

The City Record

Official Publication of the Council of the City of Cleveland



November the Twenty-Eighth, Two Thousand and Twelve

Frank G. Jackson
Mayor

Martin J. Sweeney
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward Name

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

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www.clevelandcitycouncil.org

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

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

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

MAYOR – Frank G. Jackson

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

OFFICE OF CAPITAL PROJECTS – Jomarie Wasik, Director

DIVISIONS:

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

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

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

Frank Badalamenti, Manager, Internal Audit

DIVISIONS:

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

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

DIVISIONS:

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

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

DIVISIONS:

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

DEPT. OF PUBLIC WORKS – Michael Cox, Director

OFFICES:

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

DIVISIONS:

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

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

DIVISIONS:

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

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

DIVISIONS:

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

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director

DIVISIONS:

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

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

DIVISIONS:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Judge Courtroom

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

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

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WEDNESDAY, NOVEMBER 28, 2012

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CITY COUNCIL

MONDAY, NOVEMBER 26, 2012

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City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2010-2013

MONDAY — Alternating

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

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

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

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

MONDAY

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

TUESDAY

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

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

WEDNESDAY — Alternating

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

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

WEDNESDAY — Alternating

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

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

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

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

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

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, November 26, 2012

The meeting of the Council was called to order, the President Pro Tempore, Phyllis E. Cleveland, in the Chair.

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

Also present were: Mayor Frank G. Jackson, Ken Silliman, Chief of Staff, Darnell Brown, Chief Operating Officer, Valarie J. McCall, Chief of Government Affairs, Chris Warren, Chief of Regional Development, Monyka S. Price, Chief of Education, Maureen Harper, Chief of Communications, Jenita McGowan, Chief of Sustainability, and Directors Langhenry, Dumas, Withers, Smith, Wasik, Butler, Flask, Cox, Rush, Rybka, Southerington, Nichols, Griffin, Brown, Fumich, Ambroz and Teresa Stevenson, Legislative Affairs.

Pursuant to Ordinance No. 2926-76 prayer was offered by Father Douglas Brown of Mary Queen of Peace Church, 4423 Pearl Road located in Ward 13. Pledge of Allegiance.

MOTION

On the motion of Council Member Kelley, the reading of the minutes of the last meeting was dispensed

with and the journal approved. Seconded by Council Member Conwell.

OATHS OF OFFICE

File No. 1708-12.

From: Louis C. Hahn, Jr. — Captain — Division of Fire. Received.

File No. 1709-12.

From: Kevin Kelley — Lieutenant — Division of Fire. Received.

File No. 1710-12.

From: Robert G. Schoeniger — Lieutenant — Division of Fire. Received.

CONDOLENCE RESOLUTION

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

Res. No. 1711-12—George Willie Stubbs, Jr.

CONGRATULATIONS RESOLUTION

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

Res. No. 1712-12—Father John Loejos.

RECOGNITION RESOLUTION

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

Res. No. 1713-12—Jackson Seo, President, LACE.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 1685-12.

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

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

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

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

Section 1. That the title, the first whereas clause and Section 1 of Resolution No. 1068-12, adopted October 22, 2012, are amended to read as follows:

An emergency resolution declaring the intent to vacate **the 1st Unnamed**

Alley (16.5 feet wide) west of Columbus Road and south of Franklin Avenue and a portion of Moore Court (16.5 feet wide).

Whereas, this Council is satisfied that there is good cause to vacate a portion of the **1st Unnamed Alley (16.5 feet wide) west of Columbus Road and south of Franklin Avenue** and a portion of Moore Court (16.5 feet wide), as described; and

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

1st Unnamed Alley (16.5 feet wide) west of Columbus Road and south of Franklin Avenue

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a portion of 1st Unnamed Alley (16.5 feet wide) west of Columbus Road and south of Franklin Avenue in the Willeyville Allotment of part of Original Brooklyn Township Lot No. 70 as shown by the recorded plat in Volume 2 of Maps, Page 16 of Cuyahoga County Records, and being further described as follows;

Being all of that portion of said 1st Unnamed Alley (16.5 feet wide) extending from the northerly right of way of Moore Court (16.5 feet wide) north to the westerly prolongation of the north properly line of Parcel A in the Lot Split and Consolidation Plat as shown in Volume 348, Page 30 of Cuyahoga County Map Records.

MOORE COURT

All that portion of Moore Court (16.5 feet wide) extending Westerly from the West right of way of Columbus Road (80 feet wide) to that portion of Moore Court (16.5 feet wide) as vacated by the Council of City of Cleveland by Ordinance Number 75442 passed August 25, 1926.

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

Section 2. That the existing title, the first whereas clause and Section 1 of Resolution No. 1068-12, adopted October 22, 2012, are repealed.

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

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

Ord. No. 1686-12.

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

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

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 it is declared to be in the public interest that the consent of the City of Cleveland is given to the Director of Transportation of the State of Ohio ("the State") to construct the following improvement under plans, specifications, and estimates approved by the State: demolish the existing eastbound IR-90 structure over the Cuyahoga River Valley, construct a new eastbound IR-90 structure over the Cuyahoga River Valley and rehabilitate the IR-71 bridge over IR-90/IR-490. The project will begin north of Clark Avenue over IR-71 and terminate at about the Central Interchange and will include all required approach work and interchange modifications in the City of Cleveland (the "Improvement").

Section 2. That the City gives its consent to the Improvement and its administration by the State, provided that this ordinance shall not be construed to impose any financial obligation on the City for the Improvement. However, the City agrees to assume and contribute 100% of the cost of any items included in the construction contract, at the request of the City, which are determined by the State and Federal Highway Administration to be unnecessary for the Improvement.

Section 3. That the Director of Capital Projects is authorized to enter into one or more agreements with the State necessary to complete the planning, design and construction of the Improvement, which agreements shall contain terms and conditions that the Director of Law determines shall best protect the public interest.

Section 4. That the City grants permission to the State to acquire all necessary right-of-way required for the Improvement. The City agrees to be responsible for all utility accommodation, relocation, and reimbursement and agrees that all such accommodations, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

Section 5. That on completion of the Improvement, the City will:

- (a) Maintain the City right-of-way and keep it free of obstructions; and
- (b) Hold the right-of-way inviolate for public highway purposes.

Section 6. That this Council requests the State to proceed with the Improvement.

Section 7. That the Director of Capital Projects is authorized to enter into any agreements necessary to implement the improvement.

Section 8. That the Clerk of Council is authorized and directed to transmit to the State three (3) certified copies of this ordinance immediately on its taking effect, and it shall become the basis for proceeding with the Improvement.

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

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

Ord. No. 1687-12.

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

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

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 it is declared to be in the public interest that the consent of the City of Cleveland is given to the Director of Transportation of the State of Ohio ("the State") to construct the following improvement under plans, specifications, and estimates approved by the State: reconstructing and streetscaping Waterloo Road from East 152nd Street to East 162nd Street (the "Improvement").

Section 2. That the City proposes to cooperate with the State in the cost of the Improvement by assuming and contributing the entire cost and expense of the Improvement, less the amount of federal funds allocated by the Federal Highway Administration, United States Department of Transportation. The City agrees to assume one hundred percent (100%) of the cost of preliminary engineering, right-of-way and environmental documentation. Also, the City agrees to assume and contribute 100% of the cost of any items included in the construction contract at the request of the City, which are determined by the State not eligible or made necessary by the Improvement.

Section 3. That the Director of Capital Projects is authorized to enter into one or more agreements with the State necessary to complete the planning and construction of the Improvement, which agreements shall contain terms and conditions that the Director of Law determines shall best protect the public interest.

Section 4. That on completion of the Improvement, the City will:

- (a) Maintain the Improvement according to the provisions of the statutes relating thereto and make ample financial and other provisions for the maintenance;
- (b) Maintain the right-of-way and keep it free of obstruction in a manner satisfactory to the State and hold the right-of-way inviolate for public highway purposes;

Section 5. (a) That all existing streets and public rights-of-way within the City that are necessary for the Improvement shall be made available.

(b) That the City agrees that all right-of-way required for the described project will be acquired and/or made available under current State and federal regulations. The City also understands that right-of-way costs include eligible utility costs.

(c) That the City, at its own expense, shall make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers, or other City-owned utilities

and appurtenances which do not comply with the reimbursement provisions of ODOT Utilities Manual. Publicly-owned facilities which do comply with the reimbursement provisions of the ODOT Utilities Manual will be removed and/or relocated at project expense, exclusive of betterments.

(d) That the installation of all utility facilities, relocation, and reimbursement on the right-of-way shall conform with the requirements of Title 23 CFR 645 and the ODOT Utilities Manual.

Section 6. That the Director of Capital Projects is authorized to enter into contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Improvement and to enter into contracts with the Director of Transportation necessary to complete the above described project. Upon the request of ODOT, the Director of Capital Projects is also authorized to assign all rights, title, and interests of the City to ODOT arising from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

Section 7. That the City agrees that if Federal Funds are used to pay the cost of any consultant contract, the City shall comply with 23 CFR 172 in the selection of its consultant and the administration of the consultant contract. Further, the City agrees to incorporate ODOT's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The City agrees to require, as a scope of services clause, that all plans prepared by the consultant must conform to ODOT's current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the Improvement. The City agrees to include a completion schedule acceptable to ODOT and to assist ODOT in rating the consultant's performance through ODOT's Consultant Evaluation System.

Section 8. That this Council requests the State to proceed with the Improvement.

Section 9. That this Council authorizes payment to the State of the City's share of the Improvement from Fund Nos. 20 SF 380, 20 SF 383, 20 SF 394, 20 SF 500, 20 SF 506, 20 SF 510, 20 SF 520, 20 SF 528, 20 SF 534, 20 SF 540, 20 SF 546, and 52 SF 001, Request No. RQS 0103, RL 2012-163.

Section 10. That the Clerk of Council is authorized and directed to transmit to the State three (3) certified copies of this ordinance immediately on its taking effect, and it shall become the basis for proceeding with the Improvement.

Section 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.

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

Ord. No. 1688-12.
By Council Members Westbrook, Pruitt, Reed, Miller, Cleveland and Kelley (by departmental request).

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

Whereas, this Council intends to declare by resolution of necessity that certain portions of specified sidewalks, driveway aprons, curbing, tree lawns, and castings be laid or repaired by the owner or such parcel of land abutting on the sidewalks, curbing or intersections appurtenances on portions of West 105th Street, West 106th Street, West 114th Street, and East 151st Street, including corner properties which the Council intends to designate for partial assessment in the future; 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 Sections 165 and 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of laying and repairing sidewalks, driveway aprons, and curbing, restoring grass tree lawns and adjusting castings encroaching upon the public right of ways of the following streets to be designated for partial assessment in the future: West 105th Street from Baltic Road to Clifton Boulevard (Assessment #1); West 106th Street from Baltic Road to Clifton Boulevard (Assessment #2); West 114th Street from Franklin Boulevard to Detroit Avenue (Assessment #4), and East 151st Street from Bartlett Avenue to Kinsman Road (Assessment #5), for the Department of Capital Projects, by one or more public improvement requirement contracts duly let to the lowest responsible bidder or bidders on a unit basis for the improvement.

Section 2. That the Director of Capital Projects 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 making of the above public improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement for a period not to exceed one year, purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Capital Projects. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 3. That the written requirement contract or contracts for the making of the above public improvement may also include laying, re-laying and repairing median strips,

intersections, bridge approaches, handicap ramps, tree removals, and root grinding which costs shall be borne by the City and not assessed to the adjoining landowners.

Section 4. 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 and may be reimbursed from the assessments.

Section 5. That the costs of the contract or contracts shall be paid from Fund Nos. 20 SF 380, 20 SF 394, 20 SF 500, 20 SF 506, 20 SF 510, 20 SF 520, 20 SF 528, 20 SF 534, 20 SF 540, 20 SF 546 and shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQS 0103, RL 2012-181)

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

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

Ord. No. 1689-12.
By Council Members Mitchell, Miller, Cleveland and Kelley (by departmental request).

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

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 it is declared to be in the public interest that the consent of the City of Cleveland is given to the Director of Transportation of the State of Ohio ("the State") to construct the following improvement under plans, specifications, and estimates approved by the State: rehabilitating Larchmere Boulevard from Martin Luther King Jr., Boulevard to N. Moreland Boulevard and enhance pedestrian and bicycle access along Larchmere Boulevard between East 121st Street and East 130th Street (the "Improvement").

Section 2. That the City proposes to cooperate with the State in the cost of the Improvement by assuming and contributing the entire cost and expense of the Improvement, less the amount of federal funds allocated by the Federal Highway Administration, United States Department of Transportation. The City agrees to assume one hundred percent (100%) of the cost of preliminary engineering,

right-of-way and environmental documentation. Also, the City agrees to assume and contribute 100% of the cost of any items included in the construction contract at the request of the City, which are determined by the State not eligible or made necessary by the Improvement.

Section 3. That the Director of Capital Projects is authorized to enter into one or more agreements with the State necessary to complete the planning and construction of the Improvement, which agreements shall contain terms and conditions that the Director of Law determines shall best protect the public interest.

Section 4. That on completion of the Improvement, the City will:

(a) Maintain the Improvement according to the provisions of the statutes relating thereto and make ample financial and other provisions for the maintenance;

(b) Maintain the right-of-way and keep it free of obstruction in a manner satisfactory to the State and hold the right-of-way inviolate for public highway purposes;

Section 5. (a) That all existing streets and public rights-of-way within the City that are necessary for the Improvement shall be made available.

(b) That the City agrees that all right-of-way required for the described project will be acquired and/or made available under current State and federal regulations. The City also understands that right-of-way costs include eligible utility costs.

(c) That the City, at its own expense, shall make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers, or other City-owned utilities and appurtenances which do not comply with the reimbursement provisions of ODOT Utilities Manual. Publicly-owned facilities which do comply with the reimbursement provisions of the ODOT Utilities Manual will be removed and/or relocated at project expense, exclusive of betterments.

(d) That the installation of all utility facilities, relocation, and reimbursement on the right-of-way shall conform with the requirements of Title 23 CFR 645 and the ODOT Utilities Manual.

Section 6. That the Director of Capital Projects is authorized to enter into contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Improvement and to enter into contracts with the Director of Transportation necessary to complete the above described project. Upon the request of ODOT, the Director of Capital Projects is also authorized to assign all rights, title, and interests of the City to ODOT arising from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

Section 7. That the City agrees that if Federal Funds are used to pay the cost of any consultant contract, the City shall comply with 23 CFR 172 in the selection of its consultant and the administration of the consultant contract. Further, the City agrees to incorporate ODOT's "Specifications for Consulting Services" as a contract document in all of its consultant con-

tracts. The City agrees to require, as a scope of services clause, that all plans prepared by the consultant must conform to ODOT's current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the Improvement. The City agrees to include a completion schedule acceptable to ODOT and to assist ODOT in rating the consultant's performance through ODOT's Consultant Evaluation System.

Section 8. That this Council requests the State to proceed with the Improvement.

Section 9. That this Council authorizes payment to the State of the City's share of the Improvement from Fund Nos. 20 SF 380, 20 SF 383, 20 SF 394, 20 SF 500, 20 SF 506, 20 SF 510, 20 SF 520, 20 SF 528, 20 SF 534, 20 SF 540, 20 SF 546, and 52 SF 001, Request No. RQS 0103, RL 2012-184.

Section 10. That the Clerk of Council is authorized and directed to transmit to the State three (3) certified copies of this ordinance immediately on its taking effect, and it shall become the basis for proceeding with the Improvement.

Section 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.

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

Ord. No. 1690-12.
By Council Members Cimperman, Miller, Cleveland and Kelley (by departmental request).

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

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 it is declared to be in the public interest that the consent of the City of Cleveland is given to the Director of Transportation of the State of Ohio ("the State") to construct the following improvement under plans, specifications, and estimates approved by the State: constructing a North Coast Harbor pedestrian bridge (the "Improvement").

Section 2. That the City proposes to cooperate with the State in the cost of the Improvement by assuming and contributing the entire cost and expense of the Improvement, less the amount of federal funds allocated by the Federal Highway Administration, United States Department of Transportation. The City agrees to assume one hundred percent (100%) of the cost of preliminary engineering, right-of-way and environmental documentation. Also, the City agrees to assume and contribute 100% of the cost of any items included in the con-

struction contract at the request of the City, which are determined by the State not eligible or made necessary by the Improvement.

Section 3. That the Director of Capital Projects is authorized to enter into one or more agreements with the State necessary to complete the planning and construction of the Improvement, which agreements shall contain terms and conditions that the Director of Law determines shall best protect the public interest.

Section 4. That on completion of the Improvement, the City will:

(a) Maintain the Improvement according to the provisions of the statutes relating thereto and make ample financial and other provisions for the maintenance;

(b) Maintain the right-of-way and keep it free of obstruction in a manner satisfactory to the State and hold the right-of-way inviolate for public highway purposes;

Section 5. (a) That all existing streets and public rights-of-way within the City that are necessary for the Improvement shall be made available.

(b) That the City agrees that all right-of-way required for the described project will be acquired and/or made available under current State and federal regulations. The City also understands that right-of-way costs include eligible utility costs.

(c) That the City, at its own expense, shall make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers, or other City-owned utilities and appurtenances which do not comply with the reimbursement provisions of ODOT Utilities Manual. Publicly-owned facilities which do comply with the reimbursement provisions of the ODOT Utilities Manual will be removed and/or relocated at project expense, exclusive of betterments.

(d) That the installation of all utility facilities, relocation, and reimbursement on the right-of-way shall conform with the requirements of Title 23 CFR 645 and the ODOT Utilities Manual.

Section 6. That the Director of Capital Projects is authorized to enter into contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Improvement and to enter into contracts with the Director of Transportation necessary to complete the above described project. Upon the request of ODOT, the Director of Capital Projects is also authorized to assign all rights, title, and interests of the City to ODOT arising from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

Section 7. That the City agrees that if Federal Funds are used to pay the cost of any consultant contract, the City shall comply with 23 CFR 172 in the selection of its consultant and the administration of the consultant contract. Further, the City agrees to incorporate ODOT's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The City agrees to require, as a scope of services clause, that all plans prepared by the consultant must conform to ODOT's current

design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the Improvement. The City agrees to include a completion schedule acceptable to ODOT and to assist ODOT in rating the consultant's performance through ODOT's Consultant Evaluation System.

Section 8. That this Council requests the State to proceed with the Improvement.

Section 9. That this Council authorizes payment to the State of the City's share of the Improvement from Fund Nos. 20 SF 380, 20 SF 383, 20 SF 394, 20 SF 500, 20 SF 506, 20 SF 510, 20 SF 520, 20 SF 528, 20 SF 534, 20 SF 540, and 20 SF 546, Request No. RQS 0103, RL 2012-185.

Section 10. That the Clerk of Council is authorized and directed to transmit to the State three (3) certified copies of this ordinance immediately on its taking effect, and it shall become the basis for proceeding with the Improvement.

Section 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.

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

Ord. No. 1691-12.

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

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

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, it is determined to make the public improvement of cleaning, cement mortar and structural lining, and replacing various distribution water mains in the City of Cleveland in 2013, for the Division of Water, Department of Public Utilities, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding upon a unit basis for the improvement.

Section 2. That the Director of Public Utilities 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 upon 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 upon a unit basis.

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

Section 4. That the cost of the improvement and other expenditures authorized shall be paid from Fund Nos. 52 SF 001, 52 SF 229, 52 SF 231, 52 SF 235, and 52 SF 245, and from the fund or subfund to which are credited the proceeds of future waterworks bonds, if issued for this purpose RQS 2002, RL 2010-168.

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

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

Ord. No. 1692-12.

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

An emergency ordinance determining the method of making the public improvement of installing a new restricted transmission water main that can also provide service to local customers beginning at Brainard Road at Miles Avenue and north to Harvard Avenue and east to Orangewood Drive in the Village of Orange; and authorizing the Director of Public Utilities to enter into one or more public improvement contracts for the making of the improvement.

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

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

Section 1. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of installing a new restricted transmission water main that can also provide service to local customers, beginning at Brainard Road at Miles Avenue and north to Harvard Avenue and east to Orangewood Drive in the Village of Orange, for the Division of Water, Department of Public Utilities, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement.

Section 2. That the Director of Public Utilities 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 Public Utilities is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

Section 4. That the cost of the improvement and other expenditures authorized shall be paid from Fund Nos. 52 SF 001, 52 SF 229, 52 SF 231, 52 SF 235, and 52 SF 245, and from the fund or subfund to which are credited the proceeds of future waterworks bonds, if issued for this purpose. RQS 2002, RL 2012-160.

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

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

Ord. No. 1693-12.

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

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

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

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

Section 1. That Section 9 of Ordinance No. 710-12, passed June 4, 2012, is amended to read as follows:

Section 9. That the costs of the contracts and other expenditures authorized shall be paid from Fund Nos. 60 SF, 001, 60 SF 104, 60 SF 105, 60 SF 106, 60 SF 112, 60 SF 114, 60 SF 115, 60 SF 116, 60 SF 117, 60 SF 119, 60 SF 121, 60 SF 122, 60 SF 126, 60 SF 128, 60 SF 129, 60 SF 130, 60 SF 141, 60 SF 160, and from any funds or subfunds to which are credited any federal grants or federal PFC authorization for the above contracts. RQS 3001, RL 2012-47.

Section 2. That the existing Section 9 of Ordinance No. 710-12, passed June 4, 2012 is repealed.

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

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

Ord. No. 1694-12.

