

The City Record

Official Publication of the Council of the City of Cleveland



February the Eighteenth, Two Thousand and Fifteen

Frank G. Jackson
Mayor

Kevin J. Kelley
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward Name

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

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

Containing	PAGE
City Council	3
The Calendar	3
Board of Control	3
Civil Service	5
Board of Zoning Appeals	5
Board of Building Standards and Building Appeals	7
Public Notice	7
Public Hearings	7
City of Cleveland Bids	7
Adopted Resolutions and Ordinances	8
Committee Meetings	19
Index	20



DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Kevin J. Kelley

Ward	Name	Residence	
1	Terrell H. Pruitt	16920 Throckley Avenue	44128
2	Zack Reed	3734 East 149th Street	44120
3	Joe Cimperman	P.O. Box 91688	44101
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44105
6	Mamie J. Mitchell	12701 Shaker Boulevard, #712	44120
7	TJ Dow	7715 Decker Avenue	44103
8	Michael D. Polensek	17855 Brian Avenue	44119
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Jeffrey D. Johnson	9024 Parkgate Avenue	44108
11	Dona Brady	1272 West Boulevard	44102
12	Anthony Brancatelli	6924 Ottawa Road	44105
13	Kevin J. Kelley	5904 Parkridge Avenue	44144
14	Brian J. Cummins	3104 Mapledale Avenue	44109
15	Matthew Zone	1228 West 69th Street	44102
16	Brian Kazy	601 Lakeside Avenue, Room 220	44114
17	Martin J. Keane	15907 Colletta Lane	44111

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

MAYOR – Frank G. Jackson

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

OFFICE OF CAPITAL PROJECTS – Matthew L. Spronz, Director

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

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

DEPT. OF LAW – Barbara A. Langhenry, Director, Gary D. Singletary, Chief Counsel,

Richard F. Horvath, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel,
 Victor R. Perez, Chief Assistant Prosecutor, Room 106: John Skrtic, Law Librarian,
 Room 100

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

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

DEPT. OF PUBLIC UTILITIES – Sharon Dumas, Interim Director, 1201 Lakeside Avenue

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

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

International Airport, 5300 Riverside Drive
DIVISIONS:
 Burke Lakefront Airport – Khalid Bahhur, Commissioner
 Cleveland Hopkins International Airport – Fred Szabo, Commissioner

DEPT. OF PUBLIC WORKS – Michael Cox, Director

OFFICES:
 Administration – John Laird, Manager
 Special Events and Marketing – Tangee Johnson, Manager
DIVISIONS:
 Motor Vehicle Maintenance – Daniel A. Novak, Commissioner
 Park Maintenance and Properties – Richard L. Silva, Commissioner
 Parking Facilities – Antonette Thompson, Interim Commissioner
 Property Management – Tom Nagle, Commissioner
 Recreation – Samuel Gissentaner, Interim Commissioner
 Streets – Randell T. Scott, Interim Commissioner
 Traffic Engineering – Robert Mavec, Commissioner
 Waste Collection and Disposal – Randell T. Scott, Interim Commissioner

DEPT. OF PUBLIC HEALTH – Toinette Parrilla, Director, 75 Erieview Plaza

DIVISIONS:
 Air Quality – George Baker, Commissioner
 Environment – Chantez Williams, Commissioner, 75 Erieview Plaza
 Health – Myron Bennett, Commissioner, 75 Erieview Plaza

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

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

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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, Freddy L. Collier, Jr., Allan Dreyer, Giancarlo Calicchia, Council Member Terrell H. Pruitt, Robert Strickland, Julie Trott, Robert Vilkas, Donald Petit, Interim Secretary.

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

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

Judge Courtroom
 Presiding and Administrative Judge Ronald B. Adrine – Courtroom 15A
 Judge Pinkey S. Carr – Courtroom 12B
 Judge Marilyn B. Cassidy – Courtroom 13A
 Judge Michelle Denise Earley – Courtroom 12C
 Judge Emanuella Groves – Courtroom 14B
 Judge Anita Laster Mays – Courtroom 14C
 Judge Lauren C. Moore – Courtroom 14A
 Judge Charles L. Patton, Jr. – Courtroom 13D
 Judge Raymond L. Pianka (Housing Court Judge) – Courtroom 13B
 Judge Angela R. Stokes – Courtroom 15C
 Judge Pauline H. Tarver – Courtroom 13C
 Judge Ed Wade – Courtroom 12A
 Judge Joseph J. Zone – Courtroom 14D
 Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Gregory A. Sims – Chief Bailiff, Jerome M. Krakowski – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate.

The City Record

71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 102

WEDNESDAY, FEBRUARY 18, 2015

No. 5280

CITY COUNCIL

MONDAY, FEBRUARY 16, 2015

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 2015-2017

MONDAY — Alternating

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

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

MONDAY

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

TUESDAY

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

TUESDAY — Alternating

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

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

WEDNESDAY — Alternating

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

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

The following Committees meet at the Call of the Chair:

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

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

February 11, 2015

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, February 11, 2015 at 10:38 a.m. with Director Langhenry presiding.

Present: Director Langhenry, Acting Director Midgett, Directors Smith, Cox, Parrilla, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Absent: Mayor Jackson, Interim Director Dumas and Director McGrath.

Others: Deborah Midgett, Acting Commissioner, Division of Purchases & Supplies.

Melissa Burrows, Director, Office of Equal Opportunity.

Matthew Spronz, Director, Office of Capital Projects.

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

Resolution No. 42-15.

By Director Dumas.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 754-14, passed by the Council of the City of Cleveland on June 9, 2014, MCPc, Inc. is selected from a list of qualified vendors determined after a

full and complete canvass by the Director of Finance as the firm to be employed by contract to provide professional consulting services to upgrade the City's Storage Area Network (SAN) system, install and configure the compute infrastructure, and install and reconfigure backup software, for the Department of Finance, Division of Information Technology & Services.

Be it further resolved that the Director of Finance is authorized to enter into a contract with MCPc, Inc., based upon its proposal dated September 15, 2014, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services described above for an amount not to exceed \$80,976.00, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following sub-consultant by MCPc, Inc. for the above-mentioned professional services is approved:

<u>SUB-CONSULTANT</u>	<u>WORK PERCENTAGE</u>
-----------------------	------------------------

LR Solutions, LLC (FBE/CSB)	\$8,097.60 10.00%
--------------------------------	----------------------

Yeas: Director Langhenry, Acting Director Midgett, Directors Smith, Cox, Parrilla, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Interim Director Dumas and Director McGrath.

Resolution No. 43-15.

By Director Dumas.

Resolved, by the Board of Control of the City of Cleveland that the bid of Independence Office & Business Supply Co., Inc., for an estimated quantity of office supplies, furniture and equipment, all items, for the various divisions of City government, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract, with two one-year options to renew, received on January 15, 2015, under the authority of Ordinance No. 1191-14, passed by Cleveland City Council on September 29, 2014, which on the basis of the estimated quantity would amount to \$108,461.64, is affirmed and approved as the lowest and best bid, and the Director of Finance is requested to enter into a requirement contract for the 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 Smith, Cox, Parrilla, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Interim Director Dumas and Director McGrath.

Resolution No. 44-15.

By Director Dumas.

Resolved, by the Board of Control of the City of Cleveland that the bid of Terminix International Company LP, for an estimated quantity of exterminating services, all items, for the various divisions of City government, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract, with a one year option to renew, received on January 28, 2015, under the authority of Section 181.101a(5), of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$296,268.00, is affirmed and approved as the lowest and best bid, and the Director of Finance is requested to enter into a requirement contract for the 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 Smith, Cox, Parrilla, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Interim Director Dumas and Director McGrath.

Resolution No. 45-15.

By Director McGrath.

Whereas, under the authority of Section 181.102 of the Codified Ordinances of Cleveland, Ohio, 1976, the City of Cleveland, through the Director of Public Safety, entered into an agreement with Kronos Incorporated, City Contract No. 58817 for a time and attendance workforce system, for the Division of Police, Department of Public Safety; and

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

Whereas, under the authority of Section 181.102 C.O., the City intends to enter into an agreement with Kronos Incorporated to obtain the professional maintenance and technical support services necessary to maintain the timekeeping system, for the Division of Police, for a period of twelve months starting March 5, 2015; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under division (e) of Section 181.102 C.O., the compensation to be paid for maintenance and technical support services to be performed under the above-mentioned prospective agreement with Kronos Incorporated is fixed at an amount not to exceed \$63,113.10.

Yeas: Director Langhenry, Acting Director Midgett, Directors Smith, Cox, Parrilla, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Interim Director Dumas and Director McGrath.

Resolution No. 46-15.

By Director Cox.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 1247-14, passed by the Council of the City of Cleveland on October 13, 2014, A Taste of Excellence, Inc. ("Concessionaire") is selected, on nomination of the Director of Public Works from a list of firms submitting competitive proposals, as the firm to be employed by contract to operate a first-class food and beverage services concession at the City Hall Cafeteria, for a period not to exceed two years, with a one-year option to renew, exercisable by the Director of Public Works.

Be it further resolved that the Director of Public Works is authorized to enter into an agreement with A Taste of Excellence, Inc., based upon its December 12, 2014 proposal, for the above-described concession. The Director of Law shall prepare the agreement authorized, which shall provide for a concession fee of 10% of the net profit per year, and shall include such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Director Langhenry, Acting Director Midgett, Directors Smith, Cox, Parrilla, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Interim Director Dumas and Director McGrath.

Resolution No. 47-15.

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Advanced Industrial Tire Services, Inc., for an estimated quantity of tire repair road service, all items, for the Division of Motor Vehicle Maintenance, Department of Public Works, for a period of one year, with two one year renewal options, beginning with the date of execution of a contract, received on December 12, 2014 under the authority of Section 131.64 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$66,547.00 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a requirement contract for the goods and/or services specified.

The requirement contract shall further provide that the Contractor shall furnish the City's requirements for the goods and/or services,

whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

Yeas: Director Langhenry, Acting Director Midgett, Directors Smith, Cox, Parrilla, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Interim Director Dumas and Director McGrath.

Resolution No. 48-15.

By Director Nichols.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 629-14, passed by the Council of the City of Cleveland on June 2, 2014, HzW Environmental Consultants, LLC is selected from a list of firms determined after a full and complete canvass by the Director of Economic Development as the firm to be employed by contract to supplement the regularly employed staff of the several departments of the City of Cleveland to perform the professional environmental assessment and remediation assistance services necessary to implement the JobsOhio Revitalization Fund Grant project to prepare for the proposed redevelopment of the Euclid Avenue & E. 69th Street block.

Be it further resolved that the Director of Economic Development is authorized to enter into a contract with HzW Environmental Consultants, LLC for the above-mentioned services, based on its proposal dated November 26, 2014, which contract shall be prepared by the Director of Law, shall provide for the furnishing of professional services as described in the proposal for an aggregate fee of \$119,380.00, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Director Langhenry, Acting Director Midgett, Directors Smith, Cox, Parrilla, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Interim Director Dumas and Director McGrath.

Resolution No. 49-15.

By Director Spronz.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Platform Cement, Inc. for the public improvement of the Jefferson Ave. Green Infrastructure Improvements for the Office of Capital Projects, Division of Architecture and Site Development, received on January 2, 2015 under the authority of Ordinance No. 732-13 passed by the Council of the City of Cleveland on June 11, 2007, as amended by Ordinance No. 51-09 passed March 2, 2009, Ordinance No. 560-11 passed June 6, 2011, Ordinance No. 727-13 passed May 20, 2013, and Ordinance No. 118-15 passed by the Council of the City of Cleveland on February 9, 2015, upon a unit basis for the improvement in the aggregate amount of \$206,852.21 is affirmed and approved as the lowest responsible bid and the Director of the Office of Capital Projects is authorized to enter into contract with the bidder.

Be it further resolved, by the Board of Control of the City of Cleveland that the employment of the following subcontractors to Platform Cement is approved:

<u>Subcontractor</u> <u>Amount</u>	<u>CSB/MBE/FBE</u> <u>Percentage</u>
Caver Brothers \$40,000.00	CSB/MBE 19.337%
Tech Ready Mix \$10,000.00	CSE/MBE 4.834%
Trafftech, Inc. \$0.00	CSB 0.000%
Chas E. Phipps \$5,200.00	CSB 2.514%
Cunningham Paving \$6,000.00	Other 0.00%

Yeas: Director Langhenry, Acting Director Midgett, Directors Smith, Cox, Parrilla, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.
Absent: Mayor Jackson, Interim Director Dumas and Director McGrath.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

ROBERT BENNETT,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, MARCH 2, 2015

9:30 A.M.

Calendar No. 15-008: 1001 Fairfield Avenue, Lot 1 (Ward 3)
1001 Fairfield LLC., owner, pro-

poses to erect a 2,100 square foot single family townhouse unit on a proposed 1,110.5 square foot lot in a C1 General Retail Business District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the maximum gross floor area of a building in a "C" Area District cannot exceed the lot area. In this case 555 square foot maximum gross floor is permitted and 2,100 square feet are proposed. Also, 4,800 square foot lot is required for a single family house and 1,121.4 is proposed. This section also requires a minimum street frontage of 40 feet and 21' - 6" are proposed.

2. Section 353.01 which states that the maximum permitted height is 35 feet and 39 feet are proposed.

3. Section 357.08(b)(1) which states that the minimum required rear yard is 20 feet and a 10 foot rear yard is proposed.

4. Section 357.09(b)(2)(C) which states that an interior side yard equal to the height of the main is required and no interior side yard is proposed. (Filed January 26, 2015)

Calendar No. 15-009: 1001 Fairfield Avenue, Lot 2 (Ward 3)

1001 Fairfield LLC., owner, proposes to erect a 2,100 square foot single family townhouse unit on a proposed 1,110.5 square foot lot in a C1 General Retail Business District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the maximum gross floor area of a building in a "C" Area District cannot exceed the lot area. In this case 546 square foot maximum gross floor is permitted and 2,100 square feet are proposed. Also, 4,800 square foot lot is required for a single family house and 1,091.6 are proposed. This section also requires a minimum street frontage of 40 feet and 21' - 6" are proposed.

2. Section 353.01 which states that the maximum permitted height is 35 feet and 39 feet are proposed.

3. Section 357.08(b)(1) which states that the minimum required rear yard is 20 feet and a 10 foot rear yard is proposed.

4. Section 357.09(b)(2)(C) which states that an interior side yard equal to the height of the main is required and no interior side yard is proposed.

5. Section 349.04(a) which states that one accessory off-street parking space is required and no independent access to on-premises parking is provided. (Filed January 26, 2015)

Calendar No. 15-010: 1001 Fairfield Avenue, Lot 3 (Ward 3)

1001 Fairfield LLC., owner, proposes to erect a 2,100 square foot single family townhouse unit on a proposed 1,110.5 square foot lot in a C1 General Retail Business District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the maximum gross floor area of a building in a "C" Area District cannot exceed the lot area. In this case 546 square foot maximum gross floor is permitted and 2,100 square feet are proposed. Also, 4,800 square foot lot is required for a single family house and 1,091.6 are proposed.

