

# The City Record

Official Publication of the Council of the City of Cleveland



March the Thirteenth, 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                    | Phone |
|------|----------------------|------------------------------|-------|
| 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 –** Barry A. Withers, Director, 1201 Lakeside Avenue

**DIVISIONS:**  
Cleveland Public Power – Ivan Henderson, Commissioner  
Street Lighting Bureau – \_\_\_\_\_, Acting Chief  
Utilities Fiscal Control – Dennis Nichols, Commissioner  
Water – Alex Margevicius, Interim Commissioner  
Water Pollution Control – Rachid Zoghbaib, 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  
Corrections – 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

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

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

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

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

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

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

**BOARD OF BUILDING STANDARDS AND BUILDING APPEALS –** Room 516, 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, Vermel Whalen, Nancy Cronin, Elvin Vauss.

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

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

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

Judge Courtroom  
Presiding and Administrative Judge Ronald B. Adrine – Courtroom 15A  
Judge Pinkey S. Carr – Courtroom 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 13, 2013

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## CITY COUNCIL

MONDAY, MARCH 11, 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, Reed.

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

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

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

#### MONDAY

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

#### TUESDAY

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

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

#### WEDNESDAY — Alternating

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

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

#### WEDNESDAY — Alternating

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

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

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

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

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

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

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

### OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

### 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>\$ 492,224,761</b>  |
| <b>TOTAL GENERAL FUND</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>\$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>\$ 7,170,178</b> |

**JUDICIAL BRANCH**

|  |                      |                      |
|--|----------------------|----------------------|
| <b>Municipal Court - Judicial Division</b> |                      | <b>\$ 21,774,347</b> |
| <b>I. Personnel and Related Expenses</b>   | <b>\$ 19,149,395</b> |                      |
| <b>II. Other Expenses</b>                  | <b>2,624,952</b>     |                      |
| <b>Municipal Court - Clerk's Division</b>  |                      | <b>\$ 14,284,965</b> |
| <b>I. Personnel and Related Expenses</b>   | <b>\$ 9,239,703</b>  |                      |
| <b>II. Other Expenses</b>                  | <b>5,045,262</b>     |                      |
| <b>Municipal Court - Housing Division</b>  |                      | <b>\$ 3,486,521</b>  |
| <b>I. Personnel and Related Expenses</b>   | <b>\$ 3,338,886</b>  |                      |
| <b>II. Other Expenses</b>                  | <b>147,635</b>       |                      |
| <b>TOTAL JUDICIAL BRANCH</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<br>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  |               | <u>\$ 139,375,331</u> |

## 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                           |              | <u>\$ 13,568,453</u>  |
| TOTAL ENTERPRISE FUNDS                                     |              | <u>\$ 631,240,889</u> |

## 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                 |              | <u>\$ 10,296,065</u> |

## DEBT SERVICE FUND

|                          |               |                      |
|--------------------------|---------------|----------------------|
| Sinking Fund Commission  |               | \$ 59,448,206        |
| III. Debt Service        | \$ 59,448,206 |                      |
| TOTAL DEBT SERVICE FUNDS |               | <u>\$ 59,448,206</u> |

**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 6, 2013

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, March 6, 2013 at 10:36 a.m. with Director Langhenry presiding.

Present: Directors Langhenry, Dumas, Withers, Smith, Cox, Acting Director Gehlmann, Director Rush, Acting Directors Walker-Minor, Thornton, Director Fumich and Acting Director O'Leary.

Absent: Mayor Jackson and Director Butler.

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

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

Jim Hardy, Commissioner, Purchases & Supplies.

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

**Resolution No. 99-13.**

By Director Dumas.

Resolved, by the Board of Control of the City of Cleveland that all bids received on February 28, 2013, for an estimated quantity of electronic protection services, all items, for the various divisions of City government, Department of Finance, under the authority of Ordinance No. 447-12, passed April 9, 2012, are rejected.

Yeas: Directors Langhenry, Dumas, Withers, Smith, Acting Director Gehlmann, Director Rush, Acting Directors Walker-Minor, Thornton, Director Fumich and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Cox and Butler.

**Resolution No. 100-13.**

By Director Withers.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Nerone & Sons, Inc. for the public improvement of East 176th Street 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 7, 2012, under the authority of Ordinance No. 739-12, passed June 4, 2012, upon a unit basis for the improvement, in the aggregate amount of \$53,020.00, 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 subcontractors by Nerone & Sons, Inc. for the above-mentioned public improvement is approved:

| <u>SUBCONTRACTOR</u> | <u>CSB/MBE/FBE WORK</u>      |
|----------------------|------------------------------|
| Tech Ready Mix       | CSB/MBE<br>\$1,200.00(2.26%) |
| Granger Trucking     | CSE/MBE<br>\$1,000.00(1.89%) |

Yeas: Directors Langhenry, Dumas, Withers, Smith, Acting

Director Gehlmann, Director Rush, Acting Directors Walker-Minor, Thornton, Director Fumich and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Cox and Butler.

**Resolution No. 101-13.**

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Envirocom Construction, Inc., for the public improvement of replacing or repairing the upper level roadways at Cleveland Hopkins International Airport, received on December 12, 2012 under the authority of Ordinance No. 274-05, passed by the Council of the City of Cleveland on May 2, 2005, in the amount of \$1,048,300.00, is affirmed and approved as the lowest responsible bid, and the Director of Port Control is authorized to enter into a contract for the improvement with the bidder.

Be it further resolved, by the Board of Control of the City of Cleveland that employment of the following subcontractors by Envirocom Construction, Inc., is approved:

| <u>Subcontractor</u>       | <u>DBE% Amount</u>           |
|----------------------------|------------------------------|
| Work Best Electric         | 15.3% DBE<br>\$160,000.00    |
| Tucker-Grubbs Construction | 2.6% Non-DBE<br>\$ 27,000.00 |
| Century Contractors        | 7.8% Non-DBE<br>\$ 82,250.00 |
| Landmark Plumbing          | 7.6% Non-DBE<br>\$ 80,000.00 |
| Unimech                    | 7.6% Non-DBE<br>\$ 80,000.00 |
| Epic Steel                 | 7.2% Non-DBE<br>\$ 75,000.00 |
| Frank Novak & Sons         | 5.3% Non-DBE<br>\$ 55,000.00 |

Yeas: Directors Langhenry, Dumas, Withers, Smith, Acting Director Gehlmann, Director Rush, Acting Directors Walker-Minor, Thornton, Director Fumich and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Cox and Butler.