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

An emergency ordinance authorizing the procurement by one or more requirement contracts of the rental of large capacity trucks with operators, for the Division of Streets, Department of Public Works, for a period of one year with two one year options to renew, exercisable by the Director of Public Works.

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

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

Section 1. That 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 term of one year with two one-year options to renew, exercisable by the Director of Public Works, for the necessary items of the rental of large capacity trucks with operators in the approximate amount as procured during the preceding term, procured by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Streets, 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 determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 7016, RL 2012-55)

Section 3. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of 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 4. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 1695-12.

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

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Office of Criminal Justice Services for the FY 2013 Cleveland High Visibility Enforcement Overtime 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 Safety is authorized to apply for and accept a grant in the approximate amount of \$70,812.83, and any other funds that may become available during the grant term from Ohio Office of Criminal Justice Services to conduct the FY 2013 Cleveland High Visibility Enforcement Overtime Program; that the Director is authorized to file all papers and execute all documents

necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

Section 2. That the summary for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 1695-12-A, is made a part of this ordinance as if fully rewritten, is approved in all respects, and shall not be changed without additional legislative authority.

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

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

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

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

Ord. No. 1696-12.

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

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from University Hospitals for the FY 2013 Cuyahoga County OVI Task Force 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 Safety is authorized to apply for and accept a grant in the approximate amount of \$16,797.16, and any other funds that may become available during the grant term from University Hospitals to conduct the FY 2013 Cuyahoga County OVI Task Force Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the proposed planning sheet for the grant contained in the file described below.

Section 2. That the proposed planning sheet for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 1696-12-A, is made a part of this ordinance as if fully rewritten, is approved in all respects, and shall not be changed without additional legislative authority.

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

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

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

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

Ord. No. 1697-12.

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

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

Whereas, a planning process was undertaken in 2006 by the City of Cleveland and local stakeholders and residents that has resulted in a plan for the revitalization of the Upper Chester district of the Hough Neighborhood; and

Whereas, The Finch Group, Inc. has submitted a proposal that includes the development of a full service grocery store, ground floor retail, market rate rental apartments, and low-income apartments for seniors in accordance with the plan; and

Whereas, the Director of Community Development has requested the sale of City-owned parcels no longer needed for public use to The Finch Group, Inc., or its approved designee, (the "Redeveloper") to redevelop the parcels in accordance with the proposal; and

Whereas, the City of Cleveland adopted and implemented procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of

Codified Ordinances of the City of Cleveland, 1976; 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 any section of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Community Development is authorized to enter into a development agreement with the Redeveloper, for the acquisition, disposition, and private redevelopment of the following City-owned Parcels:

119-08-077
 119-08-080
 119-08-081
 119-08-082
 119-08-083
 119-08-084
 119-08-085
 119-09-103
 119-11-001
 119-11-002
 119-11-003
 119-11-005
 119-11-006
 119-11-007
 119-11-012
 119-11-013
 119-11-015
 119-11-016
 119-11-036
 119-11-037
 119-11-040
 119-11-041
 119-11-042
 119-11-060
 119-12-058
 119-12-059
 119-12-060
 119-12-061
 119-12-076
 119-12-082
 119-12-083
 119-12-084
 119-13-114 consol. with -058
 119-13-058
 119-13-059

Section 2. That the terms of the development agreement as outlined in the Executive Summary and governing the sale of parcels in phases, File No. 1697-12-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation shall not be changed without additional legislative authority, and are approved in all respects.

Section 3. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that the properties described in Section 1 of this ordinance are no longer needed for public use.

Section 4. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the Land Reutilization Program parcels described in Section 1 of this ordinance.

Section 5. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described properties to the Redeveloper at a price not less than fair market value as determined by the Board of Control, taking into account all restrictions, reversionary interests and similar encumbrances placed by the City of Cleveland in the deed of conveyance.

Section 6. That the conveyance shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain necessary provisions, including restrictive reversionary interests as may be specified by the Board of Control or Director of Law, which shall protect the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted project-related identification signs.

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

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

Ord. No. 1698-12.
By Council Member Kelley (by departmental request).

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

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

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

Section 1. That the Director of Finance, on behalf of the Cleveland Municipal Court, is authorized to enter into one or more contracts with Court Community Service for professional services necessary to arrange community service for persons the Court refers for a period of one year, commencing January 1, 2013, with one (1) option, exercisable by the Director of Finance, to renew for an additional one-year term. The cost of the contract shall not exceed \$266,000, and if the option is exercised, the cost for the optional year shall not exceed \$271,000.

Section 2. That the Director of Finance, on behalf of the Cleveland Municipal Court, is authorized to enter into one or more contracts with Court Community Service for professional services necessary to arrange community service for persons the Court refers in the Cleveland Work Crew Program for a period of one year, commencing January 1, 2013, with one (1) option, exercisable by the Director of Finance, to renew for an additional one-year term, and cancelable on thirty days' written notice by the director. The cost of the contract shall not exceed \$153,000, and if the option is exercised, the cost for the optional year shall not exceed \$156,500.

Section 3. The cost of the contracts shall be paid from Fund No. 01-0115-6320, RQS 0115, RL 2012-65.

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

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

Ord. No. 1699-12.
By Council Members Cimperman Brancatelli and Kelley (by departmental request).

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

Whereas, under Ordinance No. 1823-92, passed October 12, 1992, and Ordinance No. 2209-88, passed October 17, 1988, this Council authorized the execution of any and all contracts required by the UDAG grant award, including the execution of Contract No. 49231 with JF West St. Clair Limited Liability Company ("JF West") for the rehabilitation of three historic buildings on the north side of St. Clair Avenue between West 6th Street and West 9th Street in the Warehouse District and the execution of Contract No. 46470 with Nautica Peninsula Land Limited Partnership ("Nautica") for the renovation of the Brewer-Chilcote Building at 1231 Main Avenue and the American Vineyard Building at 2220 Center Street in the Flats District; and

Whereas, Jacobs Investments, Inc. ("Jacobs") desires to assume both UDAG loans from JF West and Nautica to undertake the repayment obligations of both JF West and Nautica under the contracts and to provide their corporate guarantee as additional collateral; and

Whereas, JF West, Nautica, and Jacobs have requested consent of the City to the assumption of Contract No. 49231 with JF West and Contract No. 46470 with Nautica; and

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

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

Section 1. That the Director of Economic Development is authorized to consent to the request of Jacobs and JF West for Jacobs to assume the loan repayment obligations of JF West, UDAG Contract No. 49231, as amended, for the rehabilitation of three historic buildings on the north side of St. Clair Avenue between West 6th Street and West 9th Street in the Warehouse District.

Section 2. That the Director of Economic Development is authorized to consent to the request of Jacobs and Nautica for Jacobs to assume the loan repayment obligations of Nautica, UDAG Contract No. 46470, for the renovation of the Brewer-Chilcote Building at 1231 Main Avenue and the American Vineyard Building at 2220 Center Street in the Flats District.

Section 3. That the Director of Economic Development is authorized to execute all documents and do all things necessary and appropriate to

effect the consent to the assumptions of the two loans referenced above, including documents necessary to accept Jacobs' corporate guarantee as the additional collateral on the loans. A copy of each assumption shall be filed in the office of the Commissioner of Accounts.

Section 4. That the amendments shall be prepared by the Director of Law.

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

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

Ord. No. 1700-12.

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

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

Whereas, the current owners of the 425 Lakeside project, 425 Lakeside Avenue Limited Partnership ("425 Lakeside"), have requested the opportunity to prepay the \$1,649,445.00, two percent (2%) interest loan (Contract No. 46868, as amended) at its net present value determined by discounting by a rate of nine and seventy-five percent (9.75%) the principal payment due December 31, 2017; and

Whereas, the current owners of the Hoyt Block II project, JF West St. Clair Limited Liability Company, a designee of Hoyt Block II Limited Partnership ("JF West"), have requested the opportunity to prepay the \$1,335,906.62, three percent (3%) interest loan (Contract No. 48736) at its net present value determined by discounting by a rate of nine and seventy-five percent (9.75%) the principal payment due January 1, 2026; and

Whereas, this ordinance allows the Department of Economic Development to use the lump sum repayments for other City programs or neighborhood housing projects in need of financial assistance; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, safety, property and welfare, in that its enactment is a necessary prerequisite to providing immediate assistance to create and preserve job opportunities and advance and promote commercial and economic development in the City of Cleveland, now therefore

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

Section 1. That the Director of Economic Development is authorized to enter into an amendment to Contract No. 46868 with 425 Lakeside, to accept a discounted prepayment of the UDAG.

Section 2. That the Director of Economic Development is authorized to accept on behalf of the City, a discounted prepayment from 425 Lakeside to be paid to the City, in an amount equal to the net present value of the loan using a discount rate equal to nine and seventy-five percent (9.75%) in full satisfaction of its loan of \$1,649,445.00 due December 31, 2017, which loan originally was made to partially finance the development of the 425 Lakeside project in the Warehouse District. That the Director of Economic Development is authorized to file all papers and execute all documents necessary to receive the funds under the prepayment.

Section 3. That the Director of Economic Development is authorized to enter into an amendment to Contract No. 48736 with JF West, to accept a discounted prepayment of the UDAG.

Section 4. That the Director of Economic Development is authorized to accept on behalf of the City, a discounted prepayment from JF West to be paid to the City, in an amount equal to the net present value of the loan using a discount rate equal to nine and seventy-five percent (9.75%) in full satisfaction of its loan of \$1,335,906.62 due January 1, 2026, which loan originally was made to partially finance the development of the Hoyt Block II project in the Warehouse District. That the Director of Economic Development is authorized to file all papers and execute all documents necessary to receive the funds under the prepayment.

Section 5. That the amendments authorized by this ordinance shall be prepared by the Director of Law and shall contain terms and conditions that the director deems necessary to protect and benefit the public interest.

Section 6. That the Director of Economic Development is authorized to release any and all collateral taken to secure repayments of the two UDAG loans and to execute all documents necessary to release the collateral of the loans. Any release of security instruments shall be prepared and approved by the Director of Law.

Section 7. That the Director of Economic Development is authorized to deposit the prepayments into Fund No. 17 SF 006.

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

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

Ord. No. 1701-12.

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

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

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 following sections:

Sections 33 of Ordinance No. 1689-11, passed November 28, 2011; and

Section 56 of Ordinance 1689-11, passed November 28, 2011, as amended by Ordinance No. 610-12, passed May 21, 2012, and Ordinance No. 1537-12, passed November 12, 2012, are amended to read as follows:

Section 33. That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Airport Maintenance Superintendent.....	\$20,092.80	\$63,135.10
2. Assistant Commissioner of Recreation.....	20,092.80	71,750.00
3. Assistant Contract Compliance Officer.....	20,092.80	56,847.22
4. Assistant Income Tax.....	20,092.80	56,847.22
5. Assistant Manager of Audit Control and Personnel....	20,092.80	58,837.68
6. Assistant Manager of Recreation.....	20,092.80	56,847.22
7. Auditor.....	20,092.80	58,837.68
8. Chief of the Demolition Bureau.....	20,092.80	56,847.22
9. City Planner.....	30,000.00	60,707.77
10. Deputy Commissioner of Recreation-Fiscal Control.....	20,092.80	71,750.00
11. Deputy Project Director.....	20,092.80	62,836.42
12. Desktop Publishing Specialist.....	20,231.40	58,115.49

13.	District Supervisor - Environmental Health	20,092.80	60,707.77
14.	Income Tax Supervisor.....	20,092.80	56,847.22
15.	Office of Professional Standards - Standards Research/Analyst.....	20,092.80	56,847.22
16.	Recreation Center Manager.....	32,500.00	71,750.00
17.	Senior Tax Auditor	20,092.80	48,837.68
18.	Superintendent of Vehicle Administrative Services.....	20,092.80	70,807.15
19.	Supervisor Administrative Services-Data Processing Center	20,092.80	56,847.22
20.	Welfare Liaison.....	20,092.80	56,847.22

Section 56. Division of Police; Various Positions

The annual salaries of persons appointed to the following classifications within the Division of Police shall be fixed by the Director of Public Safety within the limits established in the following schedules:

	Minimum	Maximum
1. Occupational Medical Director.....	43,107.75	82,687.47
2. Police Stress Consultant	65,000.00	110,000.00
3. Public Safety Information Technology Manager	65,000.00	110,000.00

Section 2. That the following existing sections:

Sections 33 of Ordinance No. 1689-11, passed November 28, 2011; and
Section 56 of Ordinance 1689-11, passed November 28, 2011, as amended by Ordinance No. 610-12, passed May 21, 2012, and Ordinance No. 1537-12, passed November 12, 2012,
are repealed.

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

Referred to Directors of Human Resources, Finance, Law; Committees on Employment, Affirmative Action and Training, Finance.

Ord. No. 1702-12.

By Council Member Kelley (by departmental request).

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

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

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

Section 1. That the Director of Community Relations is authorized to apply for and accept a grant in the approximate amount of \$32,010, and any other funds that may become available during the grant term from Cuyahoga County to conduct the FY 2012 Juvenile Accountability Block Grant Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the Summary for the grant contained in the file described below.

Section 2. That the Summary for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 1702-12-A, is made a part of this ordinance as if fully rewritten, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$3,556.67 from Fund No. 01-0109-6397, is approved in all respects, and shall not be changed without additional legislative authority.

Section 3. That, unless expressly prohibited by the grant agreement, under Section 108(B) of the Charter, purchases made under the grant agreement may be made through cooperative arrangements with other governmental agencies. The Director of Community Relations may sign all

documents and do all things that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process. The contracts will be paid from the fund or funds to which are credited any grant funds accepted under this ordinance.

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

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

Ord. No. 1703-12.

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

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

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 it is declared to be in the public interest that the consent of the City of Cleveland is given to the Director of Transportation of the State of Ohio ("the State") to construct the following improvement under plans, specifications, and esti-

mates approved by the State: resurfacing Triskett Road from Lorain Avenue to West 117th Street and resurfacing Warren Road from Lorain Avenue to Munn Road (the "Improvement").

Section 2. That the City proposes to cooperate with the State in the cost of the Improvement by assuming and contributing the entire cost and expense of the Improvement, less the amount of federal funds allocated by the Federal Highway Administration, United States Department of Transportation. The City agrees to assume one hundred percent (100%) of the cost of preliminary engineering, right-of-way and environmental documentation. Also, the City agrees to assume and contribute 100% of the cost of any items included in the construction contract at the request of the City, which are determined by the State not eligible or made necessary by the Improvement.

Section 3. That the Director of Capital Projects is authorized to enter into one or more agreements with the State necessary to complete the planning and construction of the Improvement, which agreements shall contain terms and conditions that the Director of Law determines shall best protect the public interest.

Section 4. That on completion of the Improvement, the City will:

(a) Maintain the Improvement according to the provisions of the statutes relating thereto and make ample financial and other provisions for the maintenance;

(b) Maintain the right-of-way and keep it free of obstruction in a manner satisfactory to the State and hold the right-of-way inviolate for public highway purposes;

Section 5. (a) That all existing streets and public rights-of-way within the City that are necessary for the Improvement shall be made available.

(b) That the City agrees that all right-of-way required for the described project will be acquired and/or made available under current State and federal regulations. The City also understands that right-of-way costs include eligible utility costs.

(c) That the City, at its own expense, shall make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers, or other City-owned utilities and appurtenances which do not comply with the reimbursement provisions of ODOT Utilities Manual. Publicly-owned facilities which do comply with the reimbursement provisions of the ODOT Utilities Manual will be removed and/or relocated at project expense, exclusive of betterments.

(d) That the installation of all utility facilities, relocation, and reimbursement on the right-of-way shall conform with the requirements of Title 23 CFR 645 and the ODOT Utilities Manual.

Section 6. That the Director of Capital Projects is authorized to enter into contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Improvement and to enter into contracts with the Director of Transportation necessary to complete the above described project. Upon the request of ODOT, the Director of Capital Projects is also authorized to assign all rights, title, and interests of the City to ODOT arising from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

Section 7. That the City agrees that if Federal Funds are used to pay the cost of any consultant contract, the City shall comply with 23 CFR 172 in the selection of its consultant and the administration of the consultant contract. Further, the City agrees to incorporate ODOT's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The City agrees to require, as a scope of services clause, that all plans prepared by the consultant must conform to ODOT's current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the Improvement. The City agrees to include a completion schedule acceptable to ODOT and to assist ODOT in rating the consultant's performance through ODOT's Consultant Evaluation System.

Section 8. That this Council requests the State to proceed with the Improvement.

Section 9. That this Council authorizes payment to the State of the City's share of the Improvement from Fund Nos. 20 SF 380, 20 SF 383, 20 SF 394, 20 SF 500, 20 SF 506, 20 SF 510, 20 SF 520, 20 SF 528, 20 SF 534, 20 SF 540, 20 SF 546, and 52 SF 001, Request No. RQS 0103, RL 2012-182.

Section 10. That the Clerk of Council is authorized and directed to transmit to the State three (3) certified copies of this ordinance immediately on its taking effect, and it shall become the basis for proceeding with the Improvement.

Section 11. That this ordinance is declared to be an emergency measure and, provided it receives the affirma-

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

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

Ord. No. 1704-12.

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

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

Whereas, the Cleveland Metropolitan School District ("School District") owns certain property located at 3552 E. 131st Street, on which formerly existed the Charles Dickens Elementary School, and known as PPN 137-04-068; and

Whereas, the School District owns certain property located at 3030 E. 77th Street, on which currently exists the Anton Grdina Elementary School, and known as PPN 125-19-066; and

Whereas, the City of Cleveland Land Reutilization Program owns certain vacant property located at 2248 W. 53rd Street, and known as PPN 006-16-020; and

Whereas, the Charles Dickens Elementary School site has been determined to be a suitable replacement site for the City of Cleveland Fire Station No. 36; and

Whereas, the City of Cleveland wishes to enter into one or more agreements with the School District and the Cuyahoga Metropolitan Housing Authority ("CMHA") in order to exchange the properties, pursuant to Ohio Revised Code §3313.40, for the public purposes of construction of a new fire station (or other public use), public education, and affordable housing; and

Whereas, the agreements, among other things, will contain provisions that the School District will demolish the old schools, properly compact and seed the sites, and convey the School District properties to the City of Cleveland upon completion of the demolition and site compaction; 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 Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Directors of Public Safety and Community Development and the Commissioner of Purchases and Supplies are authorized to enter into one or more agreements for and on behalf of the City of Cleveland with the Cleveland Metropolitan School District and the Cuyahoga

Metropolitan Housing Authority for the exchange, development, and maintenance of School District-owned properties located 3552 E. 131st Street, known as PPN 137-04-068 (the former Charles Dickens Elementary School site) and 3030 E. 77th Street, known as PPN 125-19-066 (the former Anton Grdina Elementary School site), and to transfer fee title to the City of Cleveland the following described School District-owned properties:

Legal Description of School District's Premises Former Charles Dickens Elementary School located at 3552 E. 131st Street

Legal Description for PPN 137-04-068
Situating in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 453, also known as being all of Sublots Nos. 110 through 118 (inclusive), and Nos. 128 through 136 (inclusive) of the Wm. H. Kelly's Heirs Allotment as shown in Plat Volume 14, Page 30 of the Cuyahoga County Map Records, and morefully bounded and described as follows;

Beginning at the intersection of the centerline of Oakfield Avenue (50 feet wide) (Formally Known As Cannon Street) with the centerline of East 131st Street (60 feet wide) (Formally Known As Windfall Avenue), said intersection being 0.10 feet east of a stone monument found;

Thence South 00° 00' 00" East, 25.00 feet;

Thence South 89° 34' 25" West, 30.00 feet to the intersection of the southerly Right-Of-Way of Oakfield Avenue, as aforesaid, with the westerly Right-Of-Way of East 131st Street, as aforesaid, and the PRINCIPAL PLACE OF BEGINNING of a parcel of land herein described;

Thence South 00° 00' 00" East, along said westerly Right-of-Way, 299.99 feet to an iron pin set at the intersection of said westerly Right-of-Way with the northerly Right-of-Way of Benham Avenue (50 feet wide) (Formally Known As Oxford Street);

Thence South 89° 33' 34" West, along said northerly Right-of-Way, 371.48 feet to an iron pin set at the intersection of said northerly Right-of-Way with the easterly Right-of-Way of East 129th Street (60 feet wide) (Formally Known As Van Buren Avenue);

Thence North 00° 12' 58" West, along said easterly Right-of-Way, 300.08 feet to an iron pin set in the southerly Right-of-Way of Oakfield Avenue, as aforesaid;

Thence North 89° 34' 25" East, along said southerly Right-of-Way, 372.61 feet to an iron pin set and the PRINCIPAL PLACE OF BEGINNING, and containing 2.5626 acres, be the same, more or less, but subject to all legal highways and easements, according to a survey prepared by Louise A. Veverka, dated November 7, 2012.

Bearings are set to an assumed meridian and are based on the centerline of East 131st Street being Due North and are to indicate angles only. All iron pins set are 5/8 inch rebar and capped with yellow caps stamped "Veverka P.S. 7513."

Prior Deeds: Vol. 3747, Page 167; Vol. 3382, Page 558; Vol. 3243, Page 31; Volume 3239, Page 118; Vol. 3233, Page 588; Vol. 3747, Page 167; Vol. 3287, Page 509; Vol. 3089, Page 495;

Vol. 3233, Page 491; Vol. 3342, Page 404; Vol. 3244, Page 323; Vol. 3246, Page 221; Vol. 3239, Page 590; Vol. 3288, Page 587; Vol. 3244, Page 322.

