

The City Record

Official Publication of the Council of the City of Cleveland



July the Third, Two Thousand and Thirteen

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. Pruitt	16920 Throckley Avenue	44128
2	Zachary Reed	3734 East 149th Street	44120
3	Joe Cimperman	P.O. Box 91688	44101
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44105
6	Mamie J. Mitchell	12701 Shaker Boulevard, #712	44120
7	TJ Dow	7715 Decker Avenue	44103
8	Jeffrey D. Johnson	9024 Parkgate Avenue	44108
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Eugene R. Miller	13615 Kelso Avenue	44110
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Anthony Brancatelli	6924 Ottawa Road	44105
13	Kevin J. Kelley	5904 Parkridge Avenue	44144
14	Brian J. Cummins	3104 Mapledale Avenue	44109
15	Matthew Zone	1228 West 69th Street	44102
16	Jay Westbrook	1278 West 103rd Street	44102
17	Dona Brady	1272 West Boulevard	44102
18	Martin J. Sweeney	3632 West 133rd Street	44111
19	Martin J. Keane	15907 Colletta Lane	44111

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

MAYOR – Frank G. Jackson

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

OFFICE OF CAPITAL PROJECTS – Jomarie Wasik, Director

DIVISIONS:

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

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

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

Frank Badalamenti, Manager, Internal Audit

DIVISIONS:

Accounts – Lonya Moss Walker, Commissioner, Room 19
Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122
City Treasury – James Hartley, Interim Treasurer, Room 115
Financial Reporting and Control – James Gentile, Controller, Room 18
Information Technology and Services – Douglas Divish, Commissioner, 205 W. St. Clair Avenue
Purchases and Supplies – 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 – Paul Bender, 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 – Antonette Thompson, Interim Commissioner
Property Management – Tom Nagle, Commissioner
Recreation – Samuel Gissentaner, Interim Commissioner
Streets – _____, Commissioner
Traffic Engineering – Robert Mavec, Commissioner
Waste Collection and Disposal – Randell T. Scott, Interim Commissioner

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

DIVISIONS:

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

DEPT. OF PUBLIC SAFETY – 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 – Nicole Carlton, Acting Commissioner, 1708 South Pointe Drive
Fire – Daryl W. McGinnis, 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 – John Mahoney, Manager
Neighborhood Development – Chris Garland, Commissioner
Neighborhood Services – Louise V. Jackson, Commissioner

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

DIVISIONS:

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

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

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

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

COMMUNITY RELATIONS BOARD – Room 11, Blaine Griffin, Director, Mayor Frank G. Jackson, Chairman Ex-Officio; Rev. Dr. Charles P. Lucas, Jr., Vice-Chairman, Council Member Brian Cummins, 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 Whit.

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, Joseph F. Denk, Chairman; Howard Bradley, Patrick M. Gallagher, Robert Maschke, Halim M. Saab, P.E., Alternate Members – D. Cox, P. Frank, E. P. O'Brien, Richard Pace, J.F. Sullivan.

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

BOARD OF SIDEWALK APPEALS – Capital Projects 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 Paul Bender; 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, Giancarlo Calicchia, John Torres, Robert Vitkas, 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 12B
Judge Marilyn B. Cassidy – Courtroom 13A
Judge Michelle Denise Earley – Courtroom 12C
Judge Emanuella Groves – Courtroom 14B
Judge Anita Laster Mays – Courtroom 14C
Judge Lauren C. Moore – Courtroom 14A
Judge Charles L. Patton, Jr. – Courtroom 13D
Judge Raymond L. Pianka (Housing Court Judge) – Courtroom 13B
Judge Angela R. Stokes – Courtroom 15C
Judge Pauline H. Tarver – Courtroom 13C
Judge Joseph J. Zone – Courtroom 14D

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

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71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 100

WEDNESDAY, JULY 3, 2013

No. 5195

CITY COUNCIL

MONDAY JULY 1, 2013

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

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2010-2013

MONDAY — Alternating

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

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

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, 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

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

June 26, 2013

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, June 26, 2013 at 10:37 a.m. with Director Langhenry presiding.

Present: Directors Langhenry, Dumas, Acting Director Shaw, Directors Smith, Cox, Acting Directors Gehlmann, Resseger, Directors Southerington, Nichols, Fumich and Rybka.

Absent: Mayor Jackson and Director Butler.

Others: Jomarie Wasik, Director, Mayor's Office of Capital Projects, Natoya Walker-Minor, Interim Director, Office of Equal Opportunity.

Tiffany White, Commissioner, Purchases & Supplies.

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

Resolution No. 348-13.

By Director Bender.