**Resolution No. 102-13.**

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Zenith Systems, LLC, for the public improvement of the Electrical Distribution Enhancement, Phase IIA project, base bid, Alternate #1 (EV-6 work) and Alternate #3 (10% contingency), for the Department of Port Control, received on December 12, 2012 under the authority of Ordinance No. 874-10, passed by the Council of the City of Cleveland on October 4, 2010, for a unit price for the improvement, in the aggregate amount of \$845,293.00, is affirmed and approved as the lowest responsible bid; and the Director of Port Control is authorized to enter into a contract for the improvement with the bidder.

Be it further resolved, by the

Board of Control of the City of Cleveland that employment of the following subcontractors by Zenith Systems, LLC is approved:

| <u>Subconsultants</u>      | <u>Percentage Amount</u>     |
|----------------------------|------------------------------|
| Safeguard Associates, Inc. | 4.77% - DBE<br>\$ 34,000.00  |
| Eclipse Co. LLC            | 46.01% - DBE<br>\$328,000.00 |

Yeas: Directors Langhenry, Dumas, Withers, Smith, Acting Director Gehlmann, Director Rush, Acting Directors Walker-Minor, Thornton, Director Fumich and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Cox and Butler.

**Resolution No. 103-13.**

By Director Wasik.

Whereas, under the authority of Ordinance No. 592-11, passed by Cleveland City Council on June 11, 2011, this Board of Control by its Resolution No. 677-12, adopted December 19, 2012, approved Fabrizi Recycling, Inc. as the lowest responsible bidder for the public improvement of Cedar Ave. (E. 89th St. to MLK Jr. Dr.), for the Division of Engineering and Construction, Mayor's Office of Capital Projects, in the aggregate amount of \$4,706,031.95; and

Whereas, Fabrizi Recycling, Inc., wishes to use the services of an additional subcontractor; now therefore,

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following additional subcontractor by Fabrizi Recycling, Inc. for the above mentioned public improvement is approved:

Lakewood Supply Co.  
(CSB) — \$144,705.94 — (3.075%)

Yeas: Directors Langhenry, Dumas, Withers, Smith, Acting Director Gehlmann, Director Rush, Acting Directors Walker-Minor, Thornton, Director Fumich and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Cox and Butler.

**Resolution No. 104-13.**

By Director Flask.

Whereas, under the authority of Ordinance No. 919-07, passed by the Cleveland City Council on July 11, 2007, the City of Cleveland, through the Director of Public Safety, entered into an agreement with ZOLL Data Systems, Inc., for a period of one year, for maintenance and technical support services for the electronic patient care reporting and billing system software, for the Division of Emergency Medical Service, Department of Public Safety; 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, 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 ZOLL Data Systems, Inc., to obtain the professional maintenance and technical support services necessary to maintain the electronic patient care reporting and billing system for one year starting January 1, 2013; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under division (e) of Section 181.102 C.O., the compensation to be paid for maintenance and technical support services to be performed under the agreement with ZOLL Data Systems, Inc. is fixed at an amount not to exceed \$50,208.00.

Yeas: Directors Langhenry, Dumas, Withers, Smith, Acting Director Gehlmann, Director Rush, Acting Directors Walker-Minor, Thornton, Director Fumich and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Cox and Butler.

**Resolution No. 105-13.**

By Director Cox.

Whereas, Resolution No. 115-12, adopted by this Board of Control March 14, 2012, under the authority of Section 181.18 of the Codified Ordinances of Cleveland, Ohio, 1976, approved Greenstar Recycling Ohio as lowest and best bidder for a contract to provide the City's requirements processing of recyclable materials, for the Division of Waste Collection, Department of Public Works; and

Whereas, Greenstar Recycling Ohio has notified the City that, effective February 1, 2013, Greenstar Recycling Ohio would be doing business as Waste Management Recycle America, with no change in its personnel composition or any other company identifiers such as its federal Employer Identification Number (EIN); now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 115-12, adopted by this Board March 14, 2012, under the authority of Section 181.18 of the Codified Ordinances of Cleveland, Ohio, 1976, approving Greenstar Recycling Ohio as lowest and best bidder for a contract to provide processing of recyclable materials, for the Division of Waste Collection, Department of Public Works, is amended by changing the name of the bidder, Greenstar Recycling Ohio, where appearing in the resolution, to Waste Management Recycle America.

Be it further resolved that all other provisions of Resolution No. 115-12 not expressly amended by this resolution shall remain unchanged and in full force and effect.

Yeas: Directors Langhenry, Dumas, Withers, Smith, Cox, Acting Director Gehlmann, Director Rush, Acting Directors Walker-Minor, Thornton, Director Fumich and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Butler.

**Resolution No. 106-13.**

By Director Cox.

Whereas, under authority of Ordinance No. 684-08, passed by the Cleveland City Council on July 2, 2008, and Board of Control Resolu-

tion No. 678-12, adopted by this Board on December 19, 2012, the Director of Public Works was authorized to enter into contract with The C. D. Whitfield Company (CSB/LPE) for the Public Auditorium HVAC improvements, for the Division of Architecture and Site Development, Department of Public Works; and

Whereas, as a result of an apparent default in the use of a certified subcontractor on a prior City contract, The C. D. Whitfield Company, no longer appears to be the lowest responsible bidder for the improvement; and

Whereas, in addition, the Director of Public Works believes that the City can realize project and cost efficiencies by bidding the HVAC work with the Public Auditorium Restroom rehabilitation work, and wishes to rescind Resolution No. 678-12, reject all bids received on October 26, 2012, and issue a new Invitation to Bid with revised specifications combining the two improvements into one bid; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 678-12, adopted by this Board on December 19, 2012, affirming and approving The C. D. Whitfield Company (CSB/LPE) as lowest responsible bidder for the public improvement of Public Auditorium HVAC Improvements be rescinded and that all bids received on October 26, 2012 for the improvement be rejected.

