

The City Record

Official Publication of the Council of the City of Cleveland



April the Thirteenth, Two Thousand and Eleven

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

Ward Name Residence

- 1 Terrell H. Pruitt 3877 East 189th Street 44122
- 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

First Assistant Clerk – Sandra Franklin

MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff
Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer
Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs
Chris Warren, Executive Assistant to the Mayor, Chief of Regional Development
Monyka S. Price, Executive Assistant to the Mayor, Chief of Education
Maureen Harper, Executive Assistant to the Mayor, Chief of Communications
Andrea V. Taylor, Executive Assistant to the Mayor, Press Secretary
Andrew Watterson, 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 – Jonmarie Wasik, Director

DIVISIONS:

Architecture and Site Development – Robert Vilkas, Chief Architect, Manager

Engineering and Construction – _____, Manager

Real Estate – _____, Commissioner

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

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

Frank Badalamenti, Manager, Internal Audit

DIVISIONS:

Accounts – Richard W. SENSENBRENNER, Commissioner, Room 19

Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122

City Treasury – _____, Treasurer, Room 115

Financial Reporting and Control – James Gentile, Controller, Room 18

Information Technology and Services – Douglas Divish, Commissioner, 205 W. St. Clair Avenue

Purchases and Supplies – James E. Hardy, Commissioner, Room 128

Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue

Taxation – Nassim Lynch, Tax Administrator, 205 W. St. Clair Avenue

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

DIVISIONS:

Cleveland Public Power – Ivan Henderson, Commissioner

Street Lighting Bureau – _____, Acting Chief

Utilities Fiscal Control – Dennis Nichols, Commissioner

Water – _____, Commissioner

Water Pollution Control – Ollie Shaw, Commissioner

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

DIVISIONS:

Burke Lakefront Airport – Khalid Bahhur, Commissioner

Cleveland Hopkins International Airport – Fred Szabo, Commissioner

DEPT. OF PUBLIC WORKS – Michael Cox, Director

OFFICES:

Administration – John Laird, Manager

Special Events and Marketing – Tangee Johnson, Manager

DIVISIONS:

Motor Vehicle Maintenance – Daniel A. Novak, Commissioner

Park Maintenance and Properties – Richard L. Silva, Commissioner

Parking Facilities – Leigh Stevens, Commissioner

Property Management – Tom Nagle, Commissioner

Recreation – Kim Johnson, Commissioner

Streets – _____, Commissioner

Traffic Engineering – Robert Mavec, Commissioner

Waste Collection and Disposal – Ron Owens, Commissioner

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

Erievue Plaza

DIVISIONS:

Air Quality – Richard L. NEMETH, Commissioner

Environment – Willie Bess, Commissioner, Mural Building, 75 Erievue Plaza

Health – Karen K. Butler, Commissioner, Mural Building, 75 Erievue Plaza

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

DIVISIONS:

Dog Pound – John Baird, Chief Dog Warden, 2690 West 7th Street

Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.

Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive

Fire – Paul A. Stubbs, Chief, 1645 Superior Avenue

Police – Michael C. McGrath, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director

DIVISIONS:

Administrative Services – Terrence Ross, Commissioner

Fair Housing and Consumer Affairs Office – _____, Manager

Neighborhood Development – _____, Commissioner

Neighborhood Services – Louise V. Jackson, Commissioner

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

DIVISIONS:

Code Enforcement – Tyrone L. Johnson, Commissioner

Construction Permitting – Timothy R. Wolosz, Commissioner

DEPT. OF PERSONNEL AND HUMAN RESOURCES – _____, Director, Room 121

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

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

COMMUNITY RELATIONS BOARD – Room 11, Blaine Griffin, Director, Mayor Frank

G. Jackson, Chairman Ex-Officio; Rev. Dr. Charles P. Lucas, Jr., Vice-Chairman, Council

Member Brian Cummins, Council Member Eugene R. Miller, Jeff Marks, (Board Lawyer),

Roosevelt E. Coats, Jenice Contreras, Kathryn Hall, Yasir Hamdallah, Evangeline

Hardaway, John O. Horton, Annie Key, Stephanie Morrison-Hrbek, Roland Muhammad,

Gia Hoa Ryan, Ted C. Wammes, Peter Whitt.

CIVIL SERVICE COMMISSION – Room 119, Robert Bennett, President; Michael L.

Nelson, Sr., Vice-President; Lucille Ambroz, Secretary; Members: Pastor Gregory Jordan,

Michael Flückinger.

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: John

Myers, Ozell Dobbins, Joan Shaver Washington, Tim Donovan, Jan Huber, Secretary.

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS – Room 516, J. F.

Denk, Chairman; _____, Arthur Saunders, Alternate Members – D. Cox, P.

Frank, E. P. O'Brien, Richard Pace, J.S. Sullivan.

BOARD OF REVISION OF ASSESSMENTS – Law Director Robert J. Triozzi, President;

Finance Director Sharon Dumas, Secretary; Council President Martin J. Sweeney.

BOARD OF SIDEWALK APPEALS – Service Director Jonmarie Wasik, Law Director

Robert J. Triozzi; Council Member Eugene R. Miller.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Robert J. Triozzi; 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 Robert J. Triozzi; 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. Ittu, Chairman; Debra Janik, Bracy Lewis, Diane

Downing, Donna Sciarappa, Council President Martin J. Sweeney; Law Director Robert

J. Triozzi.

CLEVELAND MUNICIPAL COURT

JUSTICE CENTER – 1200 ONTARIO STREET

JUDGE COURTROOM ASSIGNMENTS

Judge Courtroom

Presiding and Administrative Judge Ronald B. Adrine – Courtroom 15A

Judge Marilyn B. Cassidy – Courtroom 12B

Judge Michelle Denise Earley – Courtroom 12C

Judge Emanuella Groves – Courtroom 14B

Judge Anita Laster Mays – Courtroom 14C

Judge Lynn McLaughlin-Murray – Courtroom 12A

Judge Lauren C. Moore – Courtroom 14A

Judge Charles L. Patton, Jr. – Courtroom 13D

Judge Raymond L. Pianka (Housing Court Judge) – Courtroom 13B

Judge Michael John Ryan – Courtroom 13A

Judge Angela R. Stokes – Courtroom 15C

Judge Pauline H. Tarver – Courtroom 13C

Judge Joseph J. Zone – Courtroom 14D

Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Paul J.

Mizerak – Bailiff, Jerome M. Krakowski – Chief Probation Officer, Gregory F. Clifford – Chief

Magistrate, Victor Perez – City Prosecutor

The City Record

71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 98

WEDNESDAY, APRIL 13, 2011

No. 5079

CITY COUNCIL

MONDAY, APRIL 11, 2011

The City Record
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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, Reed, Zone.

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:** Sweeney, Chair; Kelley, Vice Chair; Brady, Brancatelli, Cleveland, Keane, Miller, Mitchell, Polensek, Pruitt, Westbrook.

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:** Pruitt, Chair; Miller, 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:** Kelley, Chair; Brady, Vice Chair; Conwell, Cummins, Dow, Miller, Polensek, Pruitt, 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.

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, April 11, 2011

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

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

Also present were Mayor Frank G. Jackson; Ken Silliman, Chief of Staff; Darnell Brown, Chief Operating Officer; Chris Warren, Chief of Regional Development; Maureen Harper, Chief of Communications; Andrea V. Taylor, Press Secretary; Natoya J. Walker-Minor, Chief of Public Affairs — Interim Director of Office of Equal Opportunity; and Directors Wasik, Triozzi, Withers, Smith, Cox, Butler, Flask, Cox, Rush, Rybka, Southerington, Griffin, Fumich, Lucille Ambroz, Secretary, Civil Service; and Teresa Stevenson of Legislative Affairs.

Pursuant to Ordinance No. 2926-76, the opening prayer was offered by Pastor Grady Stevenson of Damascus Road Ministries, COGIC, located at 9915 Harvard Avenue in Ward 4. Pledge of Allegiance.

MOTION

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

RECORD VOTE OF ABSENT MEMBER

File NO. 483-11.

April 5, 2011

TO: Patricia J. Britt, Clerk of Council
FROM: Terrell Pruitt, Member of Council, Ward 1
RE: City Council Meeting on 4/4/11

In accordance with Rule 22 of the Rules of Council, I hereby request that my vote be recorded as a yeay on all legislation passed and adopted by Cleveland City Council, and on any other question acted upon at the April 4, 2011 meeting of Council.

Thank you,

Terrell Pruitt

Received.

File No. 483-11-A.

RECORD OF VOTE

In accordance with the request of Council Member Pruitt and Rule 22 of the Rules of Council, the vote on the following ordinances and resolutions legislation passed and adopted by Cleveland City Council on April 4, 2011, is changed as follows:

FIRST READING EMERGENCY ORDINANCE READ IN FULL AND PASSED

Ord. No. 445-11
Yeas 18. Nays 0.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 446-11
Yeas 18. Nays 0.

Res. No. 476-11
Yeas 18. Nays 0.

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 108-11
Yeas 18. Nays 0.

Ord. No. 109-11
Yeas 18. Nays 0.

Ord. No. 183-11
Yeas 18. Nays 0.

Ord. No. 184-11
Yeas 18. Nays 0.

Ord. No. 214-11
Yeas 18. Nays 0.

Ord. No. 331-11
Yeas 18. Nays 0.

COMMUNICATIONS

File No. 484-11.

From Office of John R. Kasich, Governor of the State of Ohio — Re: acknowledgement receipt of Cleveland City Council Resolution No. 145-11; opposing the closing of the East 55th Street state driver license testing station. Received.

File No. 485-11.

From: Ohio State Senator Jim Hughes — Re: acknowledgement receipt of correspondence to the actions of Cleveland City Council. Received.

File No. 486-11.

From: Ohio State Senator Nina Turner — Re: acknowledgement receipt of Council Resolution No. 209-11; relating to amend Section 2743.60 of the Ohio Revised Code (Ohio Victims Compensation Fund). Received.

File No. 487-11.

From the Ohio Department of Transportation — Project No. 154 (11), Nottingham Road, Pt. 1; Madison Avenue, Pt. 2. Received.

**STATEMENT OF FINAL
ACCEPTANCE**

File No. 488-11.

From Director of Department of Public Utilities — Contract No. PI201000000017 with D.R.S. Enterprises, Inc. for the Worburn Avenue Storm Sewer Detention Project. (Ward 13). Received.

File No. 489-11.

From Director of Department of Public Utilities — Contract No. PI68331 A, with Enviro Com Construction, Inc. for the WPC Building Renovation Phase IV. (Ward 10). Received.

File No. 490-11.

From Director of Department of Public Utilities — Contract No. PI63697A, with Fabrizi Trucking & Paving, Inc. for the West 28th Street / Chatham Area Sewer Project. (Ward 14). Received.

File No. 491-11.

From Director of Department of Public Utilities — Contract No. PI67830 A, with Fabrizi Trucking & Paving, Inc. for the Herschel Court Sewer Replacement Project. (Ward 13). Received.

File No. 492-11.

From Director of Department of Public Utilities — Contract No. PI67830A, with Fabrizi Trucking & Paving, Inc. for the East 117th Street Sewer Replacement Project. (Ward 9). Received.

File No. 493-11.

From Director of Department of Public Utilities — Contract No. PI68435 A, with Fabrizi Trucking & Paving, Inc. for the Big Creek Watershed Stormwater Management Improvement Project. (Wards 17, 18 and 19). Received.

File No. 494-11.

From Director of Department of Public Utilities — Contract No. PI69007 A, with Fabrizi Trucking & Paving, Inc. for the Lorain Avenue Sewer 1 Relief Project. (Ward 19) Received.

**FROM OHIO DIVISION OF
LIQUOR CONTROL**

File No. 495-11.

Re: #2598327 — C1, C2 Transfer of Ownership Application — EZ Oil

552, Inc., 552 East 152nd Street, (Ward 10). Received.

File No. 496-11.

Re: #6814347 — D2, D2X, D3, D3A Transfer of Ownership Application — Perfectly Pink, Inc., d.b.a. Hush 11633 Lorain Avenue and Patio. (Ward 17). Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 515-11—Coy Lewis Williams.

Res. No. 516-11—Betty Jean Stewart McCaulley Johnson.

Res. No. 517-11—Freddie Joseph Marshall.

Res. No. 518-11—Wade Yarbrough.

Res. No. 519-11 — James L. "Bo" Gray, Jr.

Res. No. 520-11—Shirley Zelfrost.

CONGRATULATION RESOLUTIONS

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

Res. No. 521-11—Waterloo Slovenian Workmen's Home 85th Anniversary.

Res. No. 522-11—Jesse Wilcox, II.

RESOLUTIONS OF RECOGNITION

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

Res. No. 523-11—James A. Garfield Camp #142 of the Sons of the Union, Veterans of the Civil War.

Res. No. 524-11 — International Partners in Mission (IPM).

RESOLUTION OF APPRECIATION

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

Res. No. 525-11 — Pastor Rufus Webb.

**FIRST READING EMERGENCY
ORDINANCES REFERRED**

Ord. No. 497-11.

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

An emergency ordinance to appropriate temporary easements and property located on the west side of East 93rd Street between Heath and St. Catherine Avenues for the public purpose of widening a public road in connection with extending Bessemer Avenue; and to repeal Ordinance No. 878-10, passed August 18, 2010, relating to the Bessemer Avenue extension.

Whereas, the Council of the City of Cleveland, by Resolution No. 512-10, adopted June 7, 2010, declared the necessity and intention of appropriating the fee simple property interests and temporary easements described in this ordinance for the public purpose of widening a public road in connection with extending Bessemer Road; and

Whereas, notice of the adoption of this resolution has been served on the persons in possession or having an interest in the property; 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 for the public purpose of widening a public road in connection with extending Bessemer Avenue, located on the west side of East 93rd Street between Heath and St. Catherine Avenues, the following described temporary easements are appropriated:

**TEMPORARY EASEMENT PARCEL
TO BE CONVEYED TO THE
CITY OF CLEVELAND
PARCEL 16 - T1**

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and being part of Original 100 Acre Lot No. 440 and being more particularly described as follows:

Commencing at an iron pin monument in the centerline of Right of Way of East 89th Street at its intersection with the prolongation of the southerly Right of Way of St. Catherine Avenue, being 20.00 feet right of centerline of Right of Way of St. Catherine Avenue at Station 92 + 45.96;

Thence North 00 degrees 09 minutes 35 seconds East a distance of 20.00 feet along the centerline of Right of Way of East 89th Street to a point in the centerline of Right of Way of St. Catherine Avenue, being in the centerline of Right of Way of St. Catherine Avenue at Station 92 + 46.28;

Thence continuing North 00 degrees 09 minutes 35 seconds East a distance of 20.00 feet along the prolongation of the centerline of Right of Way of East 89th Street to a point in the northerly Right of Way of St. Catherine Avenue, being 20.00 feet left of centerline of Right of Way of St. Catherine Avenue at Station 92 + 46.59;

Thence South 89 degrees 15 minutes 13 seconds West a distance of 232.41 feet along the northerly Right of Way of St. Catherine Avenue to a point in the easterly Right of Way of East 88th Street, said point being 20.00 feet left of centerline of Right of Way of St. Catherine Avenue at Station 90 + 14.19 and being 15.00 feet right of the centerline of Right of Way of East 88th Street at Station 30 + 63.87;

Thence North 4 degrees 15 minutes 39 seconds West a distance of 116.44 feet along the easterly Right of Way of East 88th Street to a point in Grantor's southerly line, said point being Grantor's southwesterly corner, said point also being the northwesterly corner of land conveyed to the City of Cleveland Land Utilization Program as recorded in Volume 15192, Page 16 of Cuyahoga County Records, being 15.00 feet right of centerline of Right of Way of East 88th Street at Station 31 + 80.31;

Thence North 89 degrees 14 minutes 41 seconds East a distance of 10.02 feet along the northerly line of land so conveyed and Grantor's southerly line to a point in a proposed Right of Way being 25.00 feet right of centerline of Right of Way of East 88th Street at Station 31 + 79.70 and the TRUE POINT OF BEGINNING.

