

# The City Record

Official Publication of the Council of the City of Cleveland



March the Twentieth, 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

The City Record is available online at  
[www.clevelandcitycouncil.org](http://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  
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  
Janita 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 – 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 L. 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 Zoghba, 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 – Randall 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 – 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 – 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** – 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, Vermeil  
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 Pinky 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. Pranka (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

# The City Record



71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 100

WEDNESDAY, MARCH 20, 2013

No. 5180

## CITY COUNCIL

MONDAY, MARCH 18, 2013

The City Record  
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City of Cleveland  
The City Record is available  
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[www.clevelandcitycouncil.org](http://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

Cleveland, Ohio  
Monday, March 18, 2013

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

Council Members present: Dona Brady, Anthony Brancatelli, Joe Cimperman, Phyllis E. Cleveland, Brian J. Cummins, TJ Dow, Jeffrey D. Johnson, Kenneth L. Johnson, Martin J. Keane, Kevin J. Kelley, Eugene R. Miller, Mamie J. Mitchell, Michael D. Polensek, Terrell H. Pruitt, Zack Reed, Jay Westbrook and Matthew Zone.

Also present were: Mayor Frank G. Jackson, Chief of Staff Ken Siliman, Chief Operating Officer Darnell Brown, Chief of Government Affairs Valarie J. McCall, Chief of Regional Development Chris Warren, Chief of Education Monyka S. Price, Chief of Communications Maureen Harper, Chief of Sustainability Jenita McGowan, Chief of Public Affairs Natoya Walker-Minor, and Directors Benders, Smith, Wasik, Butler, Rybka, Southerington, Nichols, Brown, Fumich, and Ambroz.

Pursuant to Ordinance No. 2926-76, the opening prayer was offered by Pastor Anthony Singleton, Emmanuel Christian Church, Cleveland, Ohio (Ward 6). Pledge of Allegiance.

#### MOTION

On the motion of Council Member Dow, the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Council Member Westbrook.

#### MAYOR'S APPOINTMENT COMMITTEE

File No. 385-13.

March 18, 2013

To the Honorable Council of the City of Cleveland

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointments.

We have before us the Mayor's Letter File No. 110-13 wherein he names various appointments. The Mayor's Appointment Committee hereby recommends that Council approve the appointment stated below:

Giancarlo Calicchia  
Appointment to the  
Cleveland Landmarks Commission  
Term expires on 6/1/2015

#### Mayor's Appointment Committee

Received.  
Without objection, this appointment is approved. Yeas 18. Nays 0.

#### COMMUNICATION

File No. 339-13.  
From Yvette M. Ittu, Chair, City Audit Committee — 2012 Annual Report of the City Audit Committee. Received.

#### OATHS OF OFFICE

File No. 340-13.  
Paul L. Bender — Director of Public Utilities. Received.

File No. 341-13.  
Barry Withers — Assistant Director of Public Safety. Received.

#### FROM OHIO DIVISION OF LIQUOR CONTROL

File No. 344-13.  
RE: #32830300001 — D1 D2 D3 D6 — Stock Application — Goodtime Cruise Line Inc., E. Ninth St. Pier (Ward 3). Received.

File No. 345-13.  
RE: #25955830015 — D3A New License Application — Executive Caterers at Landerhaven Inc., Cleveland Convention Center & Refresh-

ment Stand, 500 Lakeside Avenue. (Ward 3). Received

**File No. 346-13.**

RE: #0263083 — D3A New License Application — Ariel Event Management LLC, 1163 East 40th Street. (Ward 3). Received.

**File No. 347-13.**

RE: #0263083 — D1 D2 D3 Transfer of Location Application (Safe-keeping) — Ariel Event Management LLC, 1163 East 40th Street. (Ward 3). Received.

**File No. 348-13.**

RE: #7577527 — C1 New License Application — Ruby Deli Express Inc., d.b.a. Ruby's Deli, 938 East 123rd Street. (Ward 9). Received.

**File No. 349-13.**

RE: #4220443 — C2 C2X D6 D8 Transfer of Ownership Application — Jaikabir Inc., d.b.a. McBills Beverage, 1015 East 185th Street. (Ward 11). Received.

**File No. 350-13.**

RE: #63817750050 — C1 C3 Transfer of Ownership Application — NIJU Investments LLC, 910 East 185th Street. (Ward 11). Received.

**STATEMENT OF WORK  
ACCEPTANCE**

**File No. 342-13.**

From Department of Public Utilities, Division of Water Pollution Control for WPC — Stormwater Management Improvement Project. Contractor — Precision Engineering & Contracting, Inc. Contract #PI2011\*060. Date of Acceptance: October 1, 2012. Received.

**File No. 343-13.**

From Department of Public Utilities, Division of Water Pollution Control for West Sixth Street Project. Contractor — D.R.S. Enterprises, Inc. Contract #66686. Date of Acceptance: April 1, 2008. Received.

**CONDOLENCE RESOLUTIONS**

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

**Res. No. 382-13**—Vermel Whalen.

**Res. No. 386-13**—Terrence C. Boswell.

**Res. No. 387-13**—Robert Gene White.

**Res. No. 388-13**—Charles A. Redd, Jr.

**CONGRATULATIONS RESOLUTIONS**

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

**Res. No. 389-13**—Joe Bradac.

**Res. No. 390-13**—Breda Loncar.

**Res. No. 391-13**—Agnes J. Koporc.

**Res. No. 392-13**—Robert R. Baucher.

**Res. No. 393-13**—William Kozak.

**Res. No. 394-13**—Geraldine Spilar Trebets.

**Res. No. 395-13**—Richard Simons.

**Res. No. 396-13**—Stephanie Segulin.

**Res. No. 397-13**—William C. & Jean Merriman.

**Res. No. 398-13**—Friends of the West Side.

**Res. No. 399-13**—Joseph A. Marinucci.

**Res. No. 400-13**—Terrence M. Ryan, Ph.D.

**Res. No. 401-13**—John Moynihan.

**Res. No. 402-13**—Patrol Officer Francisco Sanchez, Badge #2282.

**Res. No. 403-13**—Timothy Leahy.

**Res. No. 404-13**—Daniel B. Chambers.

**Res. No. 405-13**—Kevin McGinty.

**Res. No. 406-13**—Una Ellis.

**Res. No. 407-13**—Patricia Lavelle.

**Res. No. 408-13**—The Honorable Raymond J. Grabow.

**Res. No. 409-13**—Ryan Gajdos.

**RECOGNITION RESOLUTIONS**

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

**Res. No. 410-13**—Judith Ross.

**Res. No. 411-13**—Iota Phi Theta Fraternity, Ohio Valley Region.

**Res. No. 412-13**—“Spread the Word to End the Word” — St. Mark Elementary School.

**FIRST READING EMERGENCY  
ORDINANCES REFERRED**

**Ord. No. 355-13.**

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

**An emergency ordinance authorizing the Director of Economic Development to apply for and accept a HUD 108 Loan Pool loan from the United States Department of Housing and Urban Development to partially finance the redevelopment of the property located at 1717 East 9th Street and other associated costs necessary to redevelop the property; and authorizing the Director of Economic Development to enter into an agreement with 1717 East 9th Street LLC, or its designee, for the project.**

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

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

**Section 1.** That the Director of Economic Development is authorized to apply for and accept a HUD 108 Loan Pool loan in an amount up to \$1,500,000, from the United States Department of Housing and Urban Development (“HUD”), to partially finance the redevelopment of the property located at 1717 East 9th Street (the “Project”).

**Section 2.** That the Director of Economic Development is authorized to enter into a loan agreement with 1717 East 9th Street LLC, or its designee, to provide economic development assistance to partially finance the Project, and for other associated costs necessary to redevelop the property.

**Section 3.** That the terms of the loan shall be according to the terms set forth in the Summary contained in File No. 355-13-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, and are approved in all respects and shall not be changed without additional legislative authority.

**Section 4.** That the costs of the contract shall not exceed \$1,500,000 Dollars (\$1,500,000), and shall be paid from the fund or funds to which are

credited the loan proceeds received from HUD under Section 1 of this ordinance, which funds are appropriated for this purpose.

**Section 5.** That the Director of Economic Development is authorized to accept such collateral as set forth in the file referenced above in order to secure repayment of the loan. Any loan agreement, security instrument, or other document shall be prepared and approved by the Director of Law.

**Section 6.** That the Director of Economic Development is authorized to accept monies in repayment of the loan and to deposit the monies into a fund designated by the Director of Finance.

**Section 7.** That the Director of Economic Development is authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and the fees are appropriated to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. The fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

**Section 8.** That the contract and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

**Section 9.** That the contract authorized in this legislation will require the recipient of financial assistance to work with, and/or cause their Tenants to work with, The Workforce Investment Board for Workforce Area No. 3 to identify and solicit qualified candidates for job opportunities related to the City's contracts, and place special emphasis on the hard to employ, including but not limited to the disabled and persons who have been convicted of or have pled guilty to a criminal offense, unless the criminal conviction or related circumstances relate to the duties for the particular job sought.

**Section 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 Economic Development, Finance, Law; Committees on Community and Economic Development, Finance.

**Ord. No. 356-13.**

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

**An emergency ordinance authorizing the Director of Port Control to enter into an amendment to Lease Agreement No. 69361 with Premier Flight Academy, Ltd, to increase the leased premises at Burke Lakefront Airport being used for office space for flight training and related services, for a period up to five months; and authorizing the Director to enter into a Lease Agreement with Premier Flight Academy, Ltd, for the lease of office space at Burke Lakefront Airport for flight training and to provide related services, for the Department of Port Control, for a period of two years, with two one-year options to renew, the first of which requires additional legislative authority.**

Whereas, under the authority of Ordinance No. 358-09, passed May 4, 2009, the Director of Port Control

entered into Contract No. 69361 with Premier Flight Academy, Ltd. ("Premier") for the use and occupancy of space located in the passenger terminal building at Burke Lakefront Airport for activities necessary for training and instruction of student pilots; and

Whereas, modifications are desired to Lease Agreement No. 69361; and

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

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

**Section 1.** That the Director of Port Control is authorized to enter into an amendment to Lease Agreement No. 69361 with Premier, to increase the leased premises by approximately 324 square feet to be located in Room 149 of the passenger terminal building, for a period not to exceed five months, beginning March 1, 2013, and ending July 31, 2013. The cost of the increased area shall be the same as the per square foot price set in Lease Agreement No. 69361, payable to the City under the same terms as set forth in the Lease Agreement.

**Section 2.** That, effective August 1, 2013, the Director of Port Control is authorized to renew. The first of the one-year options to renew may not be exercised. The rent shall be paid in monthly installments due on the first day of each month during the term of the Lease.

**Section 3.** That the lease may authorize Premier to make improvements to the leased premises subject to the approval of appropriate officials.

**Section 4.** That the Lease and Lease Amendment authorized 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 Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

**Ord. No. 357-13.**

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

**An emergency ordinance authorizing the Director of Capital Projects to issue a permit to MIKE & EDDIE PROPERTY INVESTMENT LLC to encroach into the public right-of-way of Denison Avenue by installing, using, and maintaining a parking lot and to acquire an easement from MIKE & EDDIE PROPERTY INVESTMENT LLC for sidewalk purposes.**

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

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

**Section 1.** That the Director of Capital Projects is authorized to issue a permit, revocable at the will of Council, to MIKE & EDDIE PROPERTY INVESTMENT LLC, 7100 Denison Avenue, Cleveland, Ohio, 44102 ("Permittee"), to

encroach into the public right-of-way of Denison Avenue by installing, using, and maintaining a parking area, and to acquire an easement from MIKE & EDDIE PROPERTY INVESTMENT LLC for sidewalk purposes at the following locations:

**Parking Lot Encroachment**

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Original Brooklyn Township Lot No. 26, 27, 34, and 35, and being a 4 foot strip of land within the Right-of-Way of Denison Avenue (width varies) as Widened in Volume 182, Page 43 of Cuyahoga County Map Records.

Said 4 foot strip abuts the northerly Right-of-Way of said Denison Avenue at a point 78.62 feet west of the southeasterly corner of property conveyed to Mike and Eddie Property Investment L.L.C. by deed recorded in AFN 201007090232 and 233, and runs west along the northerly Right-of-Way of Denison Avenue for a total distance of 191.17 feet to a point of reverse curvature.

Be the same, more or less, but subject to all legal highways and easements, according to a legal description prepared by Louise A. Veverka, dated January 28, 2013.

**Section 2.** That Permittee may assign the permit only with the prior written consent of the Director of Capital Projects. That the encroaching structure(s) permitted by this ordinance shall conform to plans and specifications first approved by the Manager of Engineering and Construction. That Permittee shall obtain all other required permits, including but not limited to Building Permits, before installing the encroachment(s).

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

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

**Section 5.** That notwithstanding and as an exception to the Codified Ordinances of Cleveland, Ohio, 1976, that the Commissioner of Purchases and Supplies is authorized to acquire certain easement rights from Permittee, in and to the premises described, at no cost to the City, for the sidewalk purposes, more fully described as follows:

**Sidewalk Easement**

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Original Brooklyn Township Lot No. 26, 27, 34, and 35, and being two parcels on the northerly Right-of-Way of Denison Avenue (width varies) as Widened in Volume 182, Page 43 of Cuyahoga County Map Records.

**Parcel 1**

Beginning at the southeasterly corner of property conveyed to Mike and Eddie Property Investment L.L.C. by

deed recorded in AFN 201007090232 and 233;

Thence North 63° 37' 15" West, 74.68 feet to the PRINCIPAL PLACE OF BEGINNING of a parcel of land herein described;

Thence North 63° 37' 15" West, 3.95 feet;

Thence North 65° 09' 15" West, 26.48 feet;

Thence North 85° 04' 17" East, 14.54 feet;

Thence South 67° 25' 29" East, 6.46 feet to the PRINCIPAL PLACE OF BEGINNING.