Whereas, under Ordinance No. 1575-11, passed by the Cleveland City Council on December 5, 2011, and Board of Control Resolution No. 113-13, adopted March 3, 2013, the City, through the Director of Public Utilities, entered into Contract No. 1505*RC2013*39 with Cook Paving & Construction Co. Inc. for an estimated quantity of labor and materials necessary to install, repair, replace or maintain the duct line, street lighting bases and pull boxes, and other related incidentals, all items, and approved various sub-contractors, for the Division of Cleveland Public Power, Department of Public Utilities; and

Whereas, Cook Paving & Construction Co. Inc. has proposed by its May 24, 2013 memo, to employ additional sub-contractors under Contract No. 1505*RC2013*39 to assist in completion of the remaining services under the contract; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following additional sub-contractors by Cook Paving & Construction Co. Inc. under City Contract No. 1505*RC2013*39 for labor and materials necessary to install, repair, replace or maintain the duct line, street lighting bases and pull boxes, and other related incidentals, is approved:

Sub-contractors	Percentage Amount
Riley Contracting, Inc.	0.32 % \$20,000.00
John Fithian Contracting Co., Inc.	0.32 % \$20,000.00

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Directors Smith, Cox, Acting Directors Gehlmann, Resseger, Directors Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 349-13.

By Director Bender.

Whereas, under the authority of Ordinance No. 483-07, passed by the Cleveland City Council on June 4, 2007, and Board of Control Resolution No. 122-08, adopted March 5, 2008, and Resolution No. 136-08, adopted March 19, 2008, respectively,

the City through the Director of Public Utilities entered into Contract No. 67892 with Cook Paving & Construction Company, Incorporated for the public improvement of the Demolition, Removal, Furnishing & Construction of two (2) Manufactured Steel Buildings, Option 4 including the Contingency, for the Division of Cleveland Public Power, Department of Public Utilities; and

Whereas, Cook Paving & Construction Company, Inc. has proposed by its February 4, 2013 and its April 4, 2013 memos, respectively, to employ additional sub-contractors under Contract No. 67892 to assist in completion of the remaining services under the contract; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following additional subcontractors by Cook Paving & Construction Company, Inc. under Contract No. 67892 for the Demolition, Removal, Furnishing & Construction of two (2) Manufactured Steel Buildings, Option 4 including the Contingency, for the Division of Cleveland Public Power, Department of Public Utilities, is approved:

<u>Subcontractors</u>	<u>Amount</u> <u>Percentage</u>
Ullman Electric	\$153,200.00 7.34%
Northcoast Concrete, Inc.	\$ 86,000.00 4.12%
J Stevens Construction	\$260,106.00 12.47%
R & R Mechanical (CSB/MBE)	\$101,250.00 4.85%
A Demolition & Hauling, Inc.	\$ 47,400.00 2.27%

Be it further resolved that Resolution No. 122-08 is amended to change the participation of RAR Contracting to \$112,000.00, from \$110,000.00.

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Directors Smith, Cox, Acting Directors Gehlmann, Resseger, Directors Southerington, Nichols, Fumich and Rybka.

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

Resolution No. 350-13.

By Director Bender.

Whereas, Board of Control Resolution No. 118-13, adopted March 3, 2013, authorized the Director of Public Utilities to enter into contract with Neenah Foundry Company, for an estimated quantity of castings, items 4 through 6 and items 31-44, for the Divisions of Cleveland Public Power, Water, and Water Pollution Control, Department of Public Utilities; and

Whereas, Resolution No. 118-13 incorrectly identified items 31 through 44 as approved for purchase from Neenah Foundry; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 118-13, adopted by

this Board on March 3, 2013, approving the bid of Neenah Foundry Company as the lowest and best for an estimated quantity of castings, items 4 through 6 and items 31 through 44, is amended by substituting "items 31 through 34" for "items 31 through 44" where appearing in the resolution.

Be it further resolved that all other terms of Resolution No. 118-13 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Directors Smith, Cox, Acting Directors Gehlmann, Resseger, Directors Southerington, Nichols, Fumich and Rybka.

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

Resolution No. 351-13.

By Director Bender.