Thence North 04 degrees 15 minutes 39 seconds West a distance of 120.24 feet along said proposed Right of Way to a point in the southerly line of land conveyed to Tennyson Properties Co. as recorded in Volume 14802, Page 657 of Cuyahoga County Records, being 25.00 feet right of centerline of Right of Way of East 88th Street at Station 32+99.94;

Thence North 89 degrees 14 minutes 41 seconds East a distance of 16.03 feet along the southerly line of said Tennyson Properties Co. land so conveyed to a point 41.00 feet right of centerline of Right of Way of East 88th Street at Station 32+98.96;

Thence South 07 degrees 34 minutes 51 seconds East a distance of 120.87 feet to a point in Grantor's southerly line and the northerly line of said City of Cleveland Land Utilization Program land so conveyed, being 48.00 feet right of centerline of Right of Way of East 88th Street at Station 31+78.29;

Thence South 89 degrees 14 minutes 41 seconds West a distance of 23.04 feet along Grantor's southerly line and the northerly line of said City of Cleveland Land Utilization Program land so conveyed to the TRUE POINT OF BEGINNING.

The above described area contains 2345 square feet (0.054 acres), more or less, which is part of the Cuyahoga County Auditor's Permanent Parcel Number 127-13-028.

Grantor claims title by instrument(s) of record in Volume 97042, Page 047, Cuyahoga County Recorder's Office.

Bearings based on the Cleveland Regional Geodetic Survey (GRGS) Coordinate System using O.M. 0033, O.M. 0038, O.M. 0195, O.M. 0223, O.M. 0372, and O.M. 0510.

The stations referred to herein are from the centerline of Right of Way as found on the plans known as "Bessemer Avenue Extension Phase IIA" on file with Cuyahoga County.

This description was prepared and reviewed on October 6, 2009 under the supervision of Charles H. Murphy, Registered Professional Surveyor No. 6950.

This description is based on a field survey conducted by DLZ Ohio, Inc., under the direction of Charles H. Murphy, P.S., Ohio Registered Surveyor No. 6950 in November of 2007.

TEMPORARY EASEMENT PARCEL TO BE CONVEYED TO THE CITY OF CLEVELAND PARCEL 16 - T2

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and being part of Original 100 Acre Lot No. 440 and being more particularly described as follows:

Commencing at an iron pin monument in the centerline of Right of Way of East 89th Street at its intersection with the prolongation of the southerly Right of Way of St. Catherine Avenue, being 20.00 feet right of centerline of Right of Way of St. Catherine Avenue at Station 92+45.96;

Thence North 00 degrees 09 minutes 35 seconds East a distance of 20.00 feet along the centerline of Right of Way of East 89th Street to a point in the centerline of Right of Way of St. Catherine Avenue, being in the centerline of Right of Way of

St. Catherine Avenue at Station 92+46.28;

Thence continuing North 00 degrees 09 minutes 35 seconds East a distance of 20.00 feet along the prolongation of the centerline of Right of Way of East 89th Street to a point in the northerly Right of Way of St. Catherine Avenue, being 20.00 feet left of centerline of Right of Way of St. Catherine Avenue at Station 92+46.59;

Thence South 89 degrees 15 minutes 13 seconds West a distance of 232.41 feet along the northerly Right of Way of St. Catherine Avenue to a point in the easterly Right of Way of East 88th Street, said point being 20.00 feet left of centerline of Right of Way of St. Catherine Avenue at Station 90+14.19 and being 15.00 feet right of the centerline of Right of Way of East 88th Street at Station 30+63.87;

Thence North 4 degrees 15 minutes 39 seconds West a distance of 423.50 feet along the easterly Right of Way of East 88th Street to a point in Grantor's westerly line, said point also being the northwesterly corner of land conveyed to the Tennyson Properties Co. as recorded in Volume 14802, Page 657 of Cuyahoga County Records, being 15.00 feet right of centerline of Right of Way of East 88th Street at Station 34+87.38;

Thence South 29 degrees 50 minutes 19 seconds East along the northerly line of land so conveyed and Grantor's westerly line a distance of 5.25 feet to a point of curvature 17.27 feet right of centerline of Right of Way of East 88th Street at Station 34+82.64;

Thence continuing along the northerly line of land so conveyed and Grantor's westerly line southeasterly 16.13 feet along the arc of a curve deflecting to the left, having a radius of 543.24 feet, a central angle of 01 degrees 42 minutes 04 seconds, a chord bearing of South 32 degrees 54 minutes 42 seconds East and a chord length of 16.13 feet to a point of non tangency in a proposed Right of Way being 25.00 feet right of centerline of Right of Way of East 88th Street at Station 34+68.49 and the TRUE POINT OF BEGINNING.

Thence North 04 degrees 15 minutes 39 seconds West a distance of 44.31 feet along said proposed Right of Way to a point in Grantor's northerly line and the southerly line of land conveyed to the City of Cleveland, Ohio "Land Reutilization Program" as recorded in Volume 5986, Page 024 of Cuyahoga County Records, being 25.00 feet right of centerline of Right of Way of East 88th Street at Station 35+12.80;

Thence South 29 degrees 51 minutes 19 seconds East a distance of 23.86 feet along Grantor's northerly line and the southerly line of said City of Cleveland, Ohio "Land Reutilization Program" land so conveyed to a point 35.31 feet right of centerline of Right of Way of East 88th Street at Station 34+91.28;

Thence South 05 degrees 57 minutes 22 seconds East a distance of 42.28 feet to a point of non tangential curvature in Grantor's westerly line and the northerly line of said Tennyson Properties Co. land so conveyed, being 36.56 feet right of centerline of Right of Way of East 88th Street at Station 34+49.02;

Thence along Grantor's westerly line and the northerly line of said Tennyson Properties Co. land so conveyed, northwesterly; 22.65 feet along the arc of a curve deflecting to the right, having a radius of 543.24 feet, a central angle of 02 degrees 23 minutes 18 seconds, a chord bearing of North 34 degrees 57 minutes 23 seconds West and a chord length of 22.64 feet to the TRUE POINT OF BEGINNING.

The above described area contains 461 square feet (0.011 acres), more or less, which is part of the Cuyahoga County Auditor's Permanent Parcel Number 127-13-030.

Grantor claims title by instrument(s) of record in Volume 97042, Page 047, Cuyahoga County Recorder's Office.

Bearings based on the Cleveland Regional Geodetic Survey (GRGS) Coordinate System using O.M. 0033, O.M. 0038, O.M. 0195, O.M. 0223, O.M. 0372, and O.M. 0510.

The stations referred to herein are from the centerline of Right of Way as found on the plans known as "Bessemer Avenue Extension Phase IIA" on file with Cuyahoga County.

This description was prepared and reviewed on October 6, 2009 under the supervision of Charles H. Murphy, Registered Professional Surveyor No. 6950.

This description is based on a field survey conducted by DLZ Ohio, Inc., under the direction of Charles H. Murphy, P.S., Ohio Registered Surveyor No. 6950 in November of 2007.

Section 2. That for the public purpose of widening a public road in connection with extending Bessemer Avenue located on the west side of East 93rd Street between Heath and St. Catherine Avenues, the following described fee simple interests are appropriated:

TO BE CONVEYED TO THE CITY OF CLEVELAND PARCEL 16 - WD1

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and being part of Original 100 Acre Lot No. 440 and being more particularly described as follows:

Commencing at an iron pin monument in the centerline of Right of Way of East 89th Street at its intersection with the prolongation of the southerly Right of Way of St. Catherine Avenue, being 20.00 feet right of centerline of Right of Way of St. Catherine Avenue at Station 92+45.96;

Thence North 00 degrees 09 minutes 35 seconds East a distance of 20.00 feet along the centerline of Right of Way of East 89th Street to a point in the centerline of Right of Way of St. Catherine Avenue, being in the centerline of Right of Way of St. Catherine Avenue at Station 92+46.28;

Thence continuing North 00 degrees 09 minutes 35 seconds East a distance of 20.00 feet along the prolongation of the centerline of Right of Way of East 89th Street to a point in the northerly Right of Way of St. Catherine Avenue, being 20.00 feet left of centerline of Right of Way of St. Catherine Avenue at Station 92+46.59;

Thence South 89 degrees 15 minutes 13 seconds West a distance of 232.41 feet along the northerly Right of Way of St. Catherine Avenue to

a point in the easterly Right of Way of East 88th Street, said point being 20.00 feet left of centerline of Right of Way of St. Catherine Avenue at Station 90+14.19 and being 15.00 feet right of the centerline of Right of Way of East 88th Street at Station 30+63.87;

Thence North 04 degrees 15 minutes 39 seconds West a distance of 116.44 feet along the easterly Right of Way of East 88th Street to a point in Grantor's southerly line, said point being Grantor's south-westerly corner, said point also being the northwesterly corner of land conveyed to the City of Cleveland Land Utilization Program as recorded in Volume 15192, Page 16 of Cuyahoga County Records, being 15.00 feet right of centerline of Right of Way of East 88th Street at Station 31+80.31 and the TRUE POINT OF BEGINNING.

Thence continuing North 04 degrees 15 minutes 39 seconds West a distance of 120.24 feet along the easterly Right of Way of East 88th Street to the southwest corner of land conveyed to Tennyson Properties Co. as recorded in Volume 14802, Page 657 of Cuyahoga County Records, being 15.00 feet right of centerline of Right of Way of East 88th Street at Station 33+00.56;

Thence North 89 degrees 14 minutes 41 seconds East a distance of 10.02 feet along the southerly line of said Tennyson Properties Co. land so conveyed to a point in a proposed Right of Way being 25.00 feet right of centerline of Right of Way of East 88th Street at Station 32+99.94;

Thence South 04 degrees 15 minutes 39 seconds East a distance of 120.24 feet along said proposed Right of Way to a point in Grantor's southerly line and the northerly line of said City of Cleveland Land Utilization Program land so conveyed, being 25.00 feet right of centerline of Right of Way of East 88th Street at Station 31+79.70;

Thence South 89 degrees 14 minutes 41 seconds West a distance of 10.02 feet along Grantor's southerly line and the northerly line of said City of Cleveland Land Utilization Program' land so conveyed to a point in the easterly Right of Way of East 88th Street and the TRUE POINT OF BEGINNING.

The above described area contains 1203 square feet (0.028 acres), more or less, of which the present road occupies 0 square feet (0.000 acres), more or less, which is part of the Cuyahoga County Auditor's Permanent Parcel Number 127-13-028 resulting in a net take of 1203 square feet (0.028 acres), more or less.

Grantor claims title by instrument(s) of record in Volume 97042, Page 047, Cuyahoga County Recorder's Office.

Bearings based on the Cleveland Regional Geodetic Survey (GRGS) Coordinate System using O.M. 0033, O.M. 0038, O.M. 0195, O.M. 0223, O.M. 0372, and O.M. 0510.

The stations referred to herein are from the centerline of Right of Way as found on the plans known as "Bessemer Avenue Extension Phase IIA" on file with Cuyahoga County.

This description was prepared and reviewed on October 6, 2009 under the supervision of Charles H. Murphy, Registered Professional Surveyor No. 6950.

This description is based on a field survey conducted by DLZ Ohio, Inc., under the direction of Charles H. Murphy, P.S., Ohio Registered Surveyor No. 6950 in November of 2007.

TO BE CONVEYED TO THE
CITY OF CLEVELAND
PARCEL 16 - WD2

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and being part of Original 100 Acre Lot No. 440 and being more particularly described as follows:

Commencing at an iron pin monument in the centerline of Right of Way of East 89th Street at its intersection with the prolongation of the southerly Right of Way of St. Catherine Avenue, being 20.00 feet right of centerline of Right of Way of St. Catherine Avenue at Station 92+45.96;

Thence North 00 degrees 09 minutes 35 seconds East a distance of 20.00 feet along the centerline of Right of Way of East 89th Street to a point in the centerline of Right of Way of St. Catherine Avenue, being in the centerline of Right of Way of St. Catherine Avenue at Station 92+46.28;

Thence continuing North 00 degrees 09 minutes 35 seconds East a distance of 20.00 feet along the prolongation of the centerline of Right of Way of East 89th Street to a point in the northerly Right of Way of St. Catherine Avenue, being 20.00 feet left of centerline of Right of Way of St. Catherine Avenue at Station 92+46.59;

Thence South 89 degrees 15 minutes 13 seconds West a distance of 232.41 feet along the northerly Right of Way of St. Catherine Avenue to a point in the easterly Right of Way of East 88th Street, said point being 20.00 feet left of centerline of Right of Way of St. Catherine Avenue at Station 90+14.19 and being 15.00 feet right of the centerline of Right of Way of East 88th Street at Station 30+63.87;

Thence North 4 degrees 15 minutes 39 seconds West a distance of 423.50 feet along the easterly Right of Way of East 88th Street to a point in Grantor's westerly line, said point also being the northwesterly corner of land conveyed to the Tennyson Properties Co. as recorded in Volume 14802, Page 657 of Cuyahoga County Records, being 15.00 feet right of centerline of Right of Way of East 88th Street at Station 34+87.38 and the TRUE POINT OF BEGINNING.

Thence North 04 degrees 15 minutes 39 seconds West a distance of 46.30 feet along Grantor's westerly line and the easterly Right of Way of East 88th Street to a point in Grantor's northerly line and the southerly line of land conveyed to the City of Cleveland, Ohio "Land Reutilization Program" as recorded in Volume 5986, Page 024 of Cuyahoga County Records, being 15.24 feet right of centerline of Right of Way of East 88th Street at Station 35+32.96;

Thence South 29 degrees 51 minutes 19 seconds East a distance of 23.15 feet along Grantor's northerly line and the southerly line of said City of Cleveland, Ohio "Land Reutilization Program" land so conveyed to a point in a proposed Right of Way being 25.00 feet right of cen-

terline of Right of Way of East 88th Street at Station 35+12.80;

Thence South 04 degrees 15 minutes 39 seconds East a distance of 44.31 feet along said proposed Right of Way to a non tangential point of curvature in the northerly line of said Tennyson Properties Co. land so conveyed and Grantor's westerly line, being 25.00 feet right of centerline of Right of Way of East 88th Street at Station 34+68.49;

Thence along Grantor's westerly line and the northerly line of said Tennyson Properties Co. land so conveyed, northwesterly; 16.13 feet along the arc of a curve deflecting to the right, having a radius of 543.24 feet, a central angle of 01 degrees 42 minutes 04 seconds, a chord bearing of North 32 degrees 54 minutes 42 seconds West and a chord length of 16.13 feet to a point of tangency 17.27 feet right of centerline of Right of Way of East 88th Street at Station 34+82.64;

Thence North 29 degrees 50 minutes 19 seconds West a distance of 5.25 feet along Grantor's westerly line and the northerly line of said Tennyson Properties Co. land so conveyed to the TRUE POINT OF BEGINNING.

The above described area contains 456 square feet (0.010 acres), more or less, of which the present road occupies 0 square feet (0.000 acres), more or less, which is part of the Cuyahoga County Auditor's Permanent Parcel Number 127-13-030 resulting in a net take of 456 square feet (0.010 acres), more or less.

Grantor claims title by instrument(s) of record in Volume 97042, Page 047, Cuyahoga County Recorder's Office.

Bearings based on the Cleveland Regional Geodetic Survey (GRGS) Coordinate System using O.M. 0033, O.M. 0038, O.M. 0195, O.M. 0223, O.M. 0372, and O.M. 0510.

The stations referred to herein are from the centerline of Right of Way as found on the plans known as "Bessemer Avenue Extension Phase IIA" on file with Cuyahoga County.

This description was prepared and reviewed on October 6, 2009 under the supervision of Charles H. Murphy, Registered Professional Surveyor No. 6950.

This description is based on a field survey conducted by DLZ Ohio, Inc., under the direction of Charles H. Murphy, P.S., Ohio Registered Surveyor No. 6950 in November of 2007.

Section 3. That the Director of Law is directed to apply to a court of competent jurisdiction to have a jury impaneled to make inquiry into and assess the compensation to be paid for the fee simple interests and easements described above.

Section 4. That Ordinance No. 878-10, passed August 18, 2010 is repealed.

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

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

Ord. No. 498-11.

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

An emergency ordinance to appropriate a temporary easement and property for the public purpose of widening a public road in connection with extending Bessemer Avenue, located near the southeast corner of East 88th Street and St. Catherine Avenue; and to repeal Ordinance No. 880-10, passed September 13, 2010, relating to the Bessemer Avenue extension.