Legal Description of School District's Premises Former Charles Dickens Elementary School located at 3552 E. 131st Street

AUDITOR PERMANENT
PARCEL NUMBER 125-19-066

School Addition Parcel

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original 100 Acre Lot No. 327 and bounded and described as follows:

Beginning in the center line of Trenton Avenue S.E. (50 feet wide), at its intersection with the original center line of East 77th Street (50 feet wide); thence South 0° 26' 18" East, along the Southerly prolongation of said center line of East 77th Street, 98.89 feet to a point of curvature; thence South 89° 33' 42" West, 33.00 feet to the Westerly line of Carson Avenue S.E., proposed (66 feet wide) and the principal place of beginning of the parcel of land herein intended to be described; thence Southwesterly, along the Southeasterly line of Parcel 5-B of land conveyed to the Board of Education of the Cleveland School District, by deed dated August 16, 1958 and recorded in Volume 9412, Page 79 of Cuyahoga County Records, being a curved line deflecting to the right, having a radius of 147.00 feet, a chord which bears South 51° 21' 24.5" West, 231.03 feet, an arc distance of 265.77 feet to a point of tangency; thence North 76° 50' 53" West, along the Southerly line of said Parcel 5-B of land conveyed to the Board of Education of the Cleveland District, 108.54 feet to the Southwesterly corner of said Parcel 5-B of land conveyed to the Board of Education of the Cleveland School District; thence South 0° 25' 58" East, 159.83 feet to a point in the Northerly line of Carson Avenue S.E., proposed, 66 feet wide, distance Easterly (measured along said Northerly line of Carson Avenue S.E., proposed), an arc distance of 345.86 feet from the Easterly end of a curved turnout between said Northerly line of Carson Avenue S.E., proposed, and the Easterly line of East 73rd Street, proposed (60 feet wide); thence Northwesterly along the Northwesterly line of said Carson Avenue S.E. (proposed), being the arc of a circle deflecting to the left, having a radius of 499.00 feet, a chord which bears North 62° 35' 39" East, 190.98 feet, an arc distance of 192.17 feet to a point of tangency; thence North 51° 33' 42" East, along said Northwesterly line of Carson Avenue S.E. (proposed), 48.95 feet to a point of curvature; thence Northeasterly, along said Northwesterly line of Carson Avenue S.E., (proposed), which is the arc of a circle deflecting to the left, having a radius of 203.646 feet, a chord which bears North 25° 33' 42" East, 178.55 feet, an arc distance of 184.82 feet to the principal place of beginning and containing 20,787 square feet (0.4772 Acres) of land, be the same more or less but subject to all legal highways.

Parcel 5-B

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublots Nos. 19, 20, 21, and 22 and parts of Sublots Nos. 23, 24, 25, 26, 27, 104,

105, 106, 107, 108, and 109, and parts of East 75th St. (now vacated) and Trenton Ave. (now vacated) as shown on Whiting and Burts Allotment of part of Original Lot 327 as recorded in Volume 5, Page 6 of Cuyahoga County Records, more particularly bounded and described as follows:

Beginning at a point of intersection of the easterly line of East 75th St., (50 feet wide) with the southerly line of Rouse Ave., S.E., (50 feet wide) extended.

1. Thence north 0°-25'-58" west, along said easterly line of East 75th St., 1.23 feet to a point in the northerly line of Sublot No. 19 in Whiting and Burts Allotment.

2. Thence north 89°-33'-40" east, along said northerly line of Sublots Nos. 19 and 27 of Whiting and Burts Allotment, 262.00 feet to a point in the proposed westerly line of East 77th St. Said point being distant 8.00 feet westerly as measured at right angles from the present westerly line of East 77th St. (now 50 feet wide).

3. Thence south 0°-26'-18" east, along said proposed westerly line which is parallel to and distant 8.00 feet from said present westerly line of East 77th St. (now 50 feet wide), 337.55 feet to a point of curvature, said point being the beginning of the northwesterly line of proposed Garden Valley Ave., S.E.

4. Thence southwesterly, along said northwesterly line of proposed Garden Valley Ave., S.E. (66 feet wide) which is an arc of a circle deflecting to the right and having a radius of 147.00 feet, a chord of 231.03 feet which bears south 51°-21'-24" west, an arc distance of 265.77 feet to a point of tangency.

5. Thence north 76°-50'-53" west, along the northerly line of proposed Garden Valley Ave., S.E., (66 feet wide) 108.54 feet to a point in the center line of East 75th St. (50 feet wide) now vacated.

6. Thence north 0°-25'-58" west, along said center line of East 75th St., now vacated, 453.73 feet to a point in the southerly line of Rouse Ave. (50 feet wide) extended.

7. Thence north 89°-36'-53" east, along said southerly line of Rouse Ave. extended, 25.00 feet to the place of beginning.

Contains 3.0437 Acres.

Section 2. That the agreement or agreements shall also provide for the conveyance by the City to the School District of the following described property located at 2248 W. 53rd Street, known as PPN 006-16-020 (a Land Bank parcel):

Legal Description of City's Land Bank Parcel located at 2248 W. 53rd Street

AUDITOR PERMANENT
PARCEL NUMBER 006-16-020

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio; and being Sublot No. 24 in Crumb and Baslington's re-allotment of Part of Original Brooklyn Township Lot No. 48, as shown by the recorded plat in Volume 5 of Maps, Page 52 of Cuyahoga County Records, and being 36 feet front on the Westerly side of West 53rd Street (formerly Swiss Street) and extending back of equal width 120 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 3. That the agreement or agreements shall also provide for the conveyance by the City to CMHA of

the following described property located at 3030 E. 77th Street, known as PPN 125-19-066 (the former Anton Grdina Elementary School site):

Legal Description of School District's Premises Existing Anton Grdina Elementary School located at 3030 E. 77th Street

AUDITOR PERMANENT
PARCEL NUMBER 125-19-066

School Addition Parcel

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original 100 Acre Lot No. 327 and bounded and described as follows:

Beginning in the center line of Trenton Avenue S.E. (50 feet wide), at its intersection with the original center line of East 77th Street (50 feet wide); thence South 0° 26' 18" East, along the Southerly prolongation of said center line of East 77th Street, 98.89 feet to a point of curvature; thence South 89° 33' 42" West, 33.00 feet to the Westerly line of Carson Avenue S.E., proposed (66 feet wide) and the principal place of beginning of the parcel of land herein intended to be described; thence Southwesterly, along the Southeasterly line of Parcel 5-B of land conveyed to the Board of Education of the Cleveland School District, by deed dated August 16, 1958 and recorded in Volume 9412, Page 79 of Cuyahoga County Records, being a curved line deflecting to the right, having a radius of 147.00 feet, a chord which bears South 51° 21' 24.5" West, 231.03 feet, an arc distance of 265.77 feet to a point of tangency; thence North 76° 50' 53" West, along the Southerly line of said Parcel 5-B of land conveyed to the Board of Education of the Cleveland District, 108.54 feet to the Southwesterly corner of said Parcel 5-B of land conveyed to the Board of Education of the Cleveland School District; thence South 0° 25' 58" East, 159.83 feet to a point in the Northerly line of Carson Avenue S.E., proposed, 66 feet wide, distance Easterly (measured along said Northerly line of Carson Avenue S.E., proposed), an arc distance of 345.86 feet from the Easterly end of a curved turnout between said Northerly line of Carson Avenue S.E., proposed, and the Easterly line of East 73rd Street, proposed (60 feet wide); thence Northwesterly along the Northwesterly line of said Carson Avenue S.E. (proposed), being the arc of a circle deflecting to the left, having a radius of 499.00 feet, a chord which bears North 62° 35' 39" East, 190.98 feet, an arc distance of 192.17 feet to a point of tangency; thence North 51° 33' 42" East, along said Northwesterly line of Carson Avenue S.E. (proposed), 48.95 feet to a point of curvature; thence Northeasterly, along said Northwesterly line of Carson Avenue S.E., (proposed), which is the arc of a circle deflecting to the left, having a radius of 203.646 feet, a chord which bears North 25° 33' 42" East, 178.55 feet, an arc distance of 184.82 feet to the principal place of beginning and containing 20,787 square feet (0.4772 Acres) of land, be the same more or less but subject to all legal highways.

Parcel 5-B

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublots Nos. 19, 20, 21, and 22 and parts of Sublots Nos. 23, 24, 25, 26, 27, 104,

105, 106, 107, 108, and 109, and parts of East 75th St. (now vacated) and Trenton Ave. (now vacated) as shown on Whiting and Burts Allotment of part of Original Lot 327 as recorded in Volume 5, Page 6 of Cuyahoga County Records, more particularly bounded and described as follows:

Beginning at a point of intersection of the easterly line of East 75th St., (50 feet wide) with the southerly line of Rouse Ave., S.E., (50 feet wide) extended.

1. Thence north $0^{\circ}-25'-58''$ west, along said easterly line of East 75th St., 1.23 feet to a point in the northerly line of Sublot No. 19 in Whiting and Burts Allotment.

2. Thence north $89^{\circ}-33'-40''$ east, along said northerly line of Sublots Nos. 19 and 27 of Whiting and Burts Allotment, 262.00 feet to a point in the proposed westerly line of East 77th St. Said point being distant 8.00 feet westerly as measured at right angles from the present westerly line of East 77th St. (now 50 feet wide).

3. Thence south $0^{\circ}-26'-18''$ east, along said proposed westerly line which is parallel to and distant 8.00 feet from said present westerly line of East 77th St. (now 50 feet wide), 337.55 feet to a point of curvature, said point being the beginning of the northwesterly line of proposed Garden Valley Ave., S.E.

4. Thence southwesterly, along said northwesterly line of proposed Garden Valley Ave., S.E. (66 feet wide) which is an arc of a circle deflecting to the right and having a radius of 147.00 feet, a chord of 231.03 feet which bears south $51^{\circ}-21'-24''$ west, an arc distance of 265.77 feet to a point of tangency.

5. Thence north $76^{\circ}-50'-53''$ west, along the northerly line of proposed Garden Valley Ave., S.E., (66 feet wide) 108.54 feet to a point in the center line of East 75th St. (50 feet wide) now vacated.

6. Thence north $0^{\circ}-25'-58''$ west, along said center line of East 75th St., now vacated, 453.73 feet to a point in the southerly line of Rouse Ave. (50 feet wide) extended.

7. Thence north $89^{\circ}-36'-53''$ east, along said southerly line of Rouse Ave. extended, 25.00 feet to the place of beginning.
Contains 3.0437 Acres.

Section 4. That the agreement or agreements authorized above shall be prepared by the Director of Law.

Section 5. That, notwithstanding and as an exception to Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized to purchase the properties described in Section 1 of this ordinance.

Section 6. That the Director of Public Safety is authorized to execute on behalf of the City all necessary documents to acquire the properties described in Section 1 and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition of the property.

Section 7. That the Commissioner of Purchases and Supplies is authorized to convey the property described in Section 2 to the School District by official deed prepared by the Director of Law and signed by the Mayor, which deed will include such restrictive reversionary interests as may be specified by the Director of Community

Development or Director of Law, and shall specifically contain a provision against the erection of any advertising signs or billboards, excepting permitted identification signs, in exchange for \$1.00 payable to the City's Department of Community Development and the School District properties described in Section 1 for conveyance fee of \$161,100 to be paid to the School District plus other consideration determined to be fair market value.

Section 8. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized to convey the former Anton Grdina Elementary School property located at 3030 E. 77th Street and described in Section 1 of this ordinance to CMHA for public use by official deed prepared by the Director of Law and signed by the Mayor for fair market value determined to be \$122,600.

Section 9. That \$38,500 of the costs of the conveyances referred to above shall be paid from Fund Nos. 20 SF 509, 20 SF 539, and 20 SF 545 and \$122,600 shall be paid from the Fund to which the purchase price paid by CMHA in Section 8 above is deposited. (RQS 0103, RL 2012-179)

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

Referred to Directors of Public Safety, Community Development, City Planning Commission, Finance, Law; Committees on Public Safety, Community and Economic Development, City Planning, Finance.

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 1680-12.

By Council Member Westbrook.

An emergency ordinance authorizing the Clerk of Council to amend the agreement between the City of Cleveland and Donn R. Nottage to extend the term of the agreement for Cleveland City Council.

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

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

Section 1. That the Clerk of Council is authorized to amend the agreement between the City of Cleveland and Donn R. Nottage, City Contract No. 2012-077, to extend the term of the agreement to conclude on December 31, 2013.

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

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

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

Ord. No. 1682-12.

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

An emergency ordinance authorizing the Director of Public Utilities to accept the gift of up to sixty energy efficient LED streetlights from Cooper Industries to be installed by the City on West 6th and West 9th between Lakeside and Superior Avenues, for the Department of Public Utilities.

Whereas, Cooper Industries, a long-time lighting supplier for Cleveland Public Power, has indicated a desire to make a gift of up to sixty energy efficient LED streetlights to the City of Cleveland which will be installed by the City on West 6th and West 9th between Lakeside and Superior Avenues; and

Whereas, the donated streetlights feature dimming capabilities that allow the use of adaptive controls to adjust lighting levels remotely; and

Whereas, the donated streetlights will be incorporated into the City's two-year LED Streetlight Pilot Program which was authorized by Ordinance No. 558-11, passed April 25, 2011; and

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

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

Section 1. That the Director of Public Utilities is authorized to accept from Cooper Industries the donation of up to sixty energy efficient LED streetlights which will be installed by the City on West 6th and West 9th between Lakeside and Superior Avenues. The estimated value of the streetlights is \$75,000.

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

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

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

Ord. No. 1683-12.

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

An emergency ordinance authorizing the Directors of Public Utilities and Public Works to enter into a donation agreement to accept the gift of General Electric energy efficient LED lighting systems from the Downtown Cleveland Alliance and Ohio City Incorporated to be installed by the City on Public Square, the West Side Market, and the Market Square area, for the Departments of Public Utilities and Public Works.

Whereas, the Downtown Cleveland Alliance and Ohio City Incorporated have indicated a desire to make a gift of General Electric energy efficient LED lighting systems to be installed by the City on Public Square, the

West Side Market, and the Market Square area; and

Whereas, the donated lighting system to be used on Public Square consists of new energy efficient LED streetlights and pedestrian post-top lights providing more consistent roadway lighting than traditional roadway lighting and enhancing the aesthetics and security in the area; and

Whereas, the donated lighting system to be used at the West Side Market will commemorate the market's 100th anniversary and will illuminate the exterior facings of the building and the clocktower; the donation will also include streetlights on Lorain Avenue to West 26th Street and all of Market Square as well as pedestrian lights; and

Whereas, it is estimated that the General Electric lighting systems will reduce the existing electric consumption by 50% over twelve years and reduce maintenance costs; and

Whereas, the energy efficient LED lighting systems will be incorporated into the City's two-year LED Streetlight Pilot Program which was authorized by Ordinance No. 558-11, passed April 25, 2011; and

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

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

Section 1. That the Directors of Public Utilities and Public Works are authorized to enter into a donation agreement with the Downtown Cleveland Alliance and Ohio City Incorporated to accept the donation of General Electric energy efficient LED lighting systems from the Downtown Cleveland Alliance and Ohio City Incorporated to be installed by the City on Public Square, the West Side Market, and the Market Square area. The estimated total value of the lighting systems is \$205,000.

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

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

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

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

Ord. No. 1684-12.

By Council Member Sweeney.

An emergency ordinance to amend Section 367.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 365-81, passed July 6, 1981, relating to non-compliance with notice; vacation of premises; board and demolition of premises.

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

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

Section 1. That Section 367.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 365-81, passed July 6, 1981, is amended to read as follows:

Section 367.05 Noncompliance with Notice; Vacation of Premises; Board and Demolition of Premises

(a) Whenever the owner, agent or person in charge of a dwelling structure or premises fails, neglects or refuses to comply with a notice of the Commissioner of Building and Housing, the Commissioner may issue a notice ordering the structure or premises concerned to be vacated, or he or she may advise the Director of Law of the circumstances and request the Director to institute an appropriate action of law to compel a compliance, or both.

(b) Whenever the owner or agent or person in charge of a dwelling structure or premises fails, neglects or refuses to comply with a notice to vacate issued by the Commissioner, the Commissioner may request the Director of Public Safety to enforce the orders of such notice of vacation and cause the structure to be vacated in accordance with the terms of such notice.

(c) Whenever the Commissioner has made the determination that a dwelling structure or premises constitutes a public nuisance in that the structure or premises is injurious to the public health, safety and welfare, and the owner, agent or person in charge of such structure fails, neglects or refuses to comply with a notice of violation ordering such structure to be demolished or boarded, or the violations corrected, the Commissioner may take necessary action to demolish or effectively board such structure in accordance with the procedure and requirements set forth in Section 3103.09 or take such other action as may be necessary to abate the nuisance. The Commissioner shall give written notice in conformance with the procedures set forth in this Housing Code for the service of notice of violation informing the owner or agent, mortgagee of record, lessee of record or lien holder of record of the City's intention to demolish or effectively board such structure at least thirty (30) days prior to such intended action by the City.

Section 2. That existing Section 367.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 365-81, passed July 6, 1981, is repealed.

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

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

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

Ord. No. 1705-12.

By Council Member Westbrook.

An emergency ordinance authorizing the Clerk of Council to enter into an agreement with Thunder Tech for the professional services necessary to provide ongoing improvements and upgrades to the existing Cleveland City Council website, to create digital records for the City Record and to provide internet and intranet hosting and maintenance for Cleveland City Council.

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

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

Section 1. That the Clerk of Council is authorized to enter into an agreement with Thunder Tech for the professional services necessary to provide ongoing improvements and upgrades to the existing Cleveland City Council website, to create digital records for the City Record and to provide internet and intranet hosting and maintenance for Cleveland City Council, as set forth in Thunder Tech's Statement of Work for 2013.

The cost of all services under this agreement shall not exceed \$30,000 and shall be paid for from fund 11-006.

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

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

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

Ord. No. 1706-12.

By Council Member K. Johnson and Mitchell.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into an agreement with the Buckeye Area Development Corporation for the Senior Landscaping and Snow Removal Program through the use of Ward(s) 4 and 6 Neighborhood Capital Funds.

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

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

Section 1. That the Director of the Department of Community Development be authorized to enter into an agreement with the Buckeye Area Development Corporation effective November 26, 2012 for the Senior Landscaping and Snow Removal Program for the public purpose of providing landscaping and snow removal services to senior citizens and disabled residents that reside in the city of Cleveland through the use of Ward(s) 4 and 6 Neighborhood Capital Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$51,000 and shall be paid from Fund No. 10 SF 177.

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

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

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

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

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 1681-12.

By Council Member Conwell.

An emergency resolution requesting that the State of Ohio legislature consider increasing the penalty for failing to stop for a stopped school bus.

Whereas, under the law of the state of Ohio, a driver of a motor vehicle must stop at least ten feet from the front or rear of a school bus that is stopped in order to board or discharge school children; and

Whereas, the penalty for violation of this provision may be a fine of not to exceed \$500 dollars; the person to whom a citation is issued cannot waive the right to contest the citation, but must appear in person in court to answer the charge; and

Whereas, in addition, the court may impose a class seven suspension of the offender's driver's license; and

Whereas, in order for judges to be better able to mete out punishments that fit the violation, and because the safety of our school children should be our highest priority, this Council asks the legislature to consider increasing the penalty for failing to stop for a stopped school bus to a first degree misdemeanor so that the fine may be one of up to \$1,000 and that there is the possibility of up to 6 months jail time; and

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

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

Section 1. That this Council hereby requests that the State of Ohio legislature consider increasing the penalty for failing to stop for a stopped school bus.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to all member of the legislature of the State of Ohio.

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

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

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

Res. No. 1707-12.

By Council Member Cimperman.

An emergency resolution objecting to the transfer of ownership and location of a D1, D2, D3, and D3A Liquor Permit to 710 Jefferson Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of

ownership and location of a D1, D2, D3 and D3A Liquor Permit from Santiago Sanchez Entertainment Group LLC, 5004 Storer Avenue, Cleveland, Ohio 44102, Permanent Number 7709514 to Mazel Tov Cocktail LLC, DBA The Spotted Owl, 710 Jefferson Avenue, Cleveland, Ohio 44113, Permanent Number 5687120; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership and location of a D1, D2, D3 and D3A Liquor Permit from Santiago Sanchez Entertainment Group LLC, 5004 Storer Avenue, Cleveland, Ohio 44102, Permanent Number 7709514 to Mazel Tov Cocktail LLC, DBA The Spotted Owl, 710 Jefferson Avenue, Cleveland, Ohio 44113, Permanent Number 5687120; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 1362-12.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to acquire property from Steelyard Commons LLC and the State of Ohio at Quigley Road and Steelyard Commons Drive to finalize right-of-way dedications at Steelyard Commons; authorizing the Director of Capital Projects to execute a deed of easement granting to Steelyard Commons LLC certain easement rights in property located in Quigley Road and Steelyard Commons Drive, and declaring that the easement rights granted are not needed for the City's public use; and authorizing agreements for other land donations among parties that are necessary to finalize right-of-way dedications at Steelyard Commons.

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

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

Ord. No. 1418-12.

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

An emergency ordinance to amend the title and Sections 1, 2, and 3 of Ordinance No. 399-12, passed May 14, 2012, relating to the Walworth Road Infrastructure Improvement.

Directors of Capital Projects, Economic Development, Finance, Law; Passage recommended by Committees on Public Service, Community and Economic Development, Finance.

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

Ord. No. 1459-12.