Whereas, under the authority of Ordinance No. 984-07, passed by the City of Cleveland Council on August 8, 2007, the City of Cleveland, through the Director of Public Utilities, entered into an agreement with Ventyx, City Contract No. 67844, for professional services necessary to maintain the Ventyx Customer Suite, Service Suite and Asset Suite software, including new releases, patches and fixes, technical support and product research and improvement for the one-year period starting August 1, 2008, for the Division of Cleveland Public Power, Department of Public Utilities; and

Whereas, under the authority of Section 181.102 of the Codified Ordinances of Cleveland, Ohio, 1976, ("C.O."), and Resolution No. 27-10, adopted by this Board of Control on January 27, 2010, the City of Cleveland, through the Director of Public Utilities, entered into a first modification (numbered as PS2010*61) to Contract No. 67844 for professional services necessary to maintain the Ventyx software system for the one-year period starting August 1, 2009; and

Whereas, under the same authority of Section 181.102 C.O., and Resolution No. 444-10, adopted by this Board of Control on October 27, 2010, the City of Cleveland, through the Director of Public Utilities, entered into a second modification to Contract No. PS2010*61 for professional services necessary to maintain the Ventyx software system for the one-year period starting August 1, 2010; and

Whereas, under the same authority of Section 181.102 C.O., and Resolution No. 475-12, adopted by this Board of Control on September 19, 2012, the City of Cleveland, through the Director of Public Utilities, entered into a third modification to Contract No. PS2010*61 for professional services necessary to maintain the Ventyx software system for two (2) one-year periods starting August 1, 2011 and August 1, 2012, respectively; and

Whereas, division (c) of Section 181.102 C.O. authorizes a director, previously authorized to acquire a software system, to execute one or more license agreements for software needed to implement or main-

tain the system directly with the firm(s) licensing the software; and

Whereas, division (d) of Section 181.102 C.O. authorizes a director, previously authorized to contract with a software developer or vendor to acquire software, to enter into an agreement with the developer or vendor for professional services necessary to perform as-needed services to implement or maintain the software products, including but not limited to, maintenance, repair, upgrades, migration, enhancements and technical support; and

Whereas, under division (d) of Section 181.102 C.O., the City intends to enter into a one-year agreement with Ventyx, Inc. for additional maintenance and technical support services to implement and maintain the Ventyx Customer Suite, Service Suite and Asset Suite software for the one-year term starting August 1, 2013; and

Whereas, Consultant has proposed by its April 1, 2013 Letter to perform the additional maintenance and technical support services for one year starting August 1, 2013 for a fee of \$159,871.00; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, under division (e) Section 181.102 C.O., that the compensation to be paid Ventyx Inc. for additional maintenance and technical support services for the Ventyx Customer Suite, Service Suite, and Asset Suite software for the one-year term starting August 1, 2013 shall be fixed at \$159,871.00.

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Directors Smith, Cox, Acting Directors Gehlmann, Resseger, Directors Southerington, Nichols, Fumich and Rybka.

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

Resolution No. 352-13.

By Director Bender.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 889-12, passed by the Council of the City of Cleveland on August 8, 2012, DLZ Ohio, Inc. 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 for the East 75th Street Area Sewer System 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 DLZ Ohio, Inc. based upon its proposal dated March 12, 2013, 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 \$272,133.00, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following sub-consultants by DLZ Ohio, Inc. for the above-mentioned professional services is approved:

SUBCONSULTANT CSB/MBE/FBE WORK

Michael Benza & Assoc., Inc. CSB
\$33,000.00(12.13%)

Pro Geotech, Inc. CSB/MBE
\$ 7,979.00(02.93%)

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Directors Smith, Cox, Acting Directors Gehlmann, Resseger, Directors Southerington, Nichols, Fumich and Rybka.

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

Resolution No. 353-13.

By Director Bender.

Be it resolved by the Board of Control of the City of Cleveland that the bid of WESCO Distribution Inc. for the following: Purchase of 145kV Outdoor SF6; 2000 Amp Power Circuit Breakers for Harvard Substation, all items, for the Division of Cleveland Public Power, Department of Public Utilities, received on March 27, 2013, under the authority of Ordinance No. 556-08, passed June 9, 2008, which on the basis of the order quantities would amount to \$292,082.00 (0%, 30 days), is approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into contract for the items.

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Directors Smith, Cox, Acting Directors Gehlmann, Resseger, Directors Southerington, Nichols, Fumich and Rybka.

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

Resolution No. 354-13.

By Director Smith.

Whereas, Chautaugua Inc./dba All About Beer Magazine ("Concessionaire") wishes to utilize the warehouse located on Dock 30 (Warehouse 30) to conduct the International Beer Festival on July 13, 2013; and

Whereas, the City is willing to grant the Concessionaire the privilege, permit and license to utilize Warehouse 30 for the International Beer Festival; now therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.04 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of the Department of Port Control is hereby authorized to enter into a Concession Agreement granting the Concessionaire the privilege, permit and license to utilize Dock 30 (Warehouse 30) for the International Beer Festival, on July 13, 2013. The Concessionaire shall pay the City at a rate of \$1,000.00 for the use of the 50,000 square feet of interior warehouse space.

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

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Directors Smith, Cox, Acting Directors Gehlmann, Resseger, Directors

Southerington, Nichols, Fumich and Rybka.

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

Resolution No. 355-13.