Whereas, the Council of the City of Cleveland, by Resolution No. 725-10, adopted June 7, 2010, declared the necessity and intention of appropriating the fee simple property interests and a temporary easement described in this ordinance for the public purpose of widening a public road in connection with extending Bessemer Avenue, located near the southeast corner of East 88th Street and St. Catherine Avenue; and

Whereas, notice of the adoption of this resolution has been served on the persons in possession or having an interest in the property; 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 for the public purpose of widening a public road in connection with extending Bessemer Avenue, located near the southeast corner of East 88th Street and St. Catherine Avenue, the following temporary easement is appropriated:

**TEMPORARY EASEMENT PARCEL
TO BE CONVEYED TO THE
CITY OF CLEVELAND
PARCEL 13-T**

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and being part of Original 100 Acre Lot No. 440, also being part of Sub Lot 8 and Sub Lot 9 in the E. F. Collins Subdivision as recorded in Map Volume 3, Page 21 of Cuyahoga County Records and being more particularly described as follows:

Commencing in the centerline of Right of Way of East 89th Street at its intersection with the prolongation of the southerly Right of Way of St. Catherine Avenue at an iron pin, being in the centerline of Right of Way of East 89th Street at 20.00 feet right of centerline of Right of Way of St. Catherine Avenue at Station 92 + 45.96;

Thence South 89 degrees 15 minutes 13 seconds West a distance of 20.00 feet along the prolongation of the southerly Right of Way of St. Catherine Avenue to a point in the westerly Right of Way of East 89th Street and the northeasterly corner of Sub Lot 8 in said E.F. Collins Subdivision, being 20.00 feet right of centerline of Right of Way of St. Catherine Avenue at Station 92 + 25.96;

Thence continuing South 89 degrees 15 minutes 13 seconds West a distance of 186.38 feet along the southerly Right of Way of St. Catherine Avenue and northerly line of said Sub Lot 8 to a point in the easterly line of Sub Lot 9 of said

E.F. Collins Subdivision, being 20.00 feet right of centerline of Right of Way of St. Catherine Avenue at Station 90 + 39.58, the northeasterly corner of said Sub Lot 9, the northwesterly corner of Sub Lot 8, Grantor's northwesterly corner and the TRUE POINT OF BEGINNING.

Thence North 89 degrees 15 minutes 13 seconds East a distance of 10.96 feet along Grantor's northerly line, the northerly line of said Sub Lot 8 and the southerly Right of Way of St. Catherine Avenue to a point 20.00 feet right of centerline of Right of Way of St. Catherine Avenue at Station 90 + 50.54;

Thence South 00 degrees 09 minutes 35 seconds West a distance of 23.79 feet to a point 47.00 feet right of centerline of Right of Way of East 88th Street at Station 29 + 98.00;

Thence South 89 degrees 15 minutes 13 seconds West a distance of 7.96 feet to a point 39.05 feet right of centerline of Right of Way of East 88th Street at Station 29 + 98.49;

Thence South 00 degrees 09 minutes 35 seconds West a distance of 114.17 feet to a point 29.44 feet right of centerline of Right of Way of East 88th Street at Station 28 + 83.44;

Thence South 07 degrees 28 minutes 55 seconds East a distance of 52.86 feet to a point in Grantor's southerly line and the southerly line of said Sub Lot 8 being 29.00 feet right of centerline of Right of Way of East 88th Street at Station 28 + 29.56;

Thence South 89 degrees 15 minutes 35 seconds West a distance of 3.03 feet along Grantor's southerly line, the southerly line of said Sub Lot 8 and the northerly line of Sub Lot 7 of said E.F. Collins Subdivision to a point in a proposed Right of Way being 26.00 feet right of centerline of Right of Way of East 88th Street at Station 28 + 29.97;

Thence North 08 degrees 35 minutes 30 seconds West a distance of 18.82 feet along said proposed Right of Way to a point of curvature 26.00 feet right of centerline of Right of Way of East 88th Street at Station 28 + 48.79;

Thence along said proposed Right of Way, northwesterly; 34.10 feet along the arc of a curve deflecting to the right, having a radius of 974.00 feet, a central angle of 02 degrees 00 minutes 22 seconds, a chord bearing of North 07 degrees 35 minutes 19 seconds West and a chord length of 34.10 feet to a point in Grantor's westerly line being 26.00 feet right of centerline of Right of Way of East 88th Street at Station 28 + 83.80;

Thence North 89 degrees 16 minutes 01 seconds East a distance of 0.46 feet along Grantor's westerly line to a point 26.46 feet right of centerline of Right of Way of East 88th Street at Station 28 + 83.76;

Thence North 00 degrees 09 minutes 35 seconds East a distance of 137.96 feet along Grantor's westerly line and the westerly line of said Sub Lot 8 to a point in Grantor's northerly line, the southerly Right of Way of St. Catherine Avenue and the TRUE POINT OF BEGINNING.

The above described area contains 783 square feet (0.018 acres), more or less, which is part of the Cuyahoga County Auditor's Permanent

Parcel Numbers 127-14-025 and 127-14-027 and contains 180 square feet (0.004 acres), more or less in Auditor's Parcel number 127-14-025 and 603 square feet (0.014 acres), more or less in Auditor's Parcel number 127-14-027.

Grantor claims title by instrument(s) of record in Volume 15415, Page 241, and AFN No. 199903290594 Cuyahoga County Recorder's Office.

Bearings based on the Cleveland Regional Geodetic Survey (GRGS) Coordinate System using O.M. 0033, O.M. 0038, O.M. 0195, O.M. 0223, O.M. 0372, and O.M. 0510.

The stations referred to herein are from the centerline of Right of Way as found on the plans known as "Bessemer Avenue Extension Phase IIA" on file with Cuyahoga County.

This description was prepared and reviewed on October 6, 2009 under the supervision of Charles H. Murphy, Registered Professional Surveyor No. 6950.

This description is based on a field survey conducted by DLZ Ohio, Inc., under the direction of Charles H. Murphy, P.S., Ohio Registered Surveyor No. 6950 in November of 2007.

DLZ Ohio, Inc.

Section 2. That for the public purpose of widening a public road in connection with extending Bessemer Avenue, located near the southeast corner of East 88th Street and St. Catherine Avenue, the following described fee simple interests are appropriated:

**TO BE CONVEYED TO THE
CITY OF CLEVELAND
PARCEL 13 - WD**

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and being part of Original 100 Acre Lot No. 440, also being part of Sub Lot 8 and Sub Lot 9 in the E. F. Collins Subdivision as recorded in Map Volume 3, Page 21 of Cuyahoga County Records and being more particularly described as follows:

Commencing in the centerline of Right of Way of East 89th Street at its intersection with the prolongation of the southerly Right of Way of St. Catherine Avenue at an iron pin, being in the centerline of Right of Way of East 89th Street at 20.00 feet right of centerline of Right of Way of St. Catherine Avenue at Station 92 + 45.96;

Thence South 89 degrees 15 minutes 13 seconds West a distance of 20.00 feet along the prolongation of the southerly Right of Way of St. Catherine Avenue to a point in the westerly Right of Way of East 89th Street and the northeasterly corner of Sub Lot 8 in said E.F. Collins Subdivision, being 20.00 feet right of centerline of Right of Way of St. Catherine Avenue at Station 92 + 25.96;

Thence continuing South 89 degrees 15 minutes 13 seconds West a distance of 186.38 feet along the southerly Right of Way of St. Catherine Avenue and northerly line of said Sub Lot 8 to a point in the easterly line of Sub Lot 9 of said E.F. Collins Subdivision, being 20.00 feet right of centerline of Right of Way of St. Catherine Avenue at Station 90 + 39.58, the northeasterly corner of said Sub Lot 9, the north-

westerly corner of Sub Lot 8 and Grantor's northwesterly corner;

Thence South 00 degrees 09 minutes 35 seconds West a distance of 137.96 feet along Grantor's westerly line and the westerly line of said Sub Lot 8 to a point 26.46 feet right of centerline of Right of Way of East 88th Street at Station 28+83.76;

Thence South 89 degrees 16 minutes 01 seconds West a distance of 0.46 feet along Grantor's westerly line to a point of curvature in a proposed Right of Way 26.00 feet right of centerline of Right of Way of East 88th Street at Station 28+83.80 and the TRUE POINT OF BEGINNING.

Thence along said proposed Right of Way, southeasterly; 34.10 feet along the arc of a curve deflecting to the left, having a radius of 974.00 feet, a central angle of 02 degrees 00 minutes 22 seconds, a chord bearing of South 07 degrees 35 minutes 19 seconds East and a chord length of 34.10 feet to a point of tangency in said proposed Right of Way being 26.00 feet right of centerline of Right of Way of East 88th Street at Station 28+48.79;

Thence South 08 degrees 35 minutes 30 seconds East a distance of 18.82 feet along said proposed Right of Way to a point in Grantor's southerly line and the southerly line of said Sub Lot 8, being 26.00 feet right of centerline of Right of Way of East 88th Street at Station 28+29.97;

Thence South 89 degrees 15 minutes 35 seconds West a distance of 15.23 feet along Grantor's southerly line, the southerly line of said Sub Lots 8 and 9 and the northerly line of Sub Lots 7 and 6 of said E.F. Collins Subdivision, to a point in the easterly Right of Way of East 88th Street and Grantor's southwest corner being 10.91 feet right of centerline of Right of Way of East 88th Street at Station 28+32.05;

Thence North 04 degrees 15 minutes 39 seconds West a distance of 52.60 feet along Grantor's westerly line and the easterly Right of Way of East 88th Street to a point therein, said point being the southwest corner of land conveyed to the City of Cleveland Land Reutilization Program as recorded in Volume 15290, Page 37 of Cuyahoga County Records, and being 14.24 feet right of centerline of Right of Way of East 88th Street at Station 28+85.03;

Thence North 89 degrees 16 minutes 01 seconds East a distance of 11.82 feet along Grantor's westerly line and the southerly line of land so conveyed to a point in said proposed Right of Way and the TRUE POINT OF BEGINNING.

The above described area contains 701 square feet (0.016 acres), more or less, of which the present road occupies 0 square feet (0.000 acres), more or less, which is part of the Cuyahoga County Auditor's Permanent Parcel Number 127-14-025 resulting in a net take of 701 square feet (0.016 acres), more or less.

Grantor claims title by instrument(s) of record in Volume 15415, Page 241, and AFN No. 199903290594 Cuyahoga County Recorder's Office.

Bearings based on the Cleveland Regional Geodetic Survey (GRGS) Coordinate System using O.M. 0033,

O.M. 0038, O.M. 0195, O.M. 0223, O.M. 0372, and O.M. 0510.

The stations referred to herein are from the centerline of Right of Way as found on the plans known as "Bessemer Avenue Extension Phase IIA" on file with Cuyahoga County.

This description was prepared and reviewed on October 6, 2009 under the supervision of Charles H. Murphy, Registered Professional Surveyor No. 6950.

This description is based on a field survey conducted by DLZ Ohio, Inc., under the direction of Charles H. Murphy, P.S., Ohio Registered Surveyor No. 6950 in November of 2007. DLZ Ohio, Inc.

Section 3. That the Director of Law is directed to apply to a court of competent jurisdiction to have a jury impaneled to make inquiry into and assess the compensation to be paid for the fee simple interests and easement described above.

Section 4. That Ordinance No. 880-10, passed September 13, 2010 is repealed.

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

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

Ord. No. 499-11.

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

An emergency ordinance to appropriate property for the public purpose of widening a public road in connection with extending Bessemer Avenue, located near the southwest corner of East 88th Street and Union Avenue; and to repeal Ordinance No. 882-10, passed August 18, 2010, relating to the Bessemer Avenue extension.

Whereas, the Council of the City of Cleveland, by Resolution No. 726-10, adopted June 7, 2010, declared the necessity and intention of appropriating the fee simple property interests described in this ordinance for the public purpose of widening a public road in connection with extending Bessemer Avenue, located near the southwest corner of East 88th Street and Union Avenue; and

Whereas, notice of the adoption of this resolution has been served on the persons in possession or having an interest in the property; 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 for the public purpose of widening a public road in connection with extending Bessemer Avenue, located near the southwest corner of East 88th Street and Union Avenue, the following described fee simple interests are appropriated:

TO BE CONVEYED TO THE CITY OF CLEVELAND PARCEL 10-WD

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and being part of Original 100 Acre Lot No. 448, also being part of Sub Lot 8 in the J. Paton Allotment as recorded in Map Volume 12, Page 31 of Cuyahoga County Records and being more particularly described as follows:

Commencing in the centerline of Right of Way of Union Avenue at its intersection with the prolongation of the easterly Right of Way of East 89th Street, being in the centerline of Right of Way of Union Avenue at Station 82+39.14, said point being referenced by a stone monument North 00 degrees 09 minutes 52 seconds West a distance of 0.44 feet;

Thence South 89 degrees 16 minutes 01 seconds West a distance of 129.19 feet along the centerline of Right of Way of Union Avenue, also being the northerly line of said 100 Acre Lot 448, to a point of intersection with the prolongation of the westerly Right of Way of East 88th Street, being in the centerline of Right of Way of Union Avenue at Station 81+09.94;

Thence South 00 degrees 24 minutes 49 seconds East a distance of 30.00 feet along said prolongation of the westerly Right of Way of East 88th Street to a point in the southerly Right of Way of Union Avenue, being 30.00 feet right of the centerline of Right of Way of Union Avenue at Station 81+09.78, also being 79.05 feet right of the centerline of Right of Way of Crane Avenue at Station 25+79.93, said point being the northeasterly corner of Sub Lot 10 in said J. Paton Allotment;

Thence South 89 degrees 16 minutes 01 seconds West a distance of 85.00 feet along the southerly Right of Way of Union Avenue and the northerly line of said J. Paton Allotment to a point being the northeasterly corner of said Sub Lot 8 and Grantor's northeasterly corner, said point being 5.15 feet left of the centerline of Right of Way of Crane Avenue at Station 25+91.55 and the TRUE POINT OF BEGINNING;

Thence South 00 degrees 24 minutes 49 seconds East a distance of 134.31 feet along Grantor's easterly line, the easterly line of said Sub Lot 8 and the westerly line of Sub Lot 9 in said J. Paton Allotment to a point in Grantor's southerly line being 24.26 feet left of centerline of Right of Way of Crane Avenue at Station 24+58.61 and Grantor's southeasterly corner;

Thence South 89 degrees 20 minutes 05 seconds West a distance of 0.75 feet along Grantor's southerly line to a point in a proposed Right of Way being 25.00 feet left of centerline of Right of Way of Crane Avenue at Station 24+58.71;

Thence North 08 degrees 35 minutes 30 seconds West a distance of 65.87 feet along said proposed Right of Way to a point of curvature being 25.00 feet left of centerline of Right of Way of Crane Avenue at Station 25+24.58;

Thence along said proposed Right of Way, northwesterly; 55.09 feet

along the arc of a curve deflecting to the left, having a radius of 80.00 feet, a central angle of 39 degrees 27 minutes 15 seconds, a chord bearing of North 28 degrees 19 minutes 08 seconds West and a chord length of 54.01 feet to a point in Grantor's westerly line and the easterly line of land conveyed to the New York Central Lines, LLC and recorded in AFN Number 200208200163 of Cuyahoga County Records, being 43.23 feet left of centerline of Right of Way of Crane Avenue at Station 25 + 75.41;

Thence North 07 degrees 33 minutes 26 seconds West a distance of 21.35 feet along Grantor's westerly line and the easterly line of land so conveyed to a point in Grantor's northerly line, the southerly Right of Way of Union Avenue, and the northerly line of said Sub Lot 8, being 42.84 feet left of centerline of Right of Way of Crane Avenue at Station 25 + 96.76 and Grantor's northwesterly corner;

Thence North 89 degrees 16 minutes 01 seconds East a distance of 38.05 feet along Grantor's northerly line, the southerly Right of Way of Union Avenue and the northerly line of said Sub Lot 8 to the TRUE POINT OF BEGINNING;

The above described area contains 2052 square feet (0.047 acres), more or less, of which the present road occupies 0 square feet (0.000 acres), more or less, which is part of the Cuyahoga County Auditor's Permanent Parcel Number 133-22-019 resulting in a net take of 2052 square feet (0.047 acres), more or less.

Grantor claims title by instrument(s) of record in Volume 83504, Page 005, Cuyahoga County Recorder's Office.

Bearings based on the Cleveland Regional Geodetic Survey (GRGS) Coordinate System using O.M. 0033, O.M. 0038, O.M. 0195, O.M. 0223, O.M. 0372, and O.M. 0510.

The stations referred to herein are from the centerline of Right of Way as found on the plans known as "Bessemer Avenue Extension Phase IIA" on file with Cuyahoga County.

This description was prepared and reviewed on October 6, 2009 under the supervision of Charles H. Murphy, Registered Professional Surveyor No. 6950.

This description is based on a field survey conducted by DLZ Ohio, Inc., under the direction of Charles H. Murphy, P.S., Ohio Registered Surveyor No. 6950 in November of 2007.

DLZ Ohio, Inc.