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

An emergency ordinance to repeal Section 4 of Ordinance No. 407-12, passed March 26, 2012, in order to repeal a sunset expiration of Section 680.051 regarding exceptions to newspaper dispensing devices; and to renumber existing Section 5 to new Section 4.

Approved by Directors of City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Passage recommended by Committees on Legislation, Finance.

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

Ord. No. 1490-12.

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the

Sisters of Charity Foundation for the 2013 Baby Basics Initiative Program; and authorizing the Director to enter into contracts with other agencies or entities to implement the grant.

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

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

Ord. No. 1534-12.

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Cuyahoga County Board of Health for the 2013 Immunization Action Plan Program; authorizing the Director to charge and accept fees for this program; and authorizing one or more agreements with Medicaid and Medicaid HMOs for the City to receive payments.

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

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

Ord. No. 1592-12.

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

An emergency ordinance authorizing the Director of Community Development to make alterations and modifications in Contract No. CT 4004 PI 2011-044 with Fabrizi Trucking & Paving, Inc. for improvements to the Morgana Run Subdivision Phase 1 Project/East 71st Street (Aetna-Broadway), for the Department of Community Development.

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

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

Ord. No. 1598-12.

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

An emergency ordinance authorizing the Director of Community Development to enter into an amendment to Contract No. 65607 with PLV Associates, L.P. and any collateral documents for the rehabilitation of Park Lane Villa apartments at 10510 Park Lane, to amend the repayment terms of the loan.

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

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

Ord. No. 1602-12.

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

An emergency ordinance authorizing the amendment to certain documents relating to a loan made by the

City to assist in the redevelopment of the former Longwood Apartments pursuant to Ordinance No. 1574-2000 passed September 25, 2000 and authorizing related matters.

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

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

Ord. No. 1648-12.

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

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

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

1. In Section 1, at amended section 343.23(e)(1)D., strike lines 1, 2 and 3 in their entirety and insert "D. Any business served by a drive-through lane providing access to windows or other facilities at which food or merchandise can be ordered or picked up, or business can be transacted by a person in a motor vehicle."

2. In Section 1, at amended section 343.23(k), strike line 4 in its entirety and insert "PRO District, the Board shall consider the following factors based, in part, on a traffic study performed by the applicant:"

3. In Section 1, at amended section 343.23(k)(2), strike lines 1, 2 and 3 in their entirety and insert "(2) the anticipated proportion of drive-through customer transactions to all transactions at the business, with over fifty percent (50%) of drive-through transactions indicating that the business is an inappropriate use for a Pedestrian Retail District."

4. Insert new Section 3 to read as follows:

"Section 3. That unless this Council authorizes, through additional legislative authority, the continuation of the authority granted in this ordinance to amended Section 343.23 before December 3, 2014, then the following Section 343.23 shall be enacted as follows:

Section 343.23 Pedestrian Retail Overlay (PRO) District

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

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

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

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

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

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

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

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

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

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

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

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

B. Filling and service stations;

C. Car washes; and

D. A driveway or driveways providing the only vehicular access to or from a drive-through facility.

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

A. Off-street parking or loading areas;

B. Driveways extending across a public sidewalk;

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

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

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

F. A building with an interior side yard more than four (4) feet in

width and located within forty (40) feet of a Pedestrian Retail Frontage.

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

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

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

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

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

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

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

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

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

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

B. Placement of the pedestrian entrance in a location other than on the Pedestrian Retail Street Frontage will result in more suitable pedestrian access.

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

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

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

(1) *Front Street Yard.* No main building on a lot abutting a Pedestrian Retail Street Frontage shall be set back more than five (5) feet from the Pedestrian Retail Street

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

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

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

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

(i) *Parking.* In recognition of the expected greater use of public transit, bicycles and walking by customers and employees traveling to PRO Districts, the minimum number of parking spaces otherwise required by the Zoning Code shall be reduced by thirty-three percent (33%) for retail business uses in the districts. The Board of Zoning Appeals may further reduce parking requirements where it has been demonstrated that additional parking is available in common or shared parking facilities or in on-street parking areas located within a reasonable walking distance of the use, given the nature of the use and the district. The Board shall also consider factors as the number of bicycle racks available in proximity to a use. In making its determination, the Board shall be guided by an up-to-date analysis of parking supply and demand and other relevant factors submitted by or on behalf of the applicant. The City Planning Commission shall maintain a file of all such parking analyses submitted for properties in each PRO District.

(j) *Signs in the Public Street Right-of-Way.* An ordinance to map a PRO District in a particular location may include permission to place private signs in the public street right-of-way under the regulations of Chapter 512 of the Codified Ordinances. Such provision shall be included in the PRO designation only if it is determined, on the basis of a survey and analysis conducted by the City Planning Commission,

that the particular PRO District is characterized by a preponderance of restaurants and small independent stores for which signs placed near the street curb would provide useful information to pedestrians seeking goods and services and would enhance the pedestrian-oriented image of the district. Any PRO District designated for display of signs in the street right-of-way shall be shown on the Zoning Map as a "PRO-S" District, with "S" noting the presence of special sign provisions. No sign permitted by these provisions shall be displayed without design approval of the sign's structure and permanent elements by the City Planning Commission, or where applicable, by the Landmarks Commission.

(k) *Variances.* The Board of Zoning Appeals may grant variances to requirements of this section under the applicable criteria stated in Chapter 329 of this code.

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

5. Renumber existing Section 3 to new "Section 4".

Amendments agreed to.

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

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

SECOND READING EMERGENCY RESOLUTION ADOPTED

Res. No. 1365-12.

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

An emergency resolution supporting the American Lung Association in its campaign to protect the Clean Air Act, urging the U.S. Environmental Protection Agency to fully employ and enforce the Clean Air Act, and opposing all attempts to weaken, delay or otherwise prevent the EPA from enforcing the Clean Air Act.

Approved by Directors of Public Health, Finance, Law; Adoption recommended by Committees on Health and Human Services, Finance, when amended, as follows:

1. In the 6th Whereas clause, line 1, strike "Particular" and insert "Particulate".

2. In Section 2, line 2 after "resolution", insert "along with the testimony handout contained in File No. 1365-12-A".

Amendments agreed to.

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

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

MOTION

By Council Member Kelley, seconded by Council Member Conwell and unanimously carried that the absence of Council Members Martin

J. Sweeney and TJ Dow be and is hereby authorized.

MOTION

The Council Meeting adjourned at 8:05 p.m. to meet on Monday, December 3, 2012 at 7:00 p.m. in the Council Chambers.



Patricia J. Britt
City Clerk, Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

November 21, 2012

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, November 21, 2012 at 10:42 a.m. with Director Langhenry presiding.

Present: Directors Langhenry, Withers, Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

Absent: Mayor Jackson, Directors Dumas and Flask.

Others: L. Peculis, Acting Director, Office of Equal Opportunity.

Jim Hardy, Commissioner, Purchases & Supplies.

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

Resolution No. 610-12.

By Director Dumas.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 735-12, passed by the Council of the City of Cleveland on June 4, 2012, MCPc, Inc. is selected from a list of firms determined after a full and complete canvass by the Director of Finance as the firm to be employed by contract to supplement the regularly employed staff of several departments of the City of Cleveland to perform the professional services necessary to update and improve network infrastructure, and to acquire various software licenses, peripheral ancillary devices, telecommunications, and City-wide applications, for a period not to exceed one year, for the Division of Information Technology and Services, Department of Finance.

Be it further resolved that the Director of Finance is authorized to enter into contract with MCPc, Inc., based on its proposal dated September 7, 2012, 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 \$326,749.50, 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 subcontractors by MCPc, Inc., for the above-mentioned professional services is approved:

<u>SUBCONSULTANTS</u>	<u>WORK PERCENTAGE</u>
Avvenire Solutions, LLC	\$78,410.00 24.00%
DeVore Technologies, Inc. (CSB/FBE)	\$33,080.00 10.12%

Yeas: Directors Langhenry, Withers, Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Flask.

Resolution No. 611-12.

By Director Dumas.

Resolved, by the Board of Control of the City of Cleveland that the bid of Tenable Security Protective Services, Inc., for an estimated quantity of unarmed uniformed security services, all items, for the various divisions of City government, Department of Finance, for a period of two years beginning with the date of execution of a contract, received on November 7, 2012, under the authority of Ordinance No. 650-12 passed by Cleveland City Council on May 21, 2012, which on the basis of the estimated quantity would amount to \$2,157,552.24, 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.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Tenable Security Protective Services, Inc. for the above-mentioned service is hereby approved:

Security Management dba Royce	CSB/MBE/FBE — 52.707% \$1,137,182.60
Icon Investigators Security Inc.	CSB/MBE/FBE — 14.702% \$317,202.74

Yeas: Directors Langhenry, Withers, Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Flask.

Resolution No. 612-12.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 358-11, passed by the Council of the City of Cleveland on April 25, 2011, URS Corporation is selected from a

list of firms determined after a full and complete canvass by the Director of Public Utilities as the firm to be employed by contract to provide professional services necessary to perform general engineering services for the Division of Water Pollution Control, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities is authorized to enter into a contract with URS Corporation based upon its proposal dated June 28, 2012, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services as described in the proposal, for an aggregate fee not in excess of \$297,794.78, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following sub-consultants by URS Corporation for the above-mentioned professional services is approved:

<u>SUBCONSULTANT</u>	<u>CSB/MBE/FBE WORK</u>
Ralph Tyler Companies	CSB/MBE \$ 7,877.80 (2.65%)
Somat Engineering	CSB/MBE \$ 14,695.00 (4.93%)
Mid-America Consulting	CSB/MBE \$48,730.00 (16.36%)
AAA Flexible Pipe Cleaning	CSB/FBE \$93,050.00 (31.25%)
Regency Construction	CSB/FBE \$ 3,290.00 (1.10%)
EdArch Associates	CSB/MBE \$ 3,321.50 (1.12%)

Yeas: Directors Langhenry, Withers, Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Flask.

Resolution No. 613-12.

By Director Withers.

Whereas, Board of Control Resolution No. 523-12, adopted October 10, 2012, authorized the Director of Public Utilities to enter into contract with Professional Electric Products Co. dba PEPCO, for an estimated quantity of PVC and FRE ductline materials, including but not limited to conduit, fittings, elbows, spacers, expanders, reducers, adhesives and related materials necessary to construct electrical ductlines, Group A, all items, Group B, all items, Group C, all items, Group D, all items, Group E, all items, Group F, all items, Group G, all items, Group H, all items, Group I, all items, Group J, all items, Group K, all items, Group L, all items, Group M, all items, Group N, all items, Group O, all items, and Group Q, all items, for the Division of Cleveland Public Power, Department of Public Utilities; and

Whereas, by its November 5, 2012 letter, Professional Electric Products Co. notified the City that because of the amount of time

elapsed since it submitted its bid, its bid prices were outdated and it could no longer honor them; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that Board of Control Resolution No. 523-12, adopted October 10, 2012, affirming and approving the bid of Professional Electric Products Co. as lowest and best for Group A, all items, Group B, all items, Group C, all items, Group D, all items, Group E, all items, Group F, all items, Group G, all items, Group H, all items, Group I, all items, Group J, all items, Group K, all items, Group L, all items, Group M, all items, Group N, all items, Group O, all items, and Group Q, all items is rescinded.

Be it further resolved, that all bids received on February 2, 2012, for the above-listed items of PVC and FRE ductline materials, including but not limited to conduit, fittings, elbows, spacers, expanders, reducers, adhesives and related materials necessary to construct electrical ductlines for the Division of Cleveland Public Power, Department of Public Utilities, under the authority of Ordinance No. 362-11, passed May 9, 2011, are rejected.

Yeas: Directors Langhenry, Withers, Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Flask.

Resolution No. 614-12.

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of Ordinance No. 499-10, as amended by Ordinance Nos. 1624-10 and 1435-11, passed by the Council of the City of Cleveland on June 7, 2010, December 6, 2010 and October 31, 2011, respectively, the firm of Science Applications International Corporation ("Consultant"), is selected upon the nomination of the Director of Port Control from a list of qualified persons or firms determined after a full and complete canvass by the Director of Port Control as the firm of consultants available to be employed by contract to supplement the regularly employed staff of the several departments of the City to provide professional services necessary to comply with local, state and federal environmental requirements necessary to maintain operating status and to avoid penalties for non-compliance at Cleveland Hopkins International Airport, Burke Lakefront Airport and the Division of Harbors for a period of two years, with two one-year options to renew, for the Department of Port Control.

Be it further resolved that the Director of Port Control is authorized to enter into a written contract with Science Applications International Corporation for the above-mentioned services, based upon its proposal dated June 27, 2012, which contract shall be prepared by the Director of Law, shall provide that the compensation to Science Applications International Corporation for the services authorized shall not exceed \$900,000.00 and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subconsultants by Science Applications International Corporation is approved:

<u>Subconsultants</u>	<u>Percentage</u>	<u>Amount</u>
Eden Environmental, Inc.	20.00%	CSB/FBE \$180,000.00
Water & Wastewater Laboratories, Inc.	1.67%	CSB/FBE \$15,000.00
Mac Paran Consulting Service, Inc.	0.56%	CSB/FBE \$ 5,000.00
G & T Associates, Inc.	0.56%	CSB/MBE \$ 5,000.00
AKE Environmental, Inc.	1.11%	Non CSB/MBE/FBE \$10,000.00
TestAmerica Laboratories, Inc.	2.77%	Non CSB/MBE/FBE \$25,000.00
KS Associates, Inc.	0.22%	Non CSB/MBE/FBE \$ 2,000.00

Yeas: Directors Langhenry, Withers, Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Flask.

Resolution No. 615-12.

By Director Smith.

Resolved, by the Board of Control of the City of Cleveland that the bid of Tri-Dim Filter Corporation, for an estimated quantity of air filters, Items 1 (b-c), (h), (r), and (w), 2 (a) and (h), 3 (l) and 6, for the various divisions of the Department of Port Control, for a period of two years beginning with the date of execution of a contract, received on May 23, 2012, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to \$20,463.18, is affirmed and approved as the lowest and best bid, and the Director of Port Control is requested to enter into a requirement contract for the goods and services necessary for the specified items.

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

Yeas: Directors Langhenry, Withers, Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Flask.

Resolution No. 616-12.

By Director Rush.

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

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 126-20-011 located at Grand Avenue in Ward 6; and

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

Whereas, the Cuyahoga County Land Reutilization Corporation has proposed to the City to purchase and develop the parcel for redevelopment; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Cuyahoga County Land Reutilization Corporation for the sale and development of Permanent Parcel No. 126-20-011 located at Grand Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Withers, Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Flask.

Resolution No. 617-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 002-32-159 (Southerly Portion) located at 1942 West 42nd Street in Ward 15; and

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

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

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Stephen J. Cabot for the sale and development of Permanent Parcel No. 002-32-159 (Southerly Portion) located at 1942 West 42nd Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Withers, Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Flask.

Resolution No. 618-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 002-32-159 (Northerly Portion) located at 1942 West 42nd Street in Ward 15; and

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

Whereas, Earl R. Meacher has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

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

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

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

Deed for and on behalf of the City of Cleveland, with Earl R. Meacher for the sale and development of Permanent Parcel No. 002-32-159 (Northerly Portion) located at 1942 West 42nd Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Withers, Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Flask.

Resolution No. 619-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 104-10-077 located at 1444 East 52nd Street in Ward 8; and

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

Whereas, Quintin Carranza and Norma F. Carranza have proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 8 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Quintin Carranza and Norma F. Carranza for the sale and development of Permanent Parcel No. 104-10-077 located at 1444 East 52nd Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Withers, Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Flask.

Resolution No. 620-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 120-22-102 located at 11816 Ashbury Avenue in Ward 9; and

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

Whereas, Seante Renee Holden has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 9 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Seante Renee Holden for the sale and development of Permanent Parcel No. 120-22-102 located at 11816 Ashbury Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Withers, Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Flask.

Resolution No. 621-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 104-14-114 located on East 58th Street in Ward 7; and

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

Whereas, Christine Holmes and Samantha Foster have proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 7 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Christine Holmes and Samantha Foster for the sale and development of Permanent Parcel No. 104-14-114 located on East 58th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Withers, Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Flask.

Resolution No. 622-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 120-03-127 located at 1355 East 110th Street in Ward 9; and

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

Whereas, Shirley Hope and Londria Hope have proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 9 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and

Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Shirley Hope and Londria Hope for the sale and development of Permanent Parcel No. 120-03-127 located at 1355 East 110th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Withers, Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Flask.

Resolution No. 623-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 118-26-048 located at 2246 East 78th Street in Ward 5; and

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

Whereas, Gennie Houston has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 5 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Gennie Houston for the sale and development of Permanent Parcel No. 118-26-048 located at 2246 East 78th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Withers, Smith, Cox, Butler, Rush,

Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Flask.

Resolution No. 624-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 107-12-034 located at 1378 East 92nd Street in Ward 7; and

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

Whereas, Wanda Hudson has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 7 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Wanda Hudson for the sale and development of Permanent Parcel No. 107-12-034 located at 1378 East 92nd Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Withers, Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Flask.

Resolution No. 625-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel Nos. 124-30-057 and 124-30-058 located on Minnie Avenue in Ward 5; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commis-

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

Whereas, Bernard W. Hudson and Sharon D. Hudson have proposed to the City to purchase and develop the parcels for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 5 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, Bernard W. Hudson and Sharon D. Hudson for the sale and development of Permanent Parcel Nos. 124-30-057 and 124-30-058 located on Minnie Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcels shall be \$2.00, which amount is determined to be not less than the fair market value of the parcels for uses according to the program.

Yeas: Directors Langhenry, Withers, Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Flask.

Resolution No. 626-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 120-10-071 located at 1444 East 118th Street in Ward 9; and

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

Whereas, Sharon Kidd has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 9 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Sharon Kidd for the sale and development of Permanent Parcel No. 120-10-071 located at 1444 East 118th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Withers, Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Flask.

Resolution No. 627-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 143-13-109 (Westerly Portion) located at 16813 Langley Avenue in Ward 1; and

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

Whereas, Roderick A. Mitchell has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Roderick A. Mitchell for the sale and development of Permanent Parcel No. 143-13-109 (Westerly Portion) located at 16813 Langley Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$1.00, which amount is

determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Directors Langhenry, Withers, Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Flask.

Resolution No. 628-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 143-13-109 (Easterly Portion) located at 16813 Langley Avenue in Ward 1; and

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

Whereas, Sylvia Pointer has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Sylvia Pointer for the sale and development of Permanent Parcel No. 143-13-109 (Easterly Portion) located at 16813 Langley Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Withers, Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Flask.

Resolution No. 629-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 133-16-077 located at 7919 Spafford Road in Ward 12; and

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

Whereas, Gwendolyn Penamon has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Gwendolyn Penamon for the sale and development of Permanent Parcel No. 133-16-077 located at 7919 Spafford Road, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Withers, Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Flask.

Resolution No. 630-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 119-29-086 located at 2220 East 85th Street in Ward 6; and

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

Whereas, Rosemarie Phillips has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 6 has approved the proposed

sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Rosemarie Phillips for the sale and development of Permanent Parcel No. 119-29-086 located at 2220 East 85th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Withers, Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Flask.

Resolution No. 631-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 133-20-072 located at 3845 East 72nd Street in Ward 12; and

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

Whereas, Norman E. Shipley, Sr. has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

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

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

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

of Cleveland, with Norman E. Shipley, Sr. for the sale and development of Permanent Parcel No. 133-20-072 located at 3845 East 72nd Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Withers, Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Flask.

Resolution No. 632-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 137-21-002 located at 12004 Revere Avenue in Ward 2; and

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

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

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Pamela M. Smith for the sale and development of Permanent Parcel No. 137-21-002 located at 12004 Revere Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Withers, Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Flask.

Resolution No. 633-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 109-02-147 located at 9209 Pierpont Avenue in Ward 8; and

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

Whereas, David L. Spicer and Deloris L. Spicer have proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 8 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with David L. Spicer and Deloris L. Spicer for the sale and development of Permanent Parcel No. 109-02-147 located at 9209 Pierpont Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Withers, Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Flask.

Resolution No. 634-12.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 119-27-030 located at 2258 East 81st Street in Ward 6; and

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

Whereas, Catherine Wright-Tarver has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Catherine Wright-Tarver for the sale and development of Permanent Parcel No. 119-27-030 located at 2258 East 81st Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Withers, Smith, Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Flask.

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, DECEMBER 10, 2012

9:30 A.M.

Calendar No. 12-189: 2277 East 49th Street (Ward 5)

Farid Elabed and Fatima Lange, owners, appeal under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Ohio Code of Ordinances from a decision of the Commissioner of Assessments and Licenses as authorized under Section 209.05 to file a written return to the County Auditor for a decision of the Commissioner of Park Maintenance and Properties, to certify the costs of abatement services in the sum of \$92.58 for a vacant lot at 2277 East 49th Street, Permanent Parcel Number 103-24-063, and to allow the costs to become a lien on the property and to be collected in the same manner as other taxes and returned to the City general fund in accordance with Ohio Revised Code Chapter 731.

Calendar No. 12-190: 2256 East 55th Street (Ward 5)

Elabed, LLC, owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Ohio Code of Ordinances from a decision of the Commissioner of Assessments and Licenses as authorized under Section 209.05 to file a written return to the County Auditor for a decision of the Commissioner of Park Maintenance and Properties, to certify the costs of abatement services in the sum of \$449.61 for a vacant lot at 2256 East 55th Street, Permanent Parcel Number 103-24-080, and to allow the costs to become a lien on the property and to be collected in the same manner as other taxes and returned to the City general fund in accordance with Ohio Revised Code Chapter 731.