By Director Wasik.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Perk Company, Inc. for the public improvement by requirement contract for the Year 2013 Concrete Requirements for City Wards, base bid items 1-75 including ten percent contingency allowance, for the Mayor's Office of Capital Projects, received on June 14, 2013, under the authority of Ordinance No. 705-13, passed by Cleveland City Council on May 20, 2013, upon a unit price basis for the improvements to be performed as ordered during the period of eighteen months starting upon execution of a contract, at the unit prices set forth in the bid, which on the basis of the estimated work to be done would amount to \$3,687,251.00, is affirmed and approved as the lowest responsible bid, and the Director of the Mayor's Office of Capital Projects is authorized to enter into a public improvement by requirement contract for the improvement.

The public improvement by requirement contract shall further provide that the contractor will perform all the City's requirements for the work as may be ordered under delivery orders separately certified against the public improvement by requirement contract, whether the same be less than the total estimate of work to be performed under the contract or shall exceed the same by not more than ten percent.

Be it further resolved that the employment of the following subcontractors by the Perk Company, Inc. for the above-mentioned public improvement is approved:

TechReady Mix
5000 Crayton Avenue
Cleveland, Ohio 44104
(CSB/MBE) — \$430,125.00 — 11.67%

Cordova Enterprises, LLC
3100 East 45th Street, Suite 322
Cleveland, Ohio 44127
(CSB/MBE/FBE) — \$93,192.00 — 2.53%

Royal Landscaping, LLC
7801 Old Granger Road
Garfield Heights, Ohio 44125
(CSB/FBE) — \$598,000.00 — 16.22%

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Directors Smith, Cox, Acting Directors Gehlmann, Resseger, Directors Southerington, Nichols, Fumich and Rybka.

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

Resolution No. 356-13.

By Director Wasik.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of the Shelly Company, Inc. for the public improvement by requirement contract for the Year 2013 Concrete Requirements for City Wards, base bid items 76-116 including ten percent contingency allowance, for the Mayor's Office of Capital Projects, received on June

14, 2013, under the authority of Ordinance No. 705-13, passed by Cleveland City Council on May 20, 2013, upon a unit price basis for the improvements to be performed as ordered during the period of eighteen months starting upon execution of a contract, at the unit prices set forth in the bid, which on the basis of the estimated work to be done would amount to \$2,702,962.50, is affirmed and approved as the lowest responsible bid, and the Director of the Mayor's Office of Capital Projects is authorized to enter into a public improvement by requirement contract for the improvement.

The public improvement by requirement contract shall further provide that the contractor will perform all the City's requirements for the work as may be ordered under delivery orders separately certified against the public improvement by requirement contract, whether the same shall be less than the total estimate of work to be performed under the contract or shall exceed the same by not more than ten percent.

Be it further resolved that the employment of the following subcontractors by the Shelly Company, Inc. for the above-mentioned public improvement is approved:

Cook Paving and Construction, Co. Inc.
Cleveland, Ohio 44130
(CSB/MBE) — \$525,500.00 — 19.44%

Friedel Trucking Co., Inc
Cleveland, Ohio 44144
(CSB/FBE) — \$10,000.00 — 0.37%

Midland Concrete and Sand Trans., Inc.
Cleveland, Ohio 44113
(CSB) — \$10,000.00 — 0.37%

PGT Construction, Inc.
North Royalton, Ohio 44133
(CSB/FBE) — \$10,000.00 — 0.37%

RAR Contracting Co., Inc.
Valley View, Ohio 44125
(CSB/MBE) — \$10,000.00 — 0.37%

Vandra Brothers Construction, Inc.
Oakwood Village, Ohio 44146
(CSB) — \$250,000.00 — 9.25%

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Directors Smith, Cox, Acting Directors Gehlmann, Resseger, Directors Southerington, Nichols, Fumich and Rybka.

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

Resolution No. 357-13.

By Director Wasik.

Be it resolved by the Board of Control of the City of Cleveland, that all bids received on May 16, 2013 for: Denison Avenue Public Improvements Roadway Rehabilitation from Ridge Road to Denison Bridge over SR 176 & Underground 138KV Transmission Circuit Infrastructure City # M1078 for the Mayor's Office of Capital Projects pursuant to the authority of Ordinance Nos. 908-12, passed by the Council of the City of Cleveland on August 8, 2012 are rejected.

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Directors Smith, Cox, Acting Directors

Gehlmann, Resseger, Directors Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 358-13.