This section also requires a minimum street frontage of 40 feet and 21' - 6" are proposed.

2. Section 353.01 which states that the maximum permitted height is 35 feet and 39 feet are proposed.

3. Section 357.08(b)(1) which states that the minimum required rear yard is 20 feet and a 10 foot rear yard is proposed.

4. Section 357.09(b)(2)(C) which states that an interior side yard equal to the height of the main is required and no interior side yard is proposed.

5. Section 349.04(a) which states that one accessory off-street parking space is required and no independent access to on-premises parking is provided. (Filed January 26, 2015)

Calendar No. 15-011: 1001 Fairfield Avenue, Lot 4 (Ward 3)

1001 Fairfield LLC., owner, proposes to erect a 2,100 square foot single family townhouse unit on a proposed 1,110.5 square foot lot in a C1 General Retail Business District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the maximum gross floor area of a building in a "C" Area District cannot exceed the lot area. In this case 637 square foot maximum gross floor is permitted and 2,100 square feet are proposed. Also, 4,800 square foot lot is required for a single family house and 1,275.1 are proposed. This section also requires a minimum street frontage of 40 feet and 25' - 6" are proposed.

2. Section 353.01 which states that the maximum permitted height is 35 feet and 39 feet are proposed.

3. Section 357.08(b)(1) which states that the minimum required rear yard is 20 feet and a 10 foot rear yard is proposed.

4. Section 357.09(b)(2)(C) which states that an interior side yard equal to the height of the main is required and no interior side yard is proposed.

5. Section 349.04(a) which states that one accessory off-street parking space is required and no independent access to on-premises parking is provided. (Filed January 26, 2015)

Calendar No. 15-012: 1001 Fairfield Avenue, Lot 5 (Ward 3)

1001 Fairfield LLC., owner, proposes to erect a 1,395 square foot single family townhouse unit on a proposed 752.9 square foot lot in a C1 General Retail Business District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the maximum gross floor area of a building in a "C" Area District cannot exceed the lot area. In this case 376 square foot maximum gross floor is permitted and 1,395 square feet are proposed. Also, 4,800 square foot lot is required for a single family house and 752.9 are proposed. This section also requires a minimum street frontage of 40 feet and no street frontage is proposed.

2. Section 353.01 which states that the maximum permitted height is 35 feet and 39 feet are proposed.

3. Section 357.08(b)(1) which states that the minimum required rear yard is 20 feet and no rear yard is proposed.

4. Section 357.09(b)(2)(C) which

states that an interior side yard equal to the height of the main is required and interior side yards of 3 and 0 feet are proposed.

5. Section 349.04(a) which states that one accessory off-street parking space is required and no independent access to on-premises parking is provided. (Filed January 26, 2015)

Calendar No. 15-013: 1001 Fairfield Avenue, Lot 6 (Ward 3)

1001 Fairfield LLC., owner, proposes to erect a 1,395 square foot single family townhouse unit on a proposed 685.7 square foot lot in a C1 General Retail Business District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the maximum gross floor area of a building in a "C" Area District cannot exceed the lot area. In this case 343 square foot maximum gross floor is permitted and 1,395 square feet are proposed. Also, 4,800 square foot lot is required for a single family house and 685.7 are proposed. This section also requires a minimum street frontage of 40 feet and no street frontage is proposed.

2. Section 353.01 which states that the maximum permitted height is 35 feet and 39 feet are proposed.

3. Section 357.08(b)(1) which states that the minimum required rear yard is 20 feet and no rear yard is proposed.

4. Section 357.09(b)(2)(C) which states that an interior side yard equal to the height of the main is required and no interior side yards are proposed.

5. Section 349.04(a) which states that one accessory off-street parking space is required and no independent access to on-premises parking is provided. (Filed January 26, 2015)

Calendar No. 15-014: 1001 Fairfield Avenue, Lot 7 (Ward 3)

1001 Fairfield LLC., owner, proposes to erect a 1,395 square foot single family townhouse unit on a proposed 685.7 square foot lot in a C1 General Retail Business District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the maximum gross floor area of a building in a "C" Area District cannot exceed the lot area. In this case 343 square foot maximum gross floor is permitted and 1,395 square feet are proposed. Also, 4,800 square foot lot is required for a single family house and 685.7 are proposed. This section also requires a minimum street frontage of 40 feet and no street frontage is proposed.

2. Section 353.01 which states that the maximum permitted height is 35 feet and 39 feet are proposed.

3. Section 357.08(b)(1) which states that the minimum required rear yard is 20 feet and no rear yard is proposed.

4. Section 357.09(b)(2)(C) which states that an interior side yard equal to the height of the main is required and no interior side yards are proposed.

5. Section 349.04(a) which states that one accessory off-street parking space is required and no independent access to on-premises parking is provided. (Filed January 26, 2015)

Calendar No. 15-015: 1001 Fairfield Avenue, Lot 8 (Ward 3)

1001 Fairfield LLC., owner, proposes to erect a 1,395 square foot single family townhouse unit on a proposed 689.8 square foot lot in a C1 General Retail Business District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the maximum gross floor area of a building in a "C" Area District cannot exceed the lot area. In this case 345 square foot maximum gross floor is permitted and 1,395 square feet are proposed. Also, 4,800 square foot lot is required for a single family house and 689.8 are proposed. This section also requires a minimum street frontage of 40 feet and no street frontage is proposed.

2. Section 353.01 which states that the maximum permitted height is 35 feet and 39 feet are proposed.

3. Section 357.08(b)(1) which states that the minimum required rear yard is 20 feet and no rear yard is proposed.

4. Section 357.09(b)(2)(C) which states that an interior side yard equal to the height of the main is required and no interior side yards are proposed. (Filed January 26, 2015)

Calendar No. 15-020: 2135 Columbus Road (Ward 3)

CBGC LLC., owner, proposes to expand the existing office and factory/assembly use in a C3 Semi-Industry District. The owner appeals for relief from the following Sections of the Cleveland Codified Ordinances:

1. Section 349(e) which states that 24 parking spaces are required and none are proposed.

2. Section 359.01 which states that an expansion of a nonconforming use requires Board of Zoning Appeals approval. (Filed January 30, 2015)

Calendar No. 15-021: 2126 West 18th Street (Ward 3)

Matt Berges, owner, proposes to erect a 41' x 64' - 10" and 1 story frame single family residence in a B1 Multi-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(a) which states that the minimum required lot area is 4,800 square feet and 4,590 are proposed.

2. Section 357.09(b)(2)(B) which states that no building shall be erected less than 10 feet from a main building on and adjoining lot and 6 feet are proposed.

3. Section 357.09(b)(2)(C) which states that the required interior side yard width is 8 feet and 5 feet are proposed. (Filed February 2, 2015)

**POSTPONED FROM
DECEMBER 8, 2014**

Appeal of

Calendar No. 14-226: Lazarus Onunkwo

Lazarus Onunkwo appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) and disputes the decision of the Commissioner of Assessments and Licenses to revoke Taxi Driver's License in accordance with Section 443.36 of the Cleveland Codified Ordinances of the City of

Cleveland, for violations of the Taxicab Rules and Regulations. (Filed November 4, 2014)

First postponement made at the request of the appellant due to personal scheduling conflict.

**POSTPONED FROM
JANUARY 5, 2015**

Calendar No. 14-238: 1862 East 123rd Street (Ward 6)

East 123 St. Properties LTD., owner, proposes to erect two new buildings to house 205 residential units, with 258 accessory off-street parking spaces in a C3 Semi-Industry District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that in a 'C' Area District, for a residential use, the maximum gross floor area of the building(s) cannot exceed one half the lot area. The proposed lot area is 93,149 square feet, allowing a maximum gross floor area of 46,574.5 square feet and 175,298 square feet are proposed.

2. Section 357.09(b)(2)(C) which states that the interior side yards must be equal to the height of the main building; in this case 16 feet are required. The varying interior side yards equal less than 16 feet.

3. Section 357.08(b)(2) which states that the rear yard must be equal to one half the height of the main building, in this case 34 feet, and an 11' - 4" rear yard is provided for the building on the rear property line.

4. Section 349.07(a) which states that all parking areas and vehicle maneuvering areas must be paved and some areas on plan are designated as "gravel parking area". (Filed November 21, 2014)

First postponement made at the request of the appellant to allow for more time of a Community meeting.

**POSTPONED FROM
JANUARY 12, 2015**

Calendar No. 14-247: 10402-10404 Harvard Avenue (Ward 2)

Brigitte Harper, owner, proposes to change use of a legal non-conforming four unit apartment building to a 10 bedroom adult group home and office for supportive services with three on site staff/employees in a B1 Two-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 337.03(b) which states that uses in a Two Family Residential District are permitted as regulated in a One-Family Residential District. In a One-Family District, per Section 337.02(f)(3)(F) and (G) homes similar to homes for the aged, and charitable institutions not for correctional purposes must be at least 30 feet from other premises, and must be determined by the Board of Zoning Appeals to have adequate yard spaces and other safeguards to preserve the character of the neighborhood, and be appropriately located and designed, and meet a community need without adversely affecting the neighborhood.

2. Section 349.04(d) which states that parking is required at the rate of one for each staff member, plus one for each six beds. In this case,

5 parking spaces are required and no legal parking area is provided.

3. Section 357.13 which states that parking in front of a building is not a permitted front yard encroachment. (Filed December 9, 2014)

First postponement made at the request of the Councilman to allow for time to hold a public meeting.

**POSTPONED FROM
JANUARY 20, 2015**

Calendar No. 14-251: 841 Starkweather Avenue (Ward 3)

Mathew Coolidge, owner, proposes to erect a 24' x 20' 1 story frame accessory garage with second floor deck on top in a B1 Two-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 337.23(a) which states that an accessory garage shall be a minimum of 18" from all property lines and shall be 10 feet from a main building on an adjoining lot in a Residence District. 4 and 12 inches from the property lines are proposed.

2. Section 357.13(B)(c)(5) which states that steps, landing and railings shall not extend nearer than 1 foot in the interior side yard. The appellant is proposing 0 inches at one point and 4 inches at another. (Filed December 17, 2014)

First postponed made at the request of the Development Corp. in order to allow for a block club meeting to take place.

Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

TUESDAY, FEBRUARY 17, 2015

At the meeting of the Board of Zoning Appeals on Tuesday, February 17, 2015 the following appeals were scheduled for hearing before the Board.

The following appeals were **APPROVED:**

Calendar No. 14-205: 5605 Detroit Avenue

Muhammad Riaz, owner, appealed to change use of a 2 story boarding house to a convenience store with no use on the second floor on a corner parcel located in a C2 Local Retail Business District.

Calendar No. 14-233: 2501 Thurman Avenue

6603 Cedar Inc., owner, proposes to erect a new 18' - 8" x 38' single family townhouse on a parcel located in a B1 Two-Family Residential District.

Calendar No. 14-234: 2503 Thurman Avenue

6603 Cedar Inc., owner, proposes to erect a new 18' - 8" x 38' single family townhouse on a parcel located in a B1 Two-Family Residential District.

Calendar No. 14-235: 2505 Thurman Avenue

6603 Cedar Inc., owner, proposes to erect a new 18' - 8" x 38' single

family townhouse on a parcel located in a B1 Two-Family Residential District.

Calendar No. 14-254: 1130 Ivanhoe Road

1130 Ivanhoe Rd. Group LLC., owner, appealed to remove the required seven foot high wall for a legal, non-conforming yard for shredding, storage, and processing of debris and scrap and replace it with an earthen mound.

The following appeals were **DENIED:**

None.

The following appeals were **DISMISSED:**

None.

The following appeals were **WITHDRAWN:**

None.

The following appeal was **POSTPONED:**

Calendar No. 14-236: George Sevastos 3401 Denison Avenue. Postponed to April 27, 2015.

The following appeals were heard at the Board of Zoning Appeals on Monday, February 9, 2015, and the decisions were adopted and approved on Tuesday, February 17, 2015:

The following appeals were **APPROVED:**

Calendar No. 14-246: 2173 West 6th Street

Laura Firman, owner, appealed to erect a 21' - 9" x 47' and 3 story frame single family residence with a detached garage in a B1 Two Family Residential District.

Calendar No. 14-248: 3219 Detroit Avenue

3219 Detroit LLC., owner, appealed to erect a new 60 unit apartment building in a B1 and D2 Local Retail Business District and a Pedestrian Retail Overlay District.

The following appeal was **DENIED:**

Waste Collection Violation

Calendar No. 15-002: 7215 Hague Avenue

Fayeq Hassouneh, owner, appealed the Civil Infraction Ticket Number WC00202465 issued by Waste Collection.

Secretary

**REPORT OF THE BOARD
OF BUILDING STANDARDS
AND BUILDING APPEALS**

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, MARCH 4, 2015

File No. 19-15 — Rockwell Avenue Area Sewer Rehabilitation and Replacement Project, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 991-14, passed by the Council of the City of Cleveland, November 17, 2014.

***THERE WILL BE A NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR 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, FEBRUARY 20, 2015 AT

10:30 A.M. LOCATED DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

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

February 11, 2015 and February 18, 2015

THURSDAY, MARCH 12, 2015

File No. 20-15 — Various Bulk Multi-Purpose Bond Paper and Envelopes, for the Division of Printing And Reproduction, Department of Finance, as authorized by Ordinance No. 991-14, passed by the Council of the City of Cleveland, November 17, 2014.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING MONDAY, FEBRUARY 23, 2015 AT 2:30 P.M. LOCATED CLEVELAND CITY HALL, ROOM 128, 601 LAKESIDE, CLEVELAND, OHIO 44114.

February 11, 2015 and February 18, 2015

FRIDAY, MARCH 13, 2015

File No. 21-15 — Valves and Appurtenances (Groups A, B, C and D), for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING THURSDAY, FEBRUARY 26, 2015 AT 10:30 A.M. DISTRIBUTION & MAINTENANCE FACILITY, PIPE REPAIR CONFERENCE ROOM, 4600 HARVARD AVENUE, CLEVELAND, OHIO 44105.

File No. 22-15 — Sodium Hypochlorite Solution, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING THURSDAY, FEBRUARY 26, 2015 AT 10:00 A.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 2ND FLOOR ATRIUM CONFERENCE ROOM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

File No. 23-15 — Powdered Activated Carbon, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING THURSDAY, FEBRUARY 26, 2015 AT 11:00 A.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 2ND FLOOR ATRIUM CONFERENCE ROOM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

File No. 24-15 — Turn Out Gear, for the Division of Fire, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING WEDNESDAY, MARCH 4, 2015 AT 10:00 A.M. CLEVELAND FIRE DEPARTMENT HEAD-QUARTERS, CONFERENCE ROOM, 1645 SUPERIOR AVENUE, CLEVELAND, OHIO 44114.

February 18, 2015 and February 25, 2015

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 1624-14.

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

An emergency resolution declaring the intent to vacate a portion of Logan Court N.E.