Section 2. That the Director of Law is directed to apply to a court of competent jurisdiction to have a jury impaneled to make inquiry into and assess the compensation to be paid for the fee simple interests described above.

Section 3. That Ordinance No. 882-10, passed August 18, 2010 is repealed.

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

from and after the earliest period allowed by law.

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

Ord. No. 500-11.
By Council Members Cleveland, Miller and Sweeney (by departmental request).

An emergency ordinance to appropriate easements for the public purpose of widening a public road in connection with extending Bessemer Avenue, located near the southwest corner of East 88th Street and Bessemer Avenue; and to repeal Ordinance No. 883-10, passed August 18, 2010, relating to the Bessemer Avenue extension.

Whereas, the Council of the City of Cleveland, by Resolution No. 724-10, adopted June 7, 2010, declared the necessity and intention of appropriating easements described in this ordinance for the public purpose of widening a public road in connection with extending Bessemer Avenue, located near the southwest corner of East 88th Street and Bessemer Avenue; and

Whereas, notice of the adoption of this resolution has been served on the persons in possession or having an interest in the property; 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 for the public purpose of widening a public road in connection with extending Bessemer Avenue, the following described temporary easements, located near the southwest corner of East 88th Street and Bessemer Avenue, are appropriated:

TEMPORARY EASEMENT PARCEL TO BE CONVEYED TO THE CITY OF CLEVELAND PARCEL 19-T1

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio, being part of Original 100 Acre Lot No. 439 and part of Original 100 Acre Lot No. 440, and being more particularly described as follows:

Commencing at the intersection of existing centerline of Right of Way of Bessemer Avenue and the easterly line of said Original 100 Acre Lot No. 439, said point being Grantor's northeasterly corner, said point also being referenced by an iron pin monument at an angle point in the existing centerline of Bessemer Avenue South 89 degrees 39 minutes 46 seconds east a distance of 20.00 feet and being 49.17 feet left of the centerline of Right of Way of Bessemer Avenue at Station 151 + 77.63

Thence North 89 degrees 39 minutes 46 seconds West a distance of 129.71 feet along the existing centerline of Right of Way of Bessemer Avenue and Grantor's northerly line to a point being Grantor's northwesterly corner, said point also being the northeasterly corner of land conveyed to Bessemer Real Estate Holdings, LLC and recorded in AFN Number 200611030873 Cuyahoga County Records;

Thence South 02 degrees 58 minutes 16 seconds East a distance of 25.04 feet along Grantor's westerly line and the easterly line of land so conveyed to a point in the southerly Right of Way of Bessemer Avenue, said point being 25.00 feet right of the centerline of Right of Way of Bessemer Avenue at Station 150 + 73.16 and the TRUE POINT OF BEGINNING;

Thence South 89 degrees 39 minutes 46 seconds East a distance of 0.85 feet along the southerly Right of Way of Bessemer Avenue to a point of curvature in a proposed Right of Way 25.00 feet right of centerline of Right of Way of Bessemer Avenue at Station 150 + 74.19;

Thence along said proposed Right of Way, southeasterly; 167.26 feet along the arc of a curve deflecting to the right, having a radius of 123.24 feet, a central angle of 77 degrees 45 minutes 39 seconds, a chord bearing of South 50 degrees 44 minutes 28 seconds East and a chord length of 154.72 feet to a point of non tangency 20.00 feet right of centerline of Right of Way of Bessemer Avenue at Station 152 + 73.34;

Thence South 09 degrees 23 minutes 52 seconds East a distance of 49.22 feet along said proposed Right of Way to a point in the westerly Right of Way of Bessemer Avenue, the easterly line of said Original 100 Acre Lot No. 439 and Grantor's easterly line at 20.00 feet right of centerline of Right of Way of Bessemer Avenue at Station 153 + 22.59;

Thence South 00 degrees 05 minutes 36 seconds East a distance of 162.53 feet along the westerly Right of Way of Bessemer Avenue, the easterly line of said Original 100 Acre Lot No. 439 and Grantor's easterly line to a point of curvature 62.88 feet right of centerline of Right of Way of Bessemer Avenue at Station 154 + 59.81;

Thence along the westerly Right of Way of Bessemer Avenue and Grantor's easterly line, southeasterly; 98.02 feet along the arc of a curve deflecting to the left, having a radius of 60.00 feet, a central angle of 93 degrees 36 minutes 00 seconds, a chord bearing of South 46 degrees 53 minutes 36 seconds East and a chord length of 87.48 feet to a point of tangency 59.74 feet right of centerline of Right of Way of Bessemer Avenue at Station 155 + 21.51;

Thence South 86 degrees 18 minutes 24 seconds West a distance of 63.89 feet to a point 103.14 feet right of centerline of Right of Way of Bessemer Avenue at Station 154 + 91.42;

Thence South 89 degrees 54 minutes 24 seconds West a distance of 15.00 feet to a point 113.94 feet right of centerline of Right of Way of Bessemer Avenue at Station 154 + 85.50;

Thence North 00 degrees 05 minutes 36 seconds West a distance of 282.10 feet to a point 25.50 feet right of centerline of Right of Way of Bessemer Avenue at Station 152 + 63.39;

Thence South 88 degrees 47 minutes 42 seconds West a distance of 14.88 feet to a point 40.00 feet right of centerline of Right of Way of

Bessemer Avenue at Station 152+59.00;

Thence North 13 degrees 00 minutes 07 seconds West a distance of 45.11 feet to a point 28.98 feet right of centerline of Right of Way of Bessemer Avenue at Station 152+00.92;

Thence North 66 degrees 38 minutes 46 seconds West a distance of 55.37 feet to a point 42.52 feet right of centerline of Right of Way of Bessemer Avenue at Station 151+28.46;

Thence North 89 degrees 39 minutes 46 seconds West a distance of 36.44 feet to a point in Grantor's westerly line and the easterly line of said land conveyed to Bessemer Real Estate Holdings, LLC at 49.99 feet right of centerline of Right of Way of Bessemer Avenue at Station 150+75.45;

Thence North 02 degrees 58 minutes 16 seconds West a distance of 25.04 feet along Grantor's westerly line to the TRUE POINT OF BEGINNING.

The above described area contains 7362 square feet (0.169 acres), more or less, which is part of the Cuyahoga County Auditor's Permanent Parcel Numbers 127-06-009 and 127-06-007 and contains 6469 square feet (0.148 acres), more or less, in Auditor's Permanent Parcel Number 127-06-009 and 893 square feet (0.021 acres), more or less, in Auditor's Permanent Parcel Number 127-06-007.

Grantor claims title by instrument(s) of record in AFN No. 200701040539 and AFN No. 200701040540, Cuyahoga County Recorder's Office.

Bearings based on the Cleveland Regional Geodetic Survey (GRGS) Coordinate System using O.M. 0033, O.M. 0038, O.M. 0195, O.M. 0223, O.M. 0372, and O.M. 0510.

The stations referred to herein are from the centerline of Right of Way as found on the plans known as "Bessemer Avenue Extension Phase IIA" on file with Cuyahoga County.

This description was prepared and reviewed on October 6, 2009 under the supervision of Charles H. Murphy, Registered Professional Surveyor No. 6950.

This description is based on a field survey conducted by DLZ Ohio, Inc., under the direction of Charles H. Murphy, P.S., Ohio Registered Surveyor No. 6950 in November of 2007.

DLZ Ohio, Inc.

TEMPORARY EASEMENT PARCEL TO BE CONVEYED TO THE CITY OF CLEVELAND PARCEL 19-T2

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and being part of Original 100 Acre Lot No. 440 and being more particularly described as follows:

Commencing at the intersection of existing centerline of Right of Way of Bessemer Avenue and the westerly line of said Original 100 Acre Lot No. 440, said point being Grantor's northeasterly corner, said point being referenced by an iron pin monument at an angle point in the existing centerline of Bessemer Avenue South 89 degrees 39 minutes 46 seconds east a distance of 20.00 feet and being 49.17 feet left of the

centerline of Right of Way of Bessemer Avenue at Station 151+77.63

Thence South 00 degrees 05 minutes 36 seconds West a distance of 25.00 feet along the westerly line of said 100 Acre Lot No. 440 and Grantor's easterly line to a point in the easterly Right of Way of Bessemer Avenue, said point being 31.50 feet left of the centerline of Right of Way of Bessemer Avenue at Station 151+91.45;

Thence South 00 degrees 05 minutes 36 seconds West a distance of 308.24 feet along the westerly Right of Way of Bessemer Avenue, the westerly line of said 100 Acre Lot No. 440 and Grantor's easterly line to a point of curvature, said point being 62.88 feet right of the centerline of Right of Way of Bessemer Avenue at Station 154+59.81;

Thence southeasterly along Grantor's easterly line and Bessemer Right of Way 98.02 feet along the arc of a curve deflecting to the left, having a radius of 60.00 feet, a central angle of 93 degrees 36 minutes 00 seconds, a chord bearing of South 46 degrees 53 minutes 36 seconds East and a chord length of 87.48 feet to a point of tangency in the southerly Right of Way of Bessemer Avenue 59.74 feet right of centerline of Right of Way of Bessemer Avenue at Station 155+21.51;

Thence North 86 degrees 18 minutes 24 seconds East a distance of 18.19 feet along Grantor's northerly line and the southerly Right of Way Bessemer Avenue to a point 49.49 feet right of centerline of Right of Way of Bessemer Avenue at Station 155+32.39 and the TRUE POINT OF BEGINNING;

Thence continuing North 86 degrees 18 minutes 24 seconds East a distance of 75.00 feet along Grantor's northerly line and the southerly Right of Way of Bessemer Avenue to a non tangential point of curvature in Grantor's northerly line, also being in the westerly line of land conveyed to the New York Central Lines, LLC and recorded in AFN Number 200208200163 of Cuyahoga County Records, and being 22.29 feet right of centerline of Right of Way of Bessemer Avenue at Station 155+88.81;

Thence along the westerly line of land so conveyed and Grantor's easterly line, southeasterly 15.00 feet along the arc of a curve deflecting to the left, having a radius of 5786.50 feet, a central angle of 00 degrees 08 minutes 55 seconds, a chord bearing of South 03 degrees 57 minutes 33 seconds East and a chord length of 15.00 feet to a point of non tangency 37.09 feet right of centerline of Right of Way of Bessemer Avenue at Station 155+90.84;

Thence South 86 degrees 18 minutes 24 seconds West a distance of 75.07 feet to a point 62.35 feet right of centerline of Right of Way of Bessemer Avenue at Station 155+37.95;

Thence North 03 degrees 41 minutes 36 seconds West a distance of 15.00 feet to the TRUE POINT OF BEGINNING.

The above described area contains 1126 square feet (0.026 acres), more or less, which is part of Cuyahoga County Auditor's Permanent Parcel Number 127-06-007.

Grantor claims title by instrument(s) of record in AFN No. 200701040540, Cuyahoga County Recorder's Office.

Bearings based on the Cleveland Regional Geodetic Survey (GRGS) Coordinate System using O.M. 0033, O.M. 0038, O.M. 0195, O.M. 0223, O.M. 0372, and O.M. 0510.

The stations referred to herein are from the centerline of Right of Way as found on the plans known as "Bessemer Avenue Extension Phase IIA" on file with Cuyahoga County.

This description was prepared and reviewed on October 6, 2009 under the supervision of Charles H. Murphy, Registered Professional Surveyor No. 6950.

This description is based on a field survey conducted by DLZ Ohio, Inc., under the direction of Charles H. Murphy, P.S., Ohio Registered Surveyor No. 6950 in November of 2007.

DLZ Ohio, Inc.

Section 2. That for the public purpose of widening a public road in connection with extending Bessemer Avenue, the following described highway easement, located near the southwest corner of East 88th Street and Bessemer Avenue, is appropriated:

EASEMENT FOR HIGHWAY PURPOSES TO BE CONVEYED TO THE CITY OF CLEVELAND PARCEL 19-WD

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and being part of Original 100 Acre Lot No. 439 and being more particularly described as follows:

Beginning at the intersection of existing centerline of Right of Way of Bessemer Avenue and the easterly line of said Original 100 Acre Lot No. 439, said point being Grantor's northeasterly corner, said point also being referenced by an iron pin monument at an angle point in the existing centerline of Bessemer Avenue South 89 degrees 39 minutes 46 seconds east a distance of 20.00 feet and being 49.17 feet left of the centerline of Right of Way of Bessemer Avenue at Station 151+77.63 and the TRUE POINT OF BEGINNING;

Thence South 00 degrees 05 minutes 36 seconds East a distance of 170.71 feet along the easterly line of said 100 Acre Lot No. 100, Grantor's easterly line and the westerly Right of Way of Bessemer Avenue to a point in a proposed Right of Way, 20.00 feet right of centerline of Right of Way of Bessemer Avenue at Station 153+22.59;

Thence North 09 degrees 23 minutes 52 seconds West a distance of 49.22 feet along said proposed Right of Way to a point of curvature 20.00 feet right of centerline of Right of Way of Bessemer Avenue at Station 152+73.34;

Thence along said proposed Right of Way, northwesterly; 167.26 feet along the arc of a curve deflecting to the left, having a radius of 123.24 feet, a central angle of 77 degrees 45 minutes 39 seconds, a chord bearing of North 50 degrees 44 minutes 28 seconds West and a chord length of 154.72 feet to a point of tangency in the southerly Right of Way of

Bessemer Avenue at 25.00 feet right of centerline of Right of Way of Bessemer Avenue at Station 150 + 74.19;

Thence North 89 degrees 39 minutes 46 seconds West a distance of 0.85 feet along the southerly Right of Way of Bessemer Avenue to a point in Grantor's westerly line, said point being in the easterly line of land conveyed to Bessemer Real Estate Holdings, LLC as recorded in AFN No. 200611030873 of Cuyahoga County Records, being 25.00 feet right of centerline of Right of Way of Bessemer Avenue at Station 150 + 73.16;

Thence North 02 degrees 58 minutes 16 seconds West a distance of 25.04 feet along the easterly line of land so conveyed and Grantor's westerly line to a point in Grantor's northerly line and the centerline of Right of Way of Bessemer Avenue at Station 150 + 71.67;

Thence South 89 degrees 39 minutes 46 seconds East a distance of 129.71 feet along the centerline of Right of Way of Bessemer Avenue and Grantor's northerly line to the TRUE POINT OF BEGINNING.

The above described area contains 7123 square feet (0.164 acres), more or less, of which the present road occupies 3227 square feet (0.074 acres), more or less, which is part of the Cuyahoga County Auditor's Permanent Parcel Number 127-06-009 resulting in a net take of 3896 square feet (0.089 acres), more or less.

Grantor claims title by instrument(s) of record in AFN No. 200701040539, Cuyahoga County Recorder's Office.

Bearings based on the Cleveland Regional Geodetic Survey (GRGS) Coordinate System using O.M. 0033, O.M. 0038, O.M. 0195, O.M. 0223, O.M. 0372, and O.M. 0510.

The stations referred to herein are from the centerline of Right of Way as found on the plans known as "Bessemer Avenue Extension Phase IIA" on file with Cuyahoga County.

This description was prepared and reviewed on October 6, 2009 under the supervision of Charles H. Murphy, Registered Professional Surveyor No. 6950.

This description is based on a field survey conducted by DLZ Ohio, Inc., under the direction of Charles H. Murphy, P.S., Ohio Registered Surveyor No. 6950 in November of 2007.

DLZ Ohio, Inc.

Section 3. That the Director of Law is directed to apply to a court of competent jurisdiction to have a jury impaneled to make inquiry into and assess the compensation to be paid for the easements described above.

Section 4. That Ordinance No. 883-10, passed August 18, 2010 is repealed.

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

from and after the earliest period allowed by law.

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

Ord. No. 501-11.
By Council Members Kelley and Sweeney (by departmental request).
An emergency ordinance authorizing Cleveland Public Power to participate in the Efficiency Smart Power Plant energy efficiency program through American Municipal Power and approving customer charges to fund the program.

