development activities, program in support of employee performance and professional development programs; renew Contract No. CT 3001-PS 2011-67 with Southwest General Health Center (O 1634-12) 1816

Amend the Title & Section 1 of Ord. No. 535-12 — Air and Cargo Service Consulting — Change the term of the renewal options (O 1456-12)	1843
Amend title and Section 1 of Ord. No. 958-11 — Energy Savers Pilot Program — Community Development (O 1647-12)	1821
Business and management training and development, employee performance and professional development program — renew Contract No. CT 3001-PS2011-59 Cleveland State University (O 1632-12)	1815
Economic Development — Jay Avenue Development Corp. — Finance the renovation and site improvements of Jay Ave., 2515 (VPI) (O 1536-12)	1844
E-learning training and development activities and programs in support of employee performance and professional development — renew Contract No. CT 3001-PS2011- + 32 with MindLeaderts Inc., a Delaware Corporation (O 1636-12)	1816
Exercise option to 'Renew contract No. CT 7012 NF2010-024 with Executive Caterers at Landerhaven, Inc. — Provide Food and Beverage Services (O 1532-12)	1828
Exercise option to renew Contract No. MA1505 RC2012-008 WITH Clariant Corp. and Contract No. MA1505 RC2012-030 with Na Churs Plant Food — FAA- Approved Deicing Chemicals (O 1489-12)	1843
Exercise option to renew Contract No. 69917 with A Taste of Excellence, Inc. — Cafeteria — Amend Contract 69917 — Public Works (O 900-12)	1827
Finance Department — Wireless Cards — Safety Computers (CRIS System) (O 1529-12)	1843
Lean Six Sigma , general training and development; support employee performance and professional development — renew Contract No. CT 3001-PS2011-129 with The Institute for Organization Excellence LLC. (O 1633-12)	1816
Lease amendment to Contract No. 46972 with Landmark Aviation FBO Holding, LLC (O 1637-12)	1817
LifePak Defibrillators — contract with Physio-Control — Divisions of Emergency Medical Service, Fire, Police (O 1643-12)	1819
Non -Profit agencies — contract for implementation of homeless assistance activities. (O 1645-12)	1820
Paladin Protective Systems, Inc. — agreement — Sound System Analysis and Acoustical Engineering Services (O 1581-12)	1846
Port Control — Tyco Simplex-Grinnell — Maintain, repair and expand The Integrated Fire and Security System (O 1530-12)	1844
Professional photographers — contracts — photography services (O 1655-12)	1824
Professional technical and general training and development activities and programs in support of employee performance and development — renew Contract No. CT3001-PS 2011-68 with Cuyahoga Community College (O 1635-12)	1816
Solar Systems Networking Inc. — Third amendment to the agreement — City Contract No. PS 2010*83 (O 1580-12)	1845

Day Care Centers

Amend Sections 227.03, 227.04, 227.05, 227.33, 227.34, 227.35 — Day Care Center fees, applications, inspections and contagious disease notification — Public Health (O 1642-12)	1818
---	------

Easements

Harvard Avenue Bridge Project (O 1629-12)	1814
---	------

Economic Development Department

Apply and Accept Grant — U.S. EPA — Brownfield Revolving Loan Program for Environmental Remediation Costs for Eligible Projects (O 1540-12)	1845
Contract — Jay Avenue Development Corp. — Finance the renovation and site improvements of Jay Ave., 2515 (VPI) (O 1536-12)	1844

Emergency Medical Service Division

LifePak Defibrillators — contract with Physio-Control — Divisions of Emergency Medical Service, Fire, Police (O 1643-12)	1819
--	------

Environmental Protection Agency (EPA)

Economic Development — Apply and Accept Grant — Brownfield Revolving Loan Program for environmental remediation costs for eligible projects (O 1540-12)	1845
---	------

Finance Department

Contracts — Wireless Cards — Safety Computers (CRIS System) (O 1529-12)	1843
Salary and Wage Schedules — Section 56 — Amend Ord. No. 1689-11 — Human Resources Department (O 1537-12)	1844

Fire Division

LifePak Defibrillators — contract with Physio-Control — Divisions of Emergency Medical Service, Fire, Police (O 1643-12)	1819
--	------

Grants

Amend Sect(s) 1 & 2 of Ord. No. 491-12 — Home Weatherization Assistance Program, 2012 — contracts with various entities — Community Development Department — Ohio Department of Development (O 1582-12)	1846
Economic Development — U.S. EPA — Brownfield Revolving Loan Program for environmental remediation costs for eligible projects (O 1540-12)	1845
FY12 Port Security Grant — apply and accept grant from U. S. Department of Homeland Security — Public Safety (O 1644-12)	1819
2013 Making Greater Cleveland Lead Safe and health Program — apply and accept grant from St. Lukes's Foundation — Public Health (O 1640-12)	1817
2013 STD Control Prevention Program — apply and accept grant from Ohio Department of Public Health (O 1641-12)	1818
Community Development — Professional Consultants for grant writing services; Lead Hazard Reduction Demonstration or lead Hazard Control grant — apply for and accept; Healthy Homes Grant from U. S. Department of Housing and Urban Development (O 1646-12)	1820