**Parcel 2**

Beginning at the southwesterly corner of property conveyed to Mike and Eddie Property Investment L.L.C. by deed recorded in AFN 201007090232 and 233;

Thence 24.93 feet along the arc of a curve deflecting to the left having a radius of 543.69 feet and a chord of 24.93 feet which bears South 58° 24' 54" East to the PRINCIPAL PLACE OF BEGINNING of a parcel of land herein described;

Thence South 79° 46' 09" East, 24.57 feet;

Thence South 34° 35' 15" East, 11.33 feet;

Thence South 04° 35' 33" East, 6.82 feet;

Thence 23.29 feet along the arc of a curve deflecting to the right having a radius of 543.69 feet and a chord of 23.29 feet which bears North 56° 51' 13" West to a point of reverse curvature;

Thence 14.00 feet along the arc of a curve deflecting to the left, having a radius of 543.69 feet and a chord of 14.00 feet which bears North 56° 21' 50" West to the PRINCIPAL PLACE OF BEGINNING.

Be the same, more or less, but subject to all legal highways and easements, according to a legal description prepared by Louise A. Veverka, dated February 19, 2013.

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

**Section 6.** That the Director of Capital Projects is authorized to execute all documents, on behalf of the City of Cleveland, necessary to acquire certain rights in and to the premises.

**Section 7.** That the Director of Capital Projects is authorized to enter into one or more agreements necessary to acquire the easement authorized in this ordinance.

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

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

**Ord. No. 358-13.**

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

**An emergency ordinance authorizing the Director of City Planning to enter into one or more contracts with LAND Studio, Inc. for professional services necessary to manage the City's public art program in 2013, for a period up to one year, with a one-year option to renew, exercisable by the Director of City Planning.**

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 City Planning is authorized to enter into one or more contracts with LAND Studio, Inc. for professional services necessary to manage the City's art program in 2013 on the basis of its proposal dated January 23, 2013, in an amount not to exceed \$50,000, for the Department of City Planning, for a period up to one year, with a one-year option to renew, exercisable by the Director of City Planning. The contract or contracts shall be paid from funds appropriated in 2013 for this purpose.

**Section 2.** That the contract or contracts authorized above shall be prepared by the Director of Law.

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

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

**Ord. No. 359-13.**

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

**An emergency ordinance authorizing the Director of Public Works to enter into one or more contracts with the National Youth Sports Program to provide a youth summer sports, nutrition, health, and life skills development program for 2013.**

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 enter into one or more contracts with the National Youth Sports Program for the public purpose of providing for Cleveland youths with a summer sports, nutrition, health, and life skills development program for 2013 at Case Western Reserve University.

**Section 2.** That the cost of the contract or contracts shall not exceed \$100,000 and shall be paid from Fund No. 01-7004-6380, Request No. RQS 7004, RL 2013-19.

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

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

**Ord. No. 360-13.**

**By Council Member Kelley (by departmental request).**

**An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to lease property at 1449 West 117th Street from Montlack Realty, or their designees, for the purpose of providing office space for the Adult Probation Program of the Cleveland Municipal Court, for a term not to exceed three years, with three one-year options to renew, exercisable by the Director of Finance.**

Whereas, the City of Cleveland requires certain property located at 1449 West 117th Street for the public purpose of providing office space for the Adult Probation Program of the Cleveland Municipal Court to furnish probationary services to the neighborhood; and

Whereas, Montlack Realty, or their designees, has proposed to lease the property to 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 notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Finance, on behalf of the Cleveland Municipal Court, is authorized to lease from Montlack Realty, or their designees, certain property more fully described as follows: Building 1, Space A, at 1449 West 117th Street, consisting of approximately 4,251 square feet, for office space for the Adult Probation Program of the Cleveland Municipal Court.

**Section 2.** That the term of the lease authorized shall not exceed three years, with three one-year options to renew, exercisable by the Director of Finance.

**Section 3.** That the rent for the lease authorized shall be \$65,656.00 annually, payable in equal monthly installments.

**Section 4.** That the lease may authorize the City to make improvements to the leased premises under terms to be determined by the parties consistent with the public purpose of providing office space for the Adult Probation Program of the Cleveland Municipal Court to furnish probationary services to the neighborhood.

**Section 5.** That the lease may provide for the City's payment of appropriate utility and other operating costs of the leased premises.

**Section 6.** That the lease shall be prepared by the Director of Law.

**Section 7.** That the Director of Finance, on behalf of the City of Cleveland, and the Director of Law, and other appropriate City officials, are authorized to execute other documents and certificates, and take other actions necessary or appropriate to effect the lease authorized by this ordinance.

**Section 8.** That the costs of the lease entered into in 2013 shall be paid from Fund No. 01-0115-6360, and for years 2014 and 2015 shall be subject to annual appropriation, RQS 0115, RL 2013-17.

**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 Finance, Law; Committee on Finance.

**Ord. No. 361-13.**

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

**An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with AirNet Systems, Inc. for the lease of space in the passenger terminal building at Burke Lakefront Airport to be used for flight planning and as a crew layover rest area, for the Department of Port Control, for a period of two years, with two one-year options to renew, the first of which is exercisable through additional legislative authority.**

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

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

**Section 1.** That the Director of Port Control is authorized to enter into a Lease Agreement ("Lease") with AirNet Systems, Inc. ("Lessee") for use and occupancy of approximately 149 square feet of office space located in Room 105 of the passenger terminal building at Burke Lakefront Airport ("Leased Premises") to be used for flight planning and as a crew layover rest area. The term of the Lease shall be for a two year period, with two one-year options to renew. The first one-year option to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the one-year option to renew is exercised, then the second one-year option to renew may be exercisable at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council. For use of the Leased Premises, Lessee shall pay the City an annual fair market value rate of \$2,011.56, which is equal to \$13.50 per square foot, payable in equal monthly installments.

**Section 2.** That the Lease authorized shall be prepared by the Director of Law.

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

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

**Ord. No. 362-13.**

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

**An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with World Wide Flight Services for the lease of space in the South Cargo Facility Building at Cleveland Hop-**

**kins International Airport for operation of an air cargo facility, for the Department of Port Control, for a period of two years, with two one-year options to renew, the first of which is exercisable through additional legislative authority.**

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

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

**Section 1.** That the Director of Port Control is authorized to enter into a Lease Agreement ("Lease") with World Wide Flight Services ("Lessee") for use and occupancy of approximately 3,500 square feet of space located in the South Cargo Facility Building at Cleveland Hopkins International Airport ("Leased Premises") for operation of an air cargo facility. The term of the Lease shall be for a two year period, with two one-year options to renew. The first one-year option to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the one-year option to renew is exercised, then the second one-year option to renew may be exercisable at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council. For use of the Leased Premises, Lessee shall pay the City an annual rate of \$32,375.00, which is equal to \$9.25 per square foot, payable in equal monthly installments.

**Section 2.** That the Lease authorized shall be prepared by the Director of Law.

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

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

**Ord. No. 363-13.**

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

**An emergency ordinance determining the method of making the public improvement of constructing and maintaining the Cleveland Airport System Signage Program, Phase I, including related improvements, authorizing the Director of Port Control to enter into one or more public improvement contracts for the making of the improvement; authorizing the Director to employ one or more professional consultants to design the improvement; and to enter into various written standard purchase and requirement contracts needed in connection with 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 constructing and maintaining the Cleveland Airport System Signage Program, Phase I, including related improvements to efficiently guide customers to their desired destinations in and around various properties, both on and off Cleveland Airport system properties (the "Improvement"), for the Department of Port Control, 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 Port Control 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 for a unit basis.

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

**Section 4.** That the Director of Port Control is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the Improvement.

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

**Section 5.** That the Director of Port Control is authorized to make one or more written standard purchase contracts and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of requirements to be determined by the director, for the necessary items of materials, equipment, supplies, and services necessary to construct the Improvement, including labor and materials if necessary, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Port Control. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines.

**Section 6.** That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Pur-

chases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance.

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

**Section 8.** That the cost of the contracts and other expenditures authorized shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 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 130, 60 SF 141, 60 SF 160, and from the fund or funds to which are credited any grant proceeds accepted for the purposes of this ordinance and any passenger facility charges, if authorized for this purpose, Request No. RQS 3001, RL 2013-26.

**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 Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

**Ord. No. 364-13.**

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

**An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide environmental, health, safety, sustainability, engineering, and other services needed for the Divisions of Water, Water Pollution Control and Cleveland Public Power, Department of Public Utilities, for a period up to two years.**

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

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

**Section 1.** That the Director of Public Utilities is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide environmental, health, safety, sustainability, and engineering services including but not limited to employee health and safety services, geotechnical services, industrial hygiene services, materials testing and analyses, water treatment process analyses, laboratory testing services, hazardous substance identification and analyses, forensic investigations, energy audits, environmental sampling and analysis, and other related professional consulting services needed for the Divisions of Water, Water Pollution Control and Cleveland Public Power, Department

of Public Utilities, for a period up to two years.

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

**Section 2.** That the cost of the contract or contracts authorized shall be paid from Fund Nos. 52 SF 001, 54 SF 001, and 58 SF 001, Request No. RQS 2002, RL 2013-8.

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

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

**Ord. No. 365-13.**

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

**An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide quality assurance and surveying services for airport-related projects, for a period of one year, with three one-year options to renew, the second of which requires additional legislation.**

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

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

**Section 1.** That the Director of Port Control is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide quality assurance and surveying services for airport-related projects, for a period of one year, with three one-year options to renew, for the various divisions of the Department of Port Control. The first of the one-year options to renew may be exercised by the Director of Port Control, without the necessity of obtaining additional authority of this Council. The second of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the second of the one-year options to renew is exercised, then the third of the one-year options to renew may be exercisable at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council.

The selection of the consultants for the services shall be made by the

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

**Section 2.** That the cost of contract or contracts authorized shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 106, 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 130, 60 SF 141, 60 SF 160, and from the fund or funds to which are credited any grant proceeds accepted for the purposes of this ordinance and any passenger facility charges, if authorized for this purpose, Request No. RQS 3001, RL 2013-29.

**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. 366-13.**

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

**An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to design and distribute utility bills, inserts, reminders, and delinquent notices, and to provide various services related to bill printing and mailing services, including but not limited to on-line bill payment and presentment services, for the Divisions of Water and Cleveland Public Power for a period up to three years, with two options to renew for additional one year periods, the first of which is exercisable through additional legislative authority.**

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

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

**Section 1.** That the Director of Public Utilities is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to design and distribute utility bills, inserts, reminders, and delinquent notices, and to provide various services related to bill printing and mailing services, including but not limited to on-line bill payment and presentment services, for the Divisions of Water and Cleveland Public Power, as the administrators of the City's utility accounts and as the third-party administrators of utility accounts of other public entities for a period up to three years, with two options to renew for

additional one year periods. The first of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew may be exercisable at the option of the Director of Public Utilities, on behalf of the Office of the Mayor, without the necessity of obtaining additional authority of this Council.

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

**Section 2.** That the cost of the contract or contracts authorized shall be paid from funds appropriated in 2013, 2014, and 2015 for this purpose.

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

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

**Ord. No. 367-13.**

**By Council members Miller, K. Johnson and Kelley (by departmental request).**

**An emergency ordinance authorizing the Director of Public Works to employ one or more professional consultants to analyze the performance of the department, including its divisions, and to recommend strategic and operational improvements leading to cost savings, operational efficiencies, and streamlining of service delivery.**

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 employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to analyze the performance of the Department of Public Works, including its divisions, and to recommend strategic and operational improvements leading to cost savings, operational efficiencies, and streamlining of service delivery.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Works from a list of qualified consultants available



for employment as may be determined after a full and complete canvass by the Director of Public Works for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Public Works, and certified by the Director of Finance.

**Section 2.** That the cost of the contract or contracts authorized shall be paid from funds appropriated in 2013 for this purpose.

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

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

**Ord. No. 368-13.**

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

**An emergency ordinance authorizing the Commissioner of Purchases and Supplies to acquire and reconvey properties presently owned by 1717 East 9th Street LLC, or its designee, located at 1717 East 9th Street for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code; and authorizing an agreement with 1717 East 9th Street, LLC or its designee.**

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

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

**Section 1.** That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized to acquire from and reconvey to, 1717 East 9th Street LLC, or its designee, for a price of one dollar and other valuable considerations determined as fair market value, the following property for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code and more fully described as follows:

**Exhibit A-Legal Description**

**RECORD LEGAL DESCRIPTION:**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being all of Sublot Nos. 1, 2, 3 and 4 and part of Sublot No. 5 in John M. Woolsey's Subdivision of all of Original Two Acre Lot Nos. 163 to 167, both inclusive, and part of Original Two Acre Lot Nos. 156 to 162, both inclusive, as shown by the recorded plat in Volume N of Deeds, Page 486 of Cuyahoga County Records and bounded and described as follows: Beginning at the intersection of the Southeasterly line of Superior Avenue, NE, 132 feet wide, with the Northeasterly line of East 9th Street (formerly Erie Street) (99 feet wide);

Course No. 1: Thence North 55 deg. 48' 00" East along said Southeasterly line of Superior Avenue, NE, 305.68 feet to the intersection of the Northeasterly line of the herein described parcel of land, which was conveyed to Tracco Cleveland, Inc. by deed dated October 18, 1957 and recorded in Volume 9026, Page 409 of Cuyahoga County Records and to The Prudential Insurance Company of America by deed dated December 1, 1959 and recorded in Volume 9778, Page 318 of Cuyahoga County Records;

Course No. 2: Thence South 33 deg. 56' 05" East along said Northeasterly line of the herein described parcel of land, it being also along the Southwesterly line of a parcel of land conveyed by the Wright Development Corporation to Superior Square Venture, a partnership and joint venture, by deed dated December 19, 1972 and recorded in Volume 13173, Page 31 of Cuyahoga County Records, 133.31 feet to the Northwesterly line of Walnut Avenue, NE (66 feet wide);

Course No. 3: Thence South 55 deg. 54' 00" West along the Northwesterly line of said Walnut Avenue, NE, 305.62 feet to the Northeasterly line of said East 9th Street;

Course No. 4: Thence North 34 deg. 00' 00" West along the Northeasterly line of said East 9th Street, 132.78 feet to the place of beginning.