Whereas, the City of Cleveland, Ohio ("Municipality") owns and operates an electric utility system for the sale of electric power and associated energy for the benefit of its citizens and taxpayers; and

Whereas, American Municipal Power, Inc. ("AMP") and formerly known as AMP-Ohio) is an Ohio non-profit corporation, organized to own and operate facilities, or to provide otherwise, for the generation, transmission or distribution of electric power and energy, or any combination thereof, and to furnish technical services on a cooperative, non-profit basis, for the mutual benefit of AMP members ("Members"), such Members, including Municipality, being, as of the date hereof, political subdivisions that operate municipal electric utility systems in Ohio, Kentucky, Michigan, Pennsylvania, Virginia and West Virginia; and

Whereas, AMP and Municipality have entered into a Master Services Agreement, AMP Contract No. C-11-2005-4520, pursuant to which AMP provides certain services to Municipality as set forth in various schedules to the Master Services Agreement (the "Schedules"); and

Whereas, AMP and the Vermont Energy Investment Corporation ("VEIC") have negotiated a relationship regarding the implementation of an energy efficiency program for AMP Members to be known as the Efficiency Smart Power Plant ("ESPP") and in furtherance thereof have entered into an agreement ("ESPP Agreement"), a copy of which has been provided to the Municipality, for AMP to pay VEIC to provide a comprehensive set of energy efficiency services ("ESPP Services") to Municipality for the benefit of Municipality and its customers designed to lower the total need for higher cost electric generation facilities and/or purchased power and thereby reduce Municipality's customers' bills; and

Whereas, AMP and Municipality desire to enter into a Schedule ("ESPP Schedule"), under the MSA, which provides that AMP will obtain and sell to Municipality, and Municipality will agree to take and pay for, a share of the ESPP Services which AMP has contracted to acquire in the ESPP Agreement; and

Whereas, Municipality has the option to defer payments under the ESPP Schedule to better match the expenditures with the energy and cost savings thereunder; 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 ESPP Schedule between Municipality and AMP, substantially in the form placed in File No. 501-11-A, including Appendices thereto, are approved, and the Director of Public Utilities is hereby authorized to execute and deliver the ESPP Schedule with a term of up to three (3) years and a program budget not to exceed \$5,000,000, and with such changes as the Director of Public Utilities may approve as neither inconsistent with this Ordinance nor materially detrimental to the Municipality, his execution of the ESPP Schedule to be conclusive evidence of such approval.

Section 2. That the Director of Public Utilities is hereby authorized to take any action necessary for Municipality to fulfill its obligations under the ESPP Schedule to be a Participant.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in conformance with applicable open meetings laws and that all deliberations of this Council and of any committees that resulted in those formal actions were in compliance with all legal requirements including any applicable open meetings requirements.

Section 4. That, if any section, subsection, paragraph, clause or provision or any part thereof of this Ordinance shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder of this Ordinance shall be unaffected by such adjudication and all the remaining provisions of this Ordinance shall remain in full force and effect as though such section, subsection, paragraph, clause or provision or any part thereof so adjudicated to be invalid had not, to the extent of such invalidity, been included herein.

Section 5. That the amount of \$500,000 from CPP's operating fund shall be allocated to increase the benefits available under the residential ESPP program.

Section 6. That the costs of the ESPP for the duration of the program may be included in the Energy Adjustment Charge for customers receiving service under Chapter 523 of the Codified Ordinances, excluding lighting and traffic signal accounts. A customer who receives service under Section 523.195 shall be charged the amount that would be charged if such customer received service under the applicable standard rate schedule. The following charges to fund the ESPP fixed by the Board of Control by the adoption of Resolution No. _____, on _____, are approved:

Residential	\$0.000579 per kWh
Small Commercial and Large Commercial	\$0.001250 per kWh
Industrial, Large Industrial, and Optional Large Industrial	\$0.001096 per kWh

Section 7. That the cost of the expenditure of \$500,000 authorized in section 5 of this ordinance shall be paid from Fund No. 58 SF 001, and from funds budgeted in 2012 and 2013 for this purpose. (RQS 2004, RL 2011-67)

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

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

Ord. No. 502-11.

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

An emergency ordinance authorizing the Director of Public Utilities to exercise the second option to renew Contract No. 69139 with Hylant Group to provide fire and extended property insurance for facilities and equipment, for the Division of Cleveland Public Power, Department of Public Utilities; and to enter into an amendment to Contract No. 69139 to provide additional services.

Whereas, under the authority of Ordinance No. 1169-08, passed September 29, 2008, the Director of Public Utilities entered into Contract No. 69139 with Hylant Group to provide fire and extended property insurance for facilities and equipment, for the Division of Cleveland Public Power, Department of Public Utilities; and

Whereas, Ordinance No. 1169-08 requires further legislation before exercising the second option to renew on this contract; and

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

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

Section 1. That the Director of Public Utilities is authorized to exercise the second option to renew Contract No. 69139 for an additional year at a cost not to exceed \$410,000 with Hylant Group to provide fire and extended property insurance for facilities and equipment, for the Division of Cleveland Public Power, Department of Public Utilities. This ordinance constitutes the additional legislative authority required by Ordinance No. 1169-08 to exercise this option.

Section 2. That the Director of Public Utilities shall enter into an amendment to Contract No. 69139 with Hylant Group to provide for loss control services, including infrared and oil testing services, for the period to run coterminous with the option period authorized in Section 1 of this ordinance.

Section 3. That the costs of the option term and the amendment shall be paid from Fund No. 58 SF 001. (RQS 2004, RL 2011-50)

Section 4. That this ordinance is declared to be an emergency measure and, provided it receives the

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

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

Ord. No. 503-11.

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

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. 69360 with Champlain Enterprises, Inc. dba CommutAir to provide for the use and occupancy of hangar space known as Bay 3 of the Primary Hangar and adjacent ramp space at Cleveland Hopkins International Airport.

Whereas, under the authority of Ordinance No. 1586-08, passed December 8, 2008, the Director of Port Control entered into Contract No. 69360 with Champlain Enterprises, Inc. dba CommutAir to provide for the use and occupancy of hangar space known as Bay 3 of the Primary Hangar and adjacent ramp space at Cleveland Hopkins International Airport; and

Whereas, Ordinance No. 1586-08 requires further legislation before exercising the first option to renew on this contract; and

Whereas, for the use of the Leased premises, Champlain Enterprises, Inc. dba CommutAir shall pay the City an annual rent of \$191,126 for the hangar area portion of the Lease and \$23,587 for the ramp area portion of the lease; and

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

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

Section 1. That the Director of Port Control is authorized to exercise the first option to renew Contract No. 69360 for an additional year with Champlain Enterprises, Inc. dba CommutAir for the use and occupancy of hangar space known as Bay 3 of the Primary Hangar and adjacent ramp space at Cleveland Hopkins International Airport. This ordinance constitutes the additional legislative authority required by Ordinance No. 1586-08 to exercise this option.

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

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

Ord. No. 504-11.

By Council Members Polensek, K. Johnson and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Public Works to enter into contract with the Salvation Army for administrating and facilitating recreational services in Ward 11, for the Division of Recreation, Department of Public Works.

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

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

Section 1. That the Director of Public Works is authorized to enter into contract with the Salvation Army, Cleveland Temple Corps, 17625 Groveswood Avenue, Cleveland, Ohio, 44119, or its designee, to administer and facilitate recreational services in Ward 11, for the Division of Recreation, Department of Parks, Recreation and Properties, in the total sum of \$70,000, payable from Fund No. 01-7004-6380, Request No. RQS 7004, RL 2011-22.

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.

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

Ord. No. 505-11.

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

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from Ohio Emergency Management Agency for the 2010-13 Metropolitan Medical Response System Program; authorizing the Director to employ one or more professional consultants to implement the grant; authorizing the Director to enter into one or more contracts with various agencies, entities, or individuals and Cuyahoga County; authorizing the purchase by one or more requirement or standard contracts of materials, equipment, services, and supplies, including training, conducting exercises, and program planning needed to implement the grant.

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

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

Section 1. That the Director of Public Safety is authorized to apply for and accept a grant in the amount of \$317,419, from Ohio Emergency Management Agency to conduct the 2010-13 Metropolitan Medical Response System (MMRS) 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 notice of award for the grant contained in the file described below.

Section 2. That the notice of award for the grant, File No. 505-11-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 Safety shall have the authority to extend the term of the grant during the grant term.

Section 4. That the Director of Public Safety is authorized to enter into one or more contracts with Cuyahoga County and other agencies, entities, or individuals to implement the grant as described in the file.

Section 5. That the Director of Public Safety is authorized to make one or more written standard purchase contracts and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements during the grant period of the necessary items of materials, equipment, services, and supplies, including training, conducting exercises, and program planning, needed to implement the grant, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Public Safety. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines.

Section 6. That the costs of the requirement contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance.

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

Section 8. That the Director of Public Safety is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to implement the grant as described in the file.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Safety from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Public Safety for the purpose of compiling a list. The compensation to be paid for the services shall

be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Public Safety, and certified by the Director of Finance.

Section 9. That the cost of the contract or 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 10. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 506-11.

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

An emergency ordinance authorizing the Director of Community Development to apply for and accept a grant from the State of Ohio Department of Development for the 2011 Home Weatherization Assistance Program; and to enter into contracts necessary 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 Community Development is authorized to apply for and accept a grant in the approximate amount of \$3,889,113, from the State of Ohio Department of Development to conduct the 2011 Home Weatherization Assistance Program; that the Director of Community Development 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 set forth in the summary for the grant contained in the file described below.

Section 2. That the summary for the grant, File No. 506-11-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 Community Development is authorized to enter into one or more contracts with individual landlords, tenants, contractors, and various non-profit organizations, including but not limited to, Cleveland Housing Network, Cudell Improvement, Inc., Community Housing Solutions, Mt. Pleasant NOW Development Corporation, Fairfax Renaissance Development Corporation, and the Detroit Shoreway Community Development Organization, to provide weatherization assistance to low-income City residents through this program.

Section 4. That the costs of these contracts shall be paid from the fund or funds which are credited the grant proceeds accepted under this ordinance.

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

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

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 507-11.

By Council Member Zone.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Sagrada Familia Church to stretch banners at 7750 Detroit Avenue and 7775 Detroit Avenue, for the period from July 2, 2011 to July 31, 2011, inclusive, publicizing the Church Festival.

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 the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to the Sagrada Familia Church to install, maintain and remove banners at 7750 Detroit and 7775 Detroit Avenue for the period from July 2, 2011 to July 31, 2011, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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

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

Ord. No. 508-11.

By Council Members Brancatelli, Kelley, Sweeney, Cleveland, Mitchell, Reed, Brady, Zone and J. Johnson.

An emergency ordinance to extend the moratorium on the review and issuance of zoning permits, certificates of occupancy, and other license or permit applications for internet sweepstakes operations in the City of Cleveland.

Whereas, on October 10, 2010, this Council passed Ordinance No. 1367-10, declaring a moratorium on the review and issuance of zoning permits, certificates of occupancy, and other license or permit applications for internet sweepstakes operations in the City of Cleveland; and

Whereas, the moratorium declared by Ordinance No. 1367-10 ends April 18, 2010; and

Whereas, Ohio State Attorney General Mike DeWine has recently announced that his office is researching the legality of internet sweepstakes operations in Ohio and will issue regulations concerning internet sweepstakes operations; and

Whereas, this ordinance constitutes an emergency measure for the immediate preservation of the public peace, property, health, safety, or welfare in that an extension of the moratorium on such internet sweepstakes operations for another six month period will allow the Attorney General time to effectively research the legality of internet sweepstakes operations and to promulgate statewide regulations on such operations; and

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

Section 1. That the moratorium on the review and issuance of zoning permits, certificates of occupancy, and other license or permit applications for internet sweepstakes operations in the City of Cleveland declared under Ordinance No. 1367-10 passed October 18, 2010, is hereby extended until the effective date of an ordinance or law regulating internet sweepstakes operations, or until October 24, 2011, whichever date occurs first.

Section 2. That, as used in this ordinance, "internet sweepstakes operations" shall have the same meaning as in Ordinance 1367-10.

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.

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed Yeas 17. Nays 1.

Those voting yea: Council Members Sweeney, Brady, Brancatelli, Cimperman, Cleveland, Conwell, Cummins, Dow, J. Johnson, K. Johnson, Keane, Kelley, Miller, Mitchell, Reed, Westbrook and Zone.

Those voting nay: Council Member Polensek.

Absent: Council Member Pruitt.

Ord. No. 513-11.

By Council Member Pruitt.

An emergency ordinance authorizing the Director of the Department of Aging to enter into an agreement with Court Community Service for the Senior Lawn Care Program through the use of Ward 1 Neighborhood Capital Funds.

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

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

Section 1. That the Director of the Department of Aging be authorized to enter into an agreement with Court Community Service for the Senior Lawn Care Program for the public purpose of assisting senior citizens residing in the City of Cleveland with grass cutting and lawn maintenance care through the use of Ward 1 Neighborhood Capital Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$20,000 and shall be paid from Fund No. 10 SF 177.

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

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

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

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

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 509-11.

By Council Member Brancatelli.

An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit at 3850 East 65th Street, 1st floor only.

Whereas, this Council objected to a C1 and C2 Liquor Permit to 3850 East 65th Street, 1st floor only by Resolution No. 1106-10 adopted by the Council on August 18, 2010; and

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

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

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

Section 1. That objection to a C1 and C2 Liquor Permit to Five Star Robin, Inc., DBA Mike's Food Mart, 3850 East 65th Street, 1st floor only, Cleveland, Ohio 44105, Permanent Number 2760315 be and the same is

hereby withdrawn and Resolution No. 1106-10, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

Res. No. 510-11.

By Council Member Cimperman.

An emergency resolution objecting to the transfer of Liquor License of a D2 D2X, D3, and D3A Liquor Permit to 1293 West 9th Street.

Whereas, Council has been notified by the Department of Liquor Control of an application for a transfer of Liquor License of a D2, D2X, D3 and D3A Liquor Permit from Paden Enterprises, Inc., DBA Ivy Tavern, 3807-09 Denison Avenue, Cleveland, Ohio 44109, Permanent Number 6640257 to Tomo Hibachi Restaurant and Lounge, LLC, 1293 West 9th Street, Cleveland, Ohio 44113, Permanent Number 8980087; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a transfer of Liquor License of a D2, D2X, D3 and D3A Liquor Permit from Paden Enterprises, Inc., DBA Ivy Tavern, 3807-09 Denison Avenue, Cleveland, Ohio 44109, Permanent Number 6640257 to Tomo Hibachi Restaurant and Lounge, LLC, 1293 West 9th Street, Cleveland, Ohio 44113, Permanent Number 8980087, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 511-11.

By Council Member Dow.

An emergency resolution objecting to a New C2 Liquor Permit at 7909 Superior Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C2 Liquor Permit at Enam 79th, Inc., 7909 Superior Avenue, Cleveland, Ohio 44103, Permanent Number 2509200; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C2 Liquor Permit at Enam 79th, Inc., 7909 Superior Avenue, Cleveland, Ohio 44103, Permanent Number 2509200 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 512-11.

By Council Member Reed.

An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit at 12401 Corlett Avenue, 1st floor.

Whereas, this Council objected to a C2 and C2X Liquor Permit to 12401 Corlett Avenue, 1st floor by Resolution No. 1091-10 adopted by the Council on August 18, 2010; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal; 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 C2 and C2X Liquor Permit to Amana My Way Deli, Inc., DBA Corlett Deli, 12401 Corlett Avenue, 1st floor, Cleveland, Ohio 44105, Permanent Number 0160894 be and the same is hereby withdrawn and Resolution No. 1091-10, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

Res. No. 514-11.

By Council Member Keane.

An emergency resolution opposing the closing of regional Taxpayers Service Centers.

Whereas, 9.4 million Ohioans living in 73 of Ohio's 88 counties have local access to the seven Ohio Department of Taxation regional Taxpayer Service Centers and over one million taxpayers a year call for help and another 79,000 Ohioans, approximately 300 a day, visit the Service Centers on a walk-in basis; and

Whereas, the regional Taxpayers Service Centers serve all taxpayers, from individuals to large corporations, and cover all types of Ohio taxes with services particularly vital to Ohio's individual taxpayers, small businesses, and start-ups; and

Whereas, the regional Taxpayers Service Centers license or register taxpayers and file returns for all of Ohio's taxes and provide assistance to Ohioans having tax problems, helping them respond to issues raised by the Department of Taxation, and in many cases resolving issues during visits to the offices; and

Whereas, the regional Taxpayers Service Centers offer an avenue for face to face between the State and the taxpayer making the process of resolution easier where the taxpayer can present their documentation and discuss the situation with one of the agents from the Service Centers while both are looking over the same information; and

Whereas, these services are particularly helpful for those individual and small business taxpayers for whom tax compliance is a daunting challenge and of whom many are elderly and/or low-income wage earners; and

Whereas, regional Taxpayer Service Centers collected or billed \$73 million in revenue in 2010, and billed millions more that were collected by other means with the largest portion of this money coming from sales tax filings; depending on which county is considered, up to 30% of the sales tax collected is directly used to fill the coffers of counties and public transit districts; and

Whereas, in 2010, about \$20 million went to fund government services at the local level; and

Whereas, the regional Taxpayer Service Centers operate compliance programs aimed at helping vendors and individuals to comply with the requirement that they collect and

remit sales tax which produced a combined \$9.1 million in sales tax revenue; and

Whereas, the taxpayer assistance programs for individual income taxpayers put additional dollars, in the form of tax refunds, into the local economy, many in the hands of the lowest-income taxpayers; 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 opposes the closing of regional Taxpayers Service Centers.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to Governor John Kasich and all members of the Ohio General Assembly.