By Director Cox.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Envirocom Construction, Inc. (CSB/LPE) for the public improvement of Erie Street and Monroe Street Cemetery Structure Improvements, for the Bid Package A, Base Bid Items A-D and Bid Package B, Base Bid Items A-E and Optional Items A-1, B-1, B-2 and C-F for the Division of Architecture and Site Development, Department of Public Works, received on May 17, 2013, under the authority of Ordinance Nos. 537-12, passed on May 14, 2012, upon a gross price basis for the improvement in the aggregate amount of \$1,206,300.00, is affirmed and approved as the lowest responsible bid; and the Director of Department of Public Works is authorized to enter into contract for the improvement with the bidder.

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

<u>SUBCONTRACTOR</u>	<u>AMOUNT</u>	<u>PERCENTAGE</u>
Grunwell Cashero (other)	\$275,000.00	22.797%
HMH Restoration (CSB/FBE)	\$159,000.00	13.181%
Warren Roofing (other)	\$ 75,000.00	6.217%
Alternate Electric (CSB/MBE/FBE)	\$ 41,990.00	3.481%
Pasadena Building (other)	\$ 25,000.00	2.072%
Frank Novak & Sons (CSB/FBE)	\$ 14,000.00	1.161%

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Directors Smith, Cox, Acting Directors Gehlmann, Resseger, Directors Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 359-13.

By Director Rush.

Whereas, Board of Control Resolution No. 210-13, adopted May 1, 2013, authorized the sale and development of Permanent Parcel No. 126-03-052 to Vera Brewer for yard expansion, as part of the City Land Reutilization Program established under Ordinance No. 2076-76, passed by the Cleveland City Council on October 25, 1976; and

Whereas, Resolution No. 210-13 incorrectly identified the purchase price of the parcel to be sold as "\$400.00"; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 210-13, adopted by this Board May 1, 2013, authorizing the sale and development of Permanent Parcel No. 126-03-052 to Vera Brewer for yard expansion, is amended by substituting "\$200.00" for "\$400.00", where appearing in the resolution.

Be it further resolved that all other provisions of Resolution No. 210-13 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Directors Smith, Cox, Acting Directors Gehlmann, Resseger, Directors Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 360-13.

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. 103-23-055 and 103-23-005 (1/3 of Southern Portion) located at 2160 East 40th Street and 3932 Cedar Avenue 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, Edward Dennis and Krystal Dennis 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, with Edward Dennis and Krystal Dennis for the sale and development of Permanent Parcel Nos. 103-23-055 and 103-23-005 (1/3 of Southern Portion) located at 2160 East 40th Street and 3932 Cedar Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Directors Smith, Cox, Acting Directors Gehlmann, Resseger, Directors Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 361-13.

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. 102-28-174 located at 1624 East 33rd 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, Cuyahoga County Land Reutilization Corporation has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Cuyahoga County Land Reutilization Corporation for the sale and development of Permanent Parcel No. 102-28-174 located at 1624 East 33rd 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, Dumas, Acting Director Shaw, Directors Smith, Cox, Acting Directors Gehlmann, Resseger, Directors Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 362-13.

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. 107-23-022 located on East Blvd. 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, Glenville Development Corporation has proposed to the City to purchase and develop the parcel for green space; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Glenville Development Corporation for the sale and development of Permanent Parcel No. 107-23-022 located on East Blvd., according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Directors Smith, Cox, Acting Directors Gehlmann, Resseger, Directors Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 363-13.

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. 007-17-017 located at 2956 West 38th Street in Ward 14; 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, John W. Fubel 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 14 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 John W. Fubel for the sale and development of Permanent Parcel No. 007-17-017 located at 2956 West 38th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Directors Smith, Cox, Acting Directors Gehlmann, Resseger, Directors Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 364-13.

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. 125-24-035 located at 5634 Drake Avenue in Ward 12; and

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

Whereas, John E. Hafey 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 John E. Hafey for the sale and development of Per-

manent Parcel No. 125-24-035 located at 5634 Drake 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, Dumas, Acting Director Shaw, Directors Smith, Cox, Acting Directors Gehlmann, Resseger, Directors Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 365-13.

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. 002-26-089 located at 6607 Fir Avenue in Ward 15; and

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

Whereas, Carolyn Hauser 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 Carolyn Hauser for the sale and development of Permanent Parcel No. 002-26-089 located at 6607 Fir Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Directors Smith, Cox, Acting Directors Gehlmann, Resseger, Directors Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 366-13.

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. 007-27-003 located at 2820 Erin Avenue in Ward 14; 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, Xiomara Perez-Gron 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 14 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 Xiomara Perez-Gron for the sale and development of Permanent Parcel No. 007-27-003 located at 2820 Erin 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, Dumas, Acting Director Shaw, Directors Smith, Cox, Acting Directors Gehlmann, Resseger, Directors Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 367-13.