**ALSO DESCRIBED AS FOLLOWS:**

Surveyor's Legal Description  
Situating in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being all of Sublot Nos. 1, 2, 3 and 4 and part of Sublot No. 5 in the John M. Woolsey's Subdivision of all of Original Two Acre Lot Nos. 163 to 167, both inclusive, and part of Original Two Acre Lot Nos. 156 to 162, both inclusive, as shown by the recorded plat in Volume N of Deeds, Page 486 of Cuyahoga County Map Records and bounded and described as follows: Beginning at the drill hole in a stone monument found at the intersection of the centerline of Superior Avenue, NE (State Route 6) (132 feet wide) and the intersection of East 9th Street (formerly Erie Street) (99 feet wide);

Thence North 55° 48' 00" East along the centerline of Superior Avenue, NE, 49.50 feet to a point;

Thence South 33° 59' 50" East, 66.00 feet to the intersection of the Southerly right-of-way of Superior Avenue, NE and the Easterly right-of-way of East 9th Street and being the principal place of beginning of the premises herein described;

Thence North 55° 48' 00" East along the Southeasterly right-of-way of Superior Avenue, NE, 305.68 feet to the Northwesterly corner of land conveyed to Superior Square Venture by deed dated January 10, 1973 and recorded in Volume 13173, Page 31 of Cuyahoga County Records (PPN 101-35-032);

Thence South 33° 58' 19" East along the Northeasterly line of land so conveyed, 133.30 feet to a drill hole found (0.34 feet North, 0.70 feet East) at the Southwesterly corner therein and being the Northerly right-of-way of Walnut Avenue, NE (66 feet wide);

Thence South 55° 53' 00" West along the Northwesterly right-of-way of Walnut Avenue, NE, 305.62 feet to the intersection of the Northerly right-of-way of Walnut Avenue, NE and the Easterly right-of-way of aforesaid East 9th Street;

Thence North 33° 59' 50" West along the Northeasterly right-of-way of East 9th Street, 132.86 feet to the principal place of beginning and containing 0.9338 acres of land as surveyed and described by Edward B. Dudley, PS No. 6747 of the Riverstone Company in October of 2006, be the same more or less.

**Section 2.** That the Director of Economic Development is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire and to convey the properties and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition and sale of the properties.

**Section 3.** That this Council finds that the conveyances constitute a public purpose.

**Section 4.** 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.

**Section 5.** That the Director of Economic Development is authorized to enter into an agreement with 1717 East 9th Street LLC, or its designee, which shall include the terms and conditions of the transaction authorized by this ordinance.

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

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

**Ord. No. 369-13.**

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

**An emergency ordinance to vacate a portion of Walworth Avenue S.W.**

Whereas, under Resolution No. 163-06, adopted July 12, 2006, this Council declared its intention to vacate a portion of Walworth Avenue, S.W.; and

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

Whereas, on September 15, 2011 the Board of Revision of Assessments approved the above vacation under the provisions of Section 176 of the Charter of the City of Cleveland; and

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

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

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

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

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being all that portion of Walworth Avenue S.W. (60 feet wide) and its easterly turnout, said turnout acquired for street purposes by deed recorded in volume 6265, page 504 of Cuyahoga County Records, further described as follows; all that portion of Walworth Avenue S.W. (60 feet wide) and said easterly turnout; extending northeasterly from a line being 40.00 feet north and parallel with the center line of Clark Avenue S.W. (width varies) to a line being perpendicular to the northerly right of way of Walworth Avenue S.W. (60 feet wide) and 1.00 foot southwesterly by rectangular measurement from the southwest corner of a parcel of land conveyed to Hard Chrome Plating Consultants, Inc. as recorded May 27, 1988 in Volume 88-2414, Page 58 of Cuyahoga County Deed Records.

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

**Section 2.** That there is reserved to the City of Cleveland an easement of full width as described above for Cleveland Public Power, Dominion East Ohio Gas, AT&T, the Department of Water, Illuminating Company (CEI), Water Pollution Control, and the Northeast Ohio Regional Sewer District.

That no structures shall be erected on the premises described in this easement except those constructed under the approval of, and in compliance with, plans approved by Cleveland Public Power, Dominion East Ohio Gas, AT&T, the Department of Water, Illuminating Company (CEI), the Northeast Ohio Regional Sewer District, Water Pollution Control, and the City of Cleveland.

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

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

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

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

#### **FIRST READING EMERGENCY RESOLUTIONS REFERRED**

##### **Res. No. 370-13.**

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

**An emergency resolution declaring the intent to vacate a portion of Gould Court N.W. (16.5 Feet Wide).**

Whereas, this Council is satisfied that there is good cause to vacate a portion of Gould Court N.W. (16.5 Feet Wide), as described; 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 declares its intent to vacate a portion of the following described real property:

A portion of Gould Court N.W. 16.5 (Feet Wide) (formerly know as the first unnamed alley running east and west, south of Bridge Avenue N.W. (formerly Bridge Street) and east of West 25th Street (formerly Pearl Street)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being part of original Brooklyn Township lot number 70 as shown in the Willeyville Allotment recorded in volume 2, page 16 of the Cuyahoga County Map Records' further described as follows;

All that portion of Gould Court N.W. (16.5 Feet Wide) extending from the east right of way of West 25th Street (82.50 Feet Wide) to the west right of way of West 24th place (16.5 Feet Wide).

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

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

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

##### **Res. No. 371-13.**

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

**An emergency resolution declaring the intent to vacate a portion of West 28th Street (50.00 feet wide).**

Whereas, this Council is satisfied that there is good cause to vacate a portion of West 28th Street (50.00 feet wide), as described; 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 declares its intent to vacate a portion of the following described real property:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a part of original Brooklyn Township lot number 61 in the Oak Park Heights Subdivision as shown in volume 80 of maps, page 4 of Cuyahoga County Records, further described as follows:

Being all that portion of West 28th Street (50.00 feet wide) and its turnouts extending 120.00 feet north along its center line from the north right of way of Ralph Avenue S.W. (50.00 feet wide).

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

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

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

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

##### **Res. No. 372-13.**

**By Council Member Zone.**

**An emergency resolution supporting the City's initiative to establish a Sustainable Municipal Building Policy which will incorporate green building practices into the siting, design, construction, remodeling, repair, maintenance, operation and deconstruction of all City facilities.**

Whereas, in August, 2009, the Mayor, in partnership with members of this Council, initiated Sustainable Cleveland 2019, a 10-year plan to engage people from all walks of life to work together to design and develop a thriving and resilient Cleveland region using "sustainable" or "green" methods and practices; and

Whereas, in May, 2012, the City joined the Cleveland 2030 District, which works to create a coalition of building owners, service professionals and community stakeholders working together to rapidly transform the building environment of the city through large-scale reductions in energy use, water use and greenhouse gas emissions; and

Whereas, also in May 2012, the City joined the Better Buildings Challenge, a White House and Department of Energy initiative; as part of the Challenge, the city has committed to publicly share its energy data and reduce its building energy usage 20% from 2010 levels by 2020; and

Whereas, data shows that the City spends more than \$50 million dollars annually on energy and utilities for its municipal operations; and

Whereas, through its use of federal funding from the Energy Efficiency and Conservation Block Grant program, the City has initiated several energy and sustainability projects for city buildings and the community; and

Whereas, the City has recently completed three new construction projects that were constructed to meet Leadership in Energy and Environmental Design (LEED) certification standards: Collinwood Recreation Center, the Kirtland Pump Station and the Bike Rack; and

Whereas, most recently the City adopted a Sustainable Municipal Building Policy which outlines minimum requirements that City departments and divisions must take when siting, designing, constructing, remodeling, repairing, maintaining, operating and deconstructing city facilities; and

Whereas, the Policy mandates that all occupied City-owned new construction and major renovations over 10,000 square feet, including building additions, and entering the design phase after January 1, 2013, shall achieve LEED Silver certification or higher and meet certain listed minimum performance levels; and

Whereas, the Policy further mandates that all city-owned new construction under 10,000 square feet shall strive to achieve LEED Silver certification or higher, as well as meet certain listed minimum performance levels; and

Whereas, green building is a proactive way to guard against the rising costs of materials, construction, waste removal and energy, and studies have shown that reasonable levels of sustainable design can be incorporated into most building types at little or no additional cost; and

Whereas, the Policy states that the City shall seek financing from federal, state and local sources in order to facilitate projects at a level suitable to meet Policy standards; and

Whereas, this Council, as a strong supporter of this Policy, has asked that the administration provide annual progress reports regarding the execution of the Policy; 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 supports the City's initiative to establish a Sustainable Municipal Building Policy which will incorporate green building practices into the siting, design, construction, remodeling, repair, maintenance, operation and deconstruction of all City facilities.

**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.

Referred to Directors of Capital Projects, Public Works, Finance, Law; Chief of Sustainability; Sustainability Sub-Committee; Committees on Public Service, Finance.

**FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED**

**Ord. No. 351-13.**

**By Council Member Cimperman.**

**An emergency ordinance to amend Section 699A.011 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 759-12, passed July 11, 2012 relating to Community Entertainment Districts defined.**

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 699A.011 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 759-12, passed July 11, 2012 is hereby amended to read as follows:

**Section 699A.011 Districts Defined**

Community Entertainments Districts are limited to the following defined areas of the City of Cleveland and meet all the requirements of Section 699A.01 of this chapter:

(a) *Central Business District.* Located within the Central Business District.

(b) *Waterloo District.* An area centered on Waterloo Avenue, east of

East 156th Street, more fully described in Ordinance File No. 759-12-A.

(c) *Cleveland Hopkins International Airport, Cleveland Airport System, 5300 Riverside Drive, Cleveland, Ohio 44181-0009, particularly the Main Terminal and Concourses A, B, C, and D.*

(d) *Uptown District.* An area centered on the intersection of Euclid Avenue and Mayfield Road, containing approximately 98 acres, more fully described in Ordinance File No. 759-12-A.

(1) There is established an Uptown Community Entertainment District Committee (the "UCED Committee"), whose primary purpose and function is to review each applicant for one of the D-5(j) liquor permits authorized by the establishment of the Uptown Community Entertainment District in meetings that are open to the public and make recommendations to the City Council. The UCED Committee shall also serve to make recommendations to the City Council with regard to applications for the issuance, transfer, or renewal of any liquor permit in the District.

(2) The UCED Committee shall be composed of four (4) members: AJAP-PJR Uptown LLC, University Circle Incorporated, Case Western Reserve University, and the UCED Community Representative. AJAPPJR Uptown LLC, University Circle Incorporated, and Case Western Reserve University shall each appoint a single member to the UCED Committee. The UCED Community Representative shall be appointed by the Committee from nominations made by the City Council members representing wards that are located in whole or in part within the boundaries of the District.

(3) Three (3) of the four (4) members of the UCED Committee shall constitute a quorum to transact business and to issue any recommendation or advisory opinion.

(4) The UCED Committee may promulgate its own internal rules of procedure and review.

(e) *Flats East Bank District.* An area designated by the permanent parcel numbers that are set forth and more fully described in Ordinance File No. 759-12-A.

**Section 2.** That existing Section 699A.011 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 759-12, passed July 11, 2012 is hereby repealed.

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

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

The rules were suspended. Yeas 18. Nays 0. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 373-13.**

**By Council Members Brancatelli, Cimperman and Cleveland.**

**An emergency ordinance authorizing the Director of the Department of Community Development to enter into an agreement with the Broadway School of Music and Arts for the Fine Arts Program through the use of Ward(s) 12, 3 and 5 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of the Department of Community Development is authorized to enter into an agreement with the Broadway School of Music and Arts for the Fine Arts Program for providing music education to low and moderate income students residing in the city of Cleveland through the use of Ward(s) 12, 3, and 5 Neighborhood Equity Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$37,500 and shall be paid from Fund No(s). 10 SF 166 and 10-188.

**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 18. Nays 0. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 374-13.**

**By Council Member Reed.**

**An emergency ordinance authorizing the Director of the Department of Community Development to enter into an agreement with Mt. Pleasant Community Zone for the Health and Human Services Community Fair through the use of Ward 2 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Director of the Department of Community Development is authorized to enter into an agreement with the Mt. Pleasant Community Zone for the Health and Human Services Community Fair for the public purpose of providing health education and health screenings to city of Cleveland residents through the use of Ward 2 Neighborhood Equity Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$20,000 and shall be paid from Fund No. 10 SF 188.

**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 18. Nays 0. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 375-13.**

**By Council Members Cimperman and Zone.**

**An emergency ordinance authorizing the Director of the City Planning Commission to enter into an agreement with Ohio City Near West Development Corporation for a Traffic Impact Study Peer Review Project through the use of Wards 3 and 15 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 the City Planning Commission is authorized to enter into an agreement with Ohio City Near West Development Corporation for a Traffic Impact Study Peer Review Project for the public purpose of determining the potential impact of a proposed McDonald's Restaurant in the Ohio City neighborhood on pedestrian, bicycle and vehicular traffic within the city of Cleveland through the use of Wards 3 and 15 Neighborhood Capital Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$10,000 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 18. Nays 0. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 376-13.**

**By Council Member Cimperman.**

**An emergency ordinance consenting and approving the issuance of a permit for the American Cancer Society Making Strides Against Breast Cancer walk, on October 12, 2013.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the American Cancer Society Making Strides Against Breast Cancer walk, on October 12, 2013, start: Browns Stadium Al Lerner Way to West 3rd, West 3rd to W.