Yeas: Directors Langhenry, Dumas, Withers, Smith, Cox, Acting Director Gehlmann, Director Rush, Acting Directors Walker-Minor, Thornton, Director Fumich and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Butler.

**Resolution No. 107-13.**

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. 133-04-056 located at 3568 East 78th Street in Ward 12; and

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

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

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that

under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Shaunte R. Bryant for the sale and development of Permanent Parcel No. 133-04-056 located at 3568 East 78th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Withers, Smith, Acting Director Gehlmann, Director Rush, Acting Directors Walker-Minor, Thornton, Director Fumich and Acting Director O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Cox and Butler.

**Resolution No. 108-13.**

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. 131-28-023 located at 3672 East 46th Street in Ward 12; and

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

Whereas, Michael Kelly has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Michael Kelly for the sale and development of Permanent Parcel No. 131-28-023 located at 3672 East 46th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

uses according to the Program.  
 Yeas: Directors Langhenry, Dumas, Withers, Smith, Acting Director Gehlmann, Director Rush, Acting Directors Walker-Minor, Thornton, Director Fumich and Acting Director O'Leary.  
 Nays: None.  
 Absent: Mayor Jackson, Directors Cox and Butler.

**Resolution No. 109-13.**

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

Whereas, under the Program, the City has acquired Permanent Parcel Nos. 121-33-141, 121-33-142, 121-33-143, 121-33-144, 121-33-149 and 121-33-150 located on Woodland Avenue, 11001 Woodland Avenue, 2575 East 111th Street, 11103 Danville Court, East 110th Street and East 111th Street; and

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

Whereas, Michael Supler has proposed to the City to purchase and develop the parcels for Commercial/Industrial expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Michael Supler for the sale and development of Permanent Parcel Nos. 121-33-141, 121-33-142, 121-33-143, 121-33-144, 121-33-149 and 121-33-150 located on Woodland Avenue, 11001 Woodland Avenue, 2575 East 111th Street, 11103 Danville Court, East 110th Street and East 111th 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 parcels shall be \$3,000.00, which amount is determined to be not less than the fair market value of the parcels for uses according to the Program.

Yeas: Directors Langhenry, Dumas, Withers, Smith, Acting Director Gehlmann, Director Rush, Acting Directors Walker-Minor, Thornton, Director Fumich and Acting Director O'Leary.  
 Nays: None.

Absent: Mayor Jackson, Directors Cox and Butler.

**Resolution No. 110-13.**

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. 017-03-040 located at 3162 West 90th Street in Ward 16; and

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

Whereas, Raquel Vicario has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 16 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Raquel Vicario for the sale and development of Permanent Parcel No. 017-03-040 located at 3162 West 90th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Withers, Smith, Acting Director Gehlmann, Director Rush, Acting Directors Walker-Minor, Thornton, Director Fumich and Acting Director O'Leary.  
 Nays: None.

Absent: Mayor Jackson, Directors Cox and Butler.

JEFFREY B. MARKS,  
 Secretary

**CIVIL SERVICE NOTICES**

**General Information**

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

Application blanks must be properly filled out on the official form prescribed by the Civil Service Commission

and filed at the office of the commission not later than the final closing date slated in the examination announcement.

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

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

ROBERT BENNETT,  
 President

**CIVIL SERVICE NOTICE**

**ANNOUNCEMENTS — 2013  
3/15/13 - 3/21/13**

| Announcement No. | Exam Method | Classification               | Exam Type |
|------------------|-------------|------------------------------|-----------|
| 12               | WR          | Bricklayer Helper            | Open      |
| 13               | EE          | Emergency Medical Technician | Open      |

**PROOF OF CITY RESIDENCY**

Any applicant wishing to receive residency credit will be asked to show that he/she is a bona fide resident of the City of Cleveland. The following list gives examples of items that an applicant may present **at the time of filing.** The Civil Service Commission requires a minimum of three items from at least three **different** categories, where applicable. All items must be **current.** Please note that presentation of these items does not constitute conclusive proof of bona fide residency. Acceptable categories include, but are not limited to, the following:

- Lease - from rental agency.
- Lease - from independent party. Must include copy of cancelled check or money order receipts for previous rent and/or security deposit, and fully executed; otherwise, it is unacceptable.

Utility bills bearing the property address **and** your name.

Post Office change of address form properly date stamped.

Official documents relating to home ownership including deed, purchase agreement, or insurance policy.

Bank statements (Within last three months).

School registration of children.

Car insurance documents.

Car registration **or** Driver's License **or** Ohio I.D. (**One only**).

Loans and credit card statements (Within last three months).

Rental contracts (e.g.: furniture, tools, car, etc.).

Current bills not listed above (Within last three months).

The following are examples of **unacceptable** categories of proof:

Library cards.

Voter registration cards.

Birth certificates.

Notarized letters or affidavits.

Social Security card.

Rental receipts from independent party without cancelled checks or money order receipt.

**APPROVED C.S.C. MINUTES ANNOUNCEMENT NO. 12**

**BRICKLAYER HELPER (OPEN)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$22.60 - \$37.06 per hour.

**FILING OF APPLICATION**

Application must be made on the regular application form available online or at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON FRIDAY, MARCH 15, 2013 UNTIL 4:30 P.M. ON THURSDAY, MARCH 21, 2013.

**NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, MARCH 21, 2013**

**THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.**

**EXAMINATION INFORMATION**

**TYPE: WRITTEN TEST** Applicants will be notified of the time, date, and place of the exam by U.S. Mail.

**NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.**

**DUTIES OF THE POSITION**

Under immediate supervision and instruction, assists Bricklayers by performing the less skilled tasks as directed. Performs related duties as required. **TYPICAL TASKS:** Assists Bricklayers in constructing and repairing buildings, foundations, fire

walls, sewers, manholes, and other structures. Cuts out old work. Erects scaffolding. Screens sand. Mixes mortar. Carries brick, mortar and other materials to Bricklayers. Dismantles concrete forms. Digs trenches. Cleans up on construction jobs. Assists Bricklayers as otherwise directed. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

**MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:**

A High School Diploma or G.E.D is required. Two (2) years of full time paid experience in related construction and repair work is required. Must be able to lift and carry up to 100 lbs. A valid state of Ohio Driver's License is required.