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

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

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

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 1362-10.

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

An emergency ordinance authorizing the Director of Economic Development to apply for and accept a Clean Ohio grant from the State of Ohio Department of Development for environmental assistance for proposed redevelopment of the General Environmental Management Facility at 2525 Rockefeller Avenue, 2655 Transport Road, and 2727 Transport Road; and authorizing the Director to enter into one or more contracts with Fortuna Development, LLC, or its designee, to implement the project.

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

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

Ord. No. 1553-10.

By Council Members Conwell, K. Johnson and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a property adoption agreement with the Davis Art Foundation to install and maintain the BOING! Sculpture in the David E. Davis Sculpture Garden in Rockefeller Park.

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

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

Ord. No. 107-11.

By Council Member Pruitt.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 136th Street (rear) to Kevin Billingsley.

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

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

Ord. No. 212-11.

By Council Member Pruitt.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 156th Street to James A. Frank.

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

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

Ord. No. 225-11.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at 11905 Superior Avenue to Market Redevelopment, LLC and/or Market Redevelopment II, LLC, or its designee, for purposes of redeveloping the former Tops Supermarket property; and authorizing the Director of Economic Development to enter into a project agreement for the redevelopment.

Approved by Directors of Economic Development, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Passage recommended by Committees on Community and Economic Development, Finance, when amended, as follows:

1. In Section 5, at the end, add the following: **"That the Project is described in the Executive Summary placed in File No. 225-11-A."**

Amendments agreed to.

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

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

Ord. No. 248-11.

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

An emergency ordinance authorizing the Director of Public Works to enter into an agreement with the Murtis Taylor Human Services System to allow Murtis Taylor to use ten parking spaces at the Alexander Hamilton Recreation Center, at no cost, for a period of one year.

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

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

Ord. No. 324-11.

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

An emergency ordinance authorizing the Director of Public Works to enter into one or more contracts with City Year to perform community service work and to collaborate with various non-profit agencies.

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

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

Ord. No. 325-11.

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

An emergency ordinance authorizing the Director of Public Works to enter into contract with the Cleveland Municipal Football Association to conduct a city-wide football program.

Approved by Directors of Public Works, Finance, Law; Passage recommended by Committees on Public Parks, Properties and Recreation, Finance, when amended, as follows:

1. In Section 1, line 4, strike "\$75,098," and insert "\$80,098."

Amendment agreed to.

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed Yeas 17. Nays 1.

Those voting yea: Council Members Sweeney, Brady, Brancatelli, Cimperman, Cleveland, Conwell, Cummins, Dow, J. Johnson, K. Johnson, Keane, Kelley, Miller, Mitchell, Polensek, Westbrook and Zone.

Those voting nay: Council Member Reed.

Absent: Council Member Pruitt.

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

Ord. No. 330-11.

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

An emergency ordinance to amend Sections 2 and 4 of Ordinance No. 1958-05, passed November 21, 2005, relating to a contract with One

Source Technology, LLC, dba IQ Employment Application Screening Database, to provide development assistance to partially finance the build-out and to purchase equipment for the property located at 1255 Euclid Avenue.

Approved by Directors of Economic Development, Finance, Law; Passage recommended by Committees on Community and Economic Development, Finance, when amended, as follows:

1. In the title, line 2, strike "Sections 2 and 4" and insert "**the title and Sections 1, 2, and 4**"; and at the end, strike "property located at 1255 Euclid" and insert "**properties located at 1255 Euclid and 1501 Euclid Avenue**".

2. In Section 1, line 1, strike "Sections 2 and 4" and insert "**the title and Sections 1, 2, and 4**"; and in Section 1 before amended Section 2 insert the following:

"An emergency ordinance authorizing the Director of Economic Development to enter into contract with One Source Technology, LLC, dba IQ Employment Application Screening Database, to provide development assistance to partially finance the build-out and to purchase equipment for the properties located at 1255 Euclid and 1501 Euclid Avenue, and certain other costs necessary to redevelop the properties.

Section 1. That, provided One Source Technology, LLC, dba IQ Employment Application Screening Database submits documents required by the City's bond counsel, the Director of Economic Development is authorized to enter into contract with One Source Technology, LLC, dba IQ Employment Application Screening Database to provide development assistance to partially finance the build-out and to purchase equipment for the properties located at 1255 Euclid Avenue and 1501 Euclid Avenue, and certain other costs necessary to redevelop the properties."

3. In Section 1, at amended Section 2, line 2, strike "1958-05-B" and insert "**1958-05-C**".

4. In Section 2, line 1, strike "existing Sections 2 and 4" and insert "**the existing title and Sections 1, 2, and 4**".

Amendments agreed to.

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed Yeas 18. Nays 1.

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

Ord. No. 448-11.

By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter into one or more contracts by way of concession with Global Tel Link, for the provision of pay telephones at various City facilities, but excluding the rights-of-way of the City, for a term of two years with two one-year options to renew, the first of which is exercisable through additional legislative authority.

Approved by Directors Finance, Law; Passage recommended by Committee on Finance, when amended, as follows:

1. In the title, line 4, and in Section 1, line 3, after "provision of" insert "**not to exceed one hundred and twenty**".

Amendment agreed to.

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed Yeas 18. Nays 1.

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

Ord. No. 449-11.

By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to enter into contract with the Cuyahoga County Public Defender Commission for legal services necessary to defend indigents charged with violation of ordinances of the City of Cleveland provided such violation may result in incarceration, for the Cleveland Municipal Court for a period of one year, with one option to renew for an additional one-year period.

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

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

LAID ON THE TABLE

Ord. No. 328-11.

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

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the National Institute of Justice for the 2010 Strategic Approach to Sexual Assault Kit Evidence Project; authorizing the purchase by one or more requirement contracts of materials equipment, supplies, and services; and authorizing the Director to enter into one or more contracts with various entities and with Elise Day to implement the grant.

Without objection, Ordinance No. 328-11 was relieved of further consideration of all committees and laid on the table pursuant to the Rules of Council.

The rules were suspended. Yeas 18. Nays 0. Ordinance No. 328-11. Laid on the Table.

MOTION

By Council Member Keane, seconded by Council Member Cleveland and unanimously carried that the absence of Council Member Terrell H. Pruitt, be and is hereby authorized.

MOTION

The Council Meeting adjourned at 7:55 p.m. to meet on Monday, April 18, 2011 at 7:00 p.m. in the Council Chambers.



Patricia J. Britt
City Clerk, Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

April 6, 2011

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, April 6, 2011 at 10:30 a.m. with Director Triozzi presiding.

Present: Directors Triozzi, Withers, R. Smith, Cox, Acting Director H. Smith, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Absent: Mayor Jackson and Directors Dumas and Butler.

Others: James E. Hardy, Commissioner, Purchases and Supplies.

D. Anthony, Acting Director, Office of Equal Opportunity.

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

Resolution No. 144-11.

By Director Withers.

Whereas, Board of Control Resolution No. 444-10, adopted October 27, 2010, in part fixed the compensation to be paid Ventyx for professional services to determine the scope, deliverables, and services necessary to migrate CPP to the current version of the Ventyx Customer Suite software; and

Whereas, Resolution No. 444-10 incorrectly described the software migration to be studied; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 444-10, adopted by this Board October 27, 2010, in part fixing the compensation to be paid Ventyx for professional services to determine the scope, deliverables, and services necessary to migrate CPP to the current version of the Ventyx Customer Suite software, for the Division of Cleveland Public Power, Department of Public Utilities, is amended by deleting the words from "the Ventyx Customer Suite 4.1" from the resolution, where appearing.

Be it further resolved that all other provisions of Resolution No. 444-10 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Directors Triozzi, Withers, R. Smith, Cox, Acting Director H. Smith, Directors Rush, Southerington, Nichols and Fumich.

Nays: None.

Absent: Mayor Jackson and Directors Dumas, Butler and Rybka.

Resolution No. 145-11.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 448-09, passed by the Council of the City of Cleveland on June 1, 2009, Richard Fleischman + Partners Architects, Inc., is selected from a list of firms determined after a full

and complete canvass by the Director of Public Utilities as the firm to be employed by contract to supplement the regularly employed staff of several departments of the City of Cleveland to perform the architectural and other professional services necessary to renovate, refurbish, equip, and make alterations to make the building acquired by Cleveland Public Power suitable for use as Cleveland Public Power's Southern Service Center, for the Division of Cleveland Public Power, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities is authorized to enter into contract with Richard Fleischman + Partners Architects, Inc. based on its proposal dated December 10, 2010, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services as contained in the proposal, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the work shall commence upon the date of execution of this contract, and shall provide for the furnishing of professional services as described in the proposal for an aggregate fee of \$85,069.55.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following sub-consultants is approved:

<u>SUB-CONSULTANTS</u>	<u>WORK PERCENTAGE</u>
Square One Architects, Inc. (CSB/M)	\$ 5,175.00 6.08%
Knight & Stolar, Inc. (CSB/F)	\$ 5,175.00 6.08%
Stephen Hovancsek & Associates, Inc. (CSB)	\$10,350.00 12.17%

Yeas: Directors Triozzi, Withers, R. Smith, Cox, Acting Director H. Smith, Directors Rush, Southerington, Nichols and Fumich.

Nays: None.

Absent: Mayor Jackson and Directors Dumas, Butler and Rybka.

Resolution No. 146-11.

By Director Withers.

Whereas, under the authority of Ordinance No. 856-08, passed by the Council of the City of Cleveland on June 9, 2008, and Board of Control Resolution No. 169-10, adopted May 5, 2010, the City entered into a contract with Mincom, Inc., Contract No. PS2010*135, for maintenance and technical support services and licenses necessary to implement and maintain the Mincom, Inc. work management system software; 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 products, 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 a one year agreement with Mincom, Inc. starting March 26, 2011 through March 25, 2012, to continue to obtain the professional maintenance and technical support services necessary to maintain the Mincom work management system software; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the compensation to be paid for maintenance and technical support services to be performed under the proposed agreement with Mincom, Inc., based on its quotation dated February 10, 2011, for a period of one year starting March 26, 2011, under the authority of Section 181.102 C.O., shall not exceed \$234,824.24.

Yeas: Directors Triozzi, Withers, R. Smith, Cox, Acting Director H. Smith, Directors Rush, Southerington, Nichols and Fumich.

Nays: None.

Absent: Mayor Jackson and Directors Dumas, Butler and Rybka.

Resolution No. 147-11.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Professional Electric Products Company for an estimated quantity of wire, cable, and accessories, Group A, all items, Group B, all items, Group D, all items, Group G, all items, Group K, all items, Group L, all items, and Group N, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of one year starting upon execution of a contract, received on December 1, 2010 under the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$10,540,901.00 (0%, 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract, for the goods and/or services, which contract shall provide for an initial delivery order, the cost of which shall be certified against the contract in an amount not less than \$1,500,000.00.

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

Yeas: Directors Triozzi, Withers, R. Smith, Cox, Acting Director H. Smith, Directors Rush, Southerington, Nichols and Fumich.

Nays: None.

Absent: Mayor Jackson and Directors Dumas, Butler and Rybka.

Resolution No. 148-11.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of RA Strauss Electric Supply Company for an estimated quantity of wire, cable, and accessories, Group C, all items, Group E, all items, Group H, all items, and Group N, for the Division of Cleveland Pub-

lic Power, Department of Public Utilities, for a period of one year starting upon execution of a contract, received on December 1, 2010 under the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$255,795.90 (0%, 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract, for the goods and/or services, which contract shall provide for an initial delivery order, the cost of which shall be certified against the contract in an amount not less than \$125,000.00.

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

Yeas: Directors Triozzi, Withers, R. Smith, Cox, Acting Director H. Smith, Directors Rush, Southerington, Nichols and Fumich.

Nays: None.

Absent: Mayor Jackson and Directors Dumas, Butler and Rybka.

Resolution No. 149-11.

By Director Flask.

Whereas, under the authority of Ordinance No. 918-07, 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 DSS Corporation, City Contract No. 67545, for a period not to exceed twenty-four months, for maintenance and technical support services for the voice recorder system, for the Division of Police, Department of Public Safety, and

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

Whereas, under the authority of Section 181.102 C.O., the City intends to enter into an agreement with DSS Corporation, to obtain the professional maintenance and technical support services necessary to maintain the voice recorders, for a period of twelve months starting January 1, 2011; now; therefore,

Be it resolved, by the Board of Control of the City of Cleveland that under division (e) of Section 181.102 C.O., the compensation to be paid for maintenance and technical support services to be performed under the above-mentioned prospective agreement with DSS Corporation, is fixed at an amount not to exceed \$62,891.58.

Yeas: Directors Triozzi, Withers, R. Smith, Cox, Acting Director H. Smith, Directors Rush, Southerington, Nichols and Fumich.

Nays: None.

Absent: Mayor Jackson and Directors Dumas, Butler and Rybka.

Resolution No. 150-11.

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on January 20, 2011, for the purchase of various automotive and truck parts, all items, for the Division of Motor Vehicle Maintenance, Department of Public Service, under the authority of Section 131.64 of the Codified Ordinances of Cleveland, Ohio, 1976, are rejected.

Yeas: Directors Triozzi, Withers, R. Smith, Cox, Acting Director H. Smith, Directors Rush, Southerington, Nichols and Fumich.

Nays: None.

Absent: Mayor Jackson and Directors Dumas, Butler and Rybka.

Resolution No. 151-11.

By Director Cox.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Fabrizi Trucking & Paving Co., Inc. for the public improvement of Superior Avenue Rehabilitation, for the Division of Engineering and Construction, Department of Public Works, received on February 9, 2011, under the authority of Ordinance No. 674-09, passed by the Cleveland City Council June 8, 2009, upon a unit basis for the improvement, in the aggregate amount of \$10,889,476.05, which includes the Base Bid plus Bid Alternates 1-8 (Bid Items 1-258 inclusive) is affirmed and approved as the lowest responsible bid, and the Director of Public Works is authorized to enter into contract for the improvement with the bidder.

Be it further resolved that the employment of the following subcontractors by Fabrizi Trucking & Paving Co., Inc. for the above-mentioned public improvement is approved:

North Coast Paving Company
CSB — \$1,200,000.00 — 11.02%

United Ready Mix, Inc.
CSB/MBE — \$1,115,000.00 — 10.24%

TraffTech Inc.
CSB — \$1,150,000.00 — 10.56%

Yeas: Directors Triozzi, Withers, R. Smith, Cox, Acting Director H. Smith, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Directors Dumas and Butler.

Resolution No. 152-11.

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Otto Environmental Systems (NC), LLC. for an estimated quantity for the labor and materials to maintain /repair /refurbish various Automated Waste Collection and Curbside Receptacles-Recycling Program, Items 1-A, Option 2, 1-B, Option 2, 3a-1-3, 3b-1&2, 4a & b, 5, 6a-1&2, 7a & b, 8, 9a-1&2, 10a & b, 11, and 12a-1 and 2, for the Division of Waste Collection and Disposal, Department of Public Works, for a period of one year beginning with the date of execution of a contract,

with three additional one-year options to renew, received on February 2, 2011, under the authority of Ordinance No. 891-10 passed August 20, 2010, which on the basis of the estimated quantity would amount to \$8,466,152.00 (2% Net 30), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a requirement contract for the goods and/or services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$431,000.00.

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

Be it further resolved that the employment of the following subcontractor by Otto Environmental is approved:

Staffing Solutions Enterprises
(CSB/MBE) — \$23,166.00 — 0.274%

Yeas: Directors Triozzi, Withers, R. Smith, Cox, Acting Director H. Smith, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Directors Dumas and Butler.

Resolution No. 153-11.

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Toter Incorporated for an estimated quantity for the labor and materials to maintain / repair / refurbish various Automated Waste Collection and Curbside Receptacles-Recycling Program, Items 1-C, Option 2, 3a-1, 4c, 5, 6a-1, 7c, 8, 9a-1, 10c, 11, and 12a-1, for the Division of Waste Collection and Disposal, Department of Public Works, for a period of one year beginning with the date of execution of a contract, with three additional one-year options to renew, received on February 2, 2011, under the authority of Ordinance No. 891-10 passed August 20, 2010, which on the basis of the estimated quantity would amount to \$639,200.00 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a requirement contract for the goods and/or services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$32,000.00.