Whereas, this Council is satisfied that there is good cause to vacate a portion of Logan Court N.E., as described; and

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

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

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

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Original 100 Acre Lot No. 401, also known as being part of the Logan Company's Subdivision as shown in Volume 40, Page 20 of Cuyahoga County Map Records (C.C.M.R.) and more fully bounded and described as follows:

BEGINNING AT A POINT at the intersection of the southerly Right-of-way of Logan Court (40 feet wide) as shown in the Marsh and Cody Brothers' Re-Subdivision recorded in Volume 14, Page 48 of C.C.M.R., with the easterly Right-of-Way of East 97th Street (formerly known as North Logan Avenue) (56 feet wide);

Thence North 00° 02' 30" East, along said easterly Right-of-Way, 8.00 feet to a point;

Thence South 89° 56' 38" East, parallel with the centerline of Logan Court, as aforesaid, 189.91 feet to the PRINCIPAL PLACE OF BEGINNING of a parcel of land herein described;

Thence Easterly 66.18 feet along the arc of a curve deflecting to the left having a radius of 172.00 feet and a chord of 65.77 feet which bears North 79° 02' 01" East to a point of reverse curvature;

Thence Easterly 53.53 feet along the arc of a curve deflecting to the right having a radius of 141.50 feet and a chord of 53.21 feet which bears North 78° 50' 58" East to a point of tangency;

Thence North 89° 41' 16" East, 13.06 feet to a point;

Thence South 00° 11' 02" West, 23.00 feet to a point;

Thence North 89° 56' 38" West, 129.77 feet to the PRINCIPAL PLACE OF BEGINNING, be the same more or less, and containing 0.0363 Acres of

land, subject to all legal highways and easements, according to a survey prepared by Louise A. Veverka, dated May 5th, 2014.

Bearings are based on the centerline of East 97th Street being North 00° 02' 30" East as shown in Volume 127, Page 12 of C.C.M.R. and are to indicate angles only.

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

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

Adopted February 9, 2015.

Effective February 11, 2015.

Res. No. 121-15.

By Council Member Brady.

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

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

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

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

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

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

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

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

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

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

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

Adopted February 9, 2015.
Effective February 11, 2015.

Ord. No. 1551-14.

By Council Member Cleveland.
An emergency ordinance to waive the setting fees at Woodland Cemetery for a monument honoring veterans of the War of 1812.

Whereas, there are veterans of the War of 1812 buried in Woodland Cemetery; and

Whereas, the Woodland Cemetery Foundation is erecting a memorial to these veterans and has requested a waiver of the setting fees; and

Whereas, such waiver must be granted by legislation; 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, any and all codified ordinances to the contrary notwithstanding, this council hereby directs the Director of Public Works or his designee to waive the setting fees at Woodland Cemetery for a monument honoring veterans of the War of 1812.

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

Passed February 9, 2015.
Effective February 11, 2015.

Ord. No. 1556-14.

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

An emergency ordinance authorizing the Director of Capital Projects to accept a donation of land from the Ohio Department of Transportation located at West 11th Street and West 12th Street and I-490; to enter into an agreement with ODOT for the donation; and to enter into a property adoption agreement with Tremont West Development Corporation to maintain the land and pathway.

Whereas, the Ohio Department of Transportation ("ODOT") owns property located at West 11th Street and West 12th Street and I-490; and

Whereas, Tremont West Development Corporation ("Tremont West") has obtained permission from ODOT to construct a foot path on the property near I-490 that connects West 11th Street and West 12th Street and which leads to the West 11th Street pedestrian bridge crossing I-490 and into the heart of Tremont; and

Whereas, ODOT wishes to donate the land upon which the path is located to the City of Cleveland after which Tremont West will maintain the land and the pathway; 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 Capital Projects is authorized to accept, on behalf of the City of Cleveland, a donation of land from ODOT located at West 11th Street and West 12th Street and I-490, more fully described as follows:

LEGAL DESCRIPTION FOR STATE OF OHIO PROPERTY

(Part of P.P.N.

008-04-061, -062, -063, -101 and -102)

WEST 11TH STREET AND

WEST 12TH STREET

CREATING

PARCEL "A"

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot Nos. 20, 21 and 22 in the F. Branch Re-Subdivision of part of the Original Brooklyn Township Lot No. 71, as shown by the plat recorded in Volume 8, Page 4 of Cuyahoga County Map Records and bounded and described as follows:

Beginning at a drill hole in a stone found at the intersection of the centerline of West 11th Street (formerly Merchant Avenue) (50 feet wide) and the centerline of Castle Avenue S.W. (66 feet wide);

Thence North 01° 09' 38" West along the centerline of West 11th Street, 840.90 feet to a point;

Thence South 88° 49' 12" West, 25.00 feet to a 5/8"x30" iron pin set at the northeasterly corner of land conveyed to West 11th Street Properties LLC (P.P.N. 008-04-064 and P.P.N. 008-04-142) by deed dated July 30, 2007 and recorded in Auditor's File Number 200707300721 of Cuyahoga County Deed Records on the westerly right of way of West 11th Street and being 314.83 feet right of the centerline of Interstate 490, Station 953 +.84.87 at the Principal Place of Beginning of the premises herein described;

Thence South 88° 49' 12" West along the northerly line of land so conveyed to West 11th Street Properties LLC, 176.71 feet to a 5/8"x30" iron pin set on the easterly right of way of West 12th Street (formerly Noyes Street) (50 feet wide);

Thence North 01° 09' 38" West along the easterly right of way of West 12th Street, 14.92 feet to a 5/8"x30" iron pin set on the southerly Limited Access of Interstate 490;

Thence North 64° 30' 27" East along the southerly Limited Access of Interstate 490, 109.67 feet to a 5/8"x30" iron pin set at an angle point and being 234.71 feet right of the centerline of Interstate 490, Station 953 + 29.36;

Thence North 39° 19' 14" East continuing along the southerly Limited Access of Interstate 490, 118.27 feet to a 5/8"x30" iron pin set on the westerly right of way of said West 11th Street and being 171.58 feet right of the centerline of Interstate 490, Station 954 + 29.37;

Thence South 01° 09' 38" East along the westerly right of way of West 11th Street, 150.00 feet to the Principal Place of Beginning, containing 0.2712 acres of land (11,812 Sq. Ft.) as surveyed and described by Edward B. Dudley, PS No. 6747, of the Riverstone Company in July 2014, and subject to all legal highways, restrictions, reservations and easements.

Note: All 5/8"x30" iron pins set and capped "Riverstone Company-Dudley PS6747"

Basis of Bearings: The centerline of Interstate 490 as North 71° 34' 56"

East on the Centerline Plat as shown on the plat recorded in Volume 191, Page 28 of Cuyahoga County Map Records.

Legal Description approved by Greg Esber, Chief Surveyor, September 24, 2014

Section 2. That the Director of Capital Projects is authorized to enter into an Agreement with ODOT, for the donation, and to execute all documents on behalf of the City of Cleveland necessary to effectuate this ordinance.

Section 3. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 and Section 131.23 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Capital Projects is authorized to enter into a property adoption agreement with Tremont West to maintain the land and the pathway.

Section 4. That this property adoption shall not be construed as a conveyance of any right, title, or interest in public property, but is the grant of a privilege revocable at the will of Council.

Section 5. That the property adoption agreement shall be prepared by the Director of Law.

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

Passed February 9, 2015.
Effective February 11, 2015.

Ord. No. 1559-14.

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

An emergency ordinance authorizing the Director of Public Works to enter into a Lease by Way of Concession with the Cleveland Browns Stadium Co., LLC for operation of a parking lot, owned by the City of Cleveland, for members of the media during Cleveland Browns games, for a period of five years with one five-year option to renew.

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 any provision of the Codified Ordinances of Cleveland, Ohio, 1976 to the contrary, the Director of Public Works is authorized to enter into a Lease By Way of Concession with the Cleveland Browns Stadium Co., LLC for the use and occupancy of approximately 32 parking spaces, owned by the City of Cleveland, to provide parking for members of the media during Cleveland Browns games and more fully described as follows:

Legal Description for Lease to Browns for Media Parking Lot
Part of PPN 101-02-018

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Two Acre Lots Numbers 12, 13, and 14, and also a part of land now or formerly owned by the City of Cleveland, as Cuyahoga County Auditor's Parcel No. 101-02-018, being more definitely described as follows:

Commencing at the intersection of the centerlines of Lakeside Avenue (99.00 feet wide) and West 3rd Street (99.00 feet wide), said point witnessed by an iron pin found 0.37 feet South of said intersection;

Thence North 33°57'39" West along the centerline of West 3rd Street, 842.92 feet to a point therein;

Thence North 56°02'09" East, 49.50 feet to a point in the Easterly line of said West 3rd Street;

Thence continuing North 56°02'09" East, 533.35 feet to a point and the principal place of beginning;

Thence continuing North 56°02'09" East, 371.20 feet to a point;

Thence South 63°58'30" East, 99.84 feet to a point set on the Northerly line of land conveyed to Amtrak by deed recorded in Volume 14865, Page 193 of Cuyahoga County Records;

Thence South 59°23'11" West, along said Northerly line 429.06 feet to a point therein;

Thence North 27°16'52" West, 61.80 feet to the place of beginning and containing within said boundaries an area of 0.6722 acres of land, be the same more or less, but subject to an easement for ingress and egress over the entire parcel described above, and appurtenant to an adjacent parcel of land leased to the Regional Transit Authority, and all legal highways, and restrictions of records.

Section 2. That the annual rent shall be \$14,000 for ten (10) games and \$600.00 per day for use during any other event at the Cleveland Browns Stadium, subject to approval of appropriate City officials. The term shall commence on the date of execution of the Agreement and, unless sooner terminated, shall expire five years thereafter, with one option to renew for a five-year period, which shall be exercisable through additional legislation and will allow the Director of Public Works to enter into the option term. If the option to renew is exercised, the annual rent for the option term shall be \$15,000 for ten (10) games and \$600.00 per day for use during any other event at the Cleveland Browns Stadium, subject to approval of appropriate City officials.

Section 3. That the Lease by Way of Concession authorized shall be prepared by the Director of Law.

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 February 9, 2015.
Effective February 11, 2015.

Ord. No. 1588-14.
By Council Members Mitchell, K. Johnson, Brancatelli and Kelley (by departmental request).

An emergency ordinance to vacate a portion of East 97th Street.

Whereas, under Resolution No. 1414-13, adopted November 25, 2013, this Council declared its intention to vacate a portion of East 97th Street; and

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

heard before the Board of Revision of Assessments; and

Whereas, on October 23, 2014, the Board of Revision of Assessments approved the above vacation under the provisions of Section 176 of the Charter of the City of Cleveland; and

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

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

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

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

Beginning at a drill hole in a stone in a monument box found at an angle point on the centerline of Chester Avenue N.E. (86 feet wide);

Thence South 86° 54' 48" East, along the centerline of said Chester Avenue N.E., a distance of 55.88 feet to a point, said point being witnessed by a drill hole in a stone in a monument box found north 0.02 feet and east 0.06 feet;

Thence South 00° 53' 30" East, a distance of 43.10 feet to a 5/8" iron pin set w/cap on the southerly line of Chester Avenue N.E., and the easterly right of way of East 97th Street (56.00 feet wide) and the TRUE POINT OF BEGINNING of the herein described tract of land;

01. Thence South 00° 53' 29" East, along said easterly right of way of East 97th Street a distance of 660.99 feet to a 5/8" iron pin set w/cap on the northerly line of Euclid Avenue (Variable Width);

02. Thence South 88° 38' 25" West, along the northerly line of said Euclid Avenue a distance of 56.00 feet to its intersection with the westerly right of way of said East 97th Street and a 5/8" iron pin set w/cap;

03. Thence North 00° 53' 29" West, along said westerly right of way of said East 97th Street a distance of 665.34 feet to a 5/8" iron pin set w/cap on the southerly line of said Chester Avenue N.E.;

04. Thence South 86° 54' 48" East, along the southerly line of said Chester Avenue N.E., a distance of 56.14 feet to the True Point of Beginning and containing, more or less 0.853 acres and subject to all legal easements, restrictions, reservations, conditions and rights-of-way of previous record.

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

Section 2. That there is reserved to the City of Cleveland, an easement of full width as described above for AT&T, Dominion East Ohio Gas Company, The Illuminating Company and the Division of Water.

That no structures shall be erected on the premises described in this easement except those constructed under the approval of, and in compliance with, plans approved by AT&T, Dominion East Ohio Gas Company, The Illuminating Company, the Division of Water, Department of Urban Forestry and the City of Cleveland.

Section 3. That provided City of Cleveland Department of Urban Forestry receives reimbursement for nine (9) Tilia Cordata trees in the amount of \$441 and all required

approvals have been obtained, the Manager of Engineering and Construction is directed to record the vacation plat in the office of the Recorder of Cuyahoga County.

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

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

Passed February 9, 2015.
Effective February 11, 2015.

Ord. No. 1589-14.
By Council Members Cleveland, K. Johnson, Brancatelli and Kelley (by departmental request).

An emergency ordinance to vacate a portion of East 38th Place.

Whereas, under Resolution No. 393-14, adopted June 4, 2014, this Council declared its intention to vacate a portion of East 38th Place; and

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

Whereas, on November 20, 2014, the Board of Revision of Assessments approved the above vacation under the provisions of Section 176 of the Charter of the City of Cleveland; and

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

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

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

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

Being all that portion of East 38th Place (16.00 Feet Wide) extending from the south line of Trumbull Street S.E. (60.00 Feet wide) southerly to its intersection with the Limit Access right of way of Interstate 77.

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

Section 2. That there is reserved to the City of Cleveland an easement of full width as described above for The Illuminating Company.

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

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

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

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

Passed February 9, 2015.
Effective February 11, 2015.

Ord. No. 1625-14.
By Council Members K. Johnson and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Works to apply for and accept a grant from the Ohio Department of Education for the 2015 Summer Food Service Program; authorizing the purchase by requirement contract of breakfasts and lunches and for food, food products, beverages, condiments and paper products to implement the grant, for the Division of Recreation, Department of Public Works; and authorizing the Director to contract with various non-profit organizations for the implementation of the Program.

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 Works is authorized to apply for and accept a grant in the approximate amount of \$400,000.00, from the Ohio Department of Education, to conduct the 2015 Summer Food Service Program for the purposes described in the summary; 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, File No. 1625-14-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 Works 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 unitized breakfasts and lunches for the breakfast and lunch program to be served at City recreation centers and at various non-profit agencies and other agencies or recreation facilities as determined by the Director, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Recreation, Department of Public Works. 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.

Section 4. That provided the agencies meet the eligibility requirements of the Ohio Department of Education, the Director of Public Works is authorized to make one or more written

contracts with the various non-profit organizations to implement this ordinance.

Section 5. That the Director of Public Works 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 the grant period for the necessary items of various natural foods, food products, beverages, condiments and paper products, to be served as part of the meal program at Camp George L. Forbes, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Public Works. 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.