**NOTE:** Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee payable in cash or money order (no checks). Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination. Any applicant who can provide proof of unemployment, public assistance, or indigence is exempt from the filing fee. A copy of such proof must be included with the application.

**NOTE:** Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications may not be accepted if copies are not submitted with application at time of filing.

**NOTE:** Those persons who are residents of the City of Cleveland for at least one year at the date of filing and who received passing scores shall have ten (10) additional points added to their grades. A list of acceptable forms of proof of residency applicants need to present at the time of filing is included with the application.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

**AN EQUAL OPPORTUNITY EMPLOYER**

**APPROVED C.S.C. MINUTES ANNOUNCEMENT NO. 13**

**EMERGENCY MEDICAL TECHNICIAN (OPEN)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$12.66 - \$22.32 per hour.

**FILING OF APPLICATION**

Application must be made on the regular application form available online or at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON FRIDAY, MARCH 15, 2013 UNTIL 4:30 P.M. ON THURSDAY, MARCH 21, 2013.

**NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, MARCH 21, 2013.**

**THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.**

**EXAMINATION INFORMATION**

**TYPE: EXPERIENCE EVALUATION:** Forty percent of applicant's grade will be determined based on Education and Experience found in Resume. **ORAL INTERVIEW:** Sixty percent of applicant's grade will be determined based on an oral interview.

**NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.**

**DUTIES OF THE POSITION**

Under general supervision, transports sick and injured persons by ambulance to specified locations. Responds to 911 ambulance calls and operates an emergency vehicle in an appropriate and safe manner in accord with the State and Local Laws. Administers pre-hospital care treatment within the limits defined by law within the Division of Emergency Medical Service and the State of Ohio. Completes patient care reports and related documentation thoroughly, complying with all billing requirements as set forth by providers and the City of Cleveland. Conducts equipment and supply inventories on vehicles while also maintaining routine daily vehicle inspection. Follows all policy and procedures according to the City of Cleveland and the Division of Emergency Medical Service. Completes the EMS Cadet Training Academy comprised of an initial 320 hr. (minimum) classroom training and certification classes, 80 hr. (minimum) field training and agility testing, as well as continuing education sessions and meetings. Demonstrates competency in EMT/Paramedic knowledge. Attends and participates in operations and safety training classes when scheduled and demonstrates competence in protocols, skills and the standard of care set forth by the Division of Emergency Medical Service (demonstration of

competence may be determined by exam). Performs other related duties as may be assigned or required to meet emergency situations. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

**MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:**

A High School Diploma or GED is required. Must have a current State of Ohio-EMT certification which must be maintained throughout employment. State of Ohio-Paramedic and Firefighter II certifications are preferred but not required. A valid State of Ohio Driver's License with less than six (6) points is required and must be maintained throughout employment. Must be able to lift and carry 100 pounds and be able to meet the physical demands of the position.

**NOTE:** Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination. Any applicant who can provide proof of unemployment, public assistance, or indigence is exempt from the filing fee. A copy of such proof must be included with the application.

**NOTE:** Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications may not be accepted if copies are not submitted with application at time of filing.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

**AN EQUAL OPPORTUNITY EMPLOYER**

ROBERT BENNETT,  
President

March 13, 2013

**SCHEDULE OF THE BOARD OF ZONING APPEALS**

**MONDAY, MARCH 25, 2013**

**9:30 A.M.**

**Calendar No. 13-32:** 2374 Thurman Street (Ward 3)  
Cuyahoga County Land Reutilization Corporation, owner, and Civic

Builders, prospective purchaser, appeal to erect a 46'-6" x 24'-5" two-story frame, single family residence on a 30' x 75' parcel in a B1 Two-Family District; proposing 1,404 square feet of gross floor area contrary to Section 355.04(b) and the maximum of 1,125 that is allowed; and subject to the regulations for Yards and Courts under Sections 357.08(b)(1) a rear yard of 26'-3" is required and 11'-3" is proposed from a deck and 19' from the dwelling; and contrary to Section 357.09(2)A proposing 3' from a main building on an adjoining lot and a total width of 6 feet for interior side yards where 10 feet is required pursuant to Section 357.09(2)B in the Cleveland Codified Ordinances.

**Calendar No. 13-33:** 1962 Columbus Road (Ward 3)

Kamis Properties LLC, owner, appeals to erect a 20' x 42'-4" four-story frame, single family residence on a 27' x 86'-6" parcel in a C3 Semi-Industry District; contrary to Section 355.04(a) and 40 feet, a minimum lot width of 27 feet is proposed and a minimum lot area of 2,383 square feet is proposed contrary to 4,800; and proposing a distance of 6'-7" and 6'-3" where no less than 10 feet is allowed pursuant to Section 357.09(2)A and subject to the provisions under Section 357.09(2)(2)B, the width of any interior side yard shall not be less than one-fourth the height of the main building on the premises, and a height of 45 feet requires interior side yards of 11.25 feet where 4 feet and 3 feet is proposed.

**Calendar No. 13-34:** 1964 Columbus Road (Ward 3)

Kamis Properties LLC, owner, appeals to erect a 20' x 42'-4" four-story frame, single family residence on a 27'-7" x 86'-6" parcel in a C3 Semi-Industry District; contrary to Section 355.04(a) and 40', a minimum lot width of 27'-7" is proposed and a minimum lot area of 2,383 square feet is proposed contrary to 4,800; and proposing a distance of 6'-7" where no less than 10 feet is allowed pursuant to Section 357.09(2)A and subject to the provisions under Section 357.09(2)(2)B, the width of any interior side yard shall not be less than one-fourth the height of the main building on the premises, and a height of 45 feet requires interior side yards of 11.25 feet where 5' and 2'-3" is proposed.

**Calendar No. 13-35:** 2916 Central Avenue (Ward 5)

Cuyahoga Metropolitan Housing Authority, owner, and Care Alliance, prospective lessee, appeal to construct a two-story health center and accessory parking lot on acreage located between East 24th and East 30th Streets in a C1 Multi-Family District; providing 76 parking spaces where 150 meets the requirement under Section 349.04(d) for one accessory off-street parking space per each 200 square feet of gross floor area in the proposed health center; and by reference to Section 325.03 accessory off-street parking spaces shall be 180 square feet; and according to Section 349.02 in all use districts, existing off-street parking facilities shall not voluntarily be reduced below the requirements of

Chapter 349 in the Cleveland Codified Ordinances; and pursuant to Section 349.15 one (1) bicycle parking space / locker shall be provided for every 20 parking spaces that are provided.