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. 008-02-044 located at 2917 West 17th Street in Ward 14; 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, Ruby Spears 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 14 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 Ruby Spears for the sale and development of Permanent Parcel No. 008-02-044 located at 2917 West 17th 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, Dumas, Acting Director Shaw, Directors Smith, Cox, Acting Directors Gehlmann, Resseger, Directors Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 368-13.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 132-25-080 located at 7002 Clement Avenue in Ward 12; and

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

Whereas, Nick Zbasnik 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 Nick Zbasnik for the sale and development of Permanent Parcel No. 132-25-080 located at 7002 Clement Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Directors Smith, Cox, Acting Directors Gehlmann, Resseger, Directors Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES**General Information**

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

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

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

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

ROBERT BENNETT,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, JULY 15, 2013

9:30 A.M.

Calendar No. 13-91: 1681 Columbus Road (Ward 3)

Warehouse District Parking, LLC appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d)

of the Cleveland Codified Ordinances and disputes the decision rendered by the Commissioner of the Cleveland Division of Assessments and Licenses pertaining to the property located at 1681 Columbus Road and the regulation established in Section 457.10 of the Cleveland Codified Ordinances.

Calendar No. 13-114: 6928 Detroit Avenue (Ward 15)

Our Lady of Mt. Carmel Church appeals to erect two (2) 3'-11" x 5'-10" double faced, LED (light emitting diode) message center cabinets, attached to existing masonry ground piers on a corner parcel located in a C3 Multi-Family District; contrary to the Residential Schedule of Locations Regulations under Section 350.13(b) a zero distance is proposed and the minimum distance from all lot lines is 25 feet; and pursuant to Section 350.13(g) electronic message center signs for a community facility require the Board of Zoning Appeals approval.

Calendar No. 13-115: 2005 West Schaaf Road (Ward 13)

Brooklyn Heights United Church appeals to erect two (2) 2'-6" x 5'-8" double faced LED (light emitting diode) message center cabinets attached to existing ground signs on an irregular shaped parcel in a D1 Multi-Family District; contrary to the Residential Schedule of Locations Regulations under Section 350.13(b) a zero distance is proposed and the minimum distance from all lot lines is 25 feet; and pursuant to Section 350.13(g) electronic message center signs for a community facility require the Board of Zoning Appeals approval.

Calendar No. 13-117: 2320 Superior Avenue (Ward 8)

2320 Superior LLC, owner, appeal to establish use as a multi-unit apartment building an existing three-story structure, located on a 139.60' x 175.92' corner parcel in a C4 Semi-Industry District; and subject to the provisions under Section 349.15(c), bicycle parking facilities shall be provided at a rate of one (1) bicycle parking space for each twenty (20) automobiles provided; and in a "C" area district, the maximum gross floor area shall not exceed one-half of the lot area and 57,000 square feet is proposed contrary to 12,840 that is allowed according to Section 355.04 in the Cleveland Codified Ordinances.

Calendar No. 13-118: 2000 Lakeside Avenue (Parcel "A") (Ward 3)

Castle Heating & Air, Inc., owner, appeals to install approximately 247 linear feet of 8' high chain link fence with three (3) strands of barbed wire slanting at 45 degrees towards property in the front and side street yards of an acreage parcel located in a C3 Semi-Industry District; contrary to Section 358.05(a)(2)(b) in a non-residential district, fence in actual front and side street yards shall not exceed a height of 4 feet and shall be at least 50% open according to the Cleveland Codified Ordinances.

Calendar No. 13-119: 2020 Lakeside Avenue (Parcel "B") (Ward 3)

Castle Heating & Air, Inc., owner, appeals to install approximately 45

linear feet of 8' high chain link fence with three (3) strands of barbed wire slanting at 45 degrees towards property in the front yard of an acreage parcel located in a C3 Semi-Industry District along Lakeside Avenue; contrary to Section 358.05(a)(2)(b) in a non-residential district, fence in an actual front yard shall not exceed a height of 4 feet and shall be at least 50% open according to the Cleveland Codified Ordinances.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, JULY 1, 2013

At the meeting of the Board of Zoning Appeals on Monday, July 1, 2013, the following appeals were scheduled for hearing before the Board.

The following appeals were **APPROVED:**

Calendar No. 13-87: 5300 Riverside Drive

Hopkins Partners-Sheraton Airport appealed from the decision of the Commissioner of the Cleveland Division of Assessments and Licenses and the regulation established under Section 457.10 in the Cleveland Codified Ordinances.

Calendar No. 13-104: 17815 Puritas Avenue

Discount Drug Mart appealed to build a drive-through at an existing store in a C1 Local Retail Business District; subject to conditions.

Calendar No. 13-106: 1466 West 81st Street

ADAMHS Board appealed to install a 7' to 6-6" high wood fence along an interior side yard in a B1 Two-Family District; subject to revised plan.