Health Department

Amend Sections 227.03, 227.04, 227.05, 227.33, 227.34, 227.35 — Day Care Center fees, applications, inspections and contagious disease notification (O 1642-12)	1818
2013 Making Greater Cleveland Lead Safe and health Program — apply and accept grant from St. Luke's Foundation (O 1640-12)	1817
2013 STD Control Prevention Program — apply and accept grant from Ohio Department of Public Health (O 1641-12)	1818

Home Weatherization Program

Amend Sect(s) 1 & 2 of Ord. No. 491-12 — Home Weatherization Assistance Program, 2012 — Grant — contracts with various entities — Community Development Department — Ohio Department of Development (O 1582-12)	1846
---	------

Human Resources Department

Salary and Wage Schedules — Section 56 — Amend Ord. No. 1689-11 — Finance Department (O 1537-12)	1844
--	------

Information System Services Division

Finance Department — contracts — Wireless Cards — Safety Computers (CRIS System) (O 1529-12)	1843
--	------

League Park

Community Development — Interdepartmental Transfer — From CD Landbank to Public Works — Future Development of League Park (Ward 7) (O 1458-12)	1828
--	------

Leases

Greenhouse (750 East 88th Street) (Ward 8) to Cleveland Botanical Garden — Public Works (O 1649-12)	1822
Lease amendment to Contract No. 46972 with Landmark Aviation FBO Holding, LLC (O 1637-12)	1817

Liquor Permits

Almira Avenue, 9800 — New Application (Ward 16) (F 1667-12)	1813
Broadview Road, 4744 — objection to transfer of ownership (Ward 13) (R 1628-12)	1826
Broadway Avenue, 5275-79, 1st floor & basement — objection to transfer of ownership (Ward 5) (R 1661-12)	1827
East 12th Street, 1807 — Stock Transfer Application (Ward 3) (F 1664-12)	1813
East 140th Street, 831 — objection to transfer of ownership of stock (Ward 10) (R 1662-12)	1827
East 185th Street, 1035 — Objection to transfer of ownership (Ward 11) (R 1626-12)	1825
East 200th Street, 788 — Objection to transfer of ownership (Ward 11) (R 1627-12)	1826
Jefferson Avenue, 710 — Transfer of Ownership / Location Application (Ward 3) (F 1663-12)	1813
Linwood Avenue, 7038 — Objection to new permit (Ward 7) (R 1625-12)	1825
Puritas Avenue, 14304 — Transfer of Ownership Application (Ward 18) (F 1668-12)	1813
Superior Avenue, 12420 — Transfer Ownership- / Location Application (Ward 9) (F 1666-12)	1813
West 9th Street, 1293 — withdrawing objection to transfer of license; repeal R.1024-12 (Ward 3) (R 1658-12)	1826
Woodland Avenue, 10716-18 — New Application (Ward 6) (F 1665-12)	1813

Loans

Economic Development — Apply and accept grant — U.S. EPA — Brownfield Revolving Loan Program for environmental remediation costs for eligible projects (O 1540-12)	1845
Economic Development — contract — Jay Avenue Development Corp. — Finance the renovation and site improvements of Jay Ave., 2515 (VPI) (O 1536-12)	1844

Office of Equal Opportunity

City Resident Utilization Report, October 31, 2012 Bi-Monthly Report. (F 1670-12)	1813
Compliance Report Chapter 188, October 31, 2012 Bi-Monthly Report. (F 1669-12)	1813

Ohio Department of Education

Amend The Title & Section 1 of Ord. No. 535-12 — Air and Cargo Service Consulting — Change the term of the renewal options (O 1456-12)	1843
Contracts — Tyco Simplex-Grinnell — Maintain , repair and expand The Integrated Fire and Security System (O 1530-12)	1844
Exercise option to renew Contract No. MA1505 RC2012-008 with Clariant corp. and Contract No. MA1505 RC2012-030 with Na Churs Plant Food — FAA- Approved Deicing Chemicals (O 1489-12).....	1843

Parks, Recreation and Properties Department

Amend Section 559-242 — Turkish ?Cultural Garden (O 1233-12).....	1828
---	------

Plats

Capital Projects — Dedication Plat — rights-of-way prop0osed as part of the Flats East Bank Development (R 1460-12)	1828
---	------

Police Division

LifePak Defibrillators — contract with Physio-Control — Divisions of Emergency Medical Service, Fire, Police (O 1643-12).....	1819
---	------