Calendar No. 12-191: 2256 East 55th Street (Ward 5)

Elabed, LLC, owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Ohio Code of Ordinances from a decision of the Commissioner of Assessments and Licenses as authorized under Section 209.05 to file a written return to the County Auditor for a decision of the Commissioner of Park Maintenance and Properties, to certify the costs of abatement services in the sum of \$174.30 for a vacant lot at 2256 East 55th Street, Permanent Parcel Number 103-24-081, and to allow the costs to become a lien on the property and to be collected in the same manner as other taxes and returned to the City general fund in accordance with Ohio Revised Code Chapter 731.

Calendar No. 12-192: 2276 East 55th Street (Ward 5)

Fatima Lange, owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Ohio Code of Ordinances from a decision of the Commission-

er of Assessments and Licenses as authorized under Section 209.05 to file a written return to the County Auditor for a decision of the Commissioner of Park Maintenance and Properties, to certify the costs of abatement services in the sum of \$256.22 for a vacant lot at 2276 East 55th Street, Permanent Parcel Number 103-24-084, and to allow the costs to become a lien on the property and to be collected in the same manner as other taxes and returned to the City general fund in accordance with Ohio Revised Code Chapter 731.

Calendar No. 12-200: 2393 Professor Avenue (Ward 3)
2393 Tremont LLC, owner, and Peter Kochera appeal to establish use as a restaurant/tavern in an existing two-story building located on a 45' x 98' lot in a C1 General Retail Business District; subject to the accessory off-street parking requirements under Section 349.04(f), retail sales uses such as bars, taverns, restaurants and other eating places require one parking space for each employee, plus one space for each 100 square feet of floor area devoted to patron use or one (1) for each four (4) seats based upon the maximum seating capacity, whichever is greater.

Calendar No. 12-203: 718 University Court (Ward 3)
Mark Ebner, owner, appeals to erect a 26' x 24'-6" two-story, frame attached garage and second floor room addition to an existing single family dwelling, proposed on consolidated parcels located in a B1 Two-Family District; and under the provisions of Section 327.02(e), the consolidation of lots requires approval of the Cleveland Division of Engineering and Construction and Traffic Engineering; and contrary to Sections 357.08(b)(1) and 357.09(2)B, a rear yard depth of 14 feet 6 inches is proposed where 25 feet is required, and a total width of both side yards equals 6 feet contrary to 10 feet, and a minimum width of interior side yard is proposed at 1 foot contrary to 3 feet; and the expansion of an existing nonconforming single family residence requires the Board of Zoning Appeals approval in accordance with Section 359.01 in the Cleveland Codified Ordinances.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, NOVEMBER 26, 2012

At the meeting of the Board of Zoning Appeals on Monday, November 26, 2012, the following appeals were heard by the Board.

The following appeals were **APPROVED:**

Calendar No. 12-195: 8901 Superior Avenue
The Cuyahoga Metropolitan Housing Authority, owner, and James Downing, prospective purchaser, appealed to construct an ambulatory medical building on acreage in a C1 Multi-Family District.

Violation Notice

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

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

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

The following appeals were **DENIED:**

None.

The following appeals were **DISMISSED:**

None.

The following appeals were **POSTPONED:**

Calendar No. 12-188: 2925 Jay Avenue postponed to December 10, 2012

Calendar No. 12-178: 4268 Bradley Road postponed to December 17, 2012.

The following appeals heard by the Board on November 19, 2012 were adopted and approved on November 26, 2012:

The following appeal was **APPROVED:**

Calendar No. 12-174: 2327 Holmden Avenue
Iglesia Nueva Vida and Pastor Jose Reyes appealed to expand a parking lot on a consolidated lot in a C1 Multi-Family District; subject to revised plan.

The following appeal was **DENIED:**

Calendar No. 12-183: 11405 Sylvia Avenue
Raymond Gould appealed from a decision rendered by the City of Cleveland Parking Violations Bureau, Waste Collection and Photo Safety Division.

The following appeal heard by the Board on October 29, 2012 was adopted and approved on November 26, 2012.

The following appeal was **APPROVED:**

Calendar No. 12-162: 15149 Lorain Avenue
Bill Lake Buick, owner and Elias Fernandez, prospective tenant appealed to change use to a glass block window contractor shop and truck rental business and to install a 6' fence on a 160' x 237' lot in an A1 Local Retail Business District; subject to conditions.

The following appeal scheduled for postponement hearing on November 12, 2012 was dismissed for want of prosecution:

The following appeal was **DISMISSED:**

Calendar No. 12-150: 4001 Detroit Avenue
Progressive Urban Properties LLC, owner, and First Federal of Lakewood appealed to erect a double faced illuminated projecting wall sign in a D2 Semi-Industry District.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of November 21, 2012

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

* * *

Docket A-187-12.

RE: Appeal of Woodbury Holdings, Inc., Owner of the One Dwelling Unit Single-Family Residence Two & One/half Story Frame Property, located on the premises known as 1246 East 86th Street, from a CONDEMNATION ORDER — MAIN STRUCTURE, dated June 19, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant thirty (30) days in which to present a plan and obtain permits for the property to the City, with the condition that the graffiti be removed immediately. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

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

* * *

Docket A-193-12.

RE: Appeal of MJ6 Properties LLC, Owner of the MXD Mixed Uses — Multiple Uses In One Building Two Story Frame Property located on the premises known as 5901 Fleet Avenue, from a CONDEMNATION ORDER — MAIN STRUCTURE, dated July 16, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant sixty (60) days in which to present a plan to obtain permits,

and six (6) months in which to complete abatement of the violations, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

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

* * *

Docket A-200-12.

RE: Appeal of Diane E. Cimino, Owner of the One Dwelling Unit Single-Family Residence One & One-half Story Frame Property located on the premises known as 13625 Thornhope Avenue, from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated June 26, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant thirty (30) days in which to ascertain ownership and destiny of the property, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Maschke.

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

* * *

Docket A-204-12.

RE: Appeal of Purnima Mehta, Owner of the Two Dwelling Units Two-Family Residence One & One-half Story Property, located on the premises known as 1084 East 68th Street, from a CONDEMNATION ORDER — MAIN STRUCTURE & GARAGE, dated June 22, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the Condemnation Order was properly issued and to DENY the Appellant's request for additional time, noting that no work has been done, the Appellant is not present for the hearing, and the property is deteriorating; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

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

* * *

Docket A-206-12.

RE: Appeal of Annette Scott, Owner of the One Dwelling Unit Single-Family Residence Two & One-half Story Wood Frame/Siding/Masonry Veneer Property, located on the premises known as 480 Cleveland Road, from a CONDEMNATION ORDER — MAIN STRUCTURE, dated July 27, 2012 of the

Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-206-12 has been POSTPONED; to be rescheduled for January 02, 2013.

* * *

Docket A-207-12.

RE: Appeal of Aaron Sandeen, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property located on the premises known as 15709 Damon Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated July 30, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the Condemnation Order was properly issued and to DENY the Appellant's request for any additional time, noting the condition of the property and the absence of the Appellant; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

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

* * *

Docket A-208-12.

RE: Appeal of Adam Smith, Owner of the Two Dwelling Units Two-Family Residence Two Story Masonry Walls/Wood Floors Frame Property, located on the premises known as 601 East 117th Street, from a CONDEMNATION ORDER — MAIN STRUCTURE, dated August 13, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to require the Appellant to immediately abate the graffiti on the exterior and proceed with the exterior work first, and to present a plan for rehabilitation of the property to the Building Department within two (2) weeks, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

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

* * *

Docket A-209-12.

RE: Appeal of James Abrams Jr., Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property, located on the premises known as 1411 Lakeview Road, from a CONDEMNATION ORDER — MAIN STRUCTURE, dated August 7, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-209-12 has been POSTPONED; to be rescheduled for December 5, 2012.

* * *

Docket A-210-12.

RE: Appeal of Paul G. Glenn II, Owner of the Two Dwelling Units Two-Family Residence Two Story Frame Property, located on the premises known as 1076 East 125th Street, from a NOTICE OF VIOLATION — HVAC, dated July 31, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-210-12 has been POSTPONED; to be rescheduled for December 05, 2012.

* * *

Docket A-213-12.

RE: Appeal of Steven Saric, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property, located on the premises known as 7712 Vineyard Avenue, from a CONDEMNATION ORDER — MAIN STRUCTURE, dated July 5, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

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

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

* * *

Docket A-214-12.

RE: Appeal of Theodore Parker, Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property located on the premises known as 6601 Percy Avenue from a HAZARDOUS CONDITIONS, dated August 23, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY the Appellant additional time based upon the testimony presented, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Gallagher.

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

* * *

Docket A-215-12.

RE: Appeal of Cuyahoga County (Juvenile Detention Center), Owner of the Property located on the premises known as 9300 Quincy

Avenue from an ADJUDICATION ORDER, dated August 23, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

No action this date, the docket will be rescheduled for a later date.

* * *

Docket A-216-12.

RE: Appeal of Bradford Cammon, Owner of the Residential Property located on the premises known as 11814 Parkview Avenue from a LIMITATION ON THE PERMITS, dated March 15, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant six (6) months in which to complete abatement of the violations, the property is to remain secured and the grounds debris-free during that period of time, and that any exterior work, as permitted by weather, should be done quickly as the first condition, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Maschke.

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

* * *

Docket A-218-12.

Appeal of Scranton-Averell, Inc., Owner of the F-2 Factory - Low Hazard (Non-combustibles) Two Story Masonry Property located on the premises known as 1730 Train Street from a NOTICE OF VIOLATION - EXTERIOR MAINTENANCE, dated August 14, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-218-12 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-219-12.

Appeal of Scranton-Averell, Inc., Owner of the F-2 Factory - Low Hazard (Non-combustibles) Three Story Masonry Walls/Wood Floors Property located on the premises known as 2151 Scranton Avenue from a NOTICE OF VIOLATION - EXTERIOR MAINTENANCE, dated August 14, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant sixty (60) days in which to complete abatement of the violations, embracing also the condition posed by the City as the sprinkler and security system is operable and the grounds are as cleaned as possible, the property is REMANDED at this time to the Department of

Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Gallagher.

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

* * *

Docket A-221-12.

RE: Appeal of Tod Grimm, Owner of the R-2 Residential - Non-transient; Apartments (Shared Egress) Two Story Masonry Property located on the premises known as 4505 Pearl Road from a NOTICE OF VIOLATION - INTERIOR/EXTERIOR MAINTENANCE, dated August 8, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant sixty (60) days in which to complete abatement of the violations, pending the report by the inspector, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Saab.

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

* * *

APPROVAL OF RESOLUTIONS:

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

- A-86-12 — Down River Specialties, Inc.
- A-103-12 — East 123rd Street Properties, Ltd.
- A-104-12 — East 123rd Street Properties, Ltd.
- A-192-12 — Fannie Mae
- A-196-12 — Olga Vivian Ranson
- A-203-12 — Ayman A. Hamdeh

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

* * *

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

- A-170-12 — Louis Azman
- A-171-12 — Louis Azman
- A-173-12 — Geddie Hemphill
- A-177-12 — Traci Cook
- A-182-12 — Underwood Coleman
- A-188-12 — Jason Moore
- A-194-12 — Wadsworth & Elaine Jarrell
- A-197-12 — Carlton Story
- A-198-12 — James E. Barrow

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

* * *

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

- A-199-12 — Shoantah M. Harrell
- A-201-12 — MPA Chesterfield, LLC

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

* * *

APPROVAL OF MINUTES:

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

November 7, 2012

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

* * *

JOSEPH F. DENK
Chairman

PUBLIC NOTICE

REQUEST FOR PROPOSALS

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

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

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

REQUEST FOR PROPOSALS

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

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

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

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

FRIDAY, DECEMBER 7, 2012

File No. 158-12 — Exterminating Services, for the Various Divisions of City Government, Department of Finance, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976. **THERE WILL BE A NON-MANDATORY PRE-BID MEETING** FRIDAY, NOVEMBER 30, 2012 AT

10:30 A.M. THE CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, CLEVELAND, OHIO 44114.

File No. 159-12 — Miscellaneous Sized Steel, for the Various Divisions of City Government, Department of Finance, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING FRIDAY, NOVEMBER 30, 2012 AT 2:00 P.M. THE CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, CLEVELAND, OHIO 44114.

November 21, 2012 and November 28, 2012

FRIDAY, DECEMBER 14, 2012

File No. 157-12 — Duct Line, Street Lighting Bases and Pull Box Installation, Maintenance Replace and Repair, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1575-11, passed by the Council of the City of Cleveland, December 5, 2011.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING FRIDAY, NOVEMBER 30, 2012 AT 10:00 A.M. THE TOM L. JOHNSON BUILDING, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

November 21, 2012 and November 28, 2012

WEDNESDAY, DECEMBER 19, 2012

File No. 156-12 — Labor and Materials Maintenance of Decorative and Special Lighting For City Bridges, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 811-11, passed by the Council of the City of Cleveland, July 20, 2011.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, NOVEMBER 29, 2012 AT 10:30 A.M. THE TOM L. JOHNSON BUILDING, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

November 21, 2012 and November 28, 2012

WEDNESDAY, JANUARY 23, 2013

File No. 155-12 — Purchase Gas Detection (Thermal Imaging) Camera for Air Quality, for the Division of Air Quality, Department of Public Health, as authorized by Ordinance No. 564-12, passed by the Council of the City of Cleveland, June 4, 2012.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING WEDNESDAY, DECEMBER 12, 2012 AT 11:00 A.M. 75 ERIEVIEW PLAZA, SECOND FLOOR, CDAQ CONFERENCE, CLEVELAND, OHIO 44114.

November 21, 2012 and November 28, 2012

FRIDAY, JANUARY 25, 2013

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

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

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

November 28, 2012 and December 5, 2012

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 1460-12.

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

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

Whereas, the City of Cleveland owns the land for the new rights of way proposed as part of the Flats East Bank Development; and

Whereas, it is required that the plat be signed by the Mayor, on behalf of the City of Cleveland, dedicating the land for public use; 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 the Mayor is authorized, on the behalf of the City of Cleveland, to sign and execute a plat dedicating to public use rights of way for the Flats East Bank Development as shown on the plat prepared by the Division of Engineering and Construction of the City of Cleveland, bearing Council File No. 1460-12-A.

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 November 19, 2012.
Effective November 21, 2012.

Res. No. 1625-12.

By Council Member Dow. An emergency resolution objecting to a New CI Liquor Permit at 7038 Linwood Avenue.

Whereas, Council has been notified by the Department of Liquor Control

of an application for a New C1 Liquor Permit at Annette Green, DBA Green's Linwood Deli, 7038 Linwood Avenue, Cleveland, Ohio 44103, Permanent Number 33502090005; and

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

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

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

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

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

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

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

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

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

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

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

Adopted November 19, 2012.
Effective November 21, 2012.

Res. No. 1626-12.
By Council Member Polensek.
An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 1035 East 185th Street.

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

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

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

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

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

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

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

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

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

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

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

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

Adopted November 19, 2012.
Effective November 21, 2012.

Res. No. 1627-12.

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

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

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

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

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

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

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

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

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

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

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

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

Section 3. That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and

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

Adopted November 19, 2012.
Effective November 21, 2012.

Res. No. 1628-12.
By Council Member Kelley.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Adopted November 19, 2012.
Effective November 21, 2012.

Res. No. 1658-12.
By Council Member Cimperman.

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

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

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

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

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

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

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

Adopted November 19, 2012.
Effective November 21, 2012.

Res. No. 1661-12.
By Council Member Cleveland.

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

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

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

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

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

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

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

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

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

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

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

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

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

Adopted November 19, 2012.
Effective November 21, 2012.

Res. No. 1662-12.

By Council Member Miller.

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

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

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

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

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

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

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

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

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

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

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

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

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

Adopted November 19, 2012.
Effective November 21, 2012.

Ord. No. 900-12.

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

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

located in Cleveland City Hall; and to amend Contract No. 69917 to remove cafeteria service from the Carl B. Stokes Public Utilities Building.

Whereas, under the authority of Ordinance No. 1847-08, passed January 26, 2009, as amended by Ordinance No. 1417-09, passed September 28, 2009, the Director of Public Works entered into Contract No. 69917 with A Taste of Excellence, Inc. to operate a first-class food and beverage service at the cafeteria located in the Carl B. Stokes Public Utilities Building and the cafeteria located in Cleveland City Hall; and

Whereas, the Departments of Public Utilities and Public Works and A Taste of Excellence, Inc. have agreed to make mutually beneficial changes to Contract No. 69917; and

Whereas, Ordinance No. 1847-08, passed January 26, 2009, as amended by Ordinance No. 1417-09, passed September 28, 2009, requires further legislation before exercising the first option to renew on this contract; and

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

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

Section 1. That the Director of Public Works is authorized to exercise the first option to renew Contract No. 69917 with a Taste of Excellence, Inc. for an additional year to operate a first-class food and beverage service at the City Hall Cafeteria for the Department of Public Works. The Director of Public Works shall not exercise any remaining options to renew Contract No. 69917 unless this Council passes additional legislative authority, notwithstanding any provision of the ordinances that authorized the contract, as identified in the preamble, to the contrary.

Section 2. That the Director of Public Works is authorized to enter into an amendment to Contract No. 69917 with a Taste of Excellence, Inc. to remove cafeteria service at the Carl B. Stokes Public Utilities Building from the agreement. All other terms of the agreement remain unchanged, taking into account the removal of cafeteria service at the Carl B. Stokes Public Utilities Building.

Section 3. That the amendment to Contract No. 69917 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 November 19, 2012.
Effective November 21, 2012.

Ord. No. 1125-12.

By Council Members Westbrook and Mitchell.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 681A.01 through 681A.02 and 681A.99, relating to Precious Metals Dealers.

Whereas, more and more businesses are illegally engaging in purchasing gold, silver, platinum or other precious metals without a state license; and

Whereas, the proliferation of unlicensed businesses dealing in precious metals encourages criminal theft, robbery, and burglary of precious metals to sell to illegal dealers; and

Whereas, it is within the City of Cleveland's authority under Ohio Revised Code Chapter 4728, and in the best interest of its citizens to require Precious Metals Dealers to maintain a license with the State of Ohio and register with the City of Cleveland; and

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Sections 681A.01 through 681A.02 and 681A.99 to read as follows:

Chapter 681A Precious Metals Dealers

Section 681A.01 Definition

As used in this chapter, "precious metals dealer" means a person who is engaged in the business of purchasing articles made of or containing gold, silver, platinum, or other precious metals or jewels of any description if, in any manner, including any form of advertisement or solicitation of customers, the person holds himself, herself, or itself out to the public as willing to purchase such articles.

Section 681A.02 State License Required

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

Section 681A.99 Penalty

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

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

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

Passed November 19, 2012.
Effective November 21, 2012.

Ord. No. 1233-12.

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

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

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

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

Section 1. That Section 559.242 of the Codified Ordinances of Cleve-

land, Ohio, 1976, as enacted by Ordinance No. 1062-06, passed December 11, 2006, is amended to read as follows:

Section 559.242 Turkish Garden

0.9203 Acres

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original 100 Acre Lot No. 367 of East Cleveland Township, and also contained within Section "A", Brookway Division of Rockefeller Park, and bounded and described as follows:

Beginning at the intersection of St. Clair Street, N.E., 80 feet wide, with the East line of said Original 100 Acre Lot No. 367, a 5/8" iron pin monument box found and used;

Thence South 58°43'50" West, along the centerline of said St. Clair Street, N.E. a distance of 301.46 feet;

Thence at right angles from said centerline North 31°16'10" West a distance of 281.85 feet to the principal place of beginning of the land herein intended to be described, a capped 5/8" iron pin set;

Thence parallel to and approximately 5.5' East of the edge of pavement of an existing private drive the following three (3) courses and distances, each to a capped 5/8" iron pin set:

Along a curve deflecting to the right, having a radius of 329.00 feet, a central angle of 22°21'14", an arc of 128.36 feet, a chord of 127.55 feet, which bears North 33°36'55" West;

Along a curve deflecting to the right, having a radius of 725.00 feet, a central angle of 9°29'33", an arc of 120.11 feet, a chord of 119.98 feet, which bears North 12°46'17" West;

Along a curve deflecting to the left, having a radius of 1053.00 feet, a central angle of 5°51'31", an arc of 107.67 feet, a chord of 107.62 feet, which bears North 9°20'27" West to the Southwest corner of Proposed Garden #28;

Thence along the South line of said Proposed Garden #28, North 61°34'42" East 80.00 feet to the Southeast corner thereof, a capped 5/8" iron pin set;

Thence along the following four (4) courses and distances, each to a capped 5/8" iron pin set:

South 42°55'17" East a distance of 124.14 feet;

South 3°44'30" East a distance of 143.42 feet;

South 6°16'44" West a distance of 118.31 feet;

South 66°36'56" West a distance of 40.00 feet to the principal place of beginning and containing 0.9203 acres of land, according to the survey of March 2006 by Braun-Prenosil Associates, Inc., by Gregory J. Chatham Professional Surveyor No. 7882 be the same more or less but subject to all legal highways and easements of record.

Bearings are based on the centerline of St. Clair Street, N.E. (South 58°43'50" West) as recorded in deed Vol. 660, Pg. 288 of Cuyahoga County Records and are used to denote angles only.

All pins set are 30-inch long by 5/8-inch diameter rebar with caps imprinted "Braun-Prenosil Assoc."

Section 2. That existing Section 559.242 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1062-06, passed December 11, 2006, is repealed.