St. Clair, W. St. Clair to West 9th, West 9th to W. Huron, W. Huron to Ontario, Ontario to W. Prospect, W. Prospect to West 6th, West 6th to W. St. Clair, W. St. Clair to West 3rd, West 3rd to Al Lerner Way, finish in Browns Stadium; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

The rules were suspended. Yeas 18. Nays 0. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 377-13.**

**By Council Members Cimperman, Zone and Westbrook.**

**An emergency ordinance consenting and approving the issuance of a permit for the 2013 National Senior Games Triathlon, on July 21, 2013, presented by Humana and the Greater Cleveland Sports Commission.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the 2013 National Senior Games Triathlon, on July 21, 2013, start: Voinovich Park; Swim Course: North Coast Harbor area; Bike Course: Shoreway from East 9th to West Blvd. (eastbound Shoreway only); Run Course: Shoreway, Lakeside Avenue; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

The rules were suspended. Yeas 18. Nays 0. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 378-13.**

**By Council Members 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 \$40,000 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 18. Nays 0. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 381-13.**

**By Council Member Cimperman.**

**An emergency ordinance authorizing the Director of the Department of Community Development to enter into an agreement with Ohio City Near West Development Corporation for the Healthy Living and Nutrition Program through the use of Ward 3 Neighborhood Capital Funds.**

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

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

**Section 1.** That the Director of the Department of Community Development is authorized to enter into an agreement with Ohio City Near West Development Corporation for the Healthy Living and Nutrition Program for the public purpose of promoting healthy exercise and nutri-

tion activities for city of Cleveland residents through the use of Ward 3 Neighborhood Capital Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$5,000 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 18. Nays 0. Read third time in full. Passed. Yeas 18. Nays 0.

**FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED**

**Res. No. 352-13.**

**By Council Member Polensek.**

**An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 1201 East 185th Street and repealing Resolution No. 134-13, objecting to said transfer.**

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to 1201 East 185th Street, Cleveland, Ohio 44119, Permanent No. 2403667 by Resolution No. 134-13 adopted by the Council on January 28, 2013; and

Whereas, this Council wishes to withdraw its objection to the above transfer and consents to said transfer based upon a cooperation agreement between Councilmember Michael D. Polensek and Applicant Ameer Hamdan, President of East 185th Marathon, Inc.; and

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

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

**Section 1.** That objection to the transfer of ownership of a C1 and C2 Liquor Permit to East 185th Marathon, Inc., DBA East 185th Marathon, 1201 East 185th Street, Cleveland, Ohio 44119, Permanent No. 2403667, be and the same is hereby withdrawn and Resolution No. 134-13, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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

The rules were suspended. Yeas 18. Nays 0. Read third time in full. Adopted. Yeas 18. Nays 0.

**Res. No. 353-13.**

**By Council Member Cimperman.**

**An emergency resolution withdrawing objection to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit at 710 Jefferson Avenue and repealing Resolution No. 1707-12, objecting to said transfer.**

Whereas, this Council objected to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit to 710 Jefferson Avenue, Cleveland, Ohio 44113, Permanent No. 5687120 by Resolution No. 1707-12 adopted by the Council on November 26, 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 the transfer of ownership of a D1, D2, D4 and D3A Liquor Permit to Mazel Tov Cocktail, LLC, DBA The Spotted Owl, 710 Jefferson Avenue, Cleveland, Ohio 44113, Permanent No. 5687120, be and the same is hereby withdrawn and Resolution No. 1707-12, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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

The rules were suspended. Yeas 18. Nays 0. Read third time in full. Adopted. Yeas 18. Nays 0.

**Res. No. 354-13.**

**By Council Member Cleveland.**

**An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 5275-79 Broadway Avenue, 1st floor and basement, and repealing Resolution No. 1661-12, objecting to said transfer.**

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to 5275-79 Broadway Avenue, 1st floor and basement, Cleveland, Ohio 44127, Permanent No. 8939161 by Resolution No. 1661-12 adopted by the Council on November 19, 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 the transfer of ownership of a C1 and C2 Liquor Permit to Tina 1 2 3, Inc., DBA Mike's Beverage, 5275-79 Broadway Avenue, 1st floor and basement,

Cleveland, Ohio 44127, Permanent No. 8939161, be and the same is hereby withdrawn and Resolution No. 1661-12, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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

The rules were suspended. Yeas 18. Nays 0. Read third time in full. Adopted. Yeas 18. Nays 0.

**Res. No. 379-13.**

**By Council Member Miller.**

**An emergency resolution withdrawing objection to the transfer of stock of a C1 Liquor Permit at 831 East 140th Street and repealing Resolution No. 1662-12, objecting to said transfer.**

Whereas, this Council objected to the transfer of stock of a C1 Liquor Permit to New Look Beverage, LLC, 831 East 140th Street, Cleveland, Ohio 44110, Permanent No. 6363210 by Resolution No. 1662-12 adopted by the Council on December 3, 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 C1 Liquor Permit to New Look Beverage, LLC, 831 East 140th Street, Cleveland, Ohio 44110, Permanent No. 6363210, be and the same is hereby withdrawn and Resolution No. 1662-12, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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

The rules were suspended. Yeas 18. Nays 0. Read third time in full. Adopted. Yeas 18. Nays 0.

**Res. No. 380-13.**

**By Council Member Cleveland.**

**An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit at 3020 Carnegie Avenue and repealing Resolution No. 1025-12, objecting to said renewal.**

Whereas, this Council objected to the renewal of a C2 and C2X Liquor Permit to Ahmin, Inc., DBA Carnegie Shell, 3020 Carnegie

Avenue, Cleveland, Ohio 44114, Permanent Number 0079871 by Resolution No. 1025-12, adopted by the Council on August 8, 2012; and

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

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

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

**Section 1.** That objection to the renewal of a C2 and C2X Liquor Permit to Ahmin, Inc., DBA Carnegie Shell, 3020 Carnegie Avenue, Cleveland, Ohio 44114, Permanent Number 0079871, be and the same is hereby withdrawn and Resolution No. 1123-12, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

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

The rules were suspended. Yeas 18. Nays 0. Read third time in full. Adopted. Yeas 18. Nays 0.

**Res. No. 383-13.**

**By Mayor Jackson and Council Member Zone.**

**An emergency resolution urging local area municipalities, public and private businesses and individuals to support "Earth Hour 2013" by turning off their lights for one hour, from 8:30 pm until 9:30 pm on Saturday March 23, 2013.**

Whereas, on March 23, 2013, the world will once again observe "Earth Hour" when hundreds of millions of people, organizations, corporations and governments around the world will come together to make a bold statement about their concern for climate change by turning off their lights for one hour between the 8:30 pm and 9:30 pm; and

Whereas, in the United States, participants will turn off their lights, sending a clear message that we want to "turn out the lights" on dirty air, dangerous dependency on foreign oil and costly climate change impacts, and make the switch to cleaner air, a strong economic future and a more secure nation; and

Whereas, since its inception six years ago, Earth Hour has become a global phenomenon; and

Whereas, more than 6950 cities and towns in 152 countries worldwide switched off their lights for Earth Hour 2012, sending a powerful message for action on climate change; also in 2012, more than 200,000 individuals accepted an Earth Hour challenge at YouTube.com/EarthHour; and

Whereas, as in years past, during Earth Hour 2013, iconic buildings and landmarks from Asia Pacific to Europe and Africa to the Americas will be switched off; people across

the world from all walks of life will turn off their lights and come together in celebration and contemplation of the one thing we all have in common - our planet; and

Whereas, in past years, landmarks from around the world went dark for Earth Hour, including: the Empire State Building; the Brooklyn Bridge; Broadway Theater Mar-quees; the Las Vegas Strip; United Nations Headquarters; the Golden Gate Bridge; Seattle's Space Needle; Church of Latter-Day Saints Temple; the Gateway Arch in St Louis; the Great Pyramids of Giza; the Acropolis and Parthenon in Athens; Christ the Redeemer Statue in Rio de Janeiro; St. Peter's Basilica in Vatican City; Big Ben and Houses of Parliament in London; Elysee Palace and Eiffel Tower in Paris; Beijing's Bird Nest and Water Cube; Symphony of Lights in Hong Kong; and Sydney's Opera House; and

Whereas, all Northeast Ohio municipalities, businesses and citizens should pledge to participate in this year's Earth Hour; and

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

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

**Section 1.** That this Council urges local area municipalities, public and private businesses and individuals to support "Earth Hour 2013" by turning off their lights for one hour, from 8:30 pm until 9:30 pm on Saturday March 23, 2013.

**Section 2.** That the Clerk of Council is hereby directed to transmit copies of this resolution to Joe Roman, President and Chief Executive Officer, Greater Cleveland Partnership; Joseph Marinucci, President & CEO of Downtown Cleveland Alliance; and Cuyahoga County Executive Ed Fitzgerald.

**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 18. Nays 0. Read third time in full. Adopted. Yeas 18. Nays 0.

**Res. No. 384-13.**

**By Mayor Jackson and Council Members Keane and Pruitt.**

**An emergency resolution supporting the Cleveland Metropolitan School District's application to the Ohio Board of Education for a waiver from the requirement regarding the appointment of an Academic Distress Commission for Cleveland schools.**

Whereas, Mayor Frank Jackson, in collaboration with business, labor, education philanthropic and community leaders, in order to facilitate the improvement of the academic achievement of the students of the Cleveland Municipal School District ("CMSD"), proposed the Cleveland Education Plan ("the Cleveland Plan") to the Ohio General Assembly; and

Whereas, the Ohio General Assembly passed, and Governor John Kasich signed, Substitute House Bill 525, which amended State law as it relates to the CMSD and provides for additional oversight of the CMSD by the Ohio Department of Education; and

Whereas, CMSD recently received a letter from the Ohio Department of Education informing CMSD that as the district is in Academic Emergency and it has failed to make adequate yearly progress for four or more consecutive school years, an Academic Distress Commission would be appointed to oversee CMSD; and

Whereas, because the Cleveland Plan contains such extraordinary reform efforts and clearly articulated accountability measures for CMSD, and Ohio law provides that a municipal school district may apply for a waiver from certain rules adopted under Title 33 of the Revised Code; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public health, welfare, and safety in that the CMSD Board has voted to file the necessary application with the Ohio Board of Education to request a waiver from State appointment of an Academic Distress Commission and this Council supports the waiver; now, therefore,

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

**Section 1.** That this Council supports the Cleveland Metropolitan School District's application to the Ohio Board of Education for a waiver from the requirement regarding the appointment of an Academic Distress Commission for Cleveland schools.

**Section 2.** That the Clerk of Council is directed to send a copy of this resolution to the Ohio Board of Education.

**Section 3.** 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.

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

The rules were suspended. Yeas 18. Nays 0. Read third time in full. Adopted. Yeas 18. Nays 0.

**SECOND READING EMERGENCY ORDINANCES PASSED**

**Ord. No. 1586-12.**

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

An emergency ordinance authorizing the Director of Public Works to lease certain property in the Cleveland Municipal Parking Lot to GMAC Insurance, for a term of one year, with two one year options to renew, exercisable by the Director of Public Works, for the purpose of parking.

Approved by Directors of Public Works, City Planning Commission, Finance, Law; Passage recommended by Committees on Public Parks, Properties, and Recreation, City Planning, Finance.

The rules were suspended. Yeas 18. Nays 0. Read second time. Read

third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 1590-12.**

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 Ohio Emergency Management Agency for the 2011-14 Metropolitan Medical Response System Program; authorizing the Director to employ one or more professional consultants to implement the grant; authorizing the Director to enter into one or more contracts with various agencies, entities, or individuals and Cuyahoga County; authorizing the purchase by one or more requirement or standard contracts of materials, equipment, services, and supplies, including training, conducting exercises, and program planning needed to implement the grant.

Approved by Directors of Public Safety, Finance, Law; Passage recommended by Committees on Public Safety, Finance.

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 1649-12.**

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

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

Approved by Directors of Public Works, City Planning Commission, Finance, Law; Passage recommended by Committees on Public Parks, Properties, and Recreation, City Planning, Finance.

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 1726-12.**

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

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to OPTIMA 777, LLC to encroach into the public right-of-way of East 6th Street and St. Clair Avenue by installing, using, and maintaining an entrance canopy, 10 bollards and auto dropoff zone on St. Clair Avenue, outdoor dining area on East 6th Street, entrance canopy and sign on East 6th Street and St. Clair Avenue, sidewalk planter on St. Clair Avenue and flag poles, piers, stairwell enclosure and entrance canopy and metal facade on East 6th and St. Clair Avenue.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 66-13.**

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

An emergency ordinance authorizing the Director of Law to apply for and accept a grant from the Criminal Justice Services Agency for the 2012 Cleveland Domestic Violence Program; and to enter into one or more contracts with Cuyahoga County and other entities to implement the program.

Approved by Directors of Public Safety, Finance Law; Passage recommended by Committees on Public Safety, Finance.

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 68-13.**

By Council Member J. Johnson.

An emergency ordinance designating Mount Olivet Church of God in Christ (formerly the Second German Reformed Church) as a Cleveland Landmark.

Approved by Directors of City Planning Commission, Law; Passage recommended by Committee on City Planning.

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 123-13.**

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

An emergency ordinance amend Sections 2, 3, and 6 of Ordinance No. 1780-05, passed January 9, 2006, as amended by Ordinance No. 766-11, passed June 6, 2011, relating to a Tax Increment Financing Agreement with Steelyard Commons LLC.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 130-13.**

By Council Member Cimperman.

An emergency ordinance designating the Starr Piano-Gennett Records Building as a Cleveland Landmark.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 131-13.**

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

An emergency ordinance authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with First Interstate Properties, Inc. or its designee, to provide for payments to the Cleveland Metropolitan School District and to provide for the creation of the Steelyard Commons TIF Fund II to be used for development and recreational improvements and to finance project debt for Steelyard Commons Phase 2; and to declare certain improve-

ments to real property to be a public purpose.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 132-13.**

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

An emergency ordinance authorizing the Director of Public Safety to accept rebanding funds from Nextel; and authorizing a contract with Nextel to upgrade the existing 800 MHz Radio System.

Approved by Directors of Public Safety, Finance, Law; Passage recommended by Committees on Public Safety, Finance.