Port Control

Amend Section 1 of Or. No. 886-12 — Purchase & Sale Agreement — Cleveland Business Park, Ltd. (O 1399-12)	1828
ARFF medical training, development activities, program in support of employee performance and professional development programs; renew Contract No. CT 3001-PS 2011-67 with Southwest General Health Center (O 1634-12)	1816
Business and management training and development, employee performance and professional development program — renew Contract No. CT 3001-PS2011-59 Cleveland State University (O 1632-12)	1815
E-learning training and devel0opment activities and programs in support of employee performance and professional development — renew Contract No. CT 3001-PS2011- + 32 with MindLeaderts Inc., a Delaware Corporation (O 1636-12).....	1816
Enact new Section 139.21 of Codified Ordinances — Gifts of art, cash, sponsorships and other donations to enhance physical appearance at Cleveland Airport System (O 1638-12)	1817
Lean Six Sigma , general training and development; support employee performance and professional development — renew Contract No. CT 3001-PS2011-129 with The Institute for Organization Excellence LLC. (O 1633-12)	1816
Lease amendment to Contract No. 46972 with Landmark Aviation FBO Holding, LLC (O 1637-12)	1817
Professional technical and general training and development activities and programs in support of employee performance and development — renew Contract No. CT3001-PS 2011-68 with Cuyahoga Community College (O 1635-12)	1816

Professional Services

Amend the Title & Section 1 of Ord. No. 535-12 — Air and Cargo Service Consulting — Change the term of the renewal options (O 1456-12)	1843
Paladin Protective Systems, Inc. — agreement — Sound System Analysis and Acoustical Engineering Services (O 1581-12)	1846
Solar Systems Networking Inc. — Third Amendment to the agreement — City Contract No. PS 2010*83 (O 1580-12)	1845

Public Improvements

Capital Projects — Apply for Issue 1 for Lorain Ave., MLK Jr., Blvd., Puritas Ave., & Bellaire., Woodland Ave., East 116th St. (O 1452-12)	1828
Amend Section 10 of Ord. No. 592-11 — Cedar Avenue Rehabilitation Phase II (East 89th St. to MLK Jr., Blvd.) (Ward 6) — Add WPC Utility Fund Numbers (O 1492-12).....	1828

Public Safety

Amend Section 403-99 -Traffic Code Misdemeanor Classification Penalties -Stopping for School Buses — (O 1659-12)	1823
FY12 Port Security Grant — apply and accept grant from U. S. Department of Homeland Security — Public Safety (O 1644-12)	1819
LifePak defibrillators — contract with Physio-Control — Divisions of Emergency Medical Service, Fire, Police (O 1643-12).....	1819

Public Utilities

General Information Technology Services (O 1631-12)	1815
---	------

Public Works

Amend Section 559-242 — Turkish Cultural Garden (O 1233-12).....	1828
Concession Agreement — Family Soccer League — Zone Recreation Center (Ward 15) (O 1639-12)	1817
Community Development — Interdepartmental Transfer — From CD Landbank to Public Works — Future Development of League Park (Ward 7) (O 1458-12).....	1828
Exercise option to renew Contract No. 69917 with A Taste of Excellence, Inc. — Cafeteria — Amend Contract 69917 (O 900-12).....	1827
Exercise option to 'Renew contract No. CT 7012 NF2010-024 with Executive Caterers at Landerhaven, Inc. — Provide Food and Beverage Services (O 1532-12)	1828
Hough Multi-Service Center (8555 Hough Avenue) (Ward 7) — lease — enact new Section 131.36 of Codified Ordinances (O 1650-12)	1823
Greenhouse (750 East 88th Street) (Ward 8) lease to Cleveland Botanical Garden O.1649-12)	1822

Purchases and Supplies Division

Port Control — Amend Section 559-242 — Turkish Cultural Garden (O 1233-12).....	1828
---	------

Recognition

Collins, Carlwin L. (R 1677-12)	1814
Lebanon's Independence Day — 69th Anniversary (R 1675-12)	1814
Petty, Dt. Alvaiois Elaine (R 1675-12).....	1814
Williams, Nawassa Brown (R 1678-12)	1814
World Aids Day (R 1674-12)	1814

Salaries

Salary and Wage Schedules — Section 56 — Amend Ord. No. 1689-11 — Finance Department — Human Resources Department (O 1537-12)	1844
--	------

Ward 02

Bilal Kabalan Consul General of Lebanon, — Welcome (R 1679-12)	1814
Harvard Avenue Bridge Project (O 1629-12)	1814
Lebanon's Independence Day — 69th Anniversary — Recognition (R 1675-12)	1814