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

Passed November 19, 2012.

Effective November 21, 2012.

Ord. No. 1399-12.
By Council Members Keane, Cleveland and Kelley (by departmental request).

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

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

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

Section 1. That Section 1 of Ordinance No. 886-12, passed July 11, 2012, is amended to read as follows:

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Mayor of the City of Cleveland and the Director of Port Control are authorized to enter into a Purchase and Sale Agreement to sell the following described property to the Redeveloper, found and determined to be no longer needed for public use, for the purposes of developing the Cleveland Business Park:

Parcel No.: 029-18-035

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio: and known as being Sublot No. 112 in the Conger-Helper Realty Company's Home Gardens Allotment No. 2 of part of original Rockport Township Section Nos. 3 and 4, as shown by the recorded plat in Volume 67 of Maps, Page 35 of Cuyahoga County Records and that portion of Springdale Ave. S.W., 50 feet wide, Vacated by Ordinance No. 521-200 and together forming a parcel of land being 40 feet front on the centerline of said Vacated Springdale Ave. S.W. and extending back between parallel lines of equal width, 182.70 feet, be the same more or less, but subject to all legal highways.

Parcel No.: 029-19-067

Situated in the City of Cleveland, County of Cuyahoga and the State of Ohio and known as being part of Sublot No. 58 in the Conger-Helper Realty Company's Home Garden Allotment No. 2 of part of Original Rockport Township Section Nos. 3 and further bounded and described as follows:

Beginning at an iron pin in a monument box at the intersection of the centerline of Rocky River Drive (width varies) and the centerline of Cleveland Parkway S.W. (width varies) as shown on the Dedication Plan recorded in Volume 339, Page 42 of Cuyahoga County Map Records;

Thence North 89° 14' 41" West along the centerline of Cleveland Parkway S.W., 282.17 feet to a point;

Thence South 01° 46' 09" West, 42.01 feet to the southerly right of way of

Cleveland Parkway S.W. and being the Principal Place of Beginning of the premises herein described;

Thence South 01° 46' 09" West, 97.77 feet to a point on the centerline of Springdale Avenue, as vacated by Ordinance No. 20521-2000;

Thence North 89° 12' 38" West along the centerline of vacated Springdale Avenue, 10.00 feet;

Thence North 01° 46' 09" East, 97.77 feet to the southerly right of way of Cleveland Parkway;

Thence South 89° 14' 41" East along the southerly line of Cleveland Business Park Drive West, 10.00 feet to the Principal Place of Beginning and containing 0.0224 acres of land.

Permanent Parcel Number: 029-17-011

Situated in the City of Cleveland, County of Cuyahoga and the State of Ohio and known as being Sublot No. 94 in the Conger-Helper Realty Company's Home Garden Allotment No. 2 of part of Original Rockport Sections Nos. 3 and 4, as shown by the recorded plat in Volume 67 of maps, page 35 of Cuyahoga County Records, and that portion of Springdale Ave. S.W., 50 feet wide, Vacated by Ordinance No. 521-200, and together forming a parcel of land being 40 feet front on the Centerline of said Vacated Springdale Avenue S.W. and extending back between parallel lines of equal width, 170 feet, be the same more or less, but subject to all legal highways.

Excepting therefrom, the dedicated portion of Cleveland Parkway S.W. as shown in the Dedication Plat recorded in Volume 339, Page 42 of Cuyahoga County Records.

Section 2. That existing Section 1 of Ordinance No. 886-12, passed July 11, 2012, is repealed.

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

Passed November 19, 2012.

Effective November 21, 2012.

Ord. No. 1452-12.
By Council Members Keane, Sweeney, Brady, K. Johnson, Mitchell, Reed, Miller, Cleveland and Kelley (by departmental request).

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

Whereas, under Article VIII, Section 2k of the Ohio Constitution, the State of Ohio is authorized to issue bonds and other obligations of the State for the purpose of financing public infrastructure capital improvements of political subdivisions as designated by law; and

Whereas, under Section 164.03 of the Revised Code, the District One Public Works Integrating Committee has been created to evaluate applications for state financing of capital improvement projects of local subdivisions in Cuyahoga County; 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 Mayor is authorized to apply to the District One Public Works Integrating Committee for state funding of the following infrastructure capital improvements:

1. Lorain Avenue from West 150th Street to West 117th Street;
2. Martin Luther King Jr. Blvd. from Buckingham Avenue to Cedar Avenue;
3. Puritas/Bellaire Avenue from State Route 237 to West 130th Street;
4. Woodland Avenue from Buckeye Road Martin Luther King Jr. Blvd.; and
5. East 116th Street from Miles Avenue to East Blvd.

Section 2. That the Mayor is authorized to apply to the District One Public Works Integrating Committee for state funding to obtain credit enhancements and loan assistance in support of the City's general obligation bonds issued for bridge and road improvements.

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

Passed November 19, 2012.
Effective November 21, 2012.

Ord. No. 1458-12.

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

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

Whereas, the Department of Community Development desires to transfer certain property under its control to the Department of Public Works; and

Whereas, Section 183.14 of the Codified Ordinances of Cleveland, Ohio, 1976, requires that such transfer be preceded by an ordinance of Council approving the transfer; and

Whereas, the property to be transferred is a component of the City of Cleveland's land reutilization program and, as such, can be retained by the City for devotion for public use under Section 5722.07 of the Revised Code upon the approval of the legislative authorities of those taxing districts entitled to share in the proceeds from the sale thereof; and

Whereas, on July 31, 2012, the Board of Education of the Cleveland Metropolitan School District adopted Resolution No. 2012-2436(B), under which the Board approved of the City's retention of the property described in this ordinance; and

Whereas, on August 28, 2012, the County Council of Cuyahoga County, Ohio, adopted Resolution No. R-2012-

0122, under which the County Council approved the City's retention of the property described in this ordinance; 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 183.14 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Community Development is authorized to transfer the following described property to the control, possession, and use of the Department of Public Works for the future development of League Park:

PPN 106-13-039

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Westerly half of Sublot No. 132 in Streater and Adams Subdivision of part of Original 100 Acre Lots Nos. 338 and 341, as shown by the recorded plat in Volume 4 of Maps, Page 4 of Cuyahoga County Records and being 30 feet front on the Southerly side of Linwood Avenue N.E. and extending back of equal width 206 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances

PPN 106-13-042

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and bounded and described as follows:

Known as being part of Sublot #127 and 128 in Streater and Adam's Subdivision, of part of Original 100 Acre Lot Nos. 338 and 341, as shown by the recorded plat in Volume 4 of Maps, Page 4 of Cuyahoga County Records and bounded and described as follows: Beginning on the Southerly line of Linwood Avenue N.E., (Former Beecher Street), at a point which is 127 feet Westerly measured along the Southerly line of said Linwood Avenue N.E., from its point of intersection with the Westerly line of East 70th Street, (Formerly Russell Street); thence Southerly on a line parallel with the Westerly line of said 70th about 112 feet to the Southerly line of said Sublot #127; thence Westerly along the Southerly line of said Sublot #127, 28 feet; thence Northerly on a line parallel to first described line about 112 feet to the Southerly line of said Linwood Avenue N.E.; thence Easterly along the Southerly line of said Linwood Avenue N.E., 28 feet to the place of beginning, be the same more or less but subject to all legal highways

PPN 106-13-043

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio; and known as being part of Sublots Nos. 127 and 128 in W.S. Streater and D. Adam Subdivision of part of Original 100 Acre Lots Nos. 338 and 341 as shown by the recorded plat in Volume 4 of Maps, Page 4 of Cuyahoga County Records, bounded and described as follows:

Beginning on the Southerly side of Linwood Avenue, N.E., (formerly Beecher Street), at a point 100 feet westerly from its point of intersection with the Westerly line of East 70th Street (formerly Russell Avenue); thence Southerly on a line parallel to the Westerly line of East 70th St 112 feet to the southerly line of said

Sublot No. 127, thence Westerly along said Southerly line of Sublot No. 127, 27 feet; thence Northerly on a line parallel to said Westerly line of East 70th Street, 112 feet to the Southerly line of Linwood Avenue, N.E.; thence Easterly along said Southerly line of Linwood Avenue N.E. 27 feet to the place of beginning according to the survey of J. F. Brown made August 1898, being the same more or less, but subject to all legal highways

PPN 106-13-067

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublots Nos. 121 and 122 in Streater and Adams' Subdivision of part of Original One Hundred Acre Lots Nos. 338 and 341, as shown by the recorded plat in Volume 4 of Maps, Page 4 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning on the Northerly line of Lexington Avenue, N.E. at a point distant 118.00 feet Westerly, measured along said Northerly line, from its intersection with the Westerly line of East 70th Street (formerly Russell Avenue); thence Westerly along the Northerly line of Lexington Avenue, N.E. 29.25 feet; thence Northerly and parallel with the Westerly line of East 70th Street, 96.15 feet; thence Easterly and parallel with the Northerly line of Lexington Avenue, N.E. 29.25 feet; thence Southerly and parallel with the Westerly line of East 70th Street, 96.15 feet to the place of beginning, be the same more or less, but subject to all legal highways.

PPN 106-13-069

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Easterly 86.75 feet of Sublot No. 123 in Streater and Adams Subdivision of part of Original One Hundred Acre Lots Nos. 338 and 341, as shown by the recorded plat in Volume 4 of Maps, Page 4 of Cuyahoga County Records, and being 50 feet front on the Westerly side of East 70th Street (formerly Russell Avenue) and extending back of equal width 86.75 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

PPN 106-13-070

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 124 in W.S. Streater and D. Adams Subdivision of part of Original One Hundred Acre Lots Nos. 338 and 341 as shown by the recorded plat in Volume 4 of Maps, Page 4 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Westerly line of East 70th Street, formerly known as Russell Avenue, at the Southeasterly corner of Sublot No. 124;

Thence Northerly along the Westerly line of East 70th Street, 17 feet to the Southeasterly corner of land conveyed to Marie Posey by deed dated March 27, 1974 and recorded in Volume 13682, Page 319 of Cuyahoga County Records;

Thence westerly along the Southerly line of land so conveyed to Marie Posey 95.60 feet to the Southwesterly corner thereof;

Thence Northerly along the Westerly line of said land conveyed to Marie Posey 33 feet to the Northerly line of said Sublot No. 124;

Thence Westerly along the Northerly line of said Sublot No. 124, a distance of 84.40 feet to the Northwesterly corner thereof;

Thence Southerly along the Westerly line of said Sublot No. 124, a distance of 50 feet to the Southeasterly corner thereof;

Thence Easterly along the Southerly line of said Sublot No. 124, a distance of 180 feet to the principal place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

PPN 106-13-071

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio: And known as being the Southerly one-half of Sublot No. 125 in Streater and Adams Subdivision of part of Original One Hundred Acre Lots Nos. 338 and 341 as shown by the recorded Plat in Volume 4 of Maps, Page 4 of Cuyahoga County Records, and being 25 feet on the Westerly side of East 70th Street, (formerly Russell Street), and extending back of equal width 180 feet, as appears by said plat be the same more or less, but subject to all legal highways.

PPN 106-13-072

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio: And known as being the Northerly half of Sublot No. 135 in Streater and Adams Subdivision of a part of Original One Hundred Acre Lots Nos. 338 and 341 as shown by the recorded plat of said subdivision in Volume 4 of Maps, Page 4 of Cuyahoga County Records, and being 25 feet front on the Westerly side of East 70th Street (formerly Russell Street), and extending back of equal width 180 feet. Also subject to zoning ordinances, if any.

PPN 106-13-073

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 126 in the Streater and Adams Subdivision of part of Original One Hundred Acre Lots Nos. 338 and 341, as shown by the recorded plat in Volume 4 of Maps, Page 4 of Cuyahoga County Records, and being 50 feet front on the Westerly side of East 70th Street, (formerly Russell Avenue) and extending back of equal width 180 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

PPN 106-13-074

And known as being part of Sublot No. 127 in Streater and Adams Subdivision of part of Original One Hundred Acre Lot Nos. 338 and 341, as shown by the recorded plat in Volume 4 of Maps, Page 4 of Cuyahoga County Records, and bounded and described as follows: Beginning at a point on the Westerly line of East 70th Street (formerly Russell Avenue) at a point distant 85 feet Southerly measured along said Westerly line from its intersection with the Southerly line of Linwood Avenue, N.E. (formerly Beecher Street); thence Westerly parallel with the Southerly line of Linwood (Beecher) N.E. 100 feet; thence Southerly parallel with the Westerly line of East 70th Street 28 5/10 feet to the Southerly line of said Sublot No. 127; thence Easterly along the Southerly line of said Sublot No. 127; 100 feet to the Westerly line of East 70th Street; thence Northerly along said Westerly line of East 70th Street,

28.07 feet to the place of beginning, according to the Survey of J. F. Brown, made August, 1898, as appears by said plat, be the same more or less, but subject to all legal highways.

PPN 106-13-076

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot Nos. 127 and 128 in Streater and Adams Subdivision of part of Original One Hundred Acre Lot Nos. 338 and 341, as shown by the recorded plat in Volume 4 of Maps, Page 4 of Cuyahoga County Records, and bounded and described as follows:

Beginning at the intersection of the Southerly line of Linwood Avenue, N. E. formerly Beecher Avenue, with the Westerly line of East 70th Street, formerly Russell Avenue; thence Southerly along the Westerly line of East 70th Street, 55 feet; thence Westerly parallel with the Southerly line of Linwood Avenue, N. E., 100 feet; thence Northerly parallel with the Westerly line of East 70th Street, 55 feet to the Southerly line of Linwood Avenue, N. E.; thence Easterly along the Southerly line of Linwood Avenue, N. E., 100 feet to the place of beginning, be the same more or less, but subject to all legal highways.

PPN 106-13-102

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Sublot No. 124 in W. S. Streater and D. Adams Subdivision, of part of Original One Hundred Acre Lots Nos. 338 and 341 as shown by the recorded plat in Volume 4 of Maps, Page 4 of Cuyahoga County Records, bounded and described as follows: Beginning on the West line of East 70th Street at the Northeast corner of said Sublot No. 124; thence South along said West line of East 70th Street 33.00 feet; thence West parallel with the North line of said Sublot No. 124, 95.60 feet; thence North parallel with said West line of East 70th Street 33.00 feet to the North line of said Sublot No. 124, thence East along said North line of Sublot No. 124, 95.60 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any

Section 2. That on consummation of the transfer referenced above, the directors participating in the transaction shall initial and date a copy of this ordinance and deliver the copy to the custody of the Division of Property Management of the Department of Public Works.

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

Passed November 19, 2012.

Effective November 21, 2012.

Ord. No. 1492-12.

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

An emergency ordinance to amend Section 10 of Ordinance No. 592-11, passed June 6, 2011 relating to the

Cedar Avenue Rehabilitation Phase II (East 89th Street to Martin Luther King Jr. Blvd.) to authorize the Director of Capital Projects to add Water Pollution Control utility fund numbers for the making of the public improvement.

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

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

Section 1. That Section 10 of Ordinance 592-11, passed June 6, 2011, is amended to read as follows:

Section 10. That the cost of the contracts, payments, property acquisition, cash match, and other expenditures authorized shall be paid from the fund or funds to which are credited any grant proceeds, Fund Nos. 20 SF 540, 54 SF 001, cash contributions accepted and appropriated under this ordinance, and from any other funds appropriated by the Director of Finance for this purpose. RQS 0103, RL 2012-157

Section 2. That the existing Section 10 of Ordinance 592-11, passed June 6, 2011, is repealed.

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

Passed November 19, 2012.

Effective November 21, 2012.

Ord. No. 1532-12.

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

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

Whereas, under the authority of Ordinance No. 1847-08, passed January 26, 2009, as amended by Ordinance 1417-09, passed September 28, 2009, the Director of Public Works entered into Contract No. CT 7012 NF2010-024 with Executive Caterers at Landerhaven, Inc. to provide food and beverage services at the Public Auditorium; and

Whereas, Ordinance No. 1847-08, passed January 26, 2009, as amended by Ordinance 1417-09, passed September 28, 2009, requires further legislation before exercising the first option to renew on this contract; and

Whereas, for the privilege of the concession agreement, Executive Caterers at Landerhaven, Inc. shall pay the City an annual fee as specified in the contract; and

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

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

Section 1. That the Director of Public Works is authorized to exercise the first option to renew Contract No. CT 7012 NF2010-024 for an additional year with Executive Caterers at Landerhaven, Inc. to provide food and beverage services at the Public Auditorium. This ordi-

nance constitutes the additional legislative authority required by Ordinance No. 1847-08, passed January 26, 2009, as amended by Ordinance 1417-09, passed September 28, 2009 to exercise this option.

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

Passed November 19, 2012.
Effective November 21, 2012.

Ord. No. 1651-12.

By Council Member Westbrook.

An emergency ordinance authorizing the Clerk of Council to enter into an agreement with Cobalt Group, Inc. for the professional services necessary to provide for implementation of an operations and sustainability plan for Cleveland City Council.

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

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

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

The agreement shall be certified in an amount not to exceed \$60,000.00 from fund 01, dept. 0101 subfund 001 object code 6320.

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

Passed November 19, 2012.
Effective November 21, 2012.

Ord. No. 1652-12.

By Council Member Kelley.

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

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

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

Section 1. That the Clerk of Council is authorized to enter into an agreement with Guy Gadowski, CPA to provide professional financial consulting and auditing services necessary for Cleveland City Council, including, but not limited to, analysis of the

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

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

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

Passed November 19, 2012.
Effective November 21, 2012.

Ord. No. 1653-12.

By Council Member Sweeney.

An emergency ordinance authorizing the Clerk of Council to enter into an agreement with Mita Marketing LLC for the professional services necessary to assist Cleveland City Council with communications and public relations.

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

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

Section 1. That the Clerk of Council is authorized to enter into an agreement with Mita Marketing LLC for the professional services necessary to assist Cleveland City Council with communications and public relations for a one year period beginning January 1, 2013 and concluding December 31, 2013.

The cost of this agreement shall not exceed \$60,000 and shall be certified from fund 01, dept. 0101 subfund 001 object code 6320.

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

Passed November 19, 2012.
Effective November 21, 2012.

Ord. No. 1654-12.

By Council Member Westbrook.

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

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

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

Section 1. That the Clerk of Council is authorized to enter into an agreement with NetX Internet LLC to provide wireless internet service to Cleveland City Council, including installation, equipment, manage-

ment, maintenance and repair for a period of three years, beginning on January 1, 2013. The cost of the agreement shall be \$799 per month and shall be paid from fund 01, dept. 0101 subfund 001 object code 6320.

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

Passed November 19, 2012.
Effective November 21, 2012.

Ord. No. 1655-12.

By Council Member Westbrook.

An emergency ordinance authorizing the Clerk of Council to enter into a contract or contracts with professional photographers to provide photography services for Cleveland City Council.

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

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

Section 1. That the Clerk of Council is authorized to enter into a contract or contracts with professional photographers to provide photography services for Cleveland City Council as may be directed by the Clerk or her designee.

The total amount of all agreements together that are entered into under this ordinance shall not exceed \$15,000 and shall be certified from fund 01, dept. 0101 subfund 001 object code 6320.

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

Passed November 19, 2012.
Effective November 21, 2012.

Ord. No. 1656-12.

By Council Member Pruitt.

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

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

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

Section 1. That the Clerk of Council is authorized to enter into an agreement with the Project Group for professional assistance in investigating utility-related matters pertaining to the Divisions of Cleveland Public Power, Water and Water Pollution Control for Cleveland City Council.

The agreement shall be certified in an amount not to exceed \$250,000.00 from fund 52-001, 54-001 and/or 58-001

and such other funds as may be deemed appropriate by the Director of Finance.

Section 2. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.
Passed November 19, 2012.
Effective November 21, 2012.

Ord. No. 1657-12.
By Council Member Westbrook.
An emergency ordinance authorizing the Clerk of Council to enter into a fourth amendment to the agreement with Solar Systems Networking Inc., City Contract No. PS 2010*83, for additional money for the continuation of professional services necessary to advise and assist in the maintenance and performance of computer technology projects for Cleveland City Council.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,
Be it ordained by the Council of the City of Cleveland:

Section 1. That the Clerk of Council ("Clerk") is authorized to enter into a fourth amendment to the agreement with Solar Systems Networking Inc. ("Consultant"), City Contract No. PS 2010*83, to add \$80,000 to the agreement for the continuation of the professional services necessary to advise and assist in the maintenance and performance of computer technology projects, as more specifically set forth in Consultant's 2013 Statement of Work and as may be directed by the Clerk.

The cost of all services under this agreement shall be paid for from fund 11-006 and/or 21-006.

Section 2. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.
Passed November 19, 2012.
Effective November 21, 2012.

Ord. No. 1660-12.
By Council Member K. Johnson.
An emergency ordinance authorizing the Director of the Department of Community Development to enter into an agreement with the Buckeye Area Development Corporation for the Holiday Food Card Program through the use of Ward 4 Neighborhood Capital Funds.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,
Be it ordained by the Council of the City of Cleveland:

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

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

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

Section 4. That this ordinance is hereby declared to be an emergency

measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.
Passed November 19, 2012.
Effective November 21, 2012.