Secretary

**REPORT OF THE BOARD OF ZONING APPEALS**

**MONDAY, MARCH 11, 2013**

At the meeting of the Board of Zoning Appeals on Monday, March 11, 2013, the following appeals were scheduled for hearing before the Board.

The following appeal was **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. 13-23:** 16004 Corsica Avenue

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

**Calendar No. 13-24:** 16002 Corsica Avenue

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

**Calendar No. 13-25:** 15920 Corsica Avenue

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

**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. 13-29:** 763 Brayton Avenue

AD Red Door LLC and Adrien Elliott appealed to erect an open wooden front porch to an existing residence in a B1 Two-Family District.

**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 was **DISMISSED**:

None.

The following appeal was **WITHDRAWN**:

None.

The following appeals were **POSTPONED**:

None.

The following appeal heard by the Board on March 4, 2013 was adopted and approved on March 11, 2013:

The following appeal was **APPROVED**:

**Calendar No. 13-07:** 8300 Hough Avenue Northeast Ohio Neighborhood Health Services appealed to erect an illuminated double faced message center pole sign in a C1 Multi-Family District.

Secretary

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

NO MEETING

**PUBLIC NOTICE**

NONE

**NOTICE OF PUBLIC HEARING**

NONE

**CITY OF CLEVELAND BIDS**

**For All Departments**

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

Where invitations for bids are advertised, the following notice shall be included in the advertisement: "Pursuant to the MBE/FBE Code, each prime bidder, each minority business enterprise ("MBE") and each female business enterprise ("FBE") must be certified before doing business with the City. Therefore, any prime contractor wishing to receive credit for using an MBE

or FBE should ensure that applications for certification as to MBE or FBE status compliance with the Code, affirmative action in employment and, if applicable, joint venture status, are submitted to the Office of Equal Opportunity ("OEO") prior to the date of bid opening or submission of proposals or as specified by the Director. Failure to comply with the business enterprise code or with representations made on these forms may result in cancellation of the contract or other civil or criminal penalties."

**THURSDAY, MARCH 28, 2013**

**File No. 43-13 — Estabrook Recreation Center Roof Improvements**, for the Division of Architecture and Site Development, Department of Public Works, as authorized by Ordinance No. 533-12, passed by the Council of the City of Cleveland, June 4, 2012.

\*THERE WILL BE A **NON-FUNDABLE 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 21, 2013 AT 10:30 A.M. LOCATED AT CLEVELAND CITY HALL, DIVISION OF ARCHITECTURE AND SITE DEVELOPMENT, ROOM 517A, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

**File No. 44-13 — Thomas McCafferty Health Center HVAC Improvements**, for the Division of Architecture and Site Development, Department of Public Works, as authorized by Ordinance No. 533-12, passed by the Council of the City of Cleveland, June 4, 2012.

\*THERE WILL BE A **NON-FUNDABLE 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 21, 2013 AT 11:00 A.M. LOCATED AT CLEVELAND CITY HALL, DIVISION OF ARCHITECTURE AND SITE DEVELOPMENT, ROOM 517A, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

**File No. 45-13 — Cory Recreation Center Exterior and HVAC Improvements**, for the Division of Architecture and Site Development, Department of Public Works, as authorized by Ordinance No. 533-12, passed by the Council of the City of Cleveland, June 4, 2012.

\*THERE WILL BE A **NON-FUNDABLE 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 21, 2013 AT 10:00 A.M. LOCATED AT CLEVELAND CITY HALL, DIVISION OF ARCHITECTURE AND SITE DEVELOPMENT, ROOM 517A, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

March 6, 2013 and March 13, 2013

**THURSDAY, APRIL 11, 2013**

**File No. 46-13 — Harvard Substation Project**, for the Division of Architecture and Site Development, Department of Public Works, as authorized by Ordinance No. 556-08, passed by the Council of the City of Cleveland, June 9, 2008.

\*THERE WILL BE A **NON-FUNDABLE FEE** FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF ONE HUNDRED FIFTY DOLLARS (\$150.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR A MONEY ORDER (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS).

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, MARCH 22, 2013 AT 10:00 A.M. LOCATED AT CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

\*Bidders must purchases plans and specifications directly from the Office of the Commissioner of Purchases and Supplies. Only registered Plan Holders will receive Addenda. Bids cannot be accept

ed 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 6, 2013 and March 13, 2013

**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

**ADOPTED RESOLUTIONS AND ORDINANCES**

**Res. No. 322-13.**

**By Council Member Johnson.**

**An emergency resolution supporting the application of Cleveland State University to the Ohio Development Services Agency for Ohio Historic Preservation Tax Credits for the restoration of the Mather Mansion located at 2605 Euclid Avenue.**

Whereas, each year the State of Ohio through the Ohio Development Services Agency allocates Ohio Historic Preservation Tax Credits to encourage private investment in historically significant buildings throughout Ohio using a competitive proposal process; and

Whereas, the Cleveland City Council has recognized the need to maintain historic buildings in Cleveland's neighborhoods, and desires to have the Mather Mansion, a prominent, historic, architecturally significant landmark, restored; and

Whereas, located along Cleveland's historic "Euclid Avenue Millionaire's Row," the Mather Mansion at 2605 Euclid Avenue is one of the few remaining grand Row mansions that are still standing today; and

Whereas, at the time of the mansion's completion in 1910, this eminent section of Euclid Avenue was internationally known for its wealthy residents and unparalleled architecture, and the substantial 44,520 square foot masonry residence, designed by Cleveland architect Charles F. Schweinfurt, is an early yet significant example of his Tudor Revival style; and

Whereas, in 1973, the Mather Mansion became the first building in Cleveland to be placed on the National Register of Historic Places, highlighting its importance as a major contributor to the history and character of Cleveland; and

Whereas, in 1967, Cleveland State University purchased the building for office and conference space, and used the space until 2011; and

Whereas, Cleveland State University now plans to cause a complete historic restoration of the interior and exterior of the Mather Mansion in compliance with the Secretary of the Interior's Standards for Rehabilitation of Historic Buildings to be used for office and conference space; and

Whereas, restoration of this highly significant structure will ensure the Mansion's continued existence as one of the greatest, and last,

architectural testaments to this period of Cleveland's history; and

Whereas, the completion of this project will set a strong example of the continued importance of the revitalization of Cleveland's neighborhoods, will positively stimulate the local economy with skilled construction jobs and local investment, and preserve a local landmark that has received support from Cleveland State University and the community at large; and

Whereas, Cleveland City Council supports the restoration of the Mather Mansion as a high priority initiative for future development in the community for the benefit the citizens of the City of Cleveland; and

Whereas, this resolution constitutes an emergency measure 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 application of Cleveland State University to the Ohio Development Services Agency for Ohio Historic Preservation Tax Credits for the restoration of the Mather Mansion located at 2605 Euclid Avenue.