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

Section 7. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Works 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, notwithstanding the provisions of Section 181.24 of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, bidders for the contract or contracts authorized by this ordinance shall be required to submit a bid bond in the amount of five percent of the amount of the bid, as required by United States Treasury Circular 570.

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 accepted under this ordinance.

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

Passed February 9, 2015.
Effective February 11, 2015.

Ord. No. 1631-14.
By Council Members K. Johnson, Brancatelli and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to The Board of Park Commissioners of the Cleveland Metropolitan Park District to encroach into the public right-of-way of Scranton Road by installing, using, and maintaining an overhead pedestrian bridge as part of Segment 1A of the

Lake Link Trail; authorizing the Director of Public Works to execute a deed of easement for certain easement interests in property needed to implement the improvement and declaring the easement interest not needed for the City's public use; and authorizing one or more agreements to implement Segment 1A of the Lake Link Trail Project.

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

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

Section 1. That the Director of Capital Projects is authorized to issue a permit, revocable at the will of Council, to The Board of Park Commissioners of the Cleveland Metropolitan Park District, 4101 Fulton Parkway, Cleveland, Ohio 44144 ("Metroparks"), to encroach into the public right-of-way above Scranton Road by installing, using, and maintaining an overhead pedestrian bridge, at the following location:

Encroachment

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Brooklyn Township Lot No. 70, also being part of Scranton Road (60 feet wide), and further described as follows:

Commencing at the intersection of the easterly right of way of said Scranton Road with the northeasterly right of way of University Road (60 feet wide); Thence North 03° 22' 38" East, 168.45 feet along the easterly right of way of said Scranton Road to the Point of Beginning:

Course #1

Thence North 50° 11' 51" West, 74.57 feet to the westerly right of way of said Scranton Road to a point;

Course #2

Thence North 03° 22' 38" East, 7.36 feet along the westerly right of way of said Scranton Road to an angle point in said right of way;

Course #3

Thence North 01° 40' 55" West, 32.14 feet along the westerly right of way of said Scranton Road to a point;

Course #4

Thence South 50° 11' 51" East, 78.09 feet to the easterly right of way of said Scranton Road;

Course #5

Thence South 03° 22' 38" West, 37.28 feet along the easterly right of way of said Scranton Road to the Point of Beginning and containing 0.052 acres.

This legal description was prepared from record information by Jarrod R. Schnell, P.S. # 8623, for Cleveland Metroparks.

The bearings are based on the easterly right of way of Scranton Road being North 03° 22' 38" East as shown on said Consolidation and Lot Split, recorded in Volume 363 Page 45, of Cuyahoga County Map Records.

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

Section 2. That Metroparks may assign the permit only with the prior written consent of the Director of Capital Projects. That the encroaching structure(s) permitted by this

ordinance shall conform to plans and specifications first approved by the Manager of Engineering and Construction. That Metroparks shall obtain all other required permits, including but not limited to Building Permits, and shall enter into a bridge maintenance agreement with City before installing the encroachment(s).

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

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

Section 5. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that an easement interest in the following-described property is not needed for the City's public use:

PERMANENT EASEMENT

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Brooklyn Township Lot No. 70, also being part of "Parcel 2" as described in deed to City of Cleveland recorded in AFN 201409230510, Cuyahoga County Deed Records, and further described as follows:

Commencing at the intersection of the easterly right of way of Scranton Road (60 feet wide) with the northeasterly right of way of University Road (60 feet wide); Thence along the easterly right of way of said Scranton Road, North 03° 22' 38" East, 110.00 feet to the Point of Beginning:

Course #1

Thence North 03° 22' 38" East, 112.74 feet along the easterly right of way of said Scranton Road to an angle point in said right of way;

Course #2

Thence North 01° 40' 55" West, 30.00 feet along the easterly right of way of said Scranton Road;

Course #3

Thence South 51° 30' 00" East, 130.00 feet;

Course #4

Thence South 38° 41' 11" East, 254.52 feet;

Course #5

Thence South 23° 00' 00" West, 60.00 feet to the northeasterly line of land described in deed to City of Cleveland recorded in Volume 3359 Page 261, Cuyahoga County Deed Records;

Course #6

Thence North 51° 39' 37" West, 310.00 feet along the northeasterly line of said City of Cleveland land and along the northeasterly line of land described in deed to Scranton-Averell, Inc. recorded in Volume 11674 Page 493, Cuyahoga County Deed Records, to the Point of Beginning and containing 0.732 acres.

This legal description was prepared from record information by Jarrod R. Schnell, P.S. # 8623, for Cleveland Metroparks.

The bearings are based on the easterly right of way of Scranton Road being North 03° 22' 38" East as shown on the Consolidation and Lot Split, recorded in Volume 363 Page 45, of Cuyahoga County Map Records.

Section 6. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey a permanent, exclusive easement interest in the above-described City property to Metroparks at no cost, subject to any conditions stated in this ordinance including specifically, but not limited to, Metroparks' construction and operation of the Lake Link Trail and bridge improvement and maintenance of the improvement in perpetuity at no cost to the City, and in consideration of the public benefit to Cleveland residents of the use of the multi-purpose trail improvement, which is determined to be fair market value.

Section 7. That the easement shall be exclusive and the purpose of the easement shall be to allow Metroparks to construct, operate and maintain a trail and bridge abutment on the Scranton Road Towpath Trail parcel just north of University Road which will connect the Towpath Trail with Metroparks' Rivergate Park and the City's Crooked River Skate Park near the Columbus Road Lift Bridge in connection with Segment 1A of the Lake Link Trail improvement.

Section 8. That the duration of the easement shall be perpetual; that the easement may include reasonable rights-of-entry to the City and to Metroparks; that the easement shall not be assignable without the consent of the Director of Public Works; that the easement shall require that Metroparks provide reasonable insurance, and pay any applicable taxes and assessments.

Section 9. That the conveyance referred to above shall be made by official deed of easement prepared by the Director of Law and executed by the Director of Public Works on behalf of the City of Cleveland. The deed of easement shall contain any additional terms and conditions as are required to protect the interest of the City. The Directors of Public Works and Law are authorized to execute any other documents, including without limitation, contracts for right of entry, as may be necessary to effect the purpose and intent of this ordinance.

Section 10. That the Directors of Capital Projects and Public Works are authorized to enter into one or more agreements as needed to effectuate this ordinance including, but not limited to, a bridge maintenance agreement with Metroparks.

Section 11. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed February 9, 2015.

Effective February 11, 2015.

Ord. No. 1647-14.

By Council Member Cimperman.

An emergency ordinance rescinding Ordinance No. 650-08, passed May 5, 2008.

Whereas, on May 5, 2008, this Council passed Ordinance No. 650-08 to authorize the petition for the creation of the Flats East Bank Community Authority, in compliance with Chapter 349 of the Ohio Revised Code; and

Whereas, subsequent to passage of such ordinance, Chapter 349 was amended and the development plan was further developed such that new authority is required and Ordinance No. 650-08 is no longer pertinent or necessary; and

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

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

Section 1. That this Council hereby rescinds Ordinance No. 650-08, passed May 5, 2008.

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

Passed February 9, 2015.

Vetoed February 11, 2015.

Ord. No. 1648-14.

By Council Member Cimperman.

An ordinance authorizing the Clerk of Council to execute and sign, on behalf of the City of Cleveland, the Petition for the creation of the Flats East Bank Community Authority; and to determine that the petition for the creation of the Flats East Bank Community Authority complies with the requirements of Section 349.03(A) of the Revised Code.

Whereas, based on expressed development interest in the area of Cleveland generally bounded (a) on the north by the CSX railroad tracks, (b) on the east by the easterly lines of Permanent Parcel Nos. 101-12-004 and 101-12-007 and 101-01-005, (c) on the south by (i) the northerly right-of-way line of Main Avenue, (ii) the southerly line of Permanent Parcel Nos. 101-13-007 and 101-13-008, and (iii) the southerly line of the Main Avenue Bridge, and (d) on the West by the Cuyahoga River (as more accurately defined in the Petition herein after referenced, the "District"), the City of Cleveland (the "City") engaged in a cooperative dialogue with the development community, the Cleveland-Cuyahoga County Port Authority (the "Port Authority") and various other interested persons with respect to the possible development and redevelopment of the District; and

Whereas, in furtherance of the development and redevelopment of the District, the City further engaged in a cooperative dialogue with Flats East Development LLC, an Ohio limited liability company (the "Developer"); and

Whereas, acting under the authority of Ordinance No. 579-06, the City entered into that certain Project Development Agreement effective as of May 22, 2006 with Flats East Development LLC and the Port Authority

(as amended from time to time, the "Project Development Agreement"); and

Whereas, the Developer has performed the necessary analysis to produce a viable, market-based development program for the District as required by Chapter 349 of the Revised Code; and

Whereas, the Developer is a "developer" within the meaning of Section 349.01(E) of the Revised Code and will carry out a "new community development program" for the District within the meaning of Section 349.01(B) of the Revised Code; and

Whereas, a proposed petition (the "Petition") to create the Flats East Bank Community Authority is presently on file with the Clerk of Cleveland City Council ("Clerk of Council"); and

Whereas, subject to the subsequent filing of the Petition with the Cuyahoga County Council, Cleveland City Council, as the "organizational board of commissioners" as that term is defined in Section 349.01(F) of the Revised Code, is required to determine whether such petition complies with Section 349.03(A) of the Revised Code as to form and substance; and

Whereas, upon the determination of City Council that the Petition is sufficient and has been filed in accordance with Section 349.03(A) of the Revised Code, City Council is required to fix the time and place of a hearing on the Petition for the establishment of a new community authority, which time shall not be less than thirty (30) days nor more than forty-five (45) days after the filing date of the Petition when all "proximate cities" have signed the Petition; and

Whereas, an emergency exists in that it is immediately necessary to authorize the Clerk of Council to execute and sign the aforementioned Petition so that the Flats East Bank Community Authority may proceed to creation expeditiously and in order to comply with the conditions set forth in Chapter 349 of the Revised Code in order to facilitate the development and redevelopment of that portion of the City comprising the District, said immediate action being in the interest of the City in order to preserve, enhance and protect public health, peace, property and safety, now, therefore,

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

Section 1. That the Clerk of Council are authorized to execute and sign on behalf of the City of Cleveland and Cleveland City Council the Petition no later than February 12, 2015, for the purpose of filing that Petition with the Cuyahoga County Council under Chapter 349 of the Revised Code to create as a new community authority known as the Flats East Bank Community Authority. The signature of the Director of Economic Development and the Clerk of Council on that Petition shall indicate the approval of that Petition by the "proximate city" (within the meaning of section 349.01(m) of the Revised Code).

Section 2. That the Clerk of Council shall file the Petition, File No. 1648-14, with the Cuyahoga County Council no later than the close of business on February 13, 2015.

Section 3. That this Council has examined the Petition to create the Flats East Bank Community Authority and determines that such Petition

complies with the requirements of Section 349.03(A) of the Revised Code as to form and substance.

Section 4. That this Council, as the organizational board of commissioners, pursuant to Section 349.04(C) of the Revised Code, adopts an alternative method of selecting or electing members to the board of trustees of the Authority, as detailed in the Petition.

Section 5. That the Authority shall file annually with the Clerk of Council and the Director of Economic Development, on a date no later than 90 days after the close of the Authority's fiscal year, a financial report indicating the amount of any Community Development charges collected and expenses incurred by the Authority.

Section 6. That this Council, as the organizational board of commissioners, shall have the authority through additional legislation to dissolve the Flats East Bank Community Authority as provided under Chapter 349 of the Revised Code.

Section 7. That the following are the proposed community facilities for the Flats East Bank Community Authority:

- Public Parking on street and in parking lots
- Garage Storm Detention and Water Quality Basins
- Utility Infrastructure
- Hardscape and Landscape
 - Roads and Streets
 - Sidewalks and Pedestrian Circulation Areas
 - Public Landscaping
 - Parks and Plazas
 - Street Trees and Planters
 - Bike Paths
 - Environmental Graphics and Street Furniture
 - 1200-foot Boardwalk along river

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

Passed February 9, 2015.
Vetoed February 11, 2015.

Ord. No. 22-15.
By Council Members K. Johnson and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Works to execute various deeds of easement and various temporary deeds of easement granting to the Northeast Ohio Regional Sewer District certain easement rights in property located in Forest Hills Park at East 110th Street and declaring the easement rights not needed for the City's public use.

Whereas, the Northeast Ohio Regional Sewer District (the "NEORS") has requested the Director of Public Works to convey certain easement rights and temporary easement rights in property located in Forest Hills Park at East 110th Street and known as Permanent Parcel No. 111-03-001; and

Whereas, the NEORS requires the easement rights in Forest Hills Park at East 110th Street for the construction of the Dugway Storage Tunnel Project; 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, it is found and determined that easement interests in the following described properties are not needed for the City's public use:

**DST-P1-3 Permanent Easement
Across Parcel No. 111-03-001
0.0613 Acres**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original One Hundred Acre Lot No. 356. Also being part of the land conveyed to the City of Cleveland as recorded in Volume 3920, Page 108 and Volume 6687, Page 580 of the Cuyahoga County Records, being more definitely described as follows:

Commencing at the intersection of the centerline of Glenview Avenue (40.00 feet wide) and the centerline of E. 110th Street (60.00 feet wide);

Thence, along the centerline of E. 110th Street the following 5 courses;
North 00° 33' 45" West, 82.54 feet;
Thence North 04° 22' 50" East, 292.58 feet;

Thence, along the arc of a curve which deflects to the right, 294.67 feet, said curve having a radius of 1875.83 feet, a central angle of 09° 00' 02", and a chord of 294.37 feet which bears North 08° 52' 51" East;
Thence North 13° 22' 52" East, 36.86 feet;

Thence, along the arc of a curve which deflects to the left, 169.39 feet, said curve having a radius of 394.74 feet, a central angle of 24° 35' 12", and a chord of 168.09 feet which bears North 01° 05' 16" East;

Thence, leaving the centerline of E. 110th Street, North 78° 47' 40" East, 30.00 feet to the easterly right of way of E. 110th Street and a northwesterly corner of Proposed Permanent Easement DWIRS-P1-1;

Thence, along a northerly and easterly line of Proposed Permanent Easement DWIRS-P1-1 the following two courses:

South 58° 10' 31" East, 33.66 feet;
Thence South 03° 10' 31" East, 246.84 feet;

Thence, leaving an easterly line of Proposed Permanent Easement DWIRS-P1-1, along the arc of a curve which deflects to the right, 1.56 feet, said curve having a radius of 2014.50 feet, a central angle of 00° 02' 40", and a chord of 1.56 feet which bears North 23° 50' 26" East;

Thence North 23° 51' 46" East, 633.65 feet to a southwesterly line of Permanent Easement DEIRS-EA2P as recorded in Instrument No. 201005040152 of the Cuyahoga County Records;

Thence continuing North 23° 51' 46" East, 36.62 feet to a northeasterly line of Permanent Easement DEIRS-EA2P and also the True Point of Beginning for the easement herein described;

Thence continuing North 23° 51' 46" East, 20.73 feet;

Thence, along the arc of a curve which deflects to the right, 31.06 feet to the southerly right of way of New York Central Lines, LLC, said curve having a radius of 2014.50 feet, a central angle of 00° 53' 00", and a chord

of 31.06 feet which bears North 24° 18' 16" East;

Thence, along the southerly right of way of New York Central Lines, LLC the following two courses;

North 58° 39' 38" East, 21.94 feet;
Thence North 42° 45' 58" East, 58.63 feet;

Thence, leaving the southerly right of way of New York Central Lines, LLC, along the arc of a curve which deflects to the left, 104.60 feet, said curve having a radius of 1985.50 feet, a central angle of 03° 01' 06", and a chord of 104.58 feet which bears South 25° 22' 19" West;

Thence South 23° 51' 46" West, 41.03 feet to a northeasterly line of Permanent Easement DEIRS-EA2P;

Thence, along a northeasterly line of Permanent Easement DEIRS-EA2P, North 31° 08' 17" West, 35.40 feet to the point of beginning.