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 163-13.**

By Council Member Cimperman.

An emergency ordinance designating the May Company Building as a Cleveland Landmark.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 165-13.**

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

An emergency ordinance to amend Sections 1 and 2 of Ordinance No. 1355-10, passed November 8, 2010, relating to a grant from the Department of Justice Violence Against Women through the County Criminal Justice Services Agency for the 2011 Cleveland Domestic Violence Program and authorizing contracts for its implementation.

Approved by Directors of Public Safety, Finance, Law; Passage recommended by Committees on Public Safety, Finance.

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 193-13.**

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

An emergency ordinance authorizing the retention and use of revenue by the general fund from tax remittances collected by Cleveland Public Power during the years 2013 and transfer 50% of tax receipts collected in 2014 back to Cleveland Public Power.

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

1. In the 4th Whereas clause, line 3, strike "2004" and insert "2005"; in the 6th Whereas clause, line 3, strike "2005" and insert "2006"; in the 7th Whereas clause, line 3, strike "2006" and insert "2007"; and in the 8th Whereas clause, line 3, strike "2007" and insert "2008".

Amendments agreed to.

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

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

**Ord. No. 195-13.**

By Council Member Cimperman.

An emergency ordinance designating the Fairmont Creamery Company Ice Cream Building as a Cleveland Landmark.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 199-13.**

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

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to procure fire and extended real and personal property insurance including oil testing and other risk management services for the Division of Cleveland Public Power's major facilities, including 1300 Lakeside Avenue, for a period of up to two years with a one-year option to renew.

Approved by Directors of Public Utilities, Finance, Law; Passage recommended by Committees on Public Utilities, Finance.

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 236-13.**

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

An emergency ordinance authorizing the Directors of Public Works and Finance to employ one or more temporary employment agencies to provide professional services to sup-

ply temporary and seasonal personnel for the Department of Public Works and the Project Clean program and for the Department of Finance, for a period up to one year.

Approved by Directors of Public Works, Finance, Law; Passage recommended by Committees on Public Parks, Property and Recreation, Finance.

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 239-13.**

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 American Society for the Prevention of Cruelty to Animals.

Approved by Directors of Public Safety, Finance, Law; Passage recommended by Committees on Public Safety, Finance.

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 312-13.**

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the refunding and remarketing of outstanding Core City Fund Program Bonds and authorizing related matters.

Approved by Directors of Finance, Law; Passage recommended by Committee on Finance.

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 313-13.**

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the refunding of outstanding stadium nontax revenue bonds.

Approved by Directors of Finance, Law; Passage recommended by Committee on Finance.

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**SECOND READING EMERGENCY RESOLUTION ADOPTED**

**Res. No. 1721-12.**

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

An emergency resolution declaring the intent to vacate a portion of the 1st unnamed alley (12.00 feet wide) north of Miles Avenue S.E. (86.00 feet wide) between East 162nd Street (60.00 feet wide) and East 163rd Street (60.00 feet wide).

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

**MOTION**

On the motion of Council Member Dow, seconded by Council Member Westbrook and unanimously carried that the absence of Council Member Kevin Conwell be and is hereby authorized.

**MOTION**

The Council Meeting adjourned at 7:57 p.m. to meet on Monday, March 25, 2013, at 7:00 p.m. in the Council Chamber.



Patricia J. Britt  
City Clerk, Clerk of Council

**THE CALENDAR**

The following measure will be on its final passage on March 25, 2013:

**Ord. No. 170-13.**

By Council Member Kelley (by departmental request).

**An emergency ordinance to make appropriations and provide current expenses for the daily operation of all municipal departments of the City of Cleveland for the fiscal year from January 1, 2013 until December 31, 2013.**

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

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

**Section 1.** That to provide for the current expenses for the City of Cleveland for the fiscal year ending December 31, 2013, the following sums be and they are hereby appropriated viz:

**The sum of Five Hundred Thirty Eight Million, Nine Hundred Forty Thousand, Seven Hundred Seventy Two Dollars (\$538,940,772), from the General Fund;**

The sum of Seventy Four Million, Seven Hundred One Thousand, Thirty Dollars (\$74,701,030) from the Special Revenue Funds;

The sum of Thirty Million, One Hundred Eighty Eight Thousand, Seven Hundred Fourteen Dollars (\$30,188,714) from the Internal Service Funds;

The sum of Six Hundred Thirty One Million, Two Hundred Forty Thousand, Eight Hundred Eighty Nine Dollars (\$631,240,889) from the Enterprise Funds;

The sum of Ten Million, Two Hundred Ninety Six Thousand, Sixty Five Dollars (\$10,296,065) from the Trust and Agency Funds;

The sum of Fifty Nine Million, Four Hundred Forty Eight Thousand, Two Hundred Six Dollars (\$59,448,206) from the Debt Service Fund;

All set forth in the Mayor's Estimate on file with Council and identified in the aggregate amount for each department as follows:



**GENERAL FUND**

Legislative Branch		\$	7,170,178
Judicial Branch			<b>39,545,833</b>
<b>EXECUTIVE BRANCH</b>			
General Government			13,240,565
Department of Aging			<b>1,115,075</b>
Department of Human Resources			2,067,412
Department of Law			9,436,026
Department of Finance			14,900,917
Department of Public Health			5,517,038
Department of Public Safety			<b>311,719,856</b>
Department of Public Works			71,234,320
Department of Community Development			295,868
Department of Building and Housing			<b>10,337,933</b>
Department of Economic Development			1,643,646
Nondepartmental			<b>50,716,105</b>
<b>TOTAL EXECUTIVE BRANCH</b>		<b>\$</b>	<b>492,224,761</b>
<b>TOTAL GENERAL FUND</b>		<b>\$</b>	<b>538,940,772</b>
Special Revenue Funds			74,701,030
Internal Service Funds			30,188,714
Enterprise Funds			631,240,889
Agency Funds			10,296,065
Debt Service Funds			59,448,206
<b>TOTAL APPROPRIATIONS FOR 2013</b>		<b>\$</b>	<b>1,344,815,676</b>

**GENERAL FUND**

**LEGISLATIVE BRANCH**

Council and Clerk of Council		\$	7,170,178
I. Personnel and Related Expenses	\$	5,204,431	
II. Other Expenses		1,965,747	
<b>TOTAL LEGISLATIVE BRANCH</b>		<b>\$</b>	<b>7,170,178</b>

**JUDICIAL BRANCH**

<b>Municipal Court - Judicial Division</b>		<b>\$</b>	<b>21,774,347</b>
<b>I. Personnel and Related Expenses</b>	<b>\$</b>	<b>19,149,395</b>	
<b>II. Other Expenses</b>		<b>2,624,952</b>	
<b>Municipal Court - Clerk's Division</b>		<b>\$</b>	<b>14,284,965</b>
<b>I. Personnel and Related Expenses</b>	<b>\$</b>	<b>9,239,703</b>	
<b>II. Other Expenses</b>		<b>5,045,262</b>	
<b>Municipal Court - Housing Division</b>		<b>\$</b>	<b>3,486,521</b>
<b>I. Personnel and Related Expenses</b>	<b>\$</b>	<b>3,338,886</b>	
<b>II. Other Expenses</b>		<b>147,635</b>	
<b>TOTAL JUDICIAL BRANCH</b>		<b>\$</b>	<b>39,545,833</b>

**EXECUTIVE BRANCH**

**GENERAL GOVERNMENT**

Office of the Mayor		\$	2,586,351
I. Personnel and Related Expenses	\$	2,471,041	
II. Other Expenses		115,310	
Office of Capital Projects		\$	4,657,978
I. Personnel and Related Expenses	\$	4,064,697	
II. Other Expenses		593,281	
Landmarks Commission		\$	195,552
I. Personnel and Related Expenses	\$	191,246	
II. Other Expenses		4,306	
Board of Building Standards and Appeals		\$	130,631
I. Personnel and Related Expenses	\$	118,401	
II. Other Expenses		12,230	

Board of Zoning Appeals		\$	215,252
I. Personnel and Related Expenses	\$	199,876	
II. Other Expenses		15,376	
Civil Service Commission		\$	1,334,162
I. Personnel and Related Expenses	\$	627,839	
II. Other Expenses		706,323	
Community Relations Board		\$	1,233,634
I. Personnel and Related Expenses	\$	1,183,005	
II. Other Expenses		50,629	
City Planning Commission		\$	1,557,879
I. Personnel and Related Expenses	\$	1,475,140	
II. Other Expenses		82,739	
Boxing and Wrestling Commission		\$	7,682
I. Personnel and Related Expenses	\$	7,682	
Office of Equal Opportunity		\$	506,034
I. Personnel and Related Expenses	\$	485,256	
II. Other Expenses		20,778	
Office of Budget & Management-Budget Admin.		\$	815,410
I. Personnel and Related Expenses	\$	784,702	
II. Other Expenses		30,708	
<b>TOTAL GENERAL GOVERNMENT</b>			<b>\$ 13,240,565</b>

## DEPARTMENT OF AGING

Department of Aging		\$	<b>1,115,075</b>
I. Personnel and Related Expenses	\$	<b>866,320</b>	
II. Other Expenses		<b>248,755</b>	
<b>TOTAL DEPARTMENT OF AGING</b>			<b>\$ 1,115,075</b>

## DEPARTMENT OF HUMAN RESOURCES

Office of Personnel		\$	2,067,412
I. Personnel and Related Expenses	\$	1,346,866	
II. Other Expenses		720,546	
<b>TOTAL DEPARTMENT OF HUMAN RESOURCES</b>			<b>\$ 2,067,412</b>

## DEPARTMENT OF LAW

Division of Law		\$	9,436,026
I. Personnel and Related Expenses	\$	6,705,123	
II. Other Expenses		2,730,903	
<b>TOTAL DEPARTMENT OF LAW</b>			<b>\$ 9,436,026</b>

## DEPARTMENT OF FINANCE

Finance Administration		\$	1,256,137
I. Personnel and Related Expenses	\$	966,298	
II. Other Expenses		289,839	
Division of Accounts		\$	2,029,878
I. Personnel and Related Expenses	\$	1,393,288	
II. Other Expenses		636,590	
Division of Assessments and Licenses		\$	4,118,954
I. Personnel and Related Expenses	\$	2,464,400	
II. Other Expenses		1,654,554	
Division of Treasury		\$	576,026
I. Personnel and Related Expenses	\$	481,235	
II. Other Expenses		94,791	
Division of Purchases and Supplies		\$	720,226
I. Personnel and Related Expenses	\$	678,943	
II. Other Expenses		41,283	

Bureau of Internal Audit		\$	1,102,127
I. Personnel and Related Expenses	\$	546,881	
II. Other Expenses		555,246	
Division of Financial Reporting and Control		\$	1,318,218
I. Personnel and Related Expenses	\$	1,296,379	
II. Other Expenses		21,839	
Information Systems Services		\$	3,779,351
I. Personnel and Related Expenses	\$	1,995,120	
II. Other Expenses		1,784,231	
<b>TOTAL DEPARTMENT OF FINANCE</b>			<b>\$ 14,900,917</b>

## DEPARTMENT OF PUBLIC HEALTH

Public Health Administration		\$	950,470
I. Personnel and Related Expenses	\$	616,306	
II. Other Expenses		334,164	
Division of Health		\$	3,134,482
I. Personnel and Related Expenses	\$	1,875,810	
II. Other Expenses		1,258,672	
Division of Environment		\$	1,036,808
I. Personnel and Related Expenses	\$	829,110	
II. Other Expenses		207,698	
Division of Air Quality		\$	395,278
I. Personnel and Related Expenses	\$	114,178	
II. Other Expenses		281,100	
<b>TOTAL DEPARTMENT OF PUBLIC HEALTH</b>			<b>\$ 5,517,038</b>

## DEPARTMENT OF PUBLIC SAFETY

Public Safety Administration		\$	4,427,833
I. Personnel and Related Expenses	\$	3,000,440	
II. Other Expenses		1,427,393	
Division of Police		\$	180,738,480
I. Personnel and Related Expenses	\$	171,390,342	
II. Other Expenses		9,348,138	
Division of Fire		\$	86,982,195
I. Personnel and Related Expenses	\$	83,498,900	
II. Other Expenses		3,483,295	
Division of Emergency Medical Services		\$	24,289,898
I. Personnel and Related Expenses	\$	21,548,323	
II. Other Expenses		2,741,575	
Division of Animal Control Services		\$	<b>1,367,167</b>
I. Personnel and Related Expenses	\$	960,275	
II. Other Expenses		<b>406,892</b>	
Division of Correction		\$	13,914,283
I. Personnel and Related Expenses	\$	10,805,764	
II. Other Expenses		3,108,519	
<b>TOTAL DEPARTMENT OF PUBLIC SAFETY</b>			<b>\$ 311,719,856</b>

## DEPARTMENT OF PUBLIC WORKS

Division of Public Works Administration		\$	3,053,343
I. Personnel and Related Expenses	\$	2,850,215	
II. Other Expenses		203,128	
Division of Recreation		\$	12,316,663
I. Personnel and Related Expenses	\$	8,452,066	
II. Other Expenses		3,864,597	