**Section 2.** That the Clerk of Council is hereby directed to transmit a copy of this resolution to Stephanie McHenry, Chief Financial Officer, Vice President for Business Affairs and Finance.

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

Adopted March 4, 2013.

Effective March 5, 2013.

**Res. No. 325-13.**

**By Council Member Cummins.**

**An emergency resolution withdrawing objection to the renewal of a D2, D2X, D3 and D3A Liquor Permit at 4995-97 Denison Avenue, 1st floor and basement and repealing Resolution No. 1030-12, objecting to said renewal.**

Whereas, this Council objected to the renewal of a D2, D2X, D3 and D3A Liquor Permit to Pink Slips, Inc., 4995-97 Denison Avenue, 1st floor and basement, Cleveland, Ohio 44102, Permanent Number 6932324 by Resolution No. 1030-12, 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 D2, D2X, D3 and D3A Liquor Permit to Pink Slips, Inc., 4995-97 Denison Avenue, 1st floor and basement, Cleveland, Ohio 44102, Permanent Number 6932324, be and



the same is hereby withdrawn and Resolution No. 1030-12, 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.

Adopted March 4, 2013.

Effective March 5, 2013.

**Res. No. 326-13.**

**By Council Member Miller.**

**An emergency resolution withdrawing objection to a New C1 Liquor Permit at 720 East 131st Street and repealing Resolution No. 1223-12, objecting to said permit.**

Whereas, this Council objected to a New C1 Liquor Permit to 720 East 131st Street by Resolution No. 1223-12 adopted by the Council on September 10, 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 a New C1 Liquor Permit to Keila Malone, DBA Alyakaj, 720 East 131st Street, Cleveland, Ohio 44108, Permanent Number 5461550, be and the same is hereby withdrawn and Resolution No. 1223-12, 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.

Adopted March 4, 2013.

Effective March 5, 2013.

**Res. No. 327-13.**

**By Council Member Polensek.**

**An emergency resolution withdrawing objection to the renewal of a D5 and D6 Liquor Permit at 770 East 185th Street, and repealing Resolution No. 1123-12, objecting to said renewal.**

Whereas, this Council objected to the renewal of a D5 and D6 Liquor Permit to Winners on 185th, DBA Winners Sports Club & Grill, 770 East 185th Street, Cleveland, Ohio 44110, Permanent Number 9710420 by Resolution No. 1123-12, 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 D5 and D6 Liquor Permit to Winners on 185th, DBA Winners Sports Club & Grill, 770 East 185th Street, Cleveland, Ohio 44110, Permanent Number 9710420, 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.

Adopted March 4, 2013.

Effective March 5, 2013.

**Res. No. 332-13.**

**By Council Members Westbrook and Sweeney.**

**An emergency resolution urging the president of Charter One Bank to reconsider the closing of two Charter One branches located at 13709 Lorain Avenue and 11623 Clifton Avenue in Cleveland, Ohio in order to maintain convenient banking opportunities for neighborhood residents as demonstrated by the current assets of each respective branch office and further urging Charter One to work with the community to help maintain vibrant neighborhoods by offering favorable lease terms and alternative banking services, such as ATMs.**

Whereas, Charter One Bank has announced its intention to close its bank branch located at 13709 Lorain Avenue on May 15, 2013 and its bank branch located at 11623 Clifton Avenue on May 16, 2013; and

Whereas, losing these bank branches in the Jefferson and Cudell/Edgewater neighborhoods, will diminish convenient banking opportunities for both residents and businesses; and

Whereas, both neighborhoods include a large concentration of residential units as well as merchants who rely on these bank branches for their banking needs and closing these branches will cause unnecessary hardship to them; and

Whereas, both branches are located in middle income neighborhoods and closing these bank branches will disrupt the character of the respective commercial districts; and

Whereas, Charter One Bank maintains significant customer deposits, which include \$29.7 million in the Lorain Avenue branch and \$27.6 million in the Clifton Avenue branch; and

Whereas, the City is making significant improvements to the public infrastructure in both bank location neighborhoods; and

Whereas, both respective Community Development Corporations have been active to sustain the economic health and revitalization of both areas of the Charter One Bank locations; 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 the president of the Charter One Bank to reconsider the closing of two Charter One branches located at 13709 Lorain Avenue and 11623 Clifton Avenue in Cleveland, Ohio in order to maintain convenient banking opportunities for neighborhood residents as demonstrated by the current assets of each respective branch office.

**Section 2.** That this Council urges Charter One to work with the community to help maintain vibrant neighborhoods by offering favorable lease terms and alternative banking services, such as ATMs.

**Section 3.** That the Clerk of Council is directed to transmit a copy of this resolution to Ken Marblestone, President, Charter One Bank, 1215 Superior Ave, Cleveland, Ohio 44144.

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

Adopted March 4, 2013.

Effective March 5, 2013.