Containing within said bounds 0.0613 acres of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in August 2012.

Bearings are based on Ohio State Plane, North Zone NAD83 (CORS) Grid North.

**DST-P1-4 Permanent Easement
Across Parcel No. 111-03-001
0.4076 Acres**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original One Hundred Acre Lot No. 356. Also being part of the land conveyed to the City of Cleveland as recorded in Volume 1265, Page 322 and Volume 3920, Page 108 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Glenview Avenue (40.00 feet wide) and the centerline of E. 110th Street (60.00 feet wide);

Thence, along the centerline of E. 110th Street the following 5 courses;

North 00° 33' 45" West, 82.54 feet;
Thence North 04° 22' 50" East, 292.58 feet;

Thence, along the arc of a curve which deflects to the right, 294.67 feet, said curve having a radius of 1875.83 feet, a central angle of 09° 00' 02", and a chord of 294.37 feet which bears North 08° 52' 51" East;

Thence North 13° 22' 52" East, 36.86 feet;

Thence, along the arc of a curve which deflects to the left, 169.39 feet, said curve having a radius of 394.74 feet, a central angle of 24° 35' 12", and a chord of 168.09 feet which bears North 01° 05' 16" East;

Thence, leaving the centerline of E. 110th Street, North 78° 47' 40" East, 30.00 feet to the easterly right of way of E. 110th Street and a northwesterly corner of Proposed Permanent Easement DWIRS-P1-1;

Thence, along a northerly and easterly line of Proposed Permanent Easement DWIRS-P1-1 the following two courses;

South 58° 10' 31" East, 33.66 feet;
Thence South 03° 10' 31" East, 246.84 feet to the True Point of Beginning for the easement herein described;

Thence, leaving an easterly line of Proposed Permanent Easement DWIRS-P1-1, along the arc of a curve which deflects to the right, 1.56 feet, said curve having a radius of 2014.50 feet, a central angle of 00° 02' 40", and a chord of 1.56 feet which bears North 23° 50' 26" East;

Thence North 23° 51' 46" East, 633.65 feet to a southwesterly line of Permanent Easement DEIRS-EA2P as recorded in Instrument No. 201005040152 of the Cuyahoga County Records;

Thence, along a southwesterly line of Permanent Easement DEIRS-EA2P, South 31° 08' 17" East, 11.15 feet to a northwesterly corner of said Proposed Permanent Easement DWIRS-P1-1;

Thence, along a westerly line of Proposed Permanent Easement DWIRS-P1-1, South 09° 08' 04" West, 78.13 feet;

Thence, leaving a westerly line of Proposed Permanent Easement DWIRS-P1-1 South 23° 51' 46" West, 540.08 feet;

Thence South 47° 31' 28" East, 2.19 feet to a westerly line of Proposed Permanent Easement DWIRS-P1-1;

Thence, along a westerly and northerly line of Proposed Permanent Easement DWIRS-P1-1 the following three courses;

South 23° 49' 44" West, 24.67 feet;
Thence North 47° 31' 28" West, 31.69 feet;

Thence North 03° 10' 31" West, 2.33 feet to the point of beginning.

Containing within said bounds 0.4076 acres of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in August 2012.

Bearings are based on Ohio State Plane, North Zone NAD83 (CORS) Grid North.

**DST-P1-5 Permanent Easement
Across Parcel No. 111-03-001
0.0851 Acres**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original One Hundred Acre Lot No. 356. Also being part of the land conveyed to the City of Cleveland as recorded in Volume 3920, Page 107, Volume 3920, Page 108 and Volume 6267, Page 88 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Glenview Avenue (40.00 feet wide) and the centerline of E. 110th Street (60.00 feet wide);

Thence, along the centerline of E. 110th Street the following 3 courses;

North 00° 33' 45" West, 82.54 feet;
Thence North 04° 22' 50" East, 292.58 feet;

Thence, along the arc of a curve which deflects to the right, 29.09 feet, said curve having a radius of 1875.83 feet, a central angle of 00° 53' 19", and a chord of 29.09 feet which bears North 04° 49' 30" East;

Thence, leaving the centerline of E. 110th Street, South 84° 43' 51" East, 30.00 feet to the easterly right of way of E. 110th Street and a southwesterly corner of Proposed Permanent Easement DWIRS-P1-1;

Thence, along a westerly line of Proposed Permanent Easement DWIRS-P1-1, North 42° 14' 14" East, 40.29 feet to the True Point of Beginning for the easement herein described;

Thence, leaving a westerly line of Proposed Permanent Easement DWIRS-P1-1, along the arc of a curve which deflects to the right, 149.31 feet to a southerly line of Proposed Permanent Easement DWIRS-P1-1, said curve having a radius of 2014.50 feet, a central angle of 04° 14' 48", and a chord of 149.28 feet which bears North 20° 26' 38" East;

Thence, along a southerly and westerly line of Proposed Permanent Easement DWIRS-P1-1 the following four courses;

South 47° 50' 46" East, 32.23 feet;
Thence South 23° 49' 34" West, 13.63 feet;

Thence South 47° 31' 28" East, 18.89;
Thence South 42° 14' 14" West, 125.65 feet to the point of beginning.

Containing within said bounds 0.0851 acres of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in August 2012.

Bearings are based on Ohio State Plane, North Zone NAD83 (CORS) Grid North.

**DST-P1-6 Permanent Easement
Across Parcel No. 111-03-001
0.1140 Acres**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original One Hundred Acre Lot No. 356. Also being part of the land conveyed to the City of Cleveland as recorded in Volume 3920, Page 107 and Volume 6267, Page 88 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Glenview Avenue (40.00 feet wide) and the centerline of E. 110th Street (60.00 feet wide);

Thence, along the centerline of E. 110th Street the following 2 courses;

North 00° 33' 45" West, 82.54 feet;
Thence North 04° 22' 50" East, 238.31 feet;

Thence, leaving the centerline of E. 110th Street, South 85° 37' 10" East, 30.00 feet to the easterly right of way of E. 110th Street and the True Point of Beginning for the easement herein described;

Thence, leaving the easterly right of way of E. 110th Street, along the arc of a curve which deflects to the right, 49.70 feet to an easterly line of Proposed Permanent Easement DWIRS-P1-1, said curve having a radius of 2014.50 feet, a central angle of 01° 24' 49", and a chord of 49.70 feet which bears North 15° 41' 16" East;

Thence, along an easterly line of Proposed Permanent Easement DWIRS-P1-1 the following two courses;

North 61° 09' 24" East, 4.68 feet;
Thence North 42° 14' 14" East, 60.92 feet;

Thence, leaving an easterly line of Proposed Permanent Easement DWIRS-P1-1, along the arc of a curve which deflects to the left, 328.31 feet to the easterly right of way of E. 110th Street, said curve having a radius of 1985.50 feet, a central angle of 09° 28' 27", and a chord of 327.94 feet which bears South 13° 20' 10" West;

Thence, along the easterly right of way of E. 110th Street, North 04° 22' 50" East, 224.53 feet to the point of beginning.

Containing within said bounds 0.1140 acres of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in August 2012.

Bearings are based on Ohio State Plane, North Zone NAD83 (CORS) Grid North.

**DST-P1-7 Permanent Easement
Across Parcel No. 111-03-001
0.0103 Acres**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original

One Hundred Acre Lot No. 356. Also being part of the land conveyed to the City of Cleveland as recorded in Volume 3920, Page 108 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Glenview Avenue (40.00 feet wide) and the centerline of E. 110th Street (60.00 feet wide);

Thence, along the centerline of E. 110th Street the following 5 courses;
North 00° 33' 45" West, 82.54 feet;
Thence North 04° 22' 50" East, 292.58 feet;

Thence, along the arc of a curve which deflects to the right, 294.67 feet, said curve having a radius of 1875.83 feet, a central angle of 09° 00' 02", and a chord of 294.37 feet which bears North 08° 52' 51" East;

Thence North 13° 22' 52" East, 36.86 feet;

Thence, along the arc of a curve which deflects to the left, 169.39 feet, said curve having a radius of 394.74 feet, a central angle of 24° 35' 12", and a chord of 168.09 feet which bears North 01° 05' 16" East;

Thence, leaving the centerline of E. 110th Street, North 78° 47' 40" East, 30.00 feet to the easterly right of way of E. 110th Street and a northwesterly corner of Proposed Permanent Easement DWIRS-P1-1;

Thence, along a northerly, easterly and westerly line of Proposed Permanent Easement DWIRS-P1-1 the following four courses;

South 58° 10' 31" East, 33.66 feet;
Thence South 03° 10' 31" East, 249.17 feet;

Thence South 47° 31' 28" East, 31.69 feet;
Thence North 23° 49' 44" East, 24.67 feet;

Thence, leaving a westerly line of Proposed Permanent Easement DWIRS-P1-1, North 47° 31' 28" West, 2.19 feet;

Thence North 23° 51' 46" East, 321.13 feet to the True Point of Beginning for the easement herein described;

Thence continuing North 23° 51' 46" East, 14.00 feet;

Thence South 66° 08' 14" East, 31.88 feet to a westerly line of Proposed Permanent Easement DWIRS-P1-1;

Thence, along a westerly line of Proposed Permanent Easement DWIRS-P1-1, South 23° 26' 25" West, 14.00 feet;

Thence, leaving a westerly line of Proposed Permanent Easement DWIRS-P1-1, North 66° 08' 14" West, 31.98 feet to the point of beginning.

Containing within said bounds 0.0103 acres of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in August 2012.

Bearings are based on Ohio State Plane, North Zone NAD83(CORS) Grid North.

**DST-P1-8 Permanent Easement
Across Parcel No. 111-03-001
0.0048 Acres**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original One Hundred Acre Lot No. 356. Also being part of the land conveyed to the City of Cleveland as recorded in Volume 3920, Page 108 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Glenview Avenue (40.00 feet wide) and the centerline of E. 110th Street (60.00 feet wide);

Thence, along the centerline of E. 110th Street the following 5 courses;
North 00° 33' 45" West, 82.54 feet;
Thence North 04° 22' 50" East, 292.58 feet;

Thence, along the arc of a curve which deflects to the right, 294.67 feet, said curve having a radius of 1875.83 feet, a central angle of 09° 00' 02", and a chord of 294.37 feet which bears North 08° 52' 51" East;

Thence North 13° 22' 52" East, 36.86 feet;

Thence, along the arc of a curve which deflects to the left, 169.39 feet, said curve having a radius of 394.74 feet, a central angle of 24° 35' 12", and a chord of 168.09 feet which bears North 01° 05' 16" East;

Thence, leaving the centerline of E. 110th Street, North 78° 47' 40" East, 30.00 feet to the easterly right of way of E. 110th Street and the northwesterly corner of Proposed Permanent Easement DWIRS-P1-1;

Thence, along a northerly, easterly and westerly line of Proposed Permanent Easement DWIRS-P1-1 the following five courses;

South 58° 10' 31" East, 33.66 feet;
Thence South 03° 10' 31" East, 249.17 feet;

Thence South 47° 31' 28" East, 31.69 feet;
Thence North 23° 49' 44" East, 24.67 feet;

Thence South 47° 31' 28" East, 22.65 feet to the True Point of Beginning for the easement herein described;

Thence, leaving a northerly line of Proposed Permanent Easement DWIRS-P1-1, North 40° 59' 06" East, 36.07 feet to a westerly line of Proposed Permanent Easement DWIRS-P1-1;

Thence, along a westerly and northerly line of Proposed Permanent Easement DWIRS-P1-1 the following two courses;

South 23° 26' 25" West, 38.14 feet;
Thence North 47° 31' 28" West, 11.50 feet to the point of beginning.

Containing within said bounds 0.0048 acres of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in August 2012.

Bearings are based on Ohio State Plane, North Zone NAD83(CORS) Grid North.

**DST-P1-9 Permanent Easement
Across Parcel No. 111-03-001
0.6744 Acres**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original One Hundred Acre Lot No. 356. Also being part of the land conveyed to the City of Cleveland as recorded in Volume 1265, Page 322, Volume 1265, Page 326 and Volume 3920, Page 108 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Glenview Avenue (40.00 feet wide) and the centerline of E. 110th Street (60.00 feet wide);

Thence, along the centerline of E. 110th Street the following 2 courses;
North 00° 33' 45" West, 82.54 feet;
Thence North 04° 22' 50" East, 238.31 feet;

Thence, leaving the centerline of E. 110th Street, South 85° 37' 10" East, 30.00 feet to the easterly right of way of E. 110th Street;

Thence, leaving the easterly right of way of E. 110th Street, along the arc of a curve which deflects to the

right, 49.70 feet to an easterly line of Proposed Permanent Easement DWIRS-P1-1, said curve having a radius of 2014.50 feet, a central angle of 01° 24' 49", and a chord of 49.70 feet which bears North 15° 41' 16" East;

Thence, along an easterly line of Proposed Permanent Easement DWIRS-P1-1 the following two courses;

North 61° 09' 24" East, 4.68 feet;
Thence North 42° 14' 14" East, 234.06 feet to the True Point of Beginning for the easement herein described;

Thence, continuing along an easterly line of Proposed Permanent Easement DWIRS-P1-1 the following four courses;

North 23° 26' 25" East, 474.82 feet;
Thence North 35° 00' 37" East, 42.73 feet;

Thence North 05° 48' 01" West, 74.29 feet;

Thence North 09° 08' 04" East, 64.53 feet to the southwesterly line of Permanent Easement DEIRS-EA2P as recorded in Instrument No. 201005040152 of the Cuyahoga County Records;

Thence, along the southwesterly line of Permanent Easement DEIRS-EA2P the following eight courses;

South 41° 21' 33" East, 37.50 feet;
Thence South 21° 03' 27" West, 72.91 feet;

Thence South 68° 56' 33" East, 30.00 feet;

Thence North 21° 03' 27" East, 45.96 feet;

Thence South 41° 21' 33" East, 63.08 feet;

Thence South 48° 39' 52" West, 151.69 feet;

Thence South 41° 20' 08" East, 49.00 feet;

Thence North 48° 39' 52" East, 94.38 feet;

Thence, leaving the southwesterly line of Permanent Easement DEIRS-EA2P, South 23° 29' 50" West, 47.03 feet;

Thence South 35° 36' 39" West, 466.24 feet to the point of beginning.