Ward 03

Bilal Kabalan Consul General of Lebanon, — Welcome (R 1679-12)	1814
East 12th Street, 1807 — Stock Transfer Application (F 1664-12)	1813
Economic Development — contract — Jay Avenue Development Corp. — Finance the renovation and site improvements of Jay Ave., 2515 (VPI) (O 1536-12)	1844
Howard, Ralph — Condolence (R 1671-12)	1813
Jefferson Avenue, 710 — Transfer of Ownership / Location Application (F 1663-12)	1813
Lebanon's Independence Day — 69th Anniversary — Recognition (R 1675-12)	1814
West 9th Street, 1293 — withdrawing objection to transfer of license; repeal R.1024-12 (R 1658-12)	1826

Ward 04

Enact new Section 681A.01 — 681A.04 and 681A.99 of Codified Ordinances — Precious Metals Dealers (O 1125-12).....	1828
Bilal Kabalan Consul General of Lebanon, — Welcome (R 1679-12)	1814
Williams, Nawassa Brown (R 1678-12)	1814

Ward 05

Broadway Avenue, 5275-79, 1st floor & basement — objection to transfer of ownership (R 1661-12)	1827
--	------

Ward 06

Amend Section 10 of Ord. No. 592-11 — Cedar Avenue Rehabilitation Phase II (East 89th St. to MLK Jr., Blvd.) (Ward 6) — Add WPC Utility Fund Numbers (O 1492-12).....	1828
Davidson, Rev. Dr. Todd C. — Congratulations (R 1672-12)	1813
Woodland Avenue, 10716-18 — New Application (F 1665-12)	1813

Ward 07

Community Development — Interdepartmental Transfer — From CD Landbank to Public Works — Future Development of League Park (Ward 7) (O 1458-12).....	1828
Holiday Gift Card Food Program — Burten, Bell, Carr Development, Inc. — agreement — Community Development (Ward 07 NCF) (O 1601-12).....	1846
Hough Multi-Service Center (8555 Hough Avenue) — lease — enact new Section 131.36 of Codified Ordinances (O 1650-12)	1823
Linwood Avenue, 7038 — Objection to new permit (Ward 7) (R 1625-12).....	1825

Ward 08

Amend Section 559-242 — Turkish ?Cultural Garden (O 1233-12).....	1828
Bilal Kabalan Consul General of Lebanon, — Welcome (R 1679-12)	1814
Collins, Carlwin L. — Recognition (R 1677-12)	1814
Greenhouse (750 East 88th Street) to Cleveland Botanical Garden — Public Works (O 1649-12)	1822
Lebanon's Independence Day — 69th Anniversary — Recognition (R 1675-12)	1814
Petty, Dt. Alvaiois Elaine — Recognition (R 1675-12).....	1814

Ward 09

Amend Section 403-99 -Traffic Code Misdemeanor Classification Penalties -Stopping for School Buses — Public Safety — (O 1659-12)	1823
Superior Avenue, 12420 — Transfer Ownership- / Location Application (F 1666-12).....	1813

Ward 10

East 140th Street, 831 — objection to transfer of ownership of stock (R 1662-12).....	1827
---	------

Ward 11

East 185th Street, 1035 — Objection to transfer of ownership (R 1626-12)	1825
East 200th Street, 788 — Objection to transfer of ownership (Ward 11) (R 1627-12)	1826

Ward 13

Broadview Road, 4744 — objection to transfer of ownership (R 1628-12)	1826
---	------

Ward 14

Lebanon's Independence Day — 69th Anniversary — Recognition (R 1675-12)	1814
---	------

Ward 15

Bilal Kabalan Consul General of Lebanon, — Welcome (R 1679-12)	1814
Concession Agreement — Family Soccer League — Zone Recreation Center (Ward 15) (O 1639-12)	1817
World Aids Day — Recognition (R 1674-12)	1814

Ward 16

Almira Avenue, 9800 — New Application (F 1667-12).....	1813
Enact new Section 681A.01 — 681A.04 and 681A.99 of Codified Ordinances — Precious Metals Dealers (O 1125-12).....	1828
Howard , Ralph — Condolence (R 1671-12)	1813
World Aids Day — Recognition (R 1674-12)	1814

Ward 17

Bilal Kabalan Consul General of Lebanon , — Welcome (R 1679-12)	1814
Lebanon's Independence Day — 69th Anniversary — Recognition (R 1675-12)	1814

Ward 18

Walter, Donald, Jr. — Congratulations (R 1673-12)	1813
Puritas Avenue, 14304 — Transfer of Ownership Application (Ward 18) (F 1668-12).....	1813

Water Pollution Control

Rigging services, material handling equipment, cranes, heavy equipment — requirement contract (O 1630-12)	1815
---	------

Welcome

Bilal Kabalan, Consul General of Lebanon (R 1679-12)	1814
--	------