**Ord. No. 545-12.**

**By Council Members Conwell, Dow, Mitchell, Westbrook, Polensek, Brancatelli, Cleveland, Pruitt, Kelley and J. Johnson.**

**An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new section 171.66, relating to residency requirements.**

Whereas, numerous localities throughout the country have enacted residency laws requiring city employees to reside within a certain proximity of the city and/or county where they work; and

Whereas, Ohio communities, including Cincinnati, have residency laws where certain city employees are required to maintain their residences within the city's county or any adjacent counties; and

Whereas, municipalities today are faced with increasing threats to homeland security from domestic and international terrorism, natural and man-made disasters, and extreme weather emergencies, which pose a threat to the public safety and welfare of residents; and

Whereas, it is essential to have critical city personnel respond to such emergencies and disasters expeditiously in order to ensure the health and safety of residents residing in the city and to minimize as many deaths, injuries and property damage as possible; and

Whereas, several City employees currently live outside of the State of Ohio; and

Whereas, some City employees currently live outside Cuyahoga County, as well as outside adjacent counties of Lake, Geauga, Summit, Medina, Lorain and Portage; and

Whereas, it is within the City of Cleveland's legal right under Ohio Revised Code section 9.481, and in the best interest of its citizens to require all employees to live within the State of Ohio, and certain employees to live within Cuyahoga county or adjacent counties to ensure adequate response times to emergencies or disasters; and

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

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

**Section 1.** That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 171.66 to read as follows:

**Section 171.66 Residency Requirements**

(a) Except as otherwise provided in this section, all employees of the City may reside only within the geographical boundaries of the State of Ohio.

(b) In order to ensure adequate response times to emergencies and disasters, certain employees or classifications are designated as emergency responders who shall reside within Cuyahoga County or any one of the following adjacent counties: Lake, Geauga, Summit, Medina, Lorain or Portage, within the state of Ohio:

1. All employees of the Department of Public Safety;

2. All employees of the Department of Port Control, Divisions of Cleveland Hopkins International Airport, Burke Lakefront Airport and Harbor;

3. All employees of the Department of Public Utilities, Divisions of Cleveland Public Power, Water, and Water Pollution Control;

4. All employees of the Department of Public Works, Divisions of Park Maintenance and Properties, Property Management, Motor Vehicle Maintenance, Waste Collection, and Streets;

5. All employees of the Mayor's Office of Capital Projects;

6. In the Division of Information Technology and Services, Department of Finance, Commissioner, Assistant Commissioner, Deputy Commissioner, Managers, Assistant Managers, Telephone Operator, Citizens Information Representative; Telecommunications Technician, Telecommunications Analyst I, Budget Analyst, Supervisor of Systems and Tech Support, PC Technician, Supervisor of Hardware Evaluation, Systems Analyst, Data Base Coordinator, and Web Developer;

7. In the Department of Aging, Administrative Managers;

8. In the Department of Public Health, Program Coordinator for Emergency Preparedness, Public Information Officer, Lead Epidemiologist;

9. All Chiefs, Executive Assistants, and Special Assistants of the Office of the Mayor;

10. All Directors, Assistant Directors, Deputy Directors, and Commissioners, of all departments;

11. Clerk of Council; and

12. Such other positions in the several departments that are identified

by the appointing authority and approved by the Civil Service Commission as requiring adequate response times to emergencies and disasters..

(c) No officer or employee of the City shall, in any way, falsify or misstate verbally or in writing on any application, paper, document or form, which relates to his or her employment with the City, that the officer or employee is a resident of the State of Ohio, Cuyahoga County, or adjacent counties when in fact he or she is not a bona fide resident of the State of Ohio, Cuyahoga County, or adjacent counties.

(d) The provisions of this section shall not apply to any officer or employee on the payroll of the City of Cleveland on the first effective date of this section who remains employed with the City of Cleveland.

(e) The Director of Human Resources is authorized and directed to adopt administrative regulations to implement the provisions of divisions (a) and (b). The regulations shall provide a transitional period of not more than 180 days following employment within which an employee must establish either Ohio residency or residency within Cuyahoga County or adjacent counties, as required by this section.

(f) The Director of Human Resources is further encouraged to consider additional administrative regulations, to the extent permitted by law, providing for employment incentives for any city employees who maintain or adopt city residency, and to present those regulations for council consideration.

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

Passed March 4, 2013.

Effective March 5, 2013.

**Ord. No. 1639-12.**

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

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

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

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

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

period of one year, with one option to renew for an additional year, exercisable by the Director of Public Works.

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

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

Passed March 4, 2013.

Effective March 5, 2013.

**Ord. No. 124-13.**

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

**An emergency ordinance authorizing the Director of Aging to apply for and accept a grant from the McGregor Foundation for the Economic Security Project for Cleveland Seniors 2013-2014 Program.**

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

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

**Section 1.** That the Director of Aging is authorized to apply for and accept a grant in the approximate amount of \$31,000, and any other funds that may become available during the grant term from the McGregor Foundation to conduct the Economic Security Project for Cleveland Seniors 2013-2014 Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

**Section 2.** That the summary for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 124-13-A, is made a part of this ordinance as if fully rewritten, is approved in all respects, and shall not be changed without additional legislative authority.

**Section 3.** That the Director of Aging is authorized to enter into one or more contracts with or make payments to agencies, entities, or individuals to implement the grant as described in the file.

**Section 4.** That the costs of the contract or contracts authorized by this ordinance be paid from the fund or funds to which are credited any grant funds accepted under this ordinance.

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

Passed March 4, 2013.

Effective March 5, 2013.

**Ord. No. 126-13.**  
**By Council Members Cimperman and Kelley (by departmental request).**

**An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health and the Academy of Educational Development for the 2013 Federal AIDS Prevention Program; and to enter into contract with various agencies to implement the program.**

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

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

**Section 1.** That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$970,000, and any other funds as they become available during the grant term, from the Ohio Department of Health and the Academy of Educational Development, to conduct the 2013 Federal AIDS Prevention Program, for the purposes in the summary and according thereto; that the Director of Public Health is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and the funds are appropriated for the purposes in the summary for the grant.

**Section 2.** That the summary for the grant, File No. 126-13-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, is approved in all respects and shall not be changed without additional legislative authority.

**Section 3.** That the Director of Public Health is authorized to enter into one or more contracts to implement the program as described in the summary contained in the file with the following agencies, in the following approximate amounts:

| Agency   | Amount              |
|--|---------------------|
| AIDS Taskforce of Greater Cleveland                        | \$ 75,000.00        |
| Cleveland Treatment Center                                 | 171,880.00          |
| Free Clinic of Greater Cleveland                           | 75,000.00           |
| Northeast Ohio Neighborhood Health Services, Inc. ("NEON") | 63,120.00           |
| Planned Parenthood of Greater Ohio                         | 80,000.00           |
| Recovery Resources   | 60,000.00           |
| Regional Advisory Group                                    | 1,500.00            |
| <b>TOTAL</b>   | <b>\$526,500.00</b> |

In addition, the approximate sum of \$131,280 is appropriated to the Department of Public Health for administrative costs of implementing this program and the approximate sum of \$312,220 is appropriated to the Department of Public Health for the operation of the Disease Intervention Specialist Services Program and services conducted by the Department.