Containing within said bounds 0.6744 acres of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in August 2012.

Bearings are based on Ohio State Plane, North Zone NAD83(CORS) Grid North.

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

Section 2. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that temporary easement interests in the following described properties are not needed for the City's public use:

**DST-T1-1 Temporary Easement
Across Parcel No. 111-03-001
0.0503 Acres**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original One Hundred Acre Lot No. 356. Also being part of the land conveyed to the City of Cleveland as recorded in Volume 1265, Page 326 and Volume 3920, Page 108 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Glenview Avenue (40.00 feet wide) and the centerline of E. 110th Street (60.00 feet wide);

Thence, along the centerline of E. 110th Street the following 5 courses; North 00° 33' 45" West, 82.54 feet; Thence North 04° 22' 50" East, 292.58 feet;

Thence, along the arc of a curve which deflects to the right, 294.67 feet, said curve having a radius of 1875.83 feet, a central angle of 09° 00' 02", and a chord of 294.37 feet which bears North 08° 52' 51" East;

Thence North 13° 22' 52" East, 36.86 feet;

Thence, along the arc of a curve which deflects to the left, 169.39 feet, said curve having a radius of 394.74 feet, a central angle of 24° 35' 12", and a chord of 168.09 feet which bears North 01° 05' 16" East;

Thence, leaving the centerline of E. 110th Street, North 78° 47' 40" East, 30.00 feet to the easterly right of way of E. 110th Street and the northwesterly corner of Proposed Permanent Easement DWIRS-P1-1;

Thence, along a northerly, easterly and westerly line of Proposed Permanent Easement DWIRS-P1-1 the following four courses:

South 58° 10' 31" East, 33.66 feet;

Thence South 03° 10' 31" East, 249.17 feet;

Thence South 47° 31' 28" East, 31.69 feet;

Thence North 23° 49' 44" East, 24.67 feet;

Thence, leaving a westerly line of Proposed Permanent Easement DWIRS-P1-1, North 47° 31' 28" West, 2.19 feet;

Thence North 23° 51' 46" East, 335.13 feet to the True Point of Beginning for the easement herein described;

Thence continuing North 23° 51' 46" East, 20.72 feet;

Thence North 43° 52' 24" East, 39.90 feet;

Thence North 43° 04' 35" East, 13.59 feet;

Thence North 38° 37' 14" East, 24.92 feet;

Thence North 40° 39' 27" East, 20.27 feet;

Thence North 44° 36' 57" East, 17.69 feet to a westerly line of Proposed Permanent Easement DWIRS-P1-1;

Thence, along a westerly line of Proposed Permanent Easement DWIRS-P1-1 the following three courses:

South 05° 48' 01" East, 2.57 feet;

Thence South 35° 00' 37" West, 34.61 feet;

Thence South 23° 26' 55" West, 94.90 feet;

Thence, leaving the westerly line of Proposed Permanent Easement DWIRS-P1-1, North 66° 08' 14" West, 31.88 feet to the point of beginning.

Containing within said bounds 0.0503 acres of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in August 2012.

Bearings are based on Ohio State Plane, North Zone NAD83(CORS) Grid North.

**DST-T1-2 Temporary Easement
Across Parcel No. 111-03-001
0.2443 Acres**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original One Hundred Acre Lot No. 356. Also being part of the land conveyed to the City of Cleveland as recorded in Volume 3920, Page 108 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Glenview Avenue (40.00 feet wide) and the centerline of E. 110th Street (60.00 feet wide);

Thence, along the centerline of E. 110th Street the following 5 courses; North 00° 33' 45" West, 82.54 feet; Thence North 04° 22' 50" East, 292.58 feet;

Thence, along the arc of a curve which deflects to the right, 294.67 feet, said curve having a radius of 1875.83 feet, a central angle of 09° 00' 02", and a chord of 294.37 feet which bears North 08° 52' 51" East;

Thence North 13° 22' 52" East, 36.86 feet;

Thence, along the arc of a curve which deflects to the left, 169.39 feet, said curve having a radius of 394.74 feet, a central angle of 24° 35' 12", and a chord of 168.09 feet which bears North 01° 05' 16" East;

Thence, leaving the centerline of E. 110th Street, North 78° 47' 40" East, 30.00 feet to the easterly right of way of E. 110th Street and the northwesterly corner of Proposed Permanent Easement DWIRS-P1-1;

Thence, along a northerly, easterly and westerly line of Proposed Permanent Easement DWIRS-P1-1 the following four courses:

South 58° 10' 31" East, 33.66 feet;

Thence South 03° 10' 31" East, 249.17 feet;

Thence South 47° 31' 28" East, 31.69 feet;

Thence North 23° 49' 44" East, 24.67 feet to the True Point of Beginning for the easement herein described;

Thence, leaving a westerly line of Proposed Permanent Easement DWIRS-P1-1, North 47° 31' 28" West, 2.19 feet;

Thence North 23° 51' 46" East, 321.13 feet;

Thence South 66° 08' 14" East, 31.98 feet to a westerly line of Proposed Permanent Easement DWIRS-P1-1;

Thence, along a westerly line of Proposed Permanent Easement DWIRS-P1-1, South 23° 26' 25" West, 294.59 feet;

Thence, leaving a westerly line of Proposed Permanent Easement DWIRS-P1-1, South 40° 59' 06" West, 36.07 feet to a northerly line of Proposed Permanent Easement DWIRS-P1-1;

Thence, along a northerly line of Proposed Permanent Easement DWIRS-P1-1, North 47° 31' 28" West, 22.65 feet to the point of beginning.

Containing within said bounds 0.2443 acres of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in August 2012.

Bearings are based on Ohio State Plane, North Zone NAD83(CORS) Grid North.

**DST-T1-3 Temporary Easement
Across Parcel No. 111-03-001
1.2095 Acres**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original One Hundred Acre Lot No. 356. Also being part of the land conveyed to the City of Cleveland as recorded in Volume 1265, Page 326, Volume 1266, Page 281 and Volume 6267, Page 88 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Glenview Avenue (40.00 feet wide) and the centerline of E. 110th Street (60.00 feet wide);

Thence, along the centerline of E. 110th Street the following 2 courses;

North 00° 33' 45" West, 82.54 feet; Thence North 04° 22' 50" East, 238.31 feet;

Thence, leaving the centerline of E. 110th Street, South 85° 37' 10" East, 30.00 feet to the easterly right of way of E. 110th Street;

Thence, leaving the easterly right of way of E. 110th Street, along the arc of a curve which deflects to the right, 49.70 feet to an easterly line of Proposed Permanent Easement DWIRS-P1-1, said curve having a radius of 2014.50 feet, a central angle of 01° 24' 49", and a chord of 49.70 feet which bears North 15° 41' 16" East;

Thence, along an easterly line of Proposed Permanent Easement DWIRS-P1-1 the following two courses:

North 61° 09' 24" East, 4.68 feet;

Thence North 42° 14' 14" East, 60.92 feet to the True Point of Beginning for the easement herein described;

Thence, continuing along an easterly line of Proposed Permanent Easement DWIRS-P1-1, North 42° 14' 14" East, 173.13 feet;

Thence, leaving an easterly line of Proposed Permanent Easement DWIRS-P1-1, North 35° 36' 39" East, 466.24 feet;

Thence South 23° 29' 50" West, 664.58 feet;

Thence North 82° 16' 49" West, 149.12 feet;

Thence, along the arc of a curve which deflects to the right, 85.90 feet to the point of beginning, said curve having a radius of 1985.50 feet, a central angle of 02° 28' 44", and a chord of 85.89 feet which bears North 16° 50' 02" East.

Containing within said bounds 1.2095 acres of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in August 2012.

Bearings are based on Ohio State Plane, North Zone NAD83(CORS) Grid North.

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

Section 3. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the above-described non-exclusive easement interests and the exclusive temporary easements to the NEORSJ subject to any conditions stated in this ordinance at an appraised price of \$20,355, which is determined to be fair market value.

Section 4. That the purpose of the easements shall be for the construction and maintenance of the Dugway Storage Tunnel Project.

Section 5. That the duration of the easements shall be perpetual; that the duration of the temporary easements shall be until the construction of the Dugway Storage Tunnel Project is completed; that the easements and temporary easements may include reasonable right of entry rights to the City; that the easements and temporary easements shall not be assignable without the consent of the Director of Public Works; that the easements and temporary easements shall require that the NEORSJ provide reasonable insurance, and pay any applicable taxes and assessments.

Section 6. That the conveyances referred to above shall be made by official deeds of easement and official deeds of temporary easement prepared by the Director of Law and executed by the Director of Public Works

on behalf of the City of Cleveland. The deeds of easement and the deeds of temporary easement shall contain any additional terms and conditions as are required to protect the interest of the City. The Directors of Public Works and Law are authorized to execute any other documents, including without limitation, contracts for right of entry, as may be necessary to effect 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.

Passed February 9, 2015.
Effective February 11, 2015.

Ord. No. 23-15.

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

An emergency ordinance authorizing the Director of Public Works to execute a deed of easement granting to the Northeast Ohio Regional Sewer District certain easement rights in property located in Ambler Park near the northeast corner of Martin Luther King, Jr. Boulevard and Fairhill Road, and declaring that the easement rights granted are not needed for the City's public use.

Whereas, the Northeast Ohio Regional Sewer District ("NEORS") has requested the Director of Public Works to convey certain easement rights in property located in Ambler Park near the northeast corner of Martin Luther King, Jr. Boulevard and Fairhill Road; and

Whereas, NEORS requires the easement to construct and maintain a bioretention basin which is a part of its Green Ambassador - Fairhill/MLK Green Infrastructure Project in Ambler Park; and

Whereas, the easement rights to be granted are not needed for the City's public use; and

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

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

Section 1. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that an easement interest in the following described property is not needed for the City's public use:

LEGAL DESCRIPTION
PERMANENT SOUTHERLY
BIORETENTION BASIN EASEMENT
WITHIN CITY OF CLEVELAND'S
LAND - PP #121-28-001
FOR THE NORTHEAST OHIO
REGIONAL SEWER DISTRICT
BETWEEN FAIRHILL RD. &
EAST BLVD.
CITY OF CLEVELAND
COUNTY OF CUYAHOGA, OHIO
Situating in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a part of Original East Cleveland Township 100 Acre Lots #412 & #420 and being a 1.8914 acres (82,388 sq.ft.) Permanent

Southerly Bioretention Basin Easement located within a 48.0 acres parcel of land (Auditor's record - PP #121-28-001) as conveyed to the City of Cleveland (Ambler Park) by deeds dated May 24, 1895 & April 07, 1897 as recorded in Volume 599, Page 457 & Volume 660, Page 288, respectively, of Cuyahoga County Deed Records and as shown on the Ambler Park Plat #P4 of the City of Cleveland's Survey Records and further bounded and described as follows:

Beginning at the intersection of the Northerly sideline of Fairhill Road S.E. (100 feet wide) with the Proposed Easterly sideline of Martin Luther King Jr. Drive - aka MLK (50 feet wide), said MLK being a Park Drive formerly known as East Boulevard as shown on the Alteration Plat of Fairhill Road as recorded in Volume Q, Page 295 of Cuyahoga County Survey Records (M-2425) and the Place of Beginning of the Premises herein intended to be described;

COURSE I:

Thence North 00°49'46" West, along said Proposed Easterly sideline of MLK, a distance of 342.00 feet to a point on the Northerly line of said City of Cleveland's land (PP #121-28-001), said point being on the Corporation line between said City of Cleveland & the City of Cleveland Heights;

COURSE II:

Thence South 73°51'42" East, along said Northerly line of City of Cleveland's land (PP #121-28-001), the Corporation line of City of Cleveland & City of Cleveland Heights, a distance of 155.91 feet to a point;

COURSE III:

Thence South 26°23'41" East, a distance of 66.94 feet to an angle point;

COURSE IV:

Thence South 42°23'12" East, a distance of 160.00 feet to an angle point;

COURSE V:

Thence South 12°39'38" West, a distance of 200.00 feet to a point on said Northerly sideline of Fairhill Road S.E.;

COURSE VI:

Thence North 72°37'40" West, along said Northerly sideline of Fairhill Road S.E., a distance of 250.00 feet to the Place of Beginning and containing 1.8914 acres (82,388 sq.ft.) of land as calculated and described from Cuyahoga County Records by Donald F. Sheehy, Registered Surveyor #7849 of Chagrin Valley Engineering, Ltd., in January, 2014, be the same more or less;

Basis of Bearing for this legal description is North 72°37'40" West as the Northerly sideline of said Fairhill Road S.E. (100 feet wide) as shown on said Alteration Plat of Fairhill Road as recorded in Volume Q, Page 295 of Cuyahoga County Survey Records (M-2425);

LEGAL DESCRIPTION
PERMANENT NORTHERLY
BIORETENTION BASIN EASEMENT
WITHIN CITY OF CLEVELAND'S
LAND - PP #685-35-001
FOR THE NORTHEAST OHIO
REGIONAL SEWER DISTRICT
BETWEEN FAIRHILL RD. &
EAST BLVD.
CITY OF CLEVELAND HEIGHTS
COUNTY OF CUYAHOGA, OHIO

Situating in the City of Cleveland Heights, County of Cuyahoga and State of Ohio and known as being a part of Original East Cleveland Township 100 Acre Lot #412 and

being a 0.3031 acres (13,201 sq.ft.) Permanent Northerly Bioretention Basin Easement located within a 43.6 acres parcel of land (Auditor's record - PP #685-35-001) as conveyed to the City of Cleveland by deeds dated May 24, 1895 & May 23, 1895 as recorded in Volume 599, Page 457 & Volume 599, Page 425, respectively, of Cuyahoga County Deed Records and as shown on the Ambler Park Plat #P4 of the City of Cleveland's Survey Records and further bounded and described as follows;

Beginning at the intersection of the Northerly sideline of Fairhill Road S.E. (100 feet wide) with the Proposed Easterly sideline of Martin Luther King Jr. Drive - aka MLK (50 feet wide), said MLK being a Park Drive formerly known as East Boulevard as shown on the Alteration Plat of Fairhill Road as recorded in Volume Q, Page 295 of Cuyahoga County Survey Records (M-2425);

Thence North 00°49'46" West, along said Proposed Easterly sideline of MLK, a distance of 342.00 feet to a point on the Southerly line of said City of Cleveland's land (PP #685-35-001), said point being on the Corporation line between said City of Cleveland Heights & the City of Cleveland and the Principal Place of Beginning of the Premises herein intended to be described;

COURSE I:

Thence North 73°51'42" West, along said Southerly line of said City of Cleveland's land (PP #685-35-001), the Corporation line of City of Cleveland Heights & City of Cleveland, a distance of 16.00 feet to a point;

COURSE II:

Thence along an arc of a curve, deflecting to the left, 50.02 feet, said curve having a radius of 500.00 feet, a tangent of 25.03 feet, a delta of 05°43'55" and a chord which bears North 22°10'43" West, a distance of 50.00 feet to a point;

COURSE III:

Thence South 89°12'01" East, a distance of 40.00 feet to an angle point;

COURSE IV:

Thence South 67°06'25" East, a distance of 50.00 feet to an angle point;

COURSE V:

Thence North 22°53'35" East, a distance of 100.00 feet to an angle point;

COURSE VI:

Thence South 67°06'25" East, a distance of 60.00 feet to an angle point;

COURSE VII:

Thence South 22°53'35" West, a distance of 100.00 feet to an angle point;

COURSE VIII:

Thence South 67°06'25" East, a distance of 24.03 feet to an angle point;

COURSE IX:

Thence South 26°23'41" East, a distance of 46.20 feet to a point on said Southerly line of said City of Cleveland's land (PP #685-35-001), the Corporation line of City of Cleveland Heights & City of Cleveland;

COURSE X:

Thence North 73°51'42" West, along said Southerly line of City of Cleveland's land (PP #685-35-001), the Corporation line of City of Cleveland Heights & City of Cleveland, a distance of 155.91 feet to the Principal Place of Beginning and containing

0.3031 acres (13,201 sq.ft.) of land as calculated and described from Cuyahoga County Records by Donald F. Sheehy, Registered Surveyor #7849 of Chagrin Valley Engineering, Ltd., in January, 2014, be the same more or less;

Basis of Bearing for this legal description is North 72°37'40" West as the Northerly sideline of said Fairhill Road S.E. (100 feet wide) as shown on said Alteration Plat of Fairhill Road as recorded in Volume Q, Page 295 of Cuyahoga County Survey Records (M-2425);

Section 2. That the Commissioner of Purchases and Supplies is authorized to convey the above-described easement interests to NEORSD subject to any conditions stated in this ordinance, at the appraised value of \$246,900, which is determined to be fair market value.