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

Be it further resolved that the employment of the following subcontractor by Toter, Incorporated is approved:

New Management
(non-CSB) — \$160,000.00 — 2.512%

Yeas: Directors Triozzi, Withers, R. Smith, Cox, Acting Director H. Smith, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Directors Dumas and Butler.

Resolution No. 154-11.

By Director Cox.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of SONA Construction, LLC, for the public improvement of City of Cleveland Recreation Center Improvements — Package #2, for Base Bid Items "A" (Earle B. Turner Recreation Center), Base Bid Items "B" (Glenville-James Hubbard Recreation Center), Base Bid Items "C" (Lonnie Burten Recreation Center), Alternate Items A-6, A-7, A-8 and A-9 including all allowances and contingencies for the Department of Public Works, received on October 28, 2010, under the authority of Ordinance Nos. 922-07, 1163-08 and 1176-08 passed on July 11, 2007, August 6, 2008 and November 10, 2008 upon a gross price basis for the improvement in the aggregate amount of \$945,500.00, is affirmed and approved as the lowest responsible bid; and the Director of Department of Public Works is authorized to enter into contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by SONA Construction, LLC for the aforementioned public improvement is approved:

<u>SUBCONTRACTOR</u>	<u>AMOUNT PERCENTAGE</u>
Saunders & Sons Painting (CSB/MBE)	\$176,500.00 18.667%
Lakeland Electric Supply (CSB/FBE)	\$ 95,000.00 10.048%

Yeas: Directors Triozzi, Withers, R. Smith, Cox, Acting Director H. Smith, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Directors Dumas and Butler.

Resolution No. 155-11.

By Director Cox.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of SONA Construction, LLC, for the public improvement of City of Cleveland Zelma Watson George Recreation Center HVAC Replacement, for all Base Bid Items including allowances and contingencies for the Department of Public Works, received on December 1, 2010, under the authority of Ordinance Nos. 922-07 and 1176-08 passed on July 11, 2007 and November 10, 2008 upon a gross price basis for the improvement in the aggregate amount of \$315,700.00, is affirmed and approved as the lowest respon-

sible bid; and the Director of Department of Public Works is authorized to enter into contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by SONA Construction, LLC for the aforementioned public improvement is approved:

<u>SUBCONTRACTOR</u>	<u>AMOUNT PERCENTAGE</u>
Miles Mechanical (CSB/MBE)	\$60,000.00 19.005%
Work Best Electric (CSB/FBE)	\$28,000.00 8.869%

Yeas: Directors Triozzi, Withers, R. Smith, Cox, Acting Director H. Smith, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson and Directors Dumas and Butler.

Resolution No. 156-11.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 007-31-133 located at 3222 West 31st Street in Ward 14; and

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

Whereas, Carlos Cancel, abutting/adjacent landowner, has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 14 has consented to the proposed sale;
2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;
3. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, to Carlos Cancel for the sale and development of Permanent Parcel No. 007-31-133 located at 3222 West 31st 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 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 Triozzi, Withers, R. Smith, Cox, Acting Director H. Smith, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.
Absent: Mayor Jackson and Directors Dumas 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 — 2011
4/15/2011 — 4/21/2011**

Announ- cement No.	Exam Method	Classi- fication	Exam Type
21	WR	Airport Operations Agents III	Open
22	WR	Community Health Aide	Open
23	WR	Guard	Open
24	WR	Head Storekeeper	Open
25	EE	House Connection Inspector	Open

26	EE	Instrumentation Technician II	Open
27	WR	Ironworker	Open
28	WR	Low Tension Line Worker — CPP	Open
89B-07	WR	Sewer Maintenance Unit Leader	Open
90B-07	WR	Sewer Maintenance Unit Leader Operator	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. 21

AIRPORT OPERATIONS AGENT III
(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 \$20,800.00 to \$52,060.32 per year.

FILING OF APPLICATION

Application must be made on the regular application form available 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, APRIL 15, 2011 UNTIL 4:30 P.M. ON THURSDAY, APRIL 21, 2011.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, APRIL 21, 2011.

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

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

TYPE: 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 the general supervision of the Manager of Airport Operations, assists in the operational management of Cleveland Hopkins International Airport or Burke Lakefront Airport to maintain the airport operating certificate. Assists airport management with the implementation of the policies of the Department of Port Control as necessary. Supervises the work performed by Airport Operations Agents I and II, Guides, trains, and supports Operations staff. Assigns daily shift duties to Agents. Assists the shift Superintendent with preparation of work and staffing schedules for the Operations office. Acts in the capacity of an Airport Operations Agent when the shift Superintendent is on duty. Maintains a current extended knowledge base of applicable Federal Aviation Regulations and FAA Advisory circulars. Ensures compliance with applicable regulations. Reviews operations report of preceding shift, special instructions,

and nature of field conditions. Assists with the dissemination of field condition information. Operates radio and telephone equipment. Communicates with and answers questions from public on airport operations and conditions. May serve as liaison for airlines and airport management concerning operations matters. Assembles weather related forecasts and disseminates information to assist in establishing proper winter operations or other weather related response. Helps to coordinate movement of snow removal crews, crash and rescue crews, construction activity, and vehicular movement activity. Monitors aircraft movement. Communicates with air carriers, FAA ATC, airport, and other government entities as required. Escorts emergency, construction, and other approved vehicles as required. Uses radio, crash phones, and other equipment to communicate with staff, supervision, airlines/aircraft, airfield vehicles, police, Air Traffic Control Tower (ATCT) and other entities as required. Follows instructions and commands as required. Makes regular patrols and physical inspections of field, airfield, and terminal conditions. Notes and reports safety violations, discrepancies potentially hazardous conditions, as well as operational and maintenance problems in landing, hangar, ramp, roadways, terminal areas, and other airport properties. Conducts wildlife patrols, performing wildlife hazing and reduction procedures as necessary which may require the use of a pyrotechnic weapon and/or shotgun. May be required to remove debris or dead wildlife from aircraft operating areas. Responds to and assists with emergency situations as directed by the Operations Superintendent. Assumes initial control of emergency operations until arrival of higher authority. Escorts emergency, construction, and other approved vehicles as required. Utilizes devices and instruments to assess problems and conditions on airfield. Monitors security, fire, weather radar, as well as equipment and surface condition monitoring systems for alarms and makes notifications and reports on conditions as necessary. Logs and bills incoming transient aircraft for landing fees. Reviews daily log entries and verifies completion of shift log, inspection and incident reports, and records at close of shift. Maintains files. Performs other job-related duties as required. 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. An Associate's Degree in

Aviation, Airport Management, or related field from an accredited college or university is required. Four years of full time paid experience as an airport operations agent, two of which may be in an airport operations-related field, is required. Experience at Cleveland Hopkins International Airport is preferred. (Substitution: One year of experience in an Airport Operations office or airport operations-related experience may be substituted for each year of college education lacking.) A valid State of Ohio Driver's License is required. Must be able to type and possess general computer skills including Microsoft Office Suite products. Must successfully complete a Transportation Security Administration (TSA) fingerprint-based criminal history records check and employment background check. Must be able to lift and carry 50 pounds. Must be willing to work in and out of doors in all weather conditions in a 24-hour operation, including a non-standard work week.

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.

NOTE: 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

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 22

COMMUNITY HEALTH AIDE (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 \$10.00 - \$15.89 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available 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, APRIL 15, 2011 UNTIL 4:30 P.M. ON THURSDAY, APRIL 21, 2011.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, APRIL 21, 2011.

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

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

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 the direct supervision of a Registered Nurse, Physician, or other health care professional, performs clinical, clerical, and laboratory related duties in a medical outreach setting. Admits patients and obtains height, weight, pulse, temperature, and blood pressure. Assists in basic patient education in accordance with established protocol or guidance from supervisory personnel. Assists with patient referrals to other agencies. Performs other clinical duties as assigned. Obtains and returns patient charts from record room. Completes necessary patient information forms. Makes appointments for patients. Performs other assigned clerical duties. Performs basic laboratory tests and corresponding clerical work under the supervision of the laboratory supervisor. Assists in outreach programs in identifying health services available to the medically indigent population and performs other job-related duties as required. 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. Graduation from an

accredited school, college, or program in Medical Assisting is required. A State Medical Assistant certification is required. One year of full time paid clinical experience is required. A valid State of Ohio Driver's License is required.

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.

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the 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.

NOTE: Those persons who are residents of the City of Cleveland and received passing scores shall have ten (10) additional points added to their grades. See list of acceptable documents for proof of residency applicants need to present at the time of filing accompanying application.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 23

GUARD (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 \$10.00 - \$16.88 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available 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, APRIL 15, 2011 UNTIL 4:30 P.M. ON THURSDAY, APRIL 21, 2011.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, APRIL 21, 2011.

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

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

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, patrols and guards government-owned property. Monitors the facility security system. Assesses security alarms and breaches and determines and activates the appropriate response. Documents security incidents, violations, and suspicious behaviors. Prepares reports. Ensures all security incidents are addressed promptly and efficiently. Communicates security matters with appropriate authorities. Utilizes electronic communications equipment. Enforces regulations. Interacts with and provides direction for members of the public. Performs others job-related duties as required. 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. An Ohio Peace Officer Training Certificate is required. (Substitution: Two years of full time paid experience in Security work may be substituted for certificate.) Must be computer proficient. A valid State of Ohio Driver's License is required.

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.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the 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.

NOTE: Those persons who are residents of the City of Cleveland and received passing scores shall have ten (10) additional points added to their grades. See list of acceptable documents for proof of residency applicants need to present at the time of filing accompanying application.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 24

HEAD STOREKEEPER (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 \$10.00 - \$22.39 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available 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 — APPLICATION WILL BE AVAILABLE FROM 8:30 A.M. ON, FRIDAY, APRIL 15, 2011 UNTIL 4:30 P.M. ON THURSDAY, APRIL 21, 2011.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, APRIL 21, 2011.

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

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

TYPE: 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 supervision, supervises activities in one or more storerooms or storage yards. Performs related duties as required. 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.

ing 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. Five years of full time paid warehouse or storeroom experience with ordering, stocking, and dispensing procedures for equipment and materials and other inventory control activities such as physical inventory, cycle counts, etc., is required. Supervisory experience is strongly preferred. Must possess basic computer skills, especially Microsoft Office Suites and must be able to attain proficiency on various inventory software packages. Must be knowledgeable in the various machines associated with the automated office (e.g.: Computer, fax, copier, postage meter, adding machine, etc.). A valid State of Ohio Driver's License is required. Must be able to lift and carry 75 pounds upon occasion with the use of equipment or the assistance of others.

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.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the 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

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 25

HOUSE CONNECTION INSPECTOR (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 \$12.70 - \$18.29 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available 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, APRIL 15, 2011 UNTIL 4:30 P.M. ON THURSDAY, APRIL 21, 2011.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, APRIL 21, 2011.

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

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's grade will be determined based on education and experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

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 supervision, inspects house connections, sewers, and sewer accessories. Inspects main sewers and double system sewer connections. Performs routine inspections, investigates complaints, and notes the need of replacement, repair, or cleaning regarding manhole rings and covers, catch basins, catch basin stones, and grates. Inspects culverts, outlets, and creeks. Investigates complaints of flooding in streets and basements. Performs Ohio Utilities Protection (OUPS) markings for the protection of the sewer infrastructure. Communicates with residents, contractors, plumbers, and others. Investigates complaints of blocked sewers and culverts, tree lawn or street cave-in(s), and holes in streets. Inspects sewer work completed by others and records sewer connections data. Uses a computer with Microsoft Office, GIS, and Work Management System software. Prepares reports. Performs related duties as required. 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

TION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or GED is required. Three years of full time paid general sewer construction or sewer plumbing experience is required. A valid State of Ohio Driver's License is required. Must have auto insurance with Rider's insurance policy included. Must be able to lift a minimum of 30 pounds and carry a minimum of 100 pounds. Should be computer proficient and must possess good written, verbal, organizational, and interpersonal skills.

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.

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the 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

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 26

INSTRUMENTATION TECHNICIAN II (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 \$18.83 - \$23.23 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available 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 — APPLICATION WILL BE AVAILABLE FROM

8:30 A.M. ON FRIDAY, APRIL 15, 2011 UNTIL 4:30 P.M. ON THURSDAY, APRIL 21, 2011.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, APRIL 21, 2011.

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

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at time of filing application.

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 supervision of the Senior Instrumentation Technician, monitors, tests, adjusts, maintains, and repairs electronic instruments and equipment. Installs and performs set-up of equipment necessary for test and calibration purposes. Maintains and tests instruments. Inspects electronic system components. Supervises, guides, and instructs, as necessary, Instrumentation Technician I's or other instrument repair staff. Maintains parts inventories. Identifies equipment needs. Develops specifications for the purchase of new equipment and evaluates technical adequacy of bids received. Records repairs. Prepares reports, charts, graphs, and curves. May be required to climb to various heights (poles, ladders, stairs, etc.) or work in confined spaces for prolonged periods of time. Performs other job-related duties as required. 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.) A High School Diploma or G.E.D. is required. An Associate's Degree in Electronics from an accredited college or university or an equivalent Technical School Diploma or Certificate in Electronics is required. Six years of full time paid experience in a related field is required. A valid State of Ohio Driver's License is required. Must be

able to lift and carry a minimum of 30 pounds. ISA (Instrumentation Society of Automation) certification is preferred.

B.) WATER — Plants (Computer Control System) A High School Diploma or GED is required. An Associate's Degree in Electronics is required. Five years of full time paid experience with instruments connected to a computer control system is required. A valid State of Ohio Driver's License is required. Must be able to lift and carry a minimum of 30 pounds. Knowledge of Supervisory Control and Data Acquisition System (SCADA) is required. ISA certification is preferred.

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.

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the 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

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 27

IRONWORKER (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 \$32.37 - \$38.29 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available 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, APRIL 15, 2011, UNTIL 4:30 P.M. ON THURSDAY, APRIL 21, 2011.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, APRIL 21, 2011.

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

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

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 supervision, fabricates, erects, and repairs iron and steel structures. Performs related duties as required. 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. Must have completed a certified apprentice program and be certified as an Ironworker. A valid State of Ohio Driver's License is required. Must be able to acquire a CDL - Class B within 180 days of the date of hire. Must be able to climb and not be afraid of heights of work in confined spaces for prolonged periods of time. Must be able to wear a respirator.

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.

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the 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

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 28

LOW TENSION LINE WORKER — CLEVELAND PUBLIC POWER (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 \$17.46 - \$27.34 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available 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, APRIL 15, 2011 UNTIL 4:30 P.M. ON THURSDAY, APRIL 21, 2011.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, APRIL 21, 2011.

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

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

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 direct and occasional general supervision, is responsible for all duties associated with the installation, maintenance, troubleshooting, and repair of street lighting. Installs and removes secondary loops, wires, and cables for street lighting and secondary distribution under 600 volts. Installs, maintains, troubleshoots, and repairs street lighting circuitry as needed. Performs other job-related duties as required. Follows all operations and safety policies and safe work practices. Attends and participate 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 completed a three-level apprenticeship program administered by the City of Cleveland or another recognized apprenticeship program OR must be a certified electrician by the State of Ohio. (Substitution: Any experience as a Low or High Tension Lineman other than with the City of Cleveland may be substituted for the City's apprenticeship program.) A valid State of Ohio Class A Commercial Driver's License is required. Must be able to lift and carry 75 pounds.

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.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the 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

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 89B-07 —
(Reissued)

SEWER MAINTENANCE UNIT LEADER (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 \$14.09 - \$22.93 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available 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 — APPLICATION WILL BE AVAILABLE FROM 8:30 A.M. ON FRIDAY, APRIL 15, 2011 UNTIL 4:30 P.M. ON THURSDAY, APRIL 21, 2011.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, APRIL 21, 2011.

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

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

NOTE: Those applicants who have already filed for this examination Do Not need to file again.

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 supervision, is responsible for the cleaning, repairing, and maintenance of sewers. Performs related duties as required. 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. Two years of full time paid experience in Sewer Maintenance as a Sewer Service Worker with the City of Cleveland or four Years of full time paid experience in a sewer maintenance and/or sewer construction environment is required. A valid State of Ohio Commercial Driver's License Class B is required. Class A is preferred. The A.P.W.A. Basic Supervision course must be completed within six months of the date of hire. Must be able to lift and carry up to 100 pounds.