**Section 4.** That the Director of Public Health shall have the authority to extend the term of the grant during the grant term and shall have the authority to enter into one or more contracts with additional agencies or entities as approved by the grantors.

**Section 5.** That the Director of Public Health shall deposit the grant accepted under this ordinance into a fund or funds designated by the Director of Finance to implement the program as described in the file and appropriated for that purpose.

**Section 6.** That the cost of the contracts authorized in this ordinance shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance.

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

Passed March 4, 2013.  
 Effective March 5, 2013.

**Ord. No. 164-13.**  
**By Council Members Cimperman, Mitchell and Kelley (by departmental request).**

**An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 141.38 relating to contracts with the State of Ohio to receive reimbursement under the Medicaid Administrative Claiming (MAC) Program for the Department of Public Health.**

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

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

**Section 1.** That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 141.38 to read as follows:

**Section 141.38 Contracts with the State of Ohio to Receive Reimbursement Under the Medicaid Administrative Claiming (MAC) Program for the Department of Public Health**

(a) That the Director of Public Health is authorized to enter into contracts with the State of Ohio to receive reimbursement of costs for services related to activities that support efforts to identify and enroll eligible Clients into Medicaid under the Medicaid Administrative Claiming (MAC) Program.

(b) That the Director of Finance is authorized to accept reimbursements from the State of Ohio under the MAC Program and deposit those funds into the general fund to be used to finance the operation of the Department of Public Health.

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

Passed March 4, 2013.  
 Effective March 5, 2013.

**Ord. No. 321-13.**  
**By Council Members Westbrook, Brancatelli and Cummins.**

**An emergency ordinance to amend the title and Section 1 of Ordinance No. 213-13, passed February 11, 2013 that authorizes the Clerk of Council to enter into an agreement to provide professional consulting services to evaluate the impact of abandonment and foreclosure in Cuyahoga County and strategies for market recovery through demolition for Cleveland City Council.**

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

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

**Section 1.** That the title and Section 1 of Ordinance No. 213-13, passed February 11, 2013 is amended to read as follows:

An emergency ordinance authorizing the Clerk of Council to enter into an agreement with Western Reserve Land Conservancy d/b/a Thriving Communities Institute to provide professional consulting services to evaluate the impact of abandonment and foreclosure in Cuyahoga County and strategies for market recovery through demolition for Cleveland City Council.

**Section 1.** That the Clerk of Council is authorized to enter into an agreement with Western Reserve Land Conservancy d/b/a Thriving Communities Institute to provide professional consulting services to evaluate the impact of abandonment and foreclosure in Cuyahoga County and strategies for market recovery through demolition for Cleveland City Council. This agreement shall be entered into as of February 11, 2013 and shall be for a term concluding December 31, 2013.

**Section 2.** That the existing title and Section 1 of Ordinance No. 213-13, passed February 11, 2013 is 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.

Passed March 4, 2013.  
 Effective March 5, 2013.

**Ord. No. 323-13.**  
**By Council Member Kelley (by departmental request).**

**An emergency ordinance to amend Section 2 of Ordinance No. 1689-11, passed November 28, 2011, relating to compensation for various classifications.**

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

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

**Section 1.** That Section 2 of Ordinance No. 1689-11, passed November 28, 2011, is amended to read as follows:

Section 2. Secretary to the Mayor, Directors of Departments, Planning Director, Executive Director Community Relations Board, Executive Assistants to the Mayor.

(a) That the salary of the Secretary to the Mayor shall be fixed by the Mayor at not less than \$50,795.78 and not more than \$183,340.00 per annum.

(b) That the salary of the Directors of Law, Finance, Economic Development, Public Safety, Public Works, Public Health, Personnel and Human Resources, Community Development, Building and Housing, Aging, the Planning Director, the Executive Director of the Community Relations Board, and Executive Assistants to the Mayor shall be fixed by the Mayor at not less than \$50,795.81 and not more than \$176,729.77 per annum.

(c) That the salary of the Directors of Port Control and Public Utilities shall be fixed by the Mayor at not less than \$100,000.00 and not more than \$229,582.16 per annum.

Section 2. That existing Section 2 of Ordinance No. 1689-11, passed November 28, 2011, is repealed.

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

Passed March 4, 2013. Effective March 5, 2013.

Ord. No. 324-13. By Council Member Cimperman. An emergency ordinance consenting and approving the issuance of a permit for the Urban Community Schools Run, on May 11, 2013, sponsored by Hermes Sports & Events, Inc.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Urban Community Schools Run, on May 11, 2013, start: West 48th and Lorain; West 48th to Franklin; Franklin to West 29th; West 29th to Circle Dr.; Circle Dr. to Fulton; Fulton to Bridge; Bridge to West 36th; West 36th to Fulton; return same route to finish; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

Passed March 4, 2013. Effective March 5, 2013.

COUNCIL COMMITTEE MEETINGS

Tuesday, March 12, 2013 9:30 a.m.

Community and Economic Development Committee: Present: Brancatelli, Chair; Cimperman, Cummins, J. Johnson, Pruitt, Westbrook. Authorized Absence: Dow, Vice Chair; Miller, Zone.

Wednesday, March 13, 2013 9:00 a.m.

Aviation and Transportation Committee: Present: Keane, Chair; Pruitt, Vice Chair; Cummins, J. Johnson, K. Johnson, Kelley, Mitchell.

1:30 p.m.

City Planning (Zoning) Committee: Present: Cleveland, Chair; Westbrook, Vice Chair; Brady, Keane, Zone. Authorized Absence: Conwell, Dow.

2:00 p.m.

City Planning Committee: Present: Cleveland, Chair; Westbrook, Vice Chair; Brady, Dow, Keane, Zone. Authorized Absence: Conwell.

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