Section 3. That the easements shall be non-exclusive and the purpose of the easement shall be to construct and maintain a bioretention basin as part of its Green Ambassador - Fairhill/MLK Green Infrastructure Project in Ambler Park.

Section 4. That the duration of the easement shall be perpetual; that the easement shall not be assignable without the consent of the Director of Public Works; that the easement shall require that NEORSD provide reasonable insurance, maintain any NEORSD improvements located within the easement area; pay any applicable taxes and assessments; and shall contain such other terms and conditions that the Director of Law determines to be necessary to protect and benefit the City.

Section 5. That the conveyance referenced above shall be made by official deed of easement prepared by the Director of Law and executed by the Director of Public Works on behalf of the City of Cleveland. The Directors of Public Works and Law are authorized to execute any other documents, including without limitation, contracts for right of entry, as may be necessary to effect this ordinance.

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

Passed February 9, 2015.
Effective February 11, 2015.

Ord. No. 118-15.

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

An emergency ordinance determining the method of making the public improvement of constructing improvements to the Jefferson Green Infrastructure Project; and authorizing the Director of Capital Projects to enter into one or more public improvement contracts and other contracts necessary for the making and implementation of the improvement and authorizing the Commissioner of Purchases and Supplies to accept, acquire, and record certain easement interests from the Cleveland Metropolitan School District for the purposes of constructing and maintaining site improvements.

Whereas, under the authority of Ordinance No. 727-13, passed May 20, 2013, this Council authorized the

Director of Public Utilities, or appropriate director, to apply for and accept grants, gifts, and gifts of equipment and services from public and private entities to facilitate sustainability program-related projects; and

Whereas, under that ordinance, funds are being secured from the Ohio Environmental Protection Agency to partially fund the Jefferson Green Infrastructure Project; and

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

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

Section 1. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of constructing improvements to the Jefferson Green Infrastructure Project, for the Department of Capital Projects, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement.

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

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

Section 4. That the Director of Capital Projects is authorized to enter into an agreement with the Cleveland Metropolitan School District, or other public or private entity or entities, for implementation of this ordinance.

Section 5. That notwithstanding and as an exception to the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized to accept, acquire, and record certain easement rights from the Cleveland Metropolitan School District in and to the premises described, for the purposes of constructing and maintaining site improvements, more fully described as follows:

Retention Pond Easement

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 7 in B. Pelton's Allotment as shown in Volume 2 Page 18 of Cuyahoga County Map Records, further described as follows:

Beginning at the point of intersection of the East line of West 10th Street (82.0 feet wide) and the North line of Jefferson Avenue S.W. (66.0 feet wide);

Thence N 02°25'19" W 100.96 feet along said East line of West 10th Street (82.0 feet wide) to a point;

Thence N 87°51'40" E 105.38 feet to a point on said North line of Jefferson Avenue (66.0 feet wide);

Thence S 43°57'17" W 145.58 feet along the said North line of Jefferson Avenue (66.0 feet wide) to the place of beginning.

Containing, 5319.57 Sq. Ft. be the same more or less, but subject to all legal highways.

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

Section 6. That the cost of acquiring the easement rights shall be \$1.00 and other valuable consideration, which is determined to be fair market value. The purchase price, appraisal, title, escrow, and all other costs incurred in acquiring and recording the easement interests shall be paid from the fund or funds deemed appropriate by the Director of Finance.

Section 7. That the Director of Capital Projects is authorized to execute any documents on behalf of the City of Cleveland necessary to effect the purposes of this ordinance.

Section 8. That the cost of the improvement and other expenditures authorized shall be paid from Fund Nos. 20 SF 563 and from the fund or funds to which are credited grant proceeds or gifts accepted under Ordinance No. 727-13, passed May 20, 2013 and appropriated for this purpose, Request No. RQS 0103, RL 2015-19.

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 February 9, 2015.
Effective February 11, 2015.

Ord. No. 150-15.

By Council Member Cimperman. An emergency ordinance consenting and approving the issuance of a permit for the American Lung Association Walk, on May 9, 2015, sponsored by the American Lung Association.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the American Lung Association Walk, on May 9, 2015, start: Jacobs Pavillion; north on Sycamore Street to Main Avenue; west on Main to Center Street; south on Center to Merwin Street; east on Merwin through City Park to W. St. Clair Avenue; east on W. St. Clair to West 10th Street; south on West 10th to W. Superior Avenue; east on W. Superior to West 9th Street; north on West 9th to W. St. Clair; east on W. St. Clair to West 6th Street; south on West 6th to W. Superior; west on W. Superior to West 25th Street; north on West 25th to Main; east on Main to Sycamore to Jacobs Pavillion and FINISH; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

Passed February 9, 2015.
Effective February 11, 2015.

Ord. No. 151-15.

By Council Member Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for the Cleveland Officer Down 5K, on June 20, 2015, sponsored by the Officer Down Foundation and the Greater Cleveland Peace Officer Memorial.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Cleveland Officer Down 5K, on June 20, 2015, start: Lakeside Avenue & Ontario Street; Lakeside east to East 17th Street; East 17th south to St. Clair Avenue; St. Clair west to West Mall Drive; turn around, St. Clair east to East 17th; East 17th north to Lakeside; Lakeside west to finish—Ontario Avenue; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed February 9, 2015.
Effective February 11, 2015.

Ord. No. 152-15.

By Council Member Conwell.
An emergency ordinance consenting and approving the issuance of a permit for the 2015 Hudson Relays, on April 25, 2015, sponsored by Case Western Reserve University.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the 2015 Hudson Relays, on April 25, 2015, start: at 'The Rock'; to Fribley, near the bottom of the elephant steps; to front of Carlton Commons, top of stairs; to top of Edgehill Road at Overlook Road; to front of the Greenhouse Restaurant; to corner of Euclid Avenue and Adelbert Road; to front of the Peter B. Lewis Building, corner of Bellflower Road and Ford Drive; to the driveway of the tiny lot at the

southeastern edge of the Northside Residential Village on Juniper Road; to front of Pierce house in the Northeast Residential Village; to front of Clark Hall on the Mather Quad; back at 'The Rock'; PRESIDENT'S LAST LAP ONLY; the last runner (President) receives the baton at the rock by Adelbert Hall and runs into the Quad up the Wickenden side and around and back to the rock down the Strosacker side; each team will conclude their race back at the rock; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed February 9, 2015.
Effective February 11, 2015.

Ord. No. 153-15.

By Council Member Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for the 28th Annual Chili Bowl 5K, on February 14, 2015, sponsored by Hermes Sports & Events, Inc.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the 28th Annual Chili Bowl 5K, on February 14, 2015, start: Galleria—St. Clair Avenue and East 12th Street; St. Clair west to East 9th Street; East 9th north to Lakeside Avenue; Lakeside west to West 3rd Street; West 3rd north to Erieside Avenue, around First Energy Stadium to East 9th; turn around, return same route to finish—East 12th and Hamilton Avenue; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed February 9, 2015.
Effective February 11, 2015.

Ord. No. 154-15.

By Council Member Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for the Annual Diversity Center Northeast Ohio Walk/Run, on May 2, 2015, sponsored by Hermes Sports and Events, Inc.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the American Lung Association Walk, on May 9, 2015, start: Erieside Avenue at the Rock and Roll Hall of Fame and Museum; Erieside east to Burke Airport loop; go around Burke Airport Loop; North Marginal Road west to East 9th Street; East 9th south to Lakeside Avenue; Lakeside west to West 3rd Street; West 3rd south to St. Clair Avenue; St. Clair west to West 9th; West 9th north to West Lakeside Avenue (under Main Avenue bridge); West Lakeside east to West 3rd; West 3rd north to Erieside; Erieside east to Rock and Roll Hall of Fame and Museum—finish line; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed February 9, 2015.
Effective February 11, 2015.

COUNCIL COMMITTEE MEETINGS

**Tuesday, February 17, 2015
9:00 a.m.**

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

**Wednesday, February 18, 2015
9:00 a.m.**

Finance Committee: General Fund Budget Hearings Present: Kelley, Chair; Cleveland, Vice Chair; Brady, Brancatelli, Keane, Mitchell, Pruitt, Zone. *Authorized Absence:* Conwell.

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

- Donation of land — Ohio Department of Transportation (ODOT) — West 11th St., and West 12th St. and I-490 — property adoption agreement — Tremont West Development Corporation (Ward 03) (O 1556-14) **181**

Board of Control — Architecture and Site Development Division

- Jefferson Avenue Green Infrastructure Improvements — per Ord. 118-15 to Platform Cement, Inc. — Office of Capital Projects (BOC Res. 49-15) 176

Board of Control — Capital Projects Office

- Jefferson Avenue Green Infrastructure Improvements — per Ord. 118-15 to Platform Cement, Inc. — Division of Architecture and Site Development (BOC Res. 49-15) 176

Board of Control — City Hall

- Food and beverage service at City Hall Cafeteria — per Ord. 1247-14 to A Taste of Excellence, Inc. — Dept. of Public Works (BOC Res. 46-15) 176

Board of Control — Concession Agreement

- Food and beverage service at City Hall Cafeteria — per Ord. 1247-14 to A Taste of Excellence, Inc. — Dept. of Public Works (BOC Res. 46-15) 176

Board of Control — Economic Development Department

- Environmental assessment and remediation assistance for JobsOhio Revitalization Fund Grant project — per Ord. 629-14 to HzW Environmental Consultants LLC (BOC Res. 48-15)..... 176

Board of Control — Finance Department

- City's Storage Area Network (SAN) System installation — per Ord. 754-14 to MCPc, Inc. — Division of Information Technology & Services (BOC Res. 42-15) 175
 Exterminating services — per C.O. Sec. 181.101a(5) to Terminix International Company LP (BOC Res. 44-15) 176
 Office supplies, furniture and equipment — per Ord. 1191-14 to Independence Office & Business Supply Co., Inc. (BOC Res. 43-15) 175

Board of Control — Information Technology and Services Division

- City's Storage Area Network (SAN) System installation — per Ord. 754-14 to MCPc, Inc. — Dept. of Finance (BOC Res. 42-15) 175

Board of Control — Motor Vehicle Maintenance Division

- Tire repair road service — per C.O. Sec. 131.64 to Advanced Industrial Tire Services, Inc. — Dept. of Public Works (BOC Res. 47-15) 176

Board of Control — Police Division

- Maintenance and technical support for timekeeping system — per C.O. Sec. 181.102 to Kronos Incorporated — Dept. of Public Safety (BOC Res. 45-15) 176

Board of Control — Professional Service Contracts

- City's Storage Area Network (SAN) System installation — per Ord. 754-14 to MCPc, Inc. — Dept. of Finance, Division of Information Technology & Services (BOC Res. 42-15) 175
 Environmental assessment and remediation assistance for JobsOhio Revitalization Fund Grant project — per Ord. 629-14 to HzW Environmental Consultants LLC — Dept. of Economic Development (BOC Res. 48-15) 176
 Maintenance and technical support for timekeeping system — per C.O. Sec. 181.102 to Kronos Incorporated — Division of Police, Dept. of Public Safety (BOC Res. 45-15) 176

Board of Control — Public Improvement Contracts

Jefferson Avenue Green Infrastructure Improvements — per Ord. 118-15 to Platform Cement, Inc. — Office of Capital Projects, Division of Architecture and Site Development (BOC Res. 49-15)..... 176

Board of Control — Public Safety Department

Maintenance and technical support for timekeeping system — per C.O. Sec. 181.102 to Kronos Incorporated — Division of Police (BOC Res. 45-15)..... 176

Board of Control — Public Works Department

Food and beverage service at City Hall Cafeteria — per Ord. 1247-14 to A Taste of Excellence, Inc. (BOC Res. 46-15) 176
 Tire repair road service — per C.O. Sec. 131.64 to Advanced Industrial Tire Services, Inc. — Division of Motor Vehicle Maintenance (BOC Res. 47-15) 176

Board of Control — Requirement Contracts

Exterminating services — per C.O. Sec. 181.101a(5) to Terminix International Company LP — Dept. of Finance (BOC Res. 44-15) 176
 Office supplies, furniture and equipment — per Ord. 1191-14 to Independence Office & Business Supply Co., Inc. — Dept. of Finance (BOC Res. 43-15) 175
 Tire repair road service — per C.O. Sec. 131.64 to Advanced Industrial Tire Services, Inc. — Division of Motor Vehicle Maintenance, Dept. of Public Works (BOC Res. 47-15)..... 176