COUNCIL COMMITTEE MEETINGS

**Monday, November 26, 2012
1:30 p.m.**

City Planning Committee, Legislation Committee & Finance Committee: Present in Planning: Westbrook, Vice Chair; Brady, Dow, Keane, Zone. *Authorized Absence:* Cleveland, Chair; Conwell. Present in Legislation: Mitchell, Chair; K. Johnson, Vice Chair; Brancatelli, Cimperman, Reed, Sweeney. *Authorized Absence:* Cleveland. Present in Finance: Kelley, Chair; Sweeney, Vice Chair; Brady, Brancatelli, Keane, Miller, Mitchell, Pruitt, Westbrook, Zone. *Authorized Absence:* Cleveland.

2:00 p.m.

Finance Committee: Present: Kelley, Chair; Sweeney, Vice Chair; Brady, Brancatelli, Keane, Miller, Mitchell, Pruitt, Westbrook, Zone. *Authorized Absence:* Cleveland.

**Tuesday, November 27, 2012
9:30 a.m.**

Community and Economic Development Committee: Present: Brancatelli, Chair; Cimperman, Cummins, J. Johnson, Pruitt, Westbrook, Zone. *Unauthorized Absence:* Dow, Vice Chair; Miller.

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O—Ordinance; R—Resolution; F—File
Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
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 East 110th Street, 1355 (Ward 9) — PPN 120-03-127 — Shirley Hope and Londria Hope (BOC Res. 622-12) 1878
 East 118th Street, 1444 (Ward 9) — PPN 120-10-071 — Sharon Kidd (BOC Res. 626-12) 1879
 East 52nd Street, 1444 (Ward 8) — PPN 104-10-077 — Quintin Carranza and Norma F. Carranza (BOC Res. 619-12) 1877
 East 58th Street (Ward 7) — PPN 104-14-114 — Christine Holmes and Samantha Foster (BOC Res. 621-12) 1877
 East 72nd Street, 3845 (Ward 12) — PPN 133-20-072 — Norman E. Shipley, Sr. (BOC Res. 631-12) 1880
 East 78th Street, 2246 (Ward 5) — PPN 118-26-048 — Gennie Houston (BOC Res. 623-12) 1878
 East 81st Street, 2258 (Ward 6) — PPN 119-27-030 — Catherine Wright-Tarver (BOC Res. 634-12)..... 1881
 East 85th Street, 2220 (Ward 6) — PPN 119-29-086 — Rosemarie Phillips (BOC Res. 630-12) 1880
 East 92nd Street, 1378 (Ward 7) — PPN 107-12-034 — Wanda Hudson (BOC Res. 624-12) 1878
 Grand Avenue (Ward 6) — PPN 126-20-011 — Cuyahoga County Land Reutilization Corporation (BOC Res. 616-12) 1876
 Langley Avenue, 16813 (Ward 1) — PPN 143-13-109 (easterly portion) — Sylvia Pointer (BOC Res. 628-12) 1879
 Langley Avenue, 16813 (Ward 1) — PPN 143-13-109 (westerly portion) — Roderick A. Mitchell (BOC Res. 627-12) 1879
 Minnie Avenue (Ward 5) — PPN 124-30-057 — Bernard W. Hudson and Sharon D. Hudson (BOC Res. 625-12)..... 1878
 Pierpont Avenue, 9209 (Ward 8) — PPN 109-02-147 — David L. Spicer and Deloris L. Spicer (BOC Res. 633-12) 1881
 Revere Avenue, 12004 (Ward 2) — PPN 137-21-002 — Pamela M. Smith (BOC Res. 632-12)..... 1880
 Spafford Road, 7919 (Ward 12) — PPN 133-16-077 — Gwendolyn Penamon (BOC Res. 629-12)..... 1879
 West 42nd Street, 1942 (Ward 15) — PPN 002-32-159 (northerly half) — Earl R. Meacher (BOC Res. 618-12) 1877
 West 42nd Street, 1942 (Ward 15) — PPN 002-32-159 (southerly half) — Stephen J. Cabot (BOC Res. 617-12) 1876

Board of Control — Finance Department

Network infrastructure improvements, software licenses — per Ord. 735-12 to MCPc, Inc. — Division of Information Technology and Services (BOC Res. 610-12) 1875
 Security services, unarmed uniformed — per Ord. 650-12 to Tenable Security Protective Services, Inc. (BOC Res. 611-12)..... 1875

Board of Control — Harbors Division

Environmental compliance consultants — per Ord. 499-10, 1624-10, 1435-11 to Science Applications International Corporation — Dept. of Port Control (BOC Res. 614-12)..... 1876

Board of Control — Information Technology and Services Division

Network infrastructure improvements, software licenses — per Ord. 735-12 to MCPc, Inc. — Dept. of Finance (BOC Res. 610-12)..... 1875

Board of Control — Land Reutilization Program

Ashbury Avenue, 11816 (Ward 9) — PPN 120-22-102 — Seante Renee Holden (BOC Res. 620-12) 1877
 East 110th Street, 1355 (Ward 9) — PPN 120-03-127 — Shirley Hope and Londria Hope (BOC Res. 622-12) 1878
 East 118th Street, 1444 (Ward 9) — PPN 120-10-071 — Sharon Kidd (BOC Res. 626-12) 1879
 East 52nd Street, 1444 (Ward 8) — PPN 104-10-077 — Quintin Carranza and Norma F. Carranza (BOC Res. 619-12) 1877
 East 58th Street (Ward 7) — PPN 104-14-114 — Christine Holmes and Samantha Foster (BOC Res. 621-12) 1877
 East 72nd Street, 3845 (Ward 12) — PPN 133-20-072 — Norman E. Shipley, Sr. (BOC Res. 631-12) 1880
 East 78th Street, 2246 (Ward 5) — PPN 118-26-048 — Gennie Houston (BOC Res. 623-12) 1878
 East 81st Street, 2258 (Ward 6) — PPN 119-27-030 — Catherine Wright-Tarver (BOC Res. 634-12)..... 1881
 East 85th Street, 2220 (Ward 6) — PPN 119-29-086 — Rosemarie Phillips (BOC Res. 630-12) 1880
 East 92nd Street, 1378 (Ward 7) — PPN 107-12-034 — Wanda Hudson (BOC Res. 624-12) 1878
 Grand Avenue (Ward 6) — PPN 126-20-011 — Cuyahoga County Land Reutilization Corporation (BOC Res. 616-12) 1876

Langley Avenue, 16813 (Ward 1) — PPN 143-13-109 (easterly portion) — Sylvia Pointer (BOC Res. 628-12)	1879
Langley Avenue, 16813 (Ward 1) — PPN 143-13-109 (westerly portion) — Roderick A. Mitchell (BOC Res. 627-12)	1879
Minnie Avenue (Ward 5) — PPN 124-30-057 — Bernard W. Hudson and Sharon D. Hudson (BOC Res. 625-12)	1878
Pierpont Avenue, 9209 (Ward 8) — PPN 109-02-147 — David L. Spicer and Deloris L. Spicer (BOC Res. 633-12)	1881
Revere Avenue, 12004 (Ward 2) — PPN 137-21-002 — Pamela M. Smith (BOC Res. 632-12)	1880
Spafford Road, 7919 (Ward 12) — PPN 133-16-077 — Gwendolyn Penamon (BOC Res. 629-12)	1879
West 42nd Street, 1942 (Ward 15) — PPN 002-32-159 (northerly half) — Earl R. Meacher (BOC Res. 618-12)	1877
West 42nd Street, 1942 (Ward 15) — PPN 002-32-159 (southerly half) — Stephen J. Cabot (BOC Res. 617-12)	1876

Board of Control — Port Control Department

Air filters — per C.O. Sec. 181.101 to Tri-Dim Filter Corporation (BOC Res. 615-12)	1876
Environmental compliance consultants — per Ord. 499-10, 1624-10, 1435-11 to Science Applications International Corporation — Divisions of Burke Lakefront Airport, Cleveland Hopkins International Airport and Harbors (BOC Res. 614-12)	1876

Board of Control — Professional Service Contracts

Engineering services — per Ord. 358-11 to URS Corporation — Division of Water Pollution Control, Dept. of Public Utilities (BOC Res. 612-12)	1875
Environmental compliance consultants — per Ord. 499-10, 1624-10, 1435-11 to Science Applications International Corporation — Divisions of Burke Lakefront Airport, Cleveland Hopkins International Airport and Harbors, Dept. of Port Control (BOC Res. 614-12)	1876
Network infrastructure improvements, software licenses — per Ord. 735-12 to MCPc, Inc. — Division of Information Technology and Services, Dept. of Finance (BOC Res. 610-12)	1875

Board of Control — Public Utilities Department

Ductline materials, PVC and FRE — rescind BOC Res. 523-12 — reject all bids — Division of Cleveland Public Power (BOC Res. 613-12)	1875
Engineering services — per Ord. 358-11 to URS Corporation — Division of Water Pollution Control (BOC Res. 612-12)	1875

Board of Control — Requirement Contracts

Air filters — per C.O. Sec. 181.101 to Tri-Dim Filter Corporation — Dept. of Port Control (BOC Res. 615-12)	1876
Ductline materials, PVC and FRE — rescind BOC Res. 523-12 — reject all bids — Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 613-12)	1875
Security services, unarmed uniformed — per Ord. 650-12 to Tenable Security Protective Services, Inc. — Dept. of Finance (BOC Res. 611-12)	1875

Board of Control — Water Pollution Control Division

Engineering services — per Ord. 358-11 to URS Corporation — Dept. of Public Utilities (BOC Res. 612-12)	1875
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Board of Zoning Appeals — Report

Bradley Road, 4268, (Ward 12) — Yevtuku Brothers, Inc., owner — appeal postponed to 12/17/12 on 11/26/12 (Cal. 12-178)	1882
Detroit Avenue, 4001, (Ward 3) — Progressive Urban Properties, LLC, owner and First Federal of Lakewood — appeal dismissed on 11/26/12 (Cal. 12-150)	1882
Holmden Avenue, 2327, (Ward 14) — Iglesia Nueva Vida, owner and Pastor Jose Reyes — appeal granted and adopted on 11/26/12 (Cal. 12-174)	1882
Jay Avenue, 2925, (Ward 3) — Michael Wojtanowski, owner — appeal postponed to 12/10/12 on 11/26/12 (Cal. 12-188)	1882
Lorain Avenue, 15149, (Ward 19) — Bill Lake Buick, Incorporated, owner and Elias Fernandez, prospective tenant — appeal granted and adopted on 11/26/12 (Cal. 12-162)	1882
Memphis Avenue, 4019-21, (Ward 13) — Anthony Rocco, owner — appeal heard on 11/26/12 (Cal. 12-196)	1882
Superior Avenue, 8901, (Ward 7) — Cuyahoga Metropolitan Housing Authority, owner — appeal heard on 11/26/12 (Cal. 12-195)	1882
Sylvia Avenue, 14405, (Ward 10) — Raymond Gould, owner — appeal denied and adopted on 11/26/12 (Cal. 12-183)	1882
West 25th Street, 3212, (Ward 14) — Computer Management International, owner and Gary Horvath, prospective tenant — appeal heard on 11/26/12 (Cal. 12-185)	1882
West 7th Street, 2099, (Ward 7) — Seth Linnick, owner — appeal heard on 11/26/12 (Cal. 12-197)	1882

Board of Zoning Appeals — Schedule

East 49th Street, 2277, (PPN 103-24-063), (Ward 5) — Farid Elabed and Fatima Lange, owners — appeal to be heard on 12/10/12 (Cal. 12-189)	1881
East 55th Street, 2256, (PPN 103-24-080), (Ward 5) — Elabed, LLC, owner — appeal to be heard on 12/10/12 (Cal. 12-190)	1881
East 55th Street, 2256, (PPN 103-24-081), (Ward 5) — Elabed, LLC, owner — appeal to be heard on 12/10/12 (Cal. 12-191)	1881
East 55th Street, 2276, (PPN 103-24-084), (Ward 5) — Fatima Lange, owner — appeal to be heard on 12/10/12 (Cal. 12-192)	1881
Professor Avenue, 2393, (Ward 3) — 2393 Tremont LLC, owner and Peter Kochera — appeal to be heard on 12/10/12 (Cal. 12-200)	1882
University Court, 718, (Ward 3) — Mark Ebner, owner — appeal to be heard on 12/10/12 (Cal. 12-203)	1882

Bonds

Capital Projects — Apply for Issue 1 for Lorain Ave., MLK JR. BLVD., Puritas & Bellaire Ave., Woodland Ave., East 116th St. (O 1452-12)	1889
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Bridges

Capital Projects — Preliminary Consent and Cause Payment — Constructing a North Coast Harbor Pedestrian Bridge (O 1690-12)	1862
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Buckeye Area Development Corporation

Holiday Food Card Program — agreement (Ward 04 NCF) (O 1660-12)	1893
Senior Landscaping and Snow Removal Program — Landscaping and Snow Removal Services for Seniors — Agreement (Ward(s) 04, 06 NCF) (O 1706-12)	1871

Building and Housing Department

Amend Section 367.05 — Noncompliance with Notice; Vacation of Premises; Board and Demolition of Premises (O 1684-12)	1871
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Burke Lakefront Airport

Amend Section 9 of Ord. No. 710-12 — design and construction — Burke Lakefront Airport Runway 6L-24R Safety Area (O 1693-12)	1863
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Capital Projects

Accept property for Quigley & Steelyard Common, Easement for Install Signage (O 1362-12)	1872
Amend Res. No. 1068-12 — intention to vacate a portion — West 20th St. & Moore Court (Ward 03) (O 1685-12)	1859
Amend Section 10 of Ord. No. 592-11 — Cedar Avenue Rehabilitation Phase II (East 89th St. to MLK Jr. Blvd.) — Add WPC Utility Fund Numbers (O 1492-12)	1891
Amend Title & Section(s) 1, 2, and 3 of Ord. No. 399-12, — Walworth Road Infrastructure Improvement (O 1418-12)	1872
Apply for Issue 1 for Lorain Ave., MLK Jr. Blvd., Puritas & Bellaire Ave., Woodland Ave., East 116th St. (O 1452-12)	1889
Consent agreement for Innerbelt — Non — Financial (O 1686-12)	1860
Preliminary consent and cause payment — Resurfacing of Triskett Rd. & Warren Rd. (Ward(s) 17, 18, 19) (O 1703-12)	1867
Preliminary consent and cause payment — Constructing a North Coast Harbor Pedestrian Bridge (O 1690-12)	1862
Preliminary consent and cause payment for rehab. of Larchmere Blvd. (Ward 06) (O 1689-12)	1861
Preliminary consent and cause payment for rehab. of Waterloo Rd. (Ward 11) (O 1687-12)	1860
Repairing Sidewalks, Driveway Aprons, and Curbing, Restoring Grass Tree Lawns and Adjusting Castings — W. 105 St., W 106 St., W 114 St., & E. 151 St. (O 1688-12)	1861

City of Cleveland Bids

Camera, gas detection (thermal imaging) — Department of Public Health — per Ord. 564-12 — bid due January 23, 2013 (advertised 11/21/2012 and 11/28/2012)	1885
Duct line installation, street lighting bases, pull box installation and repair — Department of Public Utilities — Division of Cleveland Public Power — per Ord. 1575-11 — bid due December 14, 2012 (advertised 11/21/2012 and 11/28/2012)	1885
Exterminating services — Department of Finance — per C.O. Sec. 181.101 — bid due December 7, 2012 (advertised 11/21/2012 and 11/28/2012)	1885
Lighting, decorative and special for bridges — Department of Public Utilities — Division of Cleveland Public Power — per Ord. 811-11 — bid due December 19, 2012 (advertised 11/21/2012 and 11/28/2012)	1885
Secondary site improvements, Cycle F — Department of Public Utilities — Division of Water — per Ord. 810-08 — bid due January 25, 2013 (advertised 11/28/2012 and 12/5/2012)	1885
Steel, miscellaneous sized — Department of Finance — per C.O. Sec. 181.101 — bid due December 7, 2012 (advertised 11/21/2012 and 11/28/2012)	1885

City Planning Commission

Amend Ord. No. 407-12, Section 680.051 — Newspaper Dispensing Devices (O 1459-12)	1872
Amend Res. No. 1068-12 — intention to vacate a portion — West 20th St. & Moore Court (Ward 03) (O 1685-12)	1859
Amend Section 343.23 — Pedestrian Retail Overlay (PRO) District — Drive — Through Lanes (O 1648-12)	1873
Community Development — Interdepartmental transfer — From CD Landbank to Public Works — Future development of League Park (O 1458-12)	1890

City Record

Thunder Tech — agreement — Cleveland City Council Website and create digital records for The City Record (O 1705-12)	1871
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Clerk of Council

Colbalt Group, Inc. — agreement — Operations and Sustainability Plan (O 1651-12)	1892
Donn R. Nottage — Amend and extend the term of the agreement with City Council (O 1680-12)	1870
Guy Gadomski, CPA — agreement — Professional Consulting and Auditing Services (O 1652-12)	1892
Mita Marketing, Llc — agreement — Communications and Public Relations (O 1653-12)	1892
Netx Internet, Llc — agreement — Wireless Internet Service (O 1654-12)	1892
Professional Photographers — contracts — Photography Services (O 1655-12)	1892
Solar Systems Networking Inc., — Fourth Amendment to the agreement — Additional money for continuation of Computer Technology Projects — City Contract No. PS 2010*83 (O 1657-12)	1893
The Project Group — agreement — Utility -Related Matters — CPP (O 1656-12)	1892
Thunder Tech — agreement — Cleveland City Council Website and create digital records for The City Record (O 1705-12)	1871

Cleveland Metropolitan Housing Authority (CMHA)

Safety & Community Development — agreements — CMSD & CMHA to swap properties — Charles Dickens & Anton Grdina Elementary Schools (O 1704-12)	1868
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Cleveland Municipal Court

Cleveland Work Crew Program — Place criminal defendants in Community Service — Court Community Service — Finance Department (O 1698-12)	1865
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Cleveland Metropolitan School District (CMSD)

Safety & Community Development — agreements — CMSD & CMHA to swap properties — Charles Dickens & Anton Grdina Elementary Schools (O 1704-12)	1868
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Cleveland Public Power (CPP)

The Project Group — agreement — Utility -Related Matters (O 1656-12)	1892
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Codified Ordinances

Amend Section 559.242 — Turkish Cultural Garden (O 1233-12)	1888
Amend Section 343.23 — Pedestrian Retail Overlay (PRO) District — Drive — Through Lanes — City Planning Commission (O 1648-12)	1873
Amend Section 343.23 — Pedestrian Retail Overlay (PRO) District — Drive — Through Lanes — City Planning Commission (O 1648-12)	1873
Amend Section 367.05 — Noncompliance with notice; Vacation of Premises; Board and Demolition of Premises (O 1684-12)	1871
City Planning — Amend Ord. No. 407-12, Section 680.051 — Newspaper Dispensing Devices (O 1459-12)	1872
Enact New Sect(s) 681A.01 — 681A.04 and 681A.99 — Precious Metals Dealers (O 1125-12)	1888

Community Development

Amendment to Contract No. 65607 with PLV Associates, L.P. — The rehabilitation of Park Lane Villa Apartments (Ward 08) (O 1598-12)	1873
Arbor Park refinancing (O 1602-12)	1873
Contract — The Finch Group, Inc., — Upper Chester Development Project (Ward 07) (O 1697-12)	1864
Interdepartmental Transfer — From CD Landbank to Public Works — Future development of League Park (O 1458-12)	1890
Safety — agreements — CMSD & CMHA to swap properties — Charles Dickens & Anton Grdina Elementary Schools (O 1704-12)	1868
Senior Landscaping and Snow Removal Program — Landscaping and Snow Removal Services for Seniors — agreement — Buckeye Area Development Corp. (Ward(s) 04, 06 NCF) (O 1706-12)	1871
Subsidiary Additions — Contract No. CT 4004 PI 2011-044 with Fabrizi Trucking & Paving, Inc. — Morgana Run Subdivision Phase 1 Project (O 1592-12)	1873

Community Relations Board

Juvenile Accountability Block Grant Program, 2012 — Grant — Cuyahoga County (O 1702-12) 1867

Condolences

Stubbs, Jr., George Willie (R 1711-12) 1859

Congratulations

Loejos, Father John (R 1712-12) 1859

Contracts

Amend Section 9 of Ord. No. 710-12 — design and construction — Burke Lakefront Airport
Runway 6L-24R Safety Area (O 1693-12) 1863

Amend Title & Section(s) 1, 2, and 3 of Ord. No. 399-12, — Walworth Road Infrastructure
Improvement (O 1418-12) 1872

Cleveland Work Crew Program — Place criminal defendants in Community Service — Court
Community Service — Finance Department (O 1698-12) 1865

Community Development — Amendment to Contract No. 65607 with PLV Associates, L.P. —
The rehabilitation of Park Lane Villa Apartments (Ward 08) (O 1598-12) 1873

Community Development — Subsidiary Additions — Contract No. CT 4004 PI 2011-044 with
Fabrizi Trucking & Paving, Inc. — Morgana Run Subdivision Phase 1 Project
(O 1592-12) 1873

Community Development — The Finch Group, Inc., — Upper Chester Development Project
(Ward 07) (O 1697-12) 1864

Discount Repayment Contract No. 46868 with Lakeside Ave., 425 and Contract No. 48736 with
JF West St. Clair — Hoyt Block II Project (Ward 03) (O 1700-12) 1866

Economic Development — Assumption of UDAG Contract No. 49231 from JF West St. Clair and
Nautica Peninsula by Jacobs Investments Inc. (O 1699-12) 1865

Exercise option to renew Contract No. 69917 with A Taste of Excellence, Inc. — Cafeteria —
Amend Contract No. 69917 (O 900-12) 1888