Division of Parking Facilities-On Street		\$ 1,228,066
I. Personnel and Related Expenses	\$ 1,187,226	
II. Other Expenses	40,840	
Division of Property Management		\$ 12,311,720
I. Personnel and Related Expenses	\$ 5,790,008	
II. Other Expenses	6,521,712	
Division of Park Maintenance and Properties		\$ 13,205,325
I. Personnel and Related Expenses	\$ 8,670,730	
II. Other Expenses	4,534,595	
Division of Waste Collection and Disposal		\$ 25,377,513
I. Personnel and Related Expenses	\$ 14,284,059	
II. Other Expenses	11,093,454	
Division of Traffic Engineering		\$ 3,741,690
I. Personnel and Related Expenses	\$ 2,770,516	
II. Other Expenses	971,174	
TOTAL DEPARTMENT OF PUBLIC WORKS		<u>\$ 71,234,320</u>
DEPARTMENT OF COMMUNITY DEVELOPMENT		
Department of Community Development Director's Office		\$ 295,868
I. Personnel and Related Expenses	\$ 283,303	
II. Other Expenses	12,565	
TOTAL DEPARTMENT OF COMMUNITY DEVELOPMENT		<u>\$ 295,868</u>
DEPARTMENT OF BUILDING AND HOUSING		
Building and Housing Director's Office		\$ <b>2,617,035</b>
I. Personnel and Related Expenses	\$ 1,664,513	
II. Other Expenses	<b>952,522</b>	
Division of Code Enforcement		\$ 6,138,649
I. Personnel and Related Expenses	\$ 5,936,615	
II. Other Expenses	202,034	
<b>Division of Construction Permitting</b>		<b>\$ 1,582,249</b>
I. Personnel and Related Expenses	<b>\$ 1,565,924</b>	
II. Other Expenses	16,325	
TOTAL DEPARTMENT OF BUILDING AND HOUSING		<u><b>\$ 10,337,933</b></u>
DEPARTMENT OF ECONOMIC DEVELOPMENT		
Economic Development		\$ 1,643,646
I. Personnel and Related Expenses	\$ 1,628,425	
II. Other Expenses	15,221	
TOTAL DEPARTMENT OF ECONOMIC DEVELOPMENT		<u>\$ 1,643,646</u>
NONDEPARTMENTAL		
County Auditor Deductions		\$ 1,561,000
II. Other Expenses	\$ 1,561,000	
Other Administrative		\$ 17,722,049
II. Other Expenses	\$ 17,722,049	
Transfers to Other Funds		\$ <b>31,433,056</b>
II. Other Expenses	<b>\$ 31,433,056</b>	
TOTAL NONDEPARTMENTAL		<u><b>\$ 50,716,105</b></u>
TOTAL EXECUTIVE BRANCH		<u><b>\$ 492,224,761</b></u>
TOTAL GENERAL FUND		<u><u><b>\$ 538,940,772</b></u></u>

## SPECIAL REVENUE FUND

Restricted Income Tax Fund		\$ 38,811,272
I. Capital	\$ 8,039,218	
II. Debt Service	30,772,054	
Street Construction, Maintenance & Repair Fund		\$ 27,277,758
I. Personnel and Related Expenses	\$ 15,544,663	
II. Other Expenses	11,733,095	
Schools Recreation & Cultural Activities Fund		\$ 1,175,000
II. Other Expenses	\$ 1,175,000	
Division of Convention Center & Stadium-Stadium		\$ 7,437,000
II. Other Expenses	\$ 7,437,000	
TOTAL SPECIAL REVENUE FUNDS		<u>\$ 74,701,030</u>

## INTERNAL SERVICE FUND

Sinking Fund Commission		\$ 1,042,793
I. Personnel and Related Expenses	\$ 191,292	
II. Other Expenses	851,501	
Information Systems Services-Telephone Exchange		\$ 6,581,306
I. Personnel and Related Expenses	\$ 1,336,933	
II. Other Expenses	5,244,373	
Division of Motor Vehicle Maintenance		\$ 19,637,720
I. Personnel and Related Expenses	\$ 5,738,353	
II. Other Expenses	13,899,367	
Division of Printing and Reproduction		\$ 2,333,962
I. Personnel and Related Expenses	\$ 845,937	
II. Other Expenses	1,488,025	
City Storeroom and Central Warehouse		\$ 592,933
I. Personnel and Related Expenses	\$ 129,202	
II. Other Expenses	463,731	
TOTAL INTERNAL SERVICE FUNDS		<u>\$ 30,188,714</u>

## ENTERPRISE FUNDS

## DEPARTMENT OF PUBLIC UTILITIES

Utilities Administration		\$ 3,311,372
I. Personnel and Related Expenses	\$ 2,507,041	
II. Other Expenses	804,331	
Radio		\$ 3,486,364
I. Personnel and Related Expenses	\$ 562,036	
II. Other Expenses	2,924,328	
Division of Fiscal Control		\$ 3,759,570
I. Personnel and Related Expenses	\$ 3,192,298	
II. Other Expenses	567,272	
Division of Water		\$ 261,758,799
I. Personnel and Related Expenses	\$ 84,338,708	
II. Other Expenses	177,420,091	
Division of Water Pollution Control		\$ 22,561,000
I. Personnel and Related Expenses	\$ 11,248,990	
II. Other Expenses	11,312,010	
Division of Cleveland Public Power		\$ 183,420,000
I. Personnel and Related Expenses	\$ 30,709,730	
II. Other Expenses	152,710,270	
TOTAL DEPARTMENT OF PUBLIC UTILITIES		<u>\$ 478,297,105</u>

DEPARTMENT OF PORT CONTROL		
Divisions of Cleveland Hopkins & Burke Lakefront Airports - Operations		\$ 139,375,331
I. Personnel and Related Expenses	\$ 32,850,806	
II. Other Expenses	106,524,525	
TOTAL DEPARTMENT OF PORT CONTROL		\$ 139,375,331

DEPARTMENT OF PUBLIC WORKS		
Division of Cemeteries		\$ 1,699,711
I. Personnel and Related Expenses	\$ 1,241,155	
II. Other Expenses	458,556	
Golf Course Fund		\$ 333,431
I. Personnel and Related Expenses	\$ 32,136	
II. Other Expenses	301,295	
Division of Parking Facilities-Off Street Parking		\$ 7,821,979
I. Personnel and Related Expenses	\$ 1,268,777	
II. Other Expenses	6,553,202	
Division of Convention Center		\$ 2,538,783
I. Personnel and Related Expenses	\$ 1,101,478	
II. Other Expenses	1,437,305	
Division of Convention Center & Stadium - West Side Market		\$ 1,134,549
I. Personnel and Related Expenses	\$ 432,979	
II. Other Expenses	701,570	
Division of Property Management - East Side Market		\$ 40,000
II. Other Expenses	\$ 40,000	
TOTAL DEPARTMENT OF PUBLIC WORKS		\$ 13,568,453
TOTAL ENTERPRISE FUNDS		\$ 631,240,889

AGENCY FUND		
Central Collection Agency		\$ 10,296,065
I. Personnel and Related Expenses	\$ 6,553,997	
II. Other Expenses	3,742,068	
TOTAL AGENCY FUND		\$ 10,296,065

DEBT SERVICE FUND		
Sinking Fund Commission		\$ 59,448,206
III. Debt Service	\$ 59,448,206	
TOTAL DEBT SERVICE FUNDS		\$ 59,448,206

**Section 2.** That the appropriations herein made are based upon the detail of expenditures set forth in the Mayor's Estimate, but are appropriated to the several departments, offices, and purposes in the aggregate for I. — Personnel and Related Expenses; and II. — Other Expenses and are not severally and individually appropriated in said detail. Any unencumbered balance in an appropriation fund at the close of the year 2012 is hereby appropriated to such fund for the payment of unpaid obligations lawfully incurred in 2013 or prior years. The Mayor's Estimate, as modified by the schedule published pursuant to Section 39 of the Charter shall within the sums appropriated in Section 1 hereof, constitute the expenditure budget for the year 2013 and shall be subject to the control of the Mayor, provided, however, that no transfer from I. — Personnel and Related Expenses, or II. — Other Expenses within any department or office, or from one department or office to another shall be made except as provided in Section 41 of the Charter.

**Section 3.** That the Commissioner of Accounts is hereby authorized to draw warrants upon the City Treasury for the amount appropriated in this ordinance, whenever claims are presented properly approved by the head of the department or by the chief of a commission for which indebtedness was incurred.

**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 upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

**BOARD OF CONTROL**

March 13, 2013

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, March 13, 2013 at 10:40 a.m. with Director Langhenry presiding.

Present: Directors Langhenry, Dumas, Bender, Acting Director Johnson, Directors Flask, Rush, Acting Director Walker-Minor, Directors Fumich and Rybka.

Absent: Mayor Jackson, Directors Smith, Butler and Nichols.

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

Natoya Walker-Minor, Interim 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. 111-13.**

By Director Bender.

Whereas, under the authority of Ordinance No. 1080-99, passed by the Cleveland City Council on May 22, 2000, and Board of Control Resolution No. 808-00, adopted December 6, 2000, the City of Cleveland, through the Director of Public Utilities, entered into City Contract No. 57651 with Montgomery Watson Americas, Inc. to acquire implementation consultant services for the citywide Geographic Information System Program, for the various divisions of City government; and

Whereas, the citywide Geographic Information System runs on the Environmental Systems Research Institute, Inc. (ESRI) software platform, and support, maintenance, and licenses must be renewed annually for proper use and support of the citywide GIS software and applications; and

Whereas, division (c) of Section 181.102 of the Codified Ordinances of Cleveland, Ohio, 1976, ("C.O.") authorizes a director to execute one or more license agreements for software needed to implement or maintain a previously acquired software system directly with software licensing firm; and

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

Whereas, under the authority of Section 181.102 C.O., the City intends to enter into an agreement with Environmental Systems Research Institute, Inc. (ESRI) to renew the necessary software licenses and to obtain the professional services necessary to continue support and maintenance for the citywide GIS software and applications for one year starting May 16, 2013; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of division (e) of Section 181.102 C.O., the compensation to be paid for license fees and for maintenance and support services to be performed under the

contract with Environmental Systems Research Institute, Inc. (ESRI) for the one-year term starting May 16, 2013, shall not exceed \$250,000.00.

Yeas: Directors Langhenry, Dumas, Bender, Acting Director Johnson, Directors Flask, Rush, Acting Director Walker-Minor, Directors Fumich and Rybka.

Nays: None.  
Absent: Mayor Jackson, Directors Smith, Butler and Nichols.

**Resolution No. 112-13.**

By Director Withers.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of United Survey, Inc. for the public improvement of rehabilitation and relining sewers at various locations citywide, base bid items including 10% contingency allowance, for the Division of Water Pollution Control, Department of Public Utilities, received on December 12, 2012, under the authority of Section 129.292 of Codified Ordinances of Cleveland, Ohio, 1976, upon a unit basis for the improvements to be performed as ordered during the period of one (1) year 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 \$660,880.00, is affirmed and approved as the lowest responsible bid, and the Director of Public Utilities is requested 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 of 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, by the Board of Control of the City of Cleveland that the employment of the following subcontractors by United Survey, Inc. for the above-mentioned public improvement by requirement is approved:

<u>SUBCONTRACTOR</u>	<u>CSB/MBE/FBE</u>	<u>AMOUNT/PERCENTAGE</u>
Cook Paving	CSB/MBE	
		\$ 35,000.00(5.296%)
Broadway Excavating	None	
		\$73,000.00(11.046%)

Yeas: Directors Langhenry, Dumas, Bender, Acting Director Johnson, Directors Flask, Rush, Acting Director Walker-Minor, Directors Fumich and Rybka.

Nays: None.  
Absent: Mayor Jackson, Directors Smith, Butler and Nichols.

**Resolution No. 113-13.**

By Director Withers.

Resolved, by the Board of Control of the City of Cleveland that the bid of Cook Paving & Construction Co Inc., for an estimated quantity of labor and material necessary to install, repair, replace or maintain the duct line, street lighting bases and pull boxes, and other related incidentals, for all items, for the

Department of Public Utilities, Division of Cleveland Public Power, for the period of two years, beginning with the date of execution of a contract, received on December 14, 2012, under the authority of Ordinance No. 1575-11, passed December 5, 2011, which on the basis of the estimated quantity would amount to \$6,325,848.00 (0%, 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services as specified.

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

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors for the above-mentioned service is hereby approved:

<u>Subcontractors</u>	<u>Percent</u>	<u>Work</u>
RAR Contracting	15.24%	\$963,754.00
Lakewood Supply, Co. (CSB)	0.40%	\$ 25,000.00
L.V. Surveying Inc. (CSB/FBE)	0.47%	\$ 30,000.00
R.A. Strauss (CSB/FBE)	5.57%	\$352,555.00

Yeas: Directors Langhenry, Dumas, Bender, Acting Director Johnson, Directors Flask, Rush, Acting Director Walker-Minor, Directors Fumich and Rybka.

Nays: None.  
Absent: Mayor Jackson, Directors Smith, Butler and Nichols.

**Resolution No. 114-13.**

By Director Withers.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on January 31, 2013 for electric vehicle charging stations, for the Division of Cleveland Public Power, Department of Public Utilities, under the authority of Ordinance No. 284-12, passed May 14, 2012, are rejected.

Yeas: Directors Langhenry, Dumas, Bender, Acting Director Johnson, Directors Flask, Rush, Acting Director Walker-Minor, Directors Fumich and Rybka.

Nays: None.  
Absent: Mayor Jackson, Directors Smith, Butler and Nichols.

**Resolution No. 115-13.**

By Director Bender.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Jack Doheny Supplies Ohio, Inc. for an estimated quantity of labor and materials necessary to repair and maintain combination sewer and catch basin cleaners (all items), for the Division of Water Pollution Control, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on November 9, 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 \$250,000.00, is affirmed and approved as the lowest and best bid; and the Director of Public Utilities is requested to enter into a requirement contract for the specified goods and/or services.

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

Yeas: Directors Langhenry, Dumas, Bender, Acting Director Johnson, Directors Flask, Rush, Acting Director Walker-Minor, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith, Butler and Nichols.

**Resolution No. 116-13.**

By Director Withers.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Fabrizi Recycling, Inc. for the public improvement of Wakefield Avenue Sewer Replacement Project (Base Bid All Items including the 10% contingency allowance) for the Division of Water Pollution Control, Department of Public Utilities, received on December 12, 2012, under the authority of Ordinance No. 741-12, passed June 4, 2012, upon a unit basis for the improvement, in the aggregate amount of \$329,892.20, is affirmed and approved as the lowest responsible bid, and the Director of Public Utilities 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 subcontractor by Fabrizi Recycling, Inc. for the above-mentioned public improvement is approved:

**SUBCONTRACTOR CSB/MBE/FBE WORK**

RAR Contracting Co., Inc.