Calendar No. 13-107: 1365 West 65th Street

The 1365 West 65th Street LLC appealed to construct a patio, expanding the use of a restaurant in a B1 Local Retail Business District.

The following appeal was **DENIED:**

Calendar No. 13-81: 3615 Euclid Avenue

AASR Valley of Cleveland and the Masonic and Performance Arts Center appealed from a decision of the Commissioner of the Cleveland Division of Assessments and Licenses and the regulation established under Section 457.10 in the Cleveland Codified Ordinances.

The following appeal was **WITHDRAWN:**

Calendar No. 12-205: 3675 East 65th Street

Mosinski Funeral Homes, Inc., appealed to change use from a funeral home to a community center in a B1 Local Retail Business District.

The following appeal was **DISMISSED:**

Calendar No. 13-108: 4656 Broadview Road

Thomas Gettings appealed to change use from a two family residence to a rooming house in a B1 Two-Family District.

The following appeal was **POSTPONED:**

Calendar No. 13-31: 14401 Harvard Avenue postponed to September 9, 2013.

The following appeals heard by the Board on June 24, 2013 were adopted and approved on July 1, 2013.

The following appeals were **APPROVED:**

Calendar No. 13-99: 7201 Wade Park Avenue, aka 1370 Addison Road N.E.

Eliza Bryant Center appealed to construct an outpatient dialysis clinic in a C1 Multi-Family District.

Calendar No. 13-100: 1010 Euclid Avenue

Geis Properties, LLC appealed to establish use of a 13-story building as a dining hall, offices, apartments and assembly space on the roof deck in an E6 General Retail Business District.

Calendar No. 13-101: 2017 East 9th Street

Geis Properties, LLC appealed to establish use of a 29-story building as meeting and banquet space, a restaurant, offices, and a theater, a pool/spa gym, a hotel and apartments with their accessory uses in an E6 General Retail Business District.

Calendar No. 13-105: 3307 Library Avenue

Yvonia Davis appealed from a Notice of Violation issued by the City of Cleveland Division of Waste Collection under Civil Infraction Ticket Number WC00156612.

Calendar No. 13-63: 1002 Kenilworth Avenue

John Meigs appealed to erect an attached garage and roof deck to a nonconforming building in a B1 Two-Family District.

The following appeals heard by the Board on March 11, 2013 were adopted and approved on July 1, 2013:

The following appeal was **APPROVED:**

Calendar No. 13-23: 16004 Corsica Avenue

City of Cleveland, owner, and Susanna Dzejachok, tenant appealed to erect an agricultural hoop house across three separate parcels in a B1 Two-Family District.

Calendar No. 13-24: 16002 Corsica Avenue

City of Cleveland, owner, and Susanna Dzejachok, tenant, appealed to erect an agricultural hoop house across three separate parcels in a B1 Two-Family District.

Calendar No. 13-25: 15920 Corsica Avenue
 City of Cleveland, owner, and Susanna Dzejachok, tenant, appealed to erect an agricultural hoop house across three separate parcels in a B1 Two-Family District.

The following appeal heard by the Board on May 28, 2013 was adopted and approved on July 1, 2013:

The following appeal was **APPROVED:**

Calendar No. 13-74: 2470 Tremont Avenue
 Fairfield Development Services I, LLC appealed to erect a three-story single family dwelling with an attached garage in a C1 General Retail Business District.

The following appeal heard by the Board on June 10, 2013 was adopted and approved on July 1, 2013:

The following appeal was **APPROVED:**

Calendar No. 13-86: 2075 East 65th Street
 The American Sugar Company appealed to construct a parking lot on consolidated parcels in a Mid-town Mixed Use District 3; subject to conditions.

The following appeal heard by the Board on June 17, 2013 was adopted and approved on July 1, 2013:

The following appeal was **APPROVED:**

Calendar No. 13-97: 5216 Bridge Avenue
 Ronald Williams appealed to erect a frame bedroom and garage addition to a single family dwelling in a B1 Two-Family District.

The following appeal heard by the Board on September 24, 2012 was dismissed on July 1, 2013:

The following appeal was **DISMISSED:**

Calendar No. 12-62: 1762 East 89th Street
 Tina Humphrey appealed to change use of a residential dwelling to a Type A Day Care; subject to lot consolidation and revised plan.

The following appeal scheduled for hearing on July 8, 2013 was withdrawn on July 1, 2013:

The following appeal was **WITHDRAWN:**

Calendar No. 13-75: 2472 Tremont Avenue
 Fairfield Development Services I LLP appealed to erect a 55' x 46' two-story dwelling with attached garage in a C1 General Retail Business District.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

North Shore Placement Services has applied for an issuance of a license for 2 persons with developmental disabilities in a residential setting at:

North Shore Placement Services #63
18221 Schenely Avenue
Cleveland, Ohio 44119

The Ohio Department of Developmental Disabilities will inspect this facility for compliance with this Department's licensure standards.