Exercise option to renew Contract No. CT 7012 NF2010-024 with Executive Caterers at
Landerhaven, Inc. — provide Food and Beverage Services (O 1532-12) 1891

Professional Photographers — Photography Services (O 1655-12) 1892

Public improvement of cleaning, Cement Mortar and Structural Lining, and replacing various
distribution Water Mains In 2013 (O 1691-12) 1863

Public Works — Rental of large capacity Trucks with operators — Streets Division (O 1694-12) 1863

Repairing Sidewalks, Driveway Aprons, and Curbing, Restoring Grass Tree Lawns and
Adjusting Castings — W. 105 St., W 106 St., W 114 St., & E. 151 St. (O 1688-12) 1861

Solar Systems Networking Inc., — Fourth Amendment to the agreement — Additional money for
continuation of Computer Technology Projects — City Contract No. PS 2010*83 (O 1657-12) 1893

Utilities Department — New restricted transmission Water Main for Orange Village (O 1692-12) 1863

Cuyahoga County

Juvenile Accountability Block Grant Program, 2012 — Grant — Community Relations
Board (O 1702-12) 1867

Easements

Capital Projects — Accept property for Quigley & Steelyard Common, — Install Signage
(O 1362-12) 1872

Economic Development Department

Amend Title & Section(s) 1, 2, and 3 of Ord. No. 399-12, — Walworth Road Infrastructure
Improvement (O 1418-12) 1872

Assumption of UDAG Contract No. 49231 from JF West St. Clair and Nautica Peninsula
by Jacobs Investments Inc. (O 1699-12) 1865

Discount repayment Contract No. 46868 with Lakeside Ave., 425 and Contract No. 48736 with
JF West St. Clair — Hoyt Block II Project (Ward 03) (O 1700-12) 1866

Engineering and Construction Division

Capital Projects — Dedication Plat — rights of way proposed as part of The Flats East Bank
Development (R 1460-12) 1885

Environmental Protection Agency (EPA)

Clean Air Act (R 1365-12) 1874

Fees

Enact New Sect(s) 681A.01 — 681A.04 AND 681A.99 — Precious Metals Dealers (O 1125-12) 1888

Finance Department

Cleveland Work Crew Program — Place criminal defendants in Community Service — Court
Community Service (O 1698-12) 1865

Salary and Wage Schedules — Sections 33 and 56 — Amend Ord. 1689-11, as amend —
Human Resources Department (O 1701-12) 1866

Fire Division

Hahn, Jr., Louis C. — Oath of Office — Captain — Fire Division — Safety Department
(F 1708-12) 1859

Kelley, Kevin — Oath of Office — Lieutenant — Fire Division — Safety Department (F 1709-12) 1859

Schoeniger, Robert G. — Oath of Office — Lieutenant — Fire Division — Safety Department
(F 1710-12) 1859

Flats District

Capital Projects — Dedication Plat — rights of way proposed as part of the Flats East Bank
Development (R 1460-12) 1885

Gifts

Accept donation of GE Energy Efficient LED Streetlights for Public Square
& West Side Market (O 1683-12) 1870

Utilities Department — Accept the gift of up to sixty Energy Efficient LED Streetlights —
Cooper Industries (O 1682-12) 1870

Grants

Amend Title & Section(s) 1, 2, and 3 of Ord. No. 399-12, — Walworth Road Infrastructure
Improvement (O 1418-12) 1872

Baby Basics Initiative Program; 2013 — The Sisters of Charity Foundation — Health
Department (O 1490-12) 1872

Cleveland High Visibility Enforcement Overtime Program, 2013 — Ohio Office Of Criminal
Justice Services (O 1695-12) 1864

Cuyahoga County OVI Task Force Program, 2013 — University Hospital Health System (O 1696-12) 1864

Immunization Action Plan Program, 2013 — Cuyahoga County Board of Health — Health
Department (O 1534-12) 1873

Juvenile Accountability Block Grant Program, 2012 — Community Relations Board — Cuyahoga
County (O 1702-12) 1867

Health Department

Baby Basics Initiative Program; 2013 — Grant — The Sisters of Charity Foundation (O 1490-12) 1872

Clean Air Act (R 1365-12) 1874

Immunization Action Plan Program, 2013 — Grant — Cuyahoga County Board of Health (O 1534-12) 1873

Holidays

Holiday Food Card Program — agreement — Buckeye Area Development Corporation
(Ward 04 NCF) (O 1660-12) 1893

Housing and Urban Development (HUD)

Community Development — Arbor Park refinancing (O 1602-12) 1873

Human Resources Department

Salary and Wage Schedules — Sections 33 and 56 — Amend Ord. 1689-11, as amend — Finance
Department (O 1701-12) 1866

Land Reutilization Program

Community Development — contract — The Finch Group, Inc., — Upper Chester
Development Project (Ward 07) (O 1697-12) 1864

Safety & Community Development — agreements — CMSD & CMHA to swap properties —
Charles Dickens & Anton Grdina Elementary Schools (O 1704-12) 1868

League Park

Community Development — Interdepartmental transfer — From CD Landbank to Public Works —
Future development of League Park (O 1458-12) 1890

Licenses

Enact New Sect(s) 681A.01 — 681A.04 and 681A.99 — Precious Metals Dealers (O 1125-12) 1888

Liquor Permits

Broadview Rd., 4744 — objection to transfer of ownership (Ward 13) (R 1628-12) 1887
 Broadway Ave., 5275-79 (1st Fl. & Bsmt.) — objection to transfer of ownership (Ward 05)
 (R 1661-12) 1887
 East 140th St., 831 — objection to transfer of ownership of stock (Ward 10) (R 1662-12) 1887
 East 185th St., 1035 — objection to transfer of ownership (Ward 11) (R 1626-12) 1886
 East 200th St., 788 — objection to transfer of ownership (Ward 11) (R 1627-12) 1886
 Jefferson Ave., 710 — objection to transfer of ownership and location (Ward 03) (R 1707-12) 1872
 Linwood Ave., 7038 — objection to issuance (Ward 07) (R 1625-12) 1885
 West 9th St., 1293 — withdraw objection to transfer of liquor license — repeal Res. 1024-12
 (Ward 03) (R 1658-12) 1887

Loans

Community Development — Amendment to Contract No. 65607 with PLV Associates, L.P. —
 The rehabilitation of Park Lane Villa Apartments (Ward 08) (O 1598-12) 1873
 Community Development — Arbor Park refinancing (O 1602-12) 1873
 Discount Repayment Contract No. 46868 with Lakeside Ave., 425 and Contract No. 48736 with
 JF West St. Clair — Hoyt Block II Project (Ward 03) (O 1700-12) 1866
 Economic Development — Assumption of UDAG Contract No. 49231 from JF West St. Clair and
 Nautica Peninsula by Jacobs Investments Inc. (O 1699-12) 1865

Newspaper Dispensing Devices

City Planning — Amend Ord. No. 407-12, Section 680.051 (O 1459-12) 1872

Oath of Office

Hahn, Jr., Louis C. — Captain — Fire Division — Safety Department (F 1708-12) 1859
 Kelley, Kevin — Lieutenant — Fire Division — Safety Department (F 1709-12) 1859
 Schoeniger, Robert G. — Lieutenant — Fire Division — Safety Department (F 1710-12) 1859

Office of Criminal Justice Services

Cleveland High Visibility Enforcement Overtime Program, 2013 — Grants (O 1695-12) 1864

Ohio Department of Transportation (ODOT)

Amend Title & Section(s) 1, 2, and 3 of Ord. No. 399-12, — Walworth Road Infrastructure
 Improvement (O 1418-12) 1872
 Capital Projects — Consent agreement for Innerbelt — Non- Financial (O 1686-12) 1860
 Capital Projects — Preliminary consent and cause payment — Resurfacing of Triskett Rd.
 & Warren Rd (Ward(s) 17, 18, 19) (O 1703-12) 1867
 Capital Projects — Preliminary consent and cause payment — Constructing a North
 Coast Harbor Pedestrian Bridge (O 1690-12) 1862
 Capital Projects — Preliminary consent and cause payment for rehab. of Waterloo Rd.
 (Ward 11) (O 1687-12) 1860
 Capital Projects — Preliminary consent and cause payment for rehab. of Larchmere Blvd.
 (Ward 06) (O 1689-12) 1861

Parks, Recreation and Properties Department

Amend Section 559.242 — Turkish Cultural Garden (O 1233-12) 1888

Plats

Capital Projects — Rights of way proposed as part of the Flats East Bank Development
 (R 1460-12) 1885

Port Control Department

Amend Section 1 of Ord. No. 886-12 — Purchase & Sale Agreement — Cleveland Business Park,
 Ltd. (O 1399-12) 1889
 Amend Section 9 of Ord. No. 710-12 — design and construction — Burke Lakefront Airport
 Runway 6L-24R Safety Area (O 1693-12) 1863

Professional Services

Colbalt Group, Inc. — agreement — Operations and sustainability Plan (O 1651-12) 1892
 Donn R. Nottage — Amend and extend the term of the agreement with City Council (O 1680-12) 1870
 Guy Gadoski, CPA — agreement — Professional Consulting and Auditing Services (O 1652-12) 1892

Mita Marketing, Llc — agreement — Communications and Public Relations (O 1653-12)	1892
Netx Internet, Llc — agreement — Wireless Internet Service (O 1654-12).....	1892
Professional Photographers — contracts — Photography Services (O 1655-12).....	1892
Solar Systems Networking Inc., — Fourth Amendment to the agreement — additional money for continuation of Computer Technology Projects — City Contract No. PS 2010*83 (O 1657-12)	1893
The Project Group — agreement — Utility -Related Matters — CPP (O 1656-12).....	1892
Thunder Tech — agreement — Cleveland City Council Website and create digital records for The City Record (O 1705-12)	1871

Public Improvements

Amend Section 10 of Ord. No. 592-11 — Cedar Avenue Rehabilitation Phase II (East 89th St. to MLK Jr. Blvd.) — Add WPC Utility Fund Numbers (O 1492-12)	1891
Amend Section 9 of Ord. No. 710-12 — design and construction — Burke Lakefront Airport Runway 6L-24R Safety Area (O 1693-12)	1863
Amend Title & Section(s) 1, 2, and 3 of Ord. No. 399-12, — Walworth Road Infrastructure Improvement (O 1418-12)	1872
Capital Projects — Apply for Issue 1 for Lorain Ave., MLK Jr. Blvd., Puritas & Bellaire Ave., Woodland Ave., East 116th St. (O 1452-12)	1889
Capital Projects — Consent Agreement for Innerbelt — Non Financial (O 1686-12)	1860
Capital Projects — Preliminary consent and cause payment — Resurfacing of Triskett Rd. & Warren Rd. (Ward(s) 17, 18, 19) (O 1703-12)	1867
Capital Projects — Preliminary consent and cause payment — Constructing a North Coast Harbor Pedestrian Bridge (O 1690-12).....	1862
Capital Projects — Preliminary consent and cause payment for rehab. of Waterloo Rd. (Ward 11) (O 1687-12)	1860
Capital Projects — Preliminary consent and cause payment for rehab. of Larchmere Blvd. (Ward 06) (O 1689-12)	1861
Cleaning, Cement Mortar and Structural Lining, and replacing various distribution Water Mains In 2013 (O 1691-12)	1863
Community Development — contract — The Finch Group, Inc., — Upper Chester Development Project (Ward 07) (O 1697-12)	1864
Community Development — Subsidiary Additions — Contract No. Ct 4004 PI 2011-044 with Fabrizi Trucking & Paving, Inc. — Morgana Run Subdivision Phase 1 Project (O 1592-12)	1873
Repairing Sidewalks, Driveway Aprons, and Curbing, Restoring Grass Tree Lawns and Adjusting Castings — W. 105 St., W 106 St., W 114 St., & E. 151 St. (O 1688-12)	1861
Utilities Department — New restricted transmission Water Main for Orange Village (O 1692-12)	1863

Public Works

Accept Donation of GE Energy Efficient LED Streetlights for Public Square & West Side Market (O 1683-12)	1870
Amend Section 559.242 — Turkish Cultural Garden (O 1233-12)	1888
Community Development — Interdepartmental Transfer — From CD Landbank to Public Works — Future Development of League Park (O 1458-12).....	1890
Contracts — Rental of large capacity Trucks with Operators — Streets Division (O 1694-12)	1863
Exercise option to renew Contract No. 69917 with A Taste of Excellence, Inc. — Cafeteria — Amend Contract No. 69917 (O 900-12)	1888
Exercise option to renew Contract No. CT 7012 NF2010-024 with Executive Caterers at Landerhaven, Inc. — Provide Food and Beverage Services (O 1532-12)	1891

Purchases and Supplies Division

Capital Projects — Accept property for Quigley & Steelyard Common, Easement for Install Signage (O 1362-12)	1872
Port Control — Amend Section 1 of Ord. No. 886-12 — Purchase & Sale Agreement — Cleveland Business Park, Ltd. (O 1399-12)	1889

Recognition

Seo, Jackson President, Lace (R 1713-12)	1859
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Resolution of Support

Capital Projects — Dedication Plat — Rights of way proposed as part of The Flats East Bank Development (R 1460-12)	1885
Clean Air Act (R 1365-12)	1874
State of Ohio Legislature — Increasing Penalty — Failure to stop for a stopped School Bus (R 1681-12)	1872

Resolutions — Miscellaneous

State of Ohio Legislature — Increasing Penalty — Failure to stop for a stopped School Bus (R 1681-12)	1872
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Safety Department

Amend Section 367.05 — Noncompliance with Notice; Vacation of Premises; Board and Demolition of Premises (O 1684-12)	1871
Cleveland High Visibility Enforcement Overtime Program, 2013 — Grants — Ohio Office of Criminal Justice Services (O 1695-12).....	1864
Cuyahoga County OVI Task Force Program, 2013 — Grant — University Hospital Health System (O 1696-12)	1864
Community Development — Agreements — CMSD & CMHA to swap properties — Charles Dickens & Anton Grdina Elementary Schools (O 1704-12)	1868
Hahn, Jr., Louis C. — Oath of Office — Captain — Fire Division — Safety Department (F 1708-12)	1859
Kelley, Kevin — Oath of Office — Lieutenant — Fire Division — Safety Department (F 1709-12)	1859
Schoeniger, Robert G. — Oath of Office — Lieutenant — Fire Division — Safety Department (F 1710-12)	1859

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Salary and Wage Schedules — Sections 33 and 56 — Amend Ord. 1689-11, as amend — Finance Department — Human Resources Department (O 1701-12)	1866
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State of Ohio

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Street Vacation

Amend Res. No. 1068-12 — intention to vacate a portion — West 20th St. & Moore Court (Ward 03) (O 1685-12).....	1859
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Streets Division

Public Works — contracts — Rental of large capacity Trucks with Operators (O 1694-12).....	1863
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Utilities Department

Accept Donation Of GE Energy Efficient LED Streetlights for Public Square & West Side Market (O 1683-12).....	1870
Accept the gift of up to Sixty Energy Efficient LED Streetlights — Cooper Industries (O 1682-12)	1870
New Restricted Transmission Water Main for Orange Village (O 1692-12).....	1863
Public improvement of Cleaning, Cement Mortar and Structural Lining, and replacing various distribution Water Mains In 2013 (O 1691-12)	1863

Ward 01

Repairing Sidewalks, Driveway Aprons, and Curbing, Restoring Grass Tree Lawns and Adjusting Castings — W. 105 St., W 106 St., W 114 St., & E. 151 St. (O 1688-12)	1861
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Ward 02

Repairing Sidewalks, Driveway Aprons, and Curbing, Restoring Grass Tree Lawns and Adjusting Castings — W. 105 St., W 106 St., W 114 St., & E. 151 St. (O 1688-12)	1861
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Ward 03

Accept Donation of GE Energy Efficient LED Streetlights for Public Square & West Side Market (O 1683-12).....	1870
Amend Res. No. 1068-12 — intention to vacate a portion — West 20th St. & Moore Court (O 1685-12)	1859
Capital Projects — Accept property for Quigley & Steelyard Common, Easement for Install Signage (O 1362-12)	1872
Capital Projects — Dedication Plat — Rights of way proposed as part of The Flats East Bank Development (R 1460-12)	1885
Capital Projects — Preliminary consent and cause payment — Constructing a North Coast Harbor Pedestrian Bridge (O 1690-12).....	1862
Clean Air Act (R 1365-12)	1874
Discount repayment Contract No. 46868 with Lakeside Ave., 425 and Contract No. 48736 with JF West St. Clair — Hoyt Block II Project (O 1700-12)	1866
Economic Development — Assumption of UDAG Contract No. 49231 from JF West St. Clair and Nautica Peninsula by Jacobs Investments Inc. (O 1699-12)	1865
Jefferson Ave., 710 — objection to transfer of ownership and location — liquor permit (R 1707-12)	1872

Utilities Department — Accept the gift of up to Sixty Energy Efficient LED Streetlights — Cooper Industries (O 1682-12).....	1870
West 9th St., 1293 — withdraw objection to transfer of liquor license — repeal Res. 1024-12 — liquor permit (R 1658-12)	1887

Ward 04

Holiday Food Card Program — agreement — Buckeye Area Development Corporatio (Ward 04 NCF) (O 1660-12).....	1893
Senior Landscaping and Snow Removal Program — Landscaping and Snow Removal Services for Seniors — agreement — Buckeye Area Development Corp. (Ward(s) 04, 06 NCF) (O 1706-12)	1871

Ward 05

Broadway Ave., 5275-79 (1st Fl. & Bsmt.) — objection to transfer of ownership — liquor permit (R 1661-12)	1887
Community Development — Arbor Park refinancing (O 1602-12)	1873

Ward 06

Amend Section 10 of Ord. No. 592-11 — Cedar Avenue Rehabilitation Phase II (East 89th St. to MLK Jr. Blvd.) — Add WPC Utility Fund Numbers (O 1492-12)	1891
Capital Projects — Preliminary consent and cause payment for rehab. of Larchmere Blvd. (O 1689-12)	1861
Senior Landscaping and Snow Removal Program — Landscaping and Snow Removal Services for Seniors — agreement — Buckeye Area Development Corp. (Ward(s) 04, 06 NCF) (O 1706-12)	1871

Ward 07

Community Development — contract — The Finch Group, Inc., — Upper Chester Development Project (O 1697-12).....	1864
Community Development — Interdepartmental Transfer — From CD Landbank to Public Works — Future Development of League Park (O 1458-12)	1890
Linwood Ave., 7038 — objection to issuance — liquor permit (R 1625-12)	1885

Ward 08

Amend Section 559.242 — Turkish Cultural Garden (O 1233-12)	1888
Community Development — Amendment to Contract No. 65607 with PLV Associates, L.P. — The Rehabilitation of Park Lane Villa Apartments (Ward 08) (O 1598-12)	1873

Ward 09

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Ward 10

East 140th St., 831 — objection to transfer of ownership of stock (R 1662-12).....	1887
Stubbs, Jr., George Willie — Condolence (R 1711-12).....	1859

Ward 11

Capital Projects — Preliminary consent and cause payment for rehab. of Waterloo Rd. (O 1687-12)	1860
East 185th St., 1035 — objection to transfer of ownership — liquor permit (R 1626-12).....	1886
East 200th St., 788 — objection to transfer of ownership — liquor permit (R 1627-12).....	1886

Ward 12

Community Development — Subsidiary Additions — Contract No. CT 4004 PI 2011-044 with Fabrizi Trucking & Paving, Inc. — Morgana Run Subdivision Phase 1 Project (O 1592-12)	1873
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Ward 13

Broadview Rd., 4744 — objection to transfer of ownership — liquor permit (R 1628-12)	1887
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Ward 14

Accept Donation of GE Energy Efficient LED Streetlights for Public Square & West Side Market (O 1683-12).....	1870
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Ward 15

Amend Title & Section(s) 1, 2, and 3 of Ord. No. 399-12, — Walworth Road Infrastructure Improvement (O 1418-12)	1872
Seo, Jackson President, Lace — Recognition (R 1713-12)	1859

Ward 16

Repairing Sidewalks, Driveway Aprons, and Curbing, Restoring Grass Tree Lawns and Adjusting Castings — W. 105 St., W 106 St., W 114 St., & E. 151 St. (O 1688-12)	1861
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Ward 17

Capital Projects — Preliminary consent and cause payment — Resurfacing of Triskett Rd. & Warren Rd. (Ward(s) 17, 18, 19) (O 1703-12)	1867
Loejos, Father John — Congratulations (R 1712-12)	1859

Ward 18

Capital Projects — Preliminary consent and cause payment — resurfacing of Triskett Rd. & Warren Rd. (Ward(s) 17, 18, 19) (O 1703-12)	1867
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Ward 19

Capital Projects — Preliminary consent and cause payment — Resurfacing of Triskett Rd. & Warren Rd. (Ward(s) 17, 18, 19) (O 1703-12)	1867
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Water Division

Public improvement of cleaning, Cement Mortar and Structural Lining, and replacing various distribution Water Mains In 2013 (O 1691-12)	1863
Utilities Department — New Restricted Transmission Water Main for Orange Village (O 1692-12)	1863

Water Mains

Public improvement of cleaning, Cement Mortar and Structural Lining, and replacing various distribution Water Mains In 2013 (O 1691-12)	1863
Utilities Department — New Restricted Transmission Water Main for Orange Village (O 1692-12)	1863

Water Pollution Control Division

Amend Section 10 of Ord. No. 592-11 — Cedar Avenue Rehabilitation Phase II (East 89th St. to MLK Jr. Blvd.) — Add WPC Utility Fund Numbers (O 1492-12)	1891
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