CSB/MBE  
\$102,000.00 (30.919%)

Yeas: Directors Langhenry, Dumas, Bender, Acting Director Johnson, Directors Flask, Rush, Acting Director Walker-Minor, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith, Butler and Nichols.

**Resolution No. 117-13.**

By Director Bender.

Be it resolved by the Board of Control of the City of Cleveland that the bid of EJ USA, Inc. for an estimated quantity of casting items, items 1 through 3, items 7 through 30, items 35 through 43, and item 44, for the Divisions of Cleveland Public Power, Water, and Water Pollution Control, Department of Public Utilities, for a period of one year starting upon execution of a contract, with an option to renew for one year, received on December 5, 2012 under the authority of Section 129.25, 129.26, and 129.27 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to

\$536,602.42 (0%, 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the required goods or services.

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

Yeas: Directors Langhenry, Dumas, Bender, Acting Director Johnson, Directors Flask, Rush, Acting Director Walker-Minor, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith, Butler and Nichols.

**Resolution No. 118-13.**

By Director Bender.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Neenah Foundry Company for an estimated quantity of casting items, items 4 through 6, and items 31 through 44, for the Divisions of Cleveland Public Power, Water, and Water Pollution Control, Department of Public Utilities, for a period of one year starting upon execution of a contract, with an option to renew for one year, received on December 5, 2012 under the authority of Sections 129.25, 129.26, and 129.27 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$59,144.00 (0%, 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the required goods or services.

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

Yeas: Directors Langhenry, Dumas, Bender, Acting Director Johnson, Directors Flask, Rush, Acting Director Walker-Minor, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith, Butler and Nichols.

**Resolution No. 119-13.**

By Director Bender.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Professional Electric Products Company for an estimated quantity of pullbox items, items 49 through 56, for the Divisions of Cleveland Public Power, Water, and Water Pollution Control, Department of Public Utilities, for a period of one year starting upon execution of a contract, with an option to renew for one year, received on December 5, 2012 under the authority of Sections 129.25, 129.26, and 129.27 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$72,950.00 (0%, 10 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is

requested to enter into a requirement contract for the required goods or services.

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

Yeas: Directors Langhenry, Dumas, Bender, Acting Director Johnson, Directors Flask, Rush, Acting Director Walker-Minor, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith, Butler and Nichols.

**Resolution No. 120-13.**

By Director Bender.

Be it resolved by the Board of Control of the City of Cleveland that the bid of RA STRAUSS Electric Supply Co. for an estimated quantity of pullbox items, items 45 through 48, and item 57, for the Divisions of Cleveland Public Power, Water, and Water Pollution Control, Department of Public Utilities, for a period of one year starting upon execution of a contract for the goods or services, with one option to renew for one year, received on December 5, 2012 under the authority of Sections 129.25, 129.26, and 129.27 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$56,838.75 (0%, 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the required goods or services.

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

Yeas: Directors Langhenry, Dumas, Bender, Acting Director Johnson, Directors Flask, Rush, Acting Director Walker-Minor, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith, Butler and Nichols.

**Resolution No. 121-13.**

By Director Bender.

Be it resolved by the Board of Control of the City of Cleveland that the bid of K-D Lamp Company for an estimated quantity of decorative post lights, Group A, all items, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two years starting upon execution of the contract, received on December 6, 2012 under the authority of Ordinance No. 406-12, passed May 21, 2012, which on the basis of the estimated quantity would amount to \$75,520.38 (2%, 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract, for the goods and/or required services.

The requirement contract shall further provide that the Contractor will furnish the remainder of the



City's requirements for the goods and/or services, whether more or less than the estimated quantity, as may be ordered under subsequent delivery orders separately certified against the contract.

Yeas: Directors Langhenry, Dumas, Bender, Acting Director Johnson, Directors Flask, Rush, Acting Director Walker-Minor, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith, Butler and Nichols.

**Resolution No. 122-13.**

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Westside Lighting Center, Inc. for an estimated quantity of decorative post lights, including installation, Group B, all items, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two years starting upon execution of the contract, received on December 6, 2012 under the authority of Ordinance No. 406-12, passed May 21, 2012, which on the basis of the estimated quantity would amount to \$69,180.00 (0%, 0 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract, for the goods and/or required services.

The requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for the goods and/or services, whether more or less than the estimated quantity, as may be ordered under subsequent delivery orders separately certified against the contract.

Yeas: Directors Langhenry, Dumas, Bender, Acting Director Johnson, Directors Flask, Rush, Acting Director Walker-Minor, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith, Butler and Nichols.

**Resolution No. 123-13.**

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Lake Erie Electric, Inc. for an estimated quantity of labor and materials for decorative and special bridge lighting, items 1 through 9, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two years starting upon the execution of a contract, received on December 19, 2012, under the authority of Ordinance No. 811-11, passed July 20, 2011, which on the basis of the estimated quantity would amount to \$288,695.03 (0%, 20 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services as specified.

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

Yeas: Directors Langhenry, Dumas, Bender, Acting Director Johnson, Directors Flask, Rush, Act-

ing Director Walker-Minor, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith, Butler and Nichols.

**Resolution No. 124-13.**

By Director Wasik.

Whereas, on February 12, 2013, the City of Cleveland entered into Contract No. CT4004-PI2013-014 with Vandra Brothers, Inc. for the public improvement of Madison Avenue Rehabilitation Project, for the Office of Capital Projects in the aggregate amount of \$3,884,320.00; and

Whereas, Vandra Brothers, Inc. desires to utilize certain subcontractors under Contract No. CT4004-PI2013-014 for which it requires previous written consent of the Board of Control under Section 185.36 C.O.; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that the employment of the following subcontractors by Vandra Brothers, Inc. for the public improvement of Madison Avenue Rehabilitation Project is approved.

Burton Scot, Inc.  
\$749,000.00 — (0.19%)

Innovative Pavement Management, Inc.  
\$72,000.00 — (0.02%)

Yeas: Directors Langhenry, Dumas, Bender, Acting Director Johnson, Directors Flask, Rush, Acting Director Walker-Minor, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith, Butler and Nichols.

**Resolution No. 125-13.**

By Director Wasik.

Whereas, Ordinance No. 591-11, passed June 6, 2011 by the Council of the City of Cleveland, authorizes the Commissioner of Purchases and Supplies to acquire for right-of-way purposes real property necessary for the rehabilitation of Woodland Avenue, Phase I, for a consideration not exceeding fair market value, as determined by the Board of Control; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the consideration in the amount of \$1,500.00 to be paid to United States Postal Service for acquisition of the portion of P.P.N. 124-12-001, located at the intersection of Woodland Avenue and Kinsman Avenue and more fully described as follows, is determined not to exceed fair market value:

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being a 0.0032 acres (138 sq. ft.) STANDARD HIGHWAY EASEMENT #3-SH located within a 0.7575 acres parcel of land of part of Sublot #1 in the Bomford and Butler's Subdivision of part of Original One Hundred Acre Lots #331 & #332 as shown on the recorded plat in Volume W, Page 721 of Cuyahoga County Map Records and as conveyed to the United States Postal Service by deed dated December 22, 1986 as recorded in Volume 86-8315, Page 21 (PP #124-12-001) of Cuyahoga County Deed Records and being a parcel of land lying on the right side of the centerline of right-of-way of Woodland Avenue (East-

80 feet wide) and further bounded and described as follows;

Commencing at the intersection of centerlines of East 55th Street (width varies) and said Woodland Avenue at Station 127+77.60 on said centerline of right-of-way of Woodland Avenue, said intersection being South 00°40'02" East, distant 30.00 feet from a stone w/drill hole found in a monument box on said centerline of East 55th Street at 30.00 feet left of Station 127+77.67 on said centerline of right-of-way of Woodland Avenue;

Thence North 89 degrees 11 minutes 25 seconds East, along said centerline of Woodland Avenue, a distance of 49.90 feet to a point at Station 128+27.50 on said centerline of right-of-way of Woodland Avenue;

Thence South 00 degrees 48 minutes 35 seconds East, perpendicular to said centerline of Woodland Avenue, a distance of 40.00 feet to the Northwesterly corner of said United States Postal Service's land (PP #124-12-001) at the intersection of the Southerly right of way line of said Woodland Avenue with the Easterly right of way line of said East 55th Street at 40.00 feet right of Station 128+27.50 of said centerline of Woodland Avenue and the Principal Point of Beginning of the premises herein intended to be described;

Course I Thence North 89 degrees 11 minutes 25 seconds East, along said Southerly right of way line of Woodland Avenue, a distance of 17.67 feet to a point at 40.00 feet right of Station 128+45.17 of said centerline of right-of-way of Woodland Avenue;

Course II Thence South 47 degrees 52 minutes 03 seconds West, a distance of 23.58 feet to a point on said Easterly right of way line of East 55th Street at 55.57 feet right of Station 128+27.46 of said centerline of right-of-way of Woodland Avenue;

Course III Thence North 00 degrees 40 minutes 02 seconds West, along said Easterly right of way line of East 55th Street, a distance of 15.57 feet to the Principal Point of Beginning and containing 0.0032 acres (138 sq. ft.) of land, more or less which is part of Cuyahoga County Auditor's Permanent Parcel #124-12-001;

Basis of Bearing North 89 degrees 11 minutes 25 seconds East shown hereon is the centerline of Woodland Avenue (East 80 feet wide) as evidenced by monuments found and is the same as calculated and reproduced utilizing the ODOT VRS Network, calibrated to Cleveland Regional Geodetic Monuments and are for purpose of indicating variation;

The stations referred to herein are from the centerline of right-of-way and construction of Woodland Avenue Reconstruction for the City of Cleveland, Cuyahoga County, Ohio, as found on the CUY-S.R. 87-2.42 (Woodland Avenue) Plans as prepared by Hatch Mott MacDonald and Chagrin Valley Engineering, Ltd. in 2012.

Yeas: Directors Langhenry, Dumas, Bender, Acting Director Johnson, Directors Flask, Rush, Acting Director Walker-Minor, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith, Butler and Nichols.

**Resolution No. 126-13.**

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. 006-24-061 located at 3051 West 47th Street in Ward 15; and

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

Whereas, Christopher E. Flynn 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 Christopher E. Flynn for the sale and development of Permanent Parcel No. 006-24-061 located at 3051 West 47th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Bender, Acting Director Johnson, Directors Flask, Rush, Acting Director Walker-Minor, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith, Butler and Nichols.

LEWIS DOLEZAL,  
Acting 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, APRIL 1, 2013

9:30 A.M.

**Calendar No. 13-37:** 9711 Lamont Avenue (Ward 7)

Friends of Breakthrough School aka Citizens Leadership Academy, appeal for an addition to an existing school building on acreage located between Ansel Road and Lamont Avenue in an E2 Multi-Family District; pursuant to the restrictions under Section 337.08(c) a school is permitted if located 15 feet from any adjoining premises in a Residence District not used for a similar purpose, and expansion of nonconforming use, an addition to the existing school building that is not 15 feet from a Residence District, requires the Board of Zoning Appeals approval according to the provisions under Section 359.01 in the Cleveland Codified Ordinances.

**Calendar No. 13-38:** 9200 Buckeye Road (Ward 4)

Miceli-Lograsso Development Company dba Miceli Dairy Products appeal to install 6 feet high ornamental fence in the front yard of acreage located between East 90th Street and McCurdy Avenue in a C2 General Retail Business District; contrary to Section 358.05(a)(2) that limits fences in actual front yards to a height of 4 feet pursuant to the Fence Regulations in the Cleveland Codified Ordinances.

**Calendar No. 13-39:** 11125 Magnolia Drive (Ward 8)

Cleveland Music School Settlement appeals to install a 30' x 40' temporary tent for various events that will occur from April 9 to October 9, 2013; the term "temporary" defined under Section 325.77 in the Cleveland Codified Ordinances as any main accessory use in any Use District involving the erection or occupancy of temporary structures; requesting a temporary use/structure for approximately 180 days, subject to the provisions under Section 347.10(a)(b) that no temporary use shall be established until a permit for it has been issued by the Commissioner of Building and Housing and that such temporary permit

shall not exceed 30 days in duration and shall not be issued within 60 days of the expiration of a previous temporary permit for the same use on the same premises; and that such temporary permit shall constitute a temporary waiver of off-street parking requirements.

Secretary

## REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, MARCH 18, 2013

At the meeting of the Board of Zoning Appeals on Monday, March 18, 2013, the following appeals were scheduled for hearing before the Board.

The following appeal was **APPROVED:**

**Calendar No. 13-26:** 3148 West 14th Street

Sandy Banks LLC appealed to establish use as a veterinary practice / animal clinic in storefront space located in a D2 Local Retail Business District; subject to amended plan.

The following appeal was **DENIED:**

**Calendar No. 13-28:** 1519 East 172nd Street

Maquella Jackson appealed to use a single family residence as a Type A Day Care in a B1 Two-Family District.

The following appeal was **DISMISSED:**

**Calendar No. 13-30:** Notice of Violation 1260 East 61st Street

Jimmie Richard appealed from a decision rendered by the City of Cleveland Parking Violations Bureau, Waste Collection and Photo Safety Division.

The following appeal was **WITHDRAWN:**

None

The following appeals were **POSTPONED:**

**Calendar No. 12-220:** 1170 Ivanhoe Road postponed to April 15, 2013.

**Calendar No. 12-107:** Appeal of Parking Solutions, Inc. scheduled for March 25, 2013 postponed to June 24, 2013.

The following appeals heard by the Board on March 11, 2013 were adopted and approved on March 18, 2013:

The following appeals were **APPROVED:**

**Calendar No. 13-22:** 4703-33 Broadway Avenue

4733 Broadway LLC and William Freed appealed to establish use as food product manufacture, wholesale and distribution in a General Retail Business District.