As required by Section 5123.19 of the Ohio Revised Code, you may send any written comments regarding the issuance of this license to the Ohio Department of Developmental Disabilities, Office of Provider Standards & Review, Division of Legal and Oversight, 1810 Sullivant Avenue, Columbus, OH 43222-1055 no later than **July 5, 2013**. The Director shall make written findings concerning the comments and his decision regarding the issuance of the license. If the Director does not receive written comments from any notified local officials within the specified time, the process for the issuance of the license shall continue.

June 26, 2013 and July 3, 2013

NOTICE OF PUBLIC HEARING

Notice of Public Hearing
By the Council Committee
On City Planning

Mercedes Cotner
Committee Room 217
City Hall, Cleveland, Ohio
On Wednesday, July 10, 2013
9:00 a.m.

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Wednesday, July 10, 2013, at 9:00 a.m., to consider the following ordinances now pending in the Council:

Ord. No. 511-13.

By Council Member Miller.
 An ordinance changing the Use District of lands located on the north side of Woodworth Avenue at its intersection with Hayden Avenue from Local Retail to Multi-Family Residential (Map Change No. 2431).

Ord. No. 756-13.

By Council Member Brancatelli.
 An ordinance changing the Use and Area Districts of lands located on the northeast side of Bradley Road to Residence Industry and a 'C' Area District (Map Change Number 2434).

All interested persons are urged to be present or to be represented at the above time and place.

Phyllis E. Cleveland, Chair
 Committee on City Planning

June 26, 2013 and July 3, 2013

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, JULY 17, 2013

File No. 116-13 — Purchase of HVAC/R Items, Materials, Parts and Equipment, for the Division of Property Management, Department of Public Works, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.
THERE WILL BE A NON-MANDATORY PRE-BID MEETING MONDAY, JULY 8, 2013 AT 10:00 A.M. CLEVELAND CITY HALL, ROOM 12, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

June 26, 2013 and July 3, 2013

THURSDAY, JULY 25, 2013

File No. 111-13 — Pipe Repair Clamps, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976.
THERE WILL BE A NON-MANDATORY PRE-BID MEETING FRIDAY, JULY 5, 2013 AT 10:30 A.M. THE DISTRIBUTION AND MAIN-

TENANCE, PIPE REPAIR CONFERENCE ROOM, 4600 HARVARD AVENUE, CLEVELAND, OHIO 44105.

File No. 112-13 — Pipe Repair Couplings (3-inch Through 48-inch), for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** MONDAY, JULY 8, 2013 AT 11:30 A.M. THE DIVISION OF WATER, DISTRIBUTION AND MAINTENANCE, PIPE REPAIR CONFERENCE ROOM, 4600 HARVARD AVENUE, CLEVELAND, OHIO 44105.

File No. 113-13 — Adjustable Valve Boxes & Appurtenances, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** MONDAY, JULY 8, 2013 AT 10:30 A.M. THE DIVISION OF WATER, DISTRIBUTION AND MAINTENANCE, PIPE REPAIR CONFERENCE ROOM, 4600 HARVARD AVENUE, CLEVELAND, OHIO 44105.

File No. 115-13 — Ductile Iron Pipe and Fittings, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, JULY 5, 2013 AT 11:30 A.M. THE DISTRIBUTION AND MAINTENANCE, PIPE REPAIR CONFERENCE ROOM, 4600 HARVARD AVENUE, CLEVELAND, OHIO 44105.

June 26, 2013 and July 3, 2013

FRIDAY, JULY 26, 2013

File No. 101-13 — CMF, Phase IIIB Chemical Storage Facility WBS No. H212-3, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 904-09, passed by the Council of the City of Cleveland, November 9, 2009.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** WEDNESDAY, JULY 10, 2013 AT 10:00 A.M. THE CLEVELAND HOPKINS INTERNATIONAL AIRPORT, FSS BUILDING, DPC PLANNING AND ENGINEERING BUILDING, 5301 WEST HANGAR ROAD, CLEVELAND, OHIO 44135.

***Bidders must purchases plans and specifications directly from the**

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

File No. 114-13 — Mail Extraction Machines, for the Division of Water, Department of Public Utilities, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, JULY 11, 2013 AT 11:30 A.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, 2ND FLOOR ATRIUM CONFERENCE ROOM, CLEVELAND, OHIO 44114.

June 26, 2013 and July 3, 2013

ADOPTED RESOLUTIONS AND ORDINANCES

NONE

COUNCIL COMMITTEE MEETINGS

NO MEETINGS

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O—Ordinance; R—Resolution; F—File
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