Board of Zoning Appeals — Report

Denison Avenue, 3401 (Ward 12) — George Sevastos, owner — appeal postponed to 4/27/15 on 2/17/15 (Cal. 14-236) 179
 Detroit Avenue, 3219 (Ward 3) — 3219 Detroit LLC, owner — appeal granted and adopted on 2/17/15 (Cal. 14-248)..... 179
 Detroit Avenue, 5605 (Ward 15) — Muhammad Riaz, owner — appeal heard on 2/17/15 (Cal. 14-205)..... 179
 Hague Avenue, 7215 (Ward 15) — Fayeq Hassouneh, owner — appeal denied and adopted on 2/17/15 (Cal. 15-2) 179
 Ivanhoe Road, 1130 (Ward 10) — 1130 Ivanhoe Rd. Group LLC, owner — appeal heard on 2/17/15 (Cal. 14-254)..... 179
 Thurman Avenue, 2501 (Ward 3) — 6603 Cedar Inc., owner — appeal heard on 2/17/15 (Cal. 14-233)..... 179
 Thurman Avenue, 2503 (Ward 3) — 6603 Cedar Inc., owner — appeal heard on 2/17/15 (Cal. 14-234)..... 179
 Thurman Avenue, 2505 (Ward 3) — 6603 Cedar Inc., owner — appeal heard on 2/17/15 (Cal. 14-235)..... 179
 West 6th Street, 2173 (Ward 3) — Laura Firman, owner — appeal granted and adopted on 2/17/15 (Cal. 14-246) 179

Board of Zoning Appeals — Schedule

Columbus Road, 2135 (Ward 3) — CBGC LLC, owner — appeal to be heard on 3/9/15 (Cal. 15-20)..... 178
 Fairfield Avenue, Lot 1, 1001 (Ward 3) — 1001 Fairfield LLC, owner — appeal to be heard on 3/9/15 (Cal. 15-8) 177
 Fairfield Avenue, Lot 2, 1001 (Ward 3) — 1001 Fairfield LLC, owner — appeal to be heard on 3/9/15 (Cal. 15-9) 177
 Fairfield Avenue, Lot 3, 1001 (Ward 3) — 1001 Fairfield LLC, owner — appeal to be heard on 3/9/15 (Cal. 15-10) 177
 Fairfield Avenue, Lot 4, 1001 (Ward 3) — 1001 Fairfield LLC, owner — appeal to be heard on 3/9/15 (Cal. 15-11) 177
 Fairfield Avenue, Lot 5, 1001 (Ward 3) — 1001 Fairfield LLC, owner — appeal to be heard on 3/9/15 (Cal. 15-12) 177
 Fairfield Avenue, Lot 6, 1001 (Ward 3) — 1001 Fairfield LLC, owner — appeal to be heard on 3/9/15 (Cal. 15-13) 178
 Fairfield Avenue, Lot 7, 1001 (Ward 3) — 1001 Fairfield LLC, owner — appeal to be heard on 3/9/15 (Cal. 15-14) 178
 Fairfield Avenue, Lot 8, 1001 (Ward 3) — 1001 Fairfield LLC, owner — appeal to be heard on 3/9/15 (Cal. 15-15) 178
 West 18th Street, 2126 (Ward 3) — Matt Berges, owner — appeal to be heard on 3/9/15 (Cal. 15-21)..... 178

Camp George L. Forbes

Summer Food Service Program, 2015 — contracts for food, food products, beverages, condiments — Grants — Ohio Department of Education — Recreation Division — Works Department (O 1625-14) 183

Capital Projects

American Lung Association Walk — permit — May 9th — American Lung Association (Ward 03) (O 150-15)	190
Annual Diversity Center Northeast Ohio Walk/Run — permit — May 2nd — Hermes Sports and Events, Inc. (Ward 03) (O 154-15)	191
Chili Bowl 5K, 28th Annual — permit — February 14th — Hermes Sports & Events, Inc. (Ward 03) (O 153-15)	191
Cleveland Officer Down 5K — permit — June 20th — Officer Down Foundation and the Greater Cleveland Peace Officer Memorial (Ward 03) (O 151-15)	191
Donation of land — Ohio Department of Transportation (ODOT) — West 11th St. and West 12th St. and I-490 — property adoption agreement — Tremont West Development Corporation (Ward 03) (O 1556-14)	181
East 38th Pl. — vacate a portion — City Planning Commission (Ward 05) (O 1589-14)	182
East 97th St. — vacate a portion — City Planning Commission (Ward 06) (O 1588-14)	182
Hudson Relays, 2015 — permit — April 25th — Case Western Reserve University (Ward 09) (O 152-15)	191
Jefferson Green Infrastructure Project — public improvement contracts (Ward 03) (O 118-15)	190
Logan Court N.E. — intention to vacate a portion — City Planning Commission (Ward 07) (R 1624-14)	180
Metroparks — Lake Link Trail overhead pedestrian bridge Scranton Rd. (Ward 03) (O 1631-14)	183

Case Western Reserve University (CWRU)

Hudson Relays, 2015 — permit — April 25th (Ward 09) (O 152-15)	191
--	-----

Cemeteries Division

Waive setting fees at Woodland Cemetery for War 1812 Veterans monument (Works Department) (O 1551-14)	181
--	-----

City of Cleveland Bids

Powdered Activated Carbon — Department of Public Utilities — Division of Water — per C.O. Sec. 129.24 — bid due March 13, 2015 (advertised 2/18/2015 and 2/25/2015)	180
Rockwell Avenue Area Sewer Rehabilitation and Replacement Project — Department of Public Utilities — Division of Water Pollution Control — per Ord. 991-14 — bid due March 4, 2015 (advertised 2/11/2015 and 2/18/2015)	179
Sodium Hypochlorite Solution — Department of Public Utilities — Division of Water — per C.O. Sec. 129.24 — bid due March 13, 2015 (advertised 2/18/2015 and 2/25/2015)	180
Turn Out Gear — Department of Public Safety — Division of Fire — per C.O. Sec. 135.06 — bid due March 13, 2015 (advertised 2/18/2015 and 2/25/2015)	180
Valves and Appurtenances (Groups A, B, C, D) — Department of Public Utilities — Division of Water — per C.O. Sec. 129.25 — bid due March 13, 2015 (advertised 2/18/2015 and 2/25/2015)	180
Various Bulk Multi-Purpose Bond Paper and Envelopes — Department of Finance — Division of Printing and Reproduction — per Ord. 991-14 — bid due March 12, 2015 (advertised 2/11/2015 and 2/18/2015)	180

City Planning Commission

East 38th Pl. — vacate a portion — Capital Projects Office (Ward 05) (O 1589-14)	182
East 97th St. — vacate a portion — Capital Projects Office (Ward 06) (O 1588-14)	182
Logan Court N.E. — intention to vacate a portion — Capital Projects Office (Ward 07) (R 1624-14)	180

Clerk Of Council

Creation of the Flats East Bank Community Authority — Economic Development (O 1648-14)	184
--	-----

Contracts

Jefferson Green Infrastructure Project — Capital Projects Office — public improvement (Ward 03) (O 118-15)	190
Summer Food Service Program, 2015 — food, food products, beverages, condiments — Camp George L. Forbes — Grants — Ohio Department of Education — Recreation Division — Works Department (O 1625-14)	183

Easements

Ambler Park (northeast corner of MLK, Jr. Blvd. and Fairhill Rd.) — Bioretention Basin — Northeast Ohio Regional Sewer District — Works Department (O 23-15)	189
Forest Hills Park (East 110th St.) — Dugway Storage Tunnel Project — Northeast Ohio Regional Sewer District — Works Department (O 22-15)	185
Metroparks — Lake Link Trail overhead pedestrian bridge Scranton Rd. — Capital Projects Office (Ward 03) (O 1631-14)	183

Economic Development Department

Creation of the Flats East Bank Community Authority (O 1648-14) 184

Encroachments

Metroparks — Lake Link Trail overhead pedestrian bridge Scranton Rd. — Capital Projects
Office (Ward 03) (O 1631-14) 183

Fees

Waive setting fees at Woodland Cemetery for War 1812 Veterans monument
(Works Department) (O 1551-14) 181

Flats District

Rescinding Ordinance No. 650-08 — Flats East Bank Community Authority (O 1647-14) 184

Gifts

Donation of land — Ohio Department of Transportation (ODOT) — West 11th St. and West 12th
St. and I-490 — property adoption agreement — Tremont West Development Corporation
(Ward 03) (O 1556-14) 181

Grants

Summer Food Service Program, 2015 — contracts for food, food products, beverages,
condiments — Camp George L. Forbes — Grants — Ohio Department of Education —
Recreation Division — Works Department (O 1625-14) 183

Lease By Way Of Concession

Cleveland Browns Stadium Co., LLC. — Operation for Media Parking Lot — Works Department
(O 1559-14) 181

Northeast Ohio Regional Sewer District

Ambler Park (northeast corner of MLK, Jr. Blvd. and Fairhill Rd.) — deed of easement —
Bioretention Basin — Works Department (O 23-15) 189
Forest Hills Park (East 110th St.) — deeds of easement — Dugway Storage Tunnel Project —
Works Department (O 22-15) 185

Ohio Department Of Transportation (ODOT)

Donation of land — West 11th St., and West 12th St. and I-490 — property adoption agreement —
Tremont West Development Corporation (Ward 03) (O 1556-14) 181

Ohio Revised Code

Creation of the Flats East Bank Community Authority — Economic Development (O 1648-14) 184
Rescinding Ordinance No. 650-08 — Flats East Bank Community Authority (O 1647-14) 184

Permits

American Lung Association Walk — May 9th — American Lung Association
(Ward 03) (O 150-15) 190
Annual Diversity Center Northeast Ohio Walk/Run — May 2nd — Hermes Sports and
Events, Inc. (Ward 03) (O 154-15) 191
Chili Bowl 5K, 28th Annual — February 14th — Hermes Sports & Events, Inc. (Ward 03)
(O 153-15) 191
Cleveland Officer Down 5K — June 20th — Officer Down Foundation and the Greater
Cleveland Peace Officer Memorial (Ward 03) (O 151-15) 191
Hudson Relays, 2015 — April 25th — Case Western Reserve University (Ward 09) (O 152-15) 191
Metroparks — Lake Link Trail overhead pedestrian bridge Scranton Rd. — Capital Projects
Office (Ward 03) (O 1631-14) 183

Petitions

Creation of the Flats East Bank Community Authority — Economic Development (O 1648-14) 184
Rescinding Ordinance No. 650-08 — Flats East Bank Community Authority (O 1647-14) 184

Public Improvements

Jefferson Green Infrastructure Project — Capital Projects Office — contracts (Ward 03)
(O 118-15) 190

Public Works

Ambler Park (northeast corner of MLK, Jr. Blvd. and Fairhill Rd.) — deed of easement — Bioretention Basin — Northeast Ohio Regional Sewer District (O 23-15)	189
Cleveland Browns Stadium Co., LLC. — Operation for Media Parking Lot — Lease by Way of Concession (O 1559-14)	181
Forest Hills Park (East 110th St.) — deeds of easement — Dugway Storage Tunnel Project — Northeast Ohio Regional Sewer District (O 22-15)	185
Summer Food Service Program, 2015 — contracts for food, food products, beverages, condiments — Camp George L. Forbes — Grants — Ohio Department of Education — Recreation Division (O 1625-14)	183
Waive setting fees at Woodland Cemetery for War 1812 Veterans monument (O 1551-14)	181

Races

American Lung Association Walk — permit — May 9th — American Lung Association (Ward 03) (O 150-15)	190
Annual Diversity Center Northeast Ohio Walk/Run — permit — May 2nd — Hermes Sports and Events, Inc. (Ward 03) (O 154-15)	191
Chili Bowl 5K, 28th Annual — permit — February 14th — Hermes Sports & Events, Inc. (Ward 03) (O 153-15)	191
Cleveland Officer Down 5K — permit — June 20th — Officer Down Foundation and the Greater Cleveland Peace Officer Memorial (Ward 03) (O 151-15)	191
Hudson Relays, 2015 — permit — April 25th — Case Western Reserve University (Ward 09) (O 152-15)	191

Recreation Centers

Summer Food Service Program, 2015 — contracts for food, food products, beverages, condiments — Camp George L. Forbes — Grants — Ohio Department of Education — Recreation Division — Works Department (O 1625-14)	183
---	-----

Resolution Of Support

Friends of the Historic Variety Theatre, Inc. — Lorain Ave., 11815 — historic redevelopment projects — State Historic Tax Credits (Ward 11) (R 121-15)	180
---	-----

Street Vacation

East 38th Pl. — vacate a portion — Capital Projects Office — City Planning Commission (Ward 05) (O 1589-14)	182
East 97th St. — vacate a portion — Capital Projects Office — City Planning Commission (Ward 06) (O 1588-14)	182
Logan Court N.E. — intention to vacate a portion — Capital Projects Office — City Planning Commission (Ward 07) (R 1624-14)	180

Tax Credits

Friends of the Historic Variety Theatre, Inc. — Lorain Ave., 11815 — historic redevelopment projects — State Historic Tax Credits (Ward 11) (R 121-15)	180
---	-----

Tremont West Development Corporation

Donation of land — Ohio Department of Transportation (ODOT) — West 11th St., and West 12th St. and I-490 — property adoption agreement (Ward 03) (O 1556-14)	181
---	-----

Ward 03

American Lung Association Walk — permit — May 9th — American Lung Association (O 150-15)	190
Annual Diversity Center Northeast Ohio Walk/Run — permit — May 2nd — Hermes Sports and Events, Inc. (O 154-15)	191
Chili Bowl 5K, 28th Annual — permit — February 14th — Hermes Sports & Events, Inc. (O 153-15)	191
Cleveland Officer Down 5K — permit — June 20th — Officer Down Foundation and the Greater Cleveland Peace Officer Memorial (O 151-15)	191
Donation of land — Ohio Department of Transportation (ODOT) — West 11th St. and West 12th St. and I-490 — property adoption agreement — Tremont West Development Corporation (O 1556-14)	181
Jefferson Green Infrastructure Project — Capital Projects Office — public improvement contracts (O 118-15)	190
Metroparks — Lake Link Trail overhead pedestrian bridge Scranton Rd. — Capital Projects Office (O 1631-14)	183
Rescinding Ordinance No. 650-08 — Flats East Bank Community Authority (O 1647-14)	184

Ward 04

Ambler Park (northeast corner of MLK, Jr. Blvd. and Fairhill Rd.) — deed of easement —
 Bioretention Basin — Northeast Ohio Regional Sewer District — Works Department
 (O 23-15) 189

Forest Hills Park (East 110th St.) — deeds of easement — Dugway Storage Tunnel Project —
 Northeast Ohio Regional Sewer District — Works Department (O 22-15)..... 185

Ward 05

East 38th Pl. — vacate a portion — Capital Projects Office — City Planning
 Commission (O 1589-14)..... 182

Ward 06

East 97th St. — vacate a portion — Capital Projects Office — City Planning
 Commission (O 1588-14)..... 182

Ward 07

Logan Court N.E. — intention to vacate a portion — Capital Projects Office — City Planning
 Commission (R 1624-14) 180

Ward 09

Hudson Relays, 2015 — permit — April 25th — Case Western Reserve University (O 152-15)..... 191

Ward 11

Friends of the Historic Variety Theatre, Inc. — Lorain Ave., 11815 — historic redevelopment
 projects — State Historic Tax Credits (Ward 11) (R 121-15)..... 180