**Calendar No. 13-27:** 1897-99 West 45th Street

Daniel Arroyo appealed to install a chain link fence within the front yard setback in a B1 Two-Family District; subject to conditions.

**Calendar No. 13-02:** 2136 West 5th Street

Dick and Adrienne Gray appealed to erect a three-story single family residence in a B1 Multi-Family District.

**Calendar No. 12-218:** 5401 St. Clair Avenue

Raj Patel appealed to construct a new restaurant on consolidated parcels in a C2 Local Retail Business District.

The following appeal heard by the Board on October 8, 2012 was dismissed by the Board on March 18, 2013 for failure to comply with the request of the Board.

The following appeal was **DISMISSED:**

**Calendar No. 12-141:** 5902 Storer Avenue

MSM Family Investment appealed to change use of a two-story building from two dwelling units to one dwelling and a pizza shop; subject to conditions.

Secretary

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

Re: Report of the Meeting of March 13, 2013

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-211-12.**

RE: Appeal of Aeon Financial, LLC, Owner of the Three Dwelling Units Three-Family Residence Two & One-half Story Frame Property, located on the premises known as 12424 Saywell Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated August 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).

No action this date, the docket will be rescheduled in thirty (30) days (April 24, 2013).

\* \* \*

**Docket A-222-12.**

RE: Appeal of Aeon Financial, LLC, Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property, located on the premises known as 1073 East 141st Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated July 24, 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 in thirty (30) days (April 24, 2013).

\* \* \*

**Docket A-223-12.**

RE: Appeal of Aeon Financial, LLC, Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property, located on the premises known as 11609 Temblett Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, 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).

No action this date, the docket will be rescheduled in thirty (30) days (April 24, 2013).

\* \* \*

**Docket A-224-12.**

RE: Appeal of Aeon Financial, LLC, Owner of the R-4 Residential - Non-transient; Shared Living Areas for 5-16 Persons Two Story Masonry Property, located on the premises known as 11209 Whitmore Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, 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).

No action this date, the docket will be rescheduled in thirty (30) days (April 24, 2013).

\* \* \*

**Docket A-225-12.**

RE: Appeal of Aeon Financial, LLC, Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property, located on the premises known as 12408 Saywell Avenue 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).

No action this date, the docket will be rescheduled in thirty (30) days (April 24, 2013).

\* \* \*

**Docket A-226-12.**

RE: Appeal of Aeon Financial, LLC, Owner of the Three Dwelling Units Three-Family Residence Two Story Masonry Walls/Wood Floors Property, located on the premises known as 1443 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).

No action this date, the docket will be rescheduled in thirty (30) days (April 24, 2013).

**Docket A-237-12.**

RE: Appeal of Aeon Financial, LLC, Owner of the Three Dwelling Units Three-Family Residence Two & One-half Story Frame Property, located on the premises known as 12428 Tuscora Avenue 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).

No action this date, the docket will be rescheduled in thirty (30) days (April 24, 2013).

\* \* \*

**Docket A-238-12.**

RE: Appeal of Aeon Financial, LLC, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property, located on the premises known as 625 East 118th Street from a CONDEMNATION ORDER — MAIN STRUCTURE & GARAGE, 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 in thirty (30) days (April 24, 2013).

\* \* \*

**Docket A-239-12.**

RE: Appeal of Aeon Financial, LLC, Owner of the One Dwelling Unit Single-Family Residence Two & One-half Story Frame Property, located on the premises known as 1250 East 113th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated August 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-239-12 has been DISMISSED by the City, and WITHDRAWN by the Appellant.

\* \* \*

**Docket A-242-12.**

RE: Appeal of Aeon Financial, LLC, Owner of the One Dwelling Unit Single-Family Residence One & One-half Story Frame Property and One Story Garage - Detached; Wood Frame Property, located on the premises known as 3672 East 54th Street from a CONDEMNATION ORDER — MAIN STRUCTURE & GARAGE, dated August 21, 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 in thirty (30) days (April 24, 2013).

\* \* \*

**Docket A-243-12.**

RE: Appeal of Aeon Financial, LLC, Owner of the One Dwelling Unit Single-Family Residence Two & One-half Story Frame Property and Two Story Frame Garage Property, located on the premises known as 17602 St. Clair Avenue from a

CONDEMNATION ORDER — MAIN STRUCTURE & GARAGE, dated August 9, 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 in thirty (30) days (April 24, 2013).

\* \* \*

**Docket A-256-12.**

RE: Appeal of Aeon Financial, LLC, Owner of the One Dwelling Unit Single-Family Residence Two & One-half Story Frame Property, located on the premises known as 3818 East 54th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated August 29, 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 in thirty (30) days (April 24, 2013).

\* \* \*

**Docket A-272-12.**

RE: Appeal of Aeon Financial, LLC, Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property, located on the premises known as 9418 Manor Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated September 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).

No action this date, the docket will be rescheduled in thirty (30) days (April 24, 2013).

\* \* \*

**Docket A-273-12.**

RE: Appeal of Aeon Financial, LLC, Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property, located on the premises known as 474 East 125th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated September 21, 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 in thirty (30) days (April 24, 2013).

\* \* \*

**Docket A-274-12.**

RE: Appeal of Aeon Financial, LLC, Owner of the Two Dwelling Units Two-Family Residence Two Story Frame Property and One Story Garage - Detached; Wood Frame Property, located on the premises known as 7211 Indiana Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE & GARAGE, dated September 18, 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 in thirty (30) days (April 24, 2013).

\* \* \*

**Docket A-337-12.**

RE: Appeal of Aeon Financial, LLC, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property, located on the premises known as 7207 Duluth Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated June 21, 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-337-12 has been DISMISSED by the City, and WITHDRAWN by the Appellant.

\* \* \*

**Docket A-63-13.**

RE: Appeal of United Twenty-Fifth Building, LLC, Owner of Property, located on the premises known as 2144 West 25th Street from an ADJUDICATION ORDER, dated February 19, 2013 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 approve the solution presented by the Appellant, noting that it does bevel in both directions and is a product made for this purpose. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Maschke.

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

\* \* \*

**APPROVAL OF RESOLUTIONS:**

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-257-12—Maxies E. Morrell
- A-311-12—Joyce M. Thompson
- A-318-12—Cheryl P. Leece
- A-319-12—Roosevelt Smith Jr.
- A-320-12—Cuauhtémoc C. Barragan
- A-321-12—JP Morgan Chase Bank for U.S. Bank
- A-322-12—Bank of America
- A-323-12—Jeff Colvin/Colvin Construction
- A-324-12—Dewayne C. Morrison
- A-325-12—Chanley Leffel
- A-326-12—Erick Walton
- A-327-12—Trell Productions
- A-328-12—Anthony Konopinski
- A-329-12—North Collinwood Farm
- A-330-12—Mike Pahdurev
- A-331-12—International Union of Operating Engineers
- A-332-12—Dwain A. Summerville
- A-336-12—Midfirst Bank
- A-20-13—Tyconnie Taylor
- A-50-13—Lisa Ferguson (Shamrock Stables)
- A-57-13—WXZ Development

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

**APPROVAL OF MINUTES:**

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

February 27, 2013

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

\* \* \*

JOSEPH F. DENK  
Chairman

**PUBLIC NOTICE**

NONE

**NOTICE OF PUBLIC HEARING**

NONE

**CITY OF CLEVELAND BIDS**

For All Departments

**Sealed bids will be received at the office of the Commissioner of Purchases and Supplies, Room 12S, City Hall, in accordance with the appended schedule, and will be opened and read in Room 12S, 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, APRIL 3, 2013**

**File No. 47-13 — Lumber 2013**, 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** THURSDAY, MARCH 21, 2013 AT 11:00 A.M. CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

**File No. 48-13 — Landscape Materials and Supplies**, 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** THURSDAY, MARCH 21, 2013 AT 10:00 A.M. CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

**File No. 49-13 — Electronic Protective Services (Re-Bid)**, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 447-12, passed by the Council of the City of Cleveland, April 9, 2012.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** WEDNESDAY, MARCH 20, 2013 AT 10:30 A.M. CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

March 13, 2013 and March 20, 2013

**FRIDAY, APRIL 5, 2013**

**File No. 50-13 — 2013 City Wide Car, Van/SUV and Power Truck Washing and Services (Re-Bid)**, 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** TUESDAY, MARCH 26, 2013 AT 11:00 A.M. CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

March 13, 2013 and March 20, 2013

**WEDNESDAY, APRIL 10, 2013**

**File No. 51-13 — Downtown Recycle Station Fabrication and Installation (Re-Bid)**, for the Division of Waste Collection And Disposal, Department of Public Works, as authorized By Ordinance Nos. 732-07, 51-09 And 560-11, passed by the Council of the City of Cleveland,

June 11, 2007, March 2, 2009 And June 6, 2011, respectively.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** WEDNESDAY, MARCH 27, 2013 AT 10:00 A.M. THE DIVISION OF WASTE COLLECTION AND DISPOSAL, 5600 CARNEGIE AVENUE, CLEVELAND, OHIO 44103.

March 13, 2013 and March 20, 2013

**THURSDAY, APRIL 11, 2013**

**File No. 52-13 — Demolition of City Facilities, Package C Highland Park Golf Course Maintenance Facility**, for the Division of Architecture and Site Development, Department of Public Works, as authorized by Section 185.01 of the Codified Ordinances of Cleveland, Ohio, 1976.

\*THERE WILL BE A **NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF TWENTY-FIVE DOLLARS (\$25.00) 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, MARCH 28, 2013 AT 10:00 A.M. CLEVELAND CITY HALL, DIVISION OF ARCHITECTURE AND SITE DEVELOPMENT, ROOM 517A, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

**File No. 53-13 — Demolition of City Facilities, Package D Platt Avenue Park Station**, for the Division of Architecture and Site Development, Department of Public Works, as authorized by Section 185.01 of the Codified Ordinances of Cleveland, Ohio, 1976.

\*THERE WILL BE A **NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF TWENTY-FIVE DOLLARS (\$25.00) 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, MARCH 28, 2013 AT 10:30 A.M. CLEVELAND CITY HALL, DIVISION OF ARCHITECTURE AND SITE DEVELOPMENT, ROOM 517A, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

\***Bidders must purchase plans and specifications directly from the Office of the Commissioner of Purchases and Supplies. Only reg-**

**istered 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. 56-13 — Labor and Materials Necessary to Repair and Maintain T.V. Inspection Trucks**, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 181.101 of The Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** MONDAY, APRIL 1, 2013 AT 11:00 A.M. THE DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, WPC RED CONFERENCE ROOM, CLEVELAND, OHIO 44108.

**File No. 57-13 — Automotive and Truck Parts and Fleet Services**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 181.101 of The Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** MONDAY, APRIL 1, 2013 AT 11:00 A.M. THE DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, WPC RED CONFERENCE ROOM, CLEVELAND, OHIO 44108.

**File No. 58-13 — Labor and Materials Necessary to Clean and Sanitize Existing Restrooms**, for the Various Divisions of Port Control, Department of Port Control, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** MONDAY, APRIL 1, 2013 AT 10:00 A.M. THE DEPARTMENT OF PORT CONTROL, CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CLEVELAND PLUS ROOM, LOCATED IN THE BAGGAGE CLAIM AREA, 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO 44135-3193.

March 20, 2013 and March 27, 2013

**WEDNESDAY, APRIL 17, 2013**

**File No. 54-13 — Cuy-S.R. 87-242 Rehabilitation Woodland Avenue (E. 53rd St. to E. 86th Street) Buckeye Road (Woodland Ave to Ambler St.)**, for the Division of Engineering and Construction, Mayor's Office of Capital Project, as authorized by Ordinance Nos. 591-11 and 732-12, passed by the Council of the City of Cleveland, June 13, 2011 and June 8, 2012, respectively.

\*THERE WILL BE A **NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF SEVENTY-FIVE DOLLARS (\$75.00) 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, APRIL 4, 2013 AT 1:00 P.M. CLEVELAND CITY HALL, DIVISION OF ARCHITECTURE AND SITE DEVELOPMENT, ROOM 514, 601 LAKE-SIDE AVENUE, CLEVELAND, OHIO 44114.

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

March 20, 2013, March 27, 2013 and April 3, 2013

**WEDNESDAY, APRIL 17, 2013**

**File No. 55-13 — Uniform Clothing,** for the Division of Fire, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, APRIL 4, 2013 AT 10:00 A.M. CLEVELAND FIRE DEPARTMENT, HEADQUARTERS, 1645 SUPERIOR AVENUE, CONFERENCE ROOM, BASEMENT, CLEVELAND, OHIO 44114.

March 20, 2013 and March 27, 2013

**ADOPTED RESOLUTIONS AND ORDINANCES**

NONE

**COUNCIL COMMITTEE MEETINGS**

**Monday, March 18, 2013  
9:30 a.m.**

**Public Parks, Properties & Recreation Committee:** Present: K. Johnson, Chair; Brancatelli, Cimperman, Dow, Polensek, Reed. *Authorized Absence:* Conwell, Vice Chair.

**11:00 a.m.**  
**Public Service Committee:** Present: Miller, Chair; Cummins, Vice Chair; Cleveland, Dow, K. Johnson, Keane, Polensek, Pruitt, Sweeney. *Pro tempore:* Reed.

**2:00 p.m.**  
**Finance Committee:** Present: Kelley, Chair; Sweeney, Vice Chair; Brady, Brancatelli, Cleveland, Keane, Miller, Mitchell, Pruitt, Westbrook, Zone.

**Tuesday, March 19, 2013  
1:30 p.m.**

**Employment, Affirmative Action and Training Committee:** Present: Zone, Chair; Pruitt, Vice Chair; Cummins, J. Johnson, K. Johnson, Mitchell, Westbrook.

**Wednesday, March 20, 2013  
1:30 p.m.**

**Public Utilities Committee:** Present: Pruitt, Chair; Brady, Vice Chair; Cummins, Dow, Kelley, Miller, Polensek, Westbrook. *Authorized Absence:* Conwell.

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