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 appli-

cant upon the applicant's request in writing made within ten (10) days after the date of examination.

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Civil Service Commission will make copies for a standard fee.

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. 90B-07 —
(Reissued)

SEWER MAINTENANCE UNIT
LEADER OPERATOR (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 \$14.09 - \$21.88 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available 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 — APPLICATION WILL BE AVAILABLE FROM 8:30 A.M. ON FRIDAY, APRIL 15, 2011 UNTIL 4:30 P.M. ON THURSDAY, APRIL 21, 2011.

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EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

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 supervision, is responsible for the cleaning, repairing, and maintenance of sewers. Supervises subordinates in general sewer maintenance work. Supervises digging,

sheeting, and timbering of trenches. Supervises repairing, cleaning, and flushing of sewers, catch basins, overflow, and house connections. Supervises the replacing of catch basin covers, grate hoods, and stones. Supervises the loading and unloading of supplies. Tests sewers for breaks. Operates and services trucks. Operates all of the division's special sewer cleaning equipment including, but not be limited to, vacalls, sewer rodder, sewer jet, combination machine, bucket machines, tv inspection truck, and tv inspectional grouting truck. Performs other job-related duties as required. 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. Four years of full time paid experience in Sewer Maintenance is required. Must be employed as a Sewer Maintenance Unit Leader with the City of Cleveland. A valid State of Ohio Commercial Driver's License Class B with a Tanker Endorsement is required. Must have successfully completed the A.P.W.A. Basic Supervision course. Must be able to lift and carry up to 100 pounds.

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.

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the 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

April 13, 2011

**SCHEDULE OF THE BOARD
OF ZONING APPEALS**

MONDAY, APRIL 25, 2011

9:30 A.M.

Calendar No. 11-32: 961 Jefferson Avenue (Ward 3)

Angel Cuevas, owner, appeals to install two (2) prefab sheds and a fence 6 feet high on a triangular shaped corner parcel in a B1 Two-Family District, subject to the provisions in Section 359.01(a) and a special permit from the Board of Zoning Appeals for expansion of a nonconforming use; and contrary to the limitations of the Fence Regulations in Section 358.03(a) that prohibit a fence located within thirty feet of the intersection of two street right-of-way lines to exceed two and one-half feet in height, unless all portions of the fence above two and one-half feet are at least 75 percent open and the same restriction applies to fence located along and parallel to a driveway within fifteen feet of its intersection with a public street if no sidewalk is present; and the limitations of Section 358.04(a) prohibit fences in actual front and side street yards to exceed four feet in height and to be at least 50 percent open, except that in an actual side street yard, a fence set back at least four feet from the side street property line may be a maximum of six feet in height and open or solid.

Calendar No. 11-42: 4025 East 131st Street (Ward 2)

Jihan LLC, owner, and Mahmoud Zayed appeal to change the use from a carryout restaurant to a convenient store and gas station proposed to be consolidated parcels on the northeast corner of East 131st Street and Harvard Avenue in a Local Retail Business District; subject to the limitations of Section 343.01 a gas station is not permitted and first allowed in a General Retail Business District; and contrary to Sections 352.08 through 352.11, a landscaping strips five feet wide are proposed where a width of eight feet is required along the rear property line that abuts a Two Family District and a width of six feet is required where the parking lot abuts East 131st Street and Harvard Avenue; and pursuant to Section 347.08(a) a trash area shall be screened with opaque fencing not lower than the height of the refuse container that is enclosed.

Calendar No. 11-47: 11125 Magnolia Drive (Ward 8)

Cleveland Music Settlement, owner, appeals from the limitation of 30 days duration to install a 30' x 40' temporary tent for various events that will occur from May 5, 2011 through October 30, 2011, exceeding the restrictions of Section 347.10(a) of the Cleveland Codified Ordinances.

Calendar No. 08-220: 4965 Broadview Road (Ward 13)

CSX Railroad, owner, and CBS Outdoor and Tim Keaton, tenant, appeal to install automatic change-

able copy signs on an existing 14' x 48' and 70 foot high billboard, located an acreage in a General Industry District; and under the provisions of Section 350.10(j) a billboard is permitted in general industry zoning and can only be illuminated by means of continuous reflected light; automatic changeable copy signs are not permitted. (On Remand — Case CV09-713005)

Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, APRIL 11, 2011

At the meeting of the Board of Zoning Appeals on Monday, April 11, 2011, the following appeals were heard by the Board.

The following appeals were **Approved:**

None.

The following appeals were **Denied:**

Calendar No. 11-35: 2111 Center Street

Cleveland 2111 LLC appealed to establish music entertainment use in a portion of a three-story building on an acreage parcel in a B3 General Industry District.

Calendar No. 11-39: 2401 Meyer Avenue

Bamco Investments LLC, owner, and Universal Auto Repair, tenant, appealed to establish a motor vehicle repair garage in a one-story building on a corner parcel in a C2 Semi-Industry District.

The following appeals were **Withdrawn:**

None.

The following appeal was **Dismissed:**

None.

The following appeals were **Postponed:**

Calendar No. 10-251: 2606 Martin Luther King Drive postponed to May 9, 2011.

Calendar No. 11-31: 4374-76 Pearl Road postponed from April 18, 2011 to May 2, 2011.

Calendar No. 10-242: Appeal of Administrative Decision — 4210 Franklin Boulevard postponed from April 18, 2011 to May 9, 2011.

The following appeals heard by the Board on April 4, 2011 were adopted and approved on April 11, 2011.

The following appeal was **Approved:**

Calendar No. 11-30: 13002 Larchmere Boulevard

Katoko Irie-Frye and William Frye appealed to expand a coffee

shop to include 3 rooms for a bed and breakfast accommodation in a Local Retail business District.

The following appeal was **Denied:**

Calendar No. 11-2: 3229 East 142nd Street

EJ Fletcher appealed to change use from two dwelling units to a three family dwelling in a Two-Family District.

The following appeal heard by the Board on March 14, 2011 was adopted and approved on April 11, 2011.

The following appeals were **Approved:**

Calendar No. 11-16: 5703 Fleet Avenue

Gerald Rudowsky appealed to change use from a service station to a motor vehicle minor repair shop in a Local Retail Business District; subject to conditions.

The following appeal heard by the Board on December 20, 2010 was adopted and approved on April 11, 2011.

Calendar No. 10-224: 2588 Scranton Road

Tap House Real Estate LLC appealed to construct a parking lot in General Retail Business and Multi-Family Districts; subject to lot consolidation.

Secretary

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

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

**Notice of Public Hearing
By the Council Committee
On City Planning**

**Mercedes Cotner
Committee Room 217
City Hall, Cleveland, Ohio
On Wednesday, April 27, 2011
1:00 p.m.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Wednesday, April 27, 2011, at 1:00 p.m., to consider the following ordinances now pending in the Council:

Ord. No. 334-11.

By Council Member Cimperman. An ordinance to change the Use and Area Districts of land located on Lorain Avenue and West 25th

Street, bounded by West 32nd Street, Gehring Street, Jay Avenue and Chatham Road to Local Retail Business and a 'C' Area District (Map Change No. 2356, Sheet No. 1).

Ord. No. 335-11.

By Council Member Cimperman.
An ordinance to change the Use, Area and Height District of land on the north and south sides of Detroit west of W. 25th Street and east of West 32nd Street to Local Retail Business, a 'D' Area District and a '2' or a '3' Height District (Map Change No. 2358, Sheet No. 1).

Ord. No. 337-11.

By Council Member Zone.
An ordinance changing the Use District of land on Detroit Avenue between W. 85th Street and W. 70th Street and land at the northeast corner of Lake Avenue and Detroit shown shaded on the attached map to Local Retail Business (Map Change Number 2346, Sheet 1).

Ord. No. 338-11.

By Council Member Zone.
An ordinance changing the Use District of land located on the southwest corner of Lake Avenue and Detroit Avenue to General Retail Business (Map Change Number 2345, Sheet 1).

Ord. No. 339-11.

By Council Member Zone.
An ordinance changing the Use District of land bounded by Lake Avenue, Detroit Avenue and West 78th Street to Multi-Family Residential (Map Change Number 2347, Sheet 1).

Ord. No. 340-11.

By Council Member Zone.
An ordinance changing the Use District of land south of Detroit Avenue on the east side of West 55th Street shown shaded on the attached map to a Two Family Residential District (Map Change Number 2348, Sheet 1).

Ord. No. 341-11.

By Council Member Zone.
An ordinance changing the Use, Area and Height Districts of lands on the north and south sides of Detroit Avenue between W. 70th Street and W. 45th Street shown shaded on the attached map to Local Retail Business, a 'C' Area District and a '2' Height District (Map Change Number 2349, Sheet 1).

Ord. No. 342-11.

By Council Member Zone.
An ordinance changing the Use and Height Districts of land on the southeast corner of Lorain Rd. and West 65th Street to Open Space and Recreation and a '1' Height District (Map Change Number 2350, Sheet 1).

Ord. No. 343-11.

By Council Member Zone.
An ordinance changing the Use District of land south of Lorain Rd. and on the south side of Lorain between W. 55th Street and W. 52nd Street shown shaded on the attached map to Local Retail Business (Map Change Number 2351, Sheet 1).

Ord. No. 344-11.

By Council Member Zone.
An ordinance changing the Use and Height Districts of land on the south side of Lorain Avenue between W. 50th Street and West 48th Place shown shaded on the attached map to a Two Family Residential District and a '1' Height District (Map Change Number 2352, Sheet 1).

Ord. No. 345-11.

By Council Member Zone.
An ordinance to change the Use, Area and Height Districts of lands located south of Lorain Avenue between West 41st Street and West 38th Street to Local Retail, a 'D' Area District and a '3' Height District (Map Change No. 2357; Sheet No. 1).

Ord. No. 346-11.

By Council Members Zone and Cimperman.
An ordinance establishing a Pedestrian Retail Overlay (PRO) District on Lorain Road between West 85th Street and Gehring Street (Map Change No. 2355, Sheet Number 1).

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

Phyllis E. Cleveland
Chair
Committee on City Planning

April 13, 2011 and April 20, 2011

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 Of-

file of Equal Opportunity ("OEO") prior to the date of bid opening or submission of proposals or as specified by the Director. Failure to comply with the business enterprise code or with representations made on these forms may result in cancellation of the contract or other civil or criminal penalties."

WEDNESDAY, APRIL 27, 2011

File No. 54-11 — Market Square Park Site Improvements, for the Division of Architecture and Site Development, Department of Public Works, as authorized by Ordinance No. 607-10 passed by the Council of the City of Cleveland, June 7, 2010.

THERE WILL BE A NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND OR MONEY ORDER ONLY (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED).

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, APRIL 14, 2011 AT 2:00 P.M. THE CLEVELAND PUBLIC AUDITORIUM, THIRD FLOOR CONFERENCE ROOM, 500 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

April 6, 2011 and April 13, 2011

THURSDAY, APRIL 28, 2011

File No. 53-11 — Materials to Provide Off-Road Fossil Fuel and Supporting Services, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1600-10 passed by the Council of the City of Cleveland, December 6, 2010.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, APRIL 14, 2011 AT 10:00 A.M. THE CARL B STOKES PUBLIC UTILITIES BUILDING, 4TH FLOOR ATRIUM CONFERENCE ROOM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

April 6, 2011 and April 13, 2011

THURSDAY, MAY 5, 2011

File No. 51-11 — Purchase of Midsize Automobiles, for the Division of Motor Vehicle Maintenance, Department of Public Works, as authorized by Ordinance No. 1620-09, passed by the Council of the City of Cleveland, November 23, 2009.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING MONDAY, APRIL 18, 2011 AT 10:00 A.M. THE MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

File No. 52-11 — Cab and Chassis With Wrecker Body, for the Division of Motor Vehicle Maintenance, Department of Public Works, as authorized by Ordinance No. 1620-09, passed by the

Council of the City of Cleveland, November 23, 2009.
THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** MONDAY, APRIL 18, 2011 AT 10:30 A.M. THE MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

File No. 55-11 — Property Insurance for The Cleveland Browns Football Stadium, for the Division of Cleveland Brown Stadium, Department of Public Works, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** WEDNESDAY, APRIL 20, 2011 AT 10:00 A.M. THE CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

April 6, 2011 and April 13, 2011

WEDNESDAY, MAY 4, 2011

File No. 59-11 — 2011 Summer Food Program, for the Division of Recreation, Department of Public Works, as authorized by Ordinance No. 1506-10, passed by the Council of the City of Cleveland, February 9, 2011.

THERE WILL BE A **MANDATORY PRE-BID MEETING** TUESDAY, APRIL 26, 2011 AT 11:00 A.M. AT THE CLEVELAND CITY HALL, THE DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

THE CITY OF CLEVELAND WILL NOT CONSIDER THE BID OF ANYONE WHO DOES NOT ATTEND A MANDATORY PRE-BID CONFERENCE.

File No. 60-11 — Food, Food Products, Beverages, Condiments and Paper Products at Camp Forbes, for the Division of Recreation, Department of Public Works, as authorized by Ordinance No. 1506-10, passed by the Council of the City of Cleveland, February 9, 2011.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** TUESDAY, APRIL 26, 2011 AT 12:00 P.M. AT THE CLEVELAND CITY HALL, THE DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

April 13, 2011 and April 20, 2011

THURSDAY, MAY 5, 2011

File No. 62-11 — Liquid Chlorine, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, APRIL 21, 2011 AT 10:00 A.M. AT THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 4TH FLOOR ATRIUM

CONFERENCE ROOM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

April 13, 2011 and April 20, 2011

WEDNESDAY, MAY 11, 2011

File No. 56-11 — Rehabilitating and Relining Sewers at Various Locations Throughout the City for 2011-2012, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 129.292 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-REFUNDABLE FEE FOR PLANS/SPECIFICATIONS** IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED).

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, APRIL 29, 2011 AT 11:00 A.M. AT THE DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

April 13, 2011 and April 20, 2011

THURSDAY, MAY 12, 2011

File No. 57-11 — MSA SCBA for Cleveland Fire Department, for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 15-11, passed by the Council of the City of Cleveland, January 31, 2011.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, APRIL 21, 2011 AT 1:00 P.M. AT THE FIRE HEADQUARTERS, BASEMENT CONFERENCE ROOM, 1645 SUPERIOR AVENUE, CLEVELAND, OHIO 44114.

April 13, 2011 and April 20, 2011

WEDNESDAY, MAY 18, 2011

File No. 58-11 — Adjustable Valve Boxes and Appurtenances, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** WEDNESDAY, APRIL 27, 2011 AT 10:30 A.M. AT THE DIVISION OF WATER, DISTRIBUTION AND MAINTENANCE, PIPE REPAIR ROOM, 4600 HARVARD AVENUE, CLEVELAND, OHIO 44105.

April 13, 2011 and April 20, 2011

THURSDAY, MAY 19, 2011

File No. 61-11 — Purchase of Various Fire Apparatus Equipment Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Public Works, as authorized by Ordinance No. 1330-A-10, passed by the Council of the City of Cleveland, December 6, 2010.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** MONDAY, APRIL 25, 2011 AT 10:00 A.M. AT THE MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

April 13, 2011 and April 20, 2011

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 446-11.

By Council Member Kelley.

An emergency resolution urging the Governor, the Ohio Senate and the Ohio House to support and maintain the current process of funding the Ohio Consumers' Council.

Whereas, Governor John Kasich desires to reduce the budget of the Ohio Consumers' Counsel from \$8.5 million to \$4.1 million in the next Biennial Budget; and

Whereas, Governor Kasich believes that the Ohio Consumers' Counsel provides services duplicative to those provided by the Public Utilities Commission of Ohio (the "PUCO"); and

Whereas, the Ohio Consumers' Counsel's operating budget is funded independently by mandatory assessments filed against revenue of the state's utilities and not from tax revenues; and

Whereas, the Ohio Consumers' Counsel is charged under state law with the responsibility to represent consumers' interests regarding activities of both regulated utilities and the PUCO; and

Whereas, the PUCO is not legally charged with advocating on behalf of consumers and consumers' interests; and

Whereas, a reduction in funding to the Ohio Consumers' Counsel will significantly reduce resources for consumer protection and representation; and

Whereas, significant budget reductions will shrink the Ohio Consumers' Counsel's consumers' education programs; and

Whereas, reducing the Ohio Consumers' Counsel budget will not contribute any reduction to Ohio's Biennial Budget; and

Whereas, this Council strongly supports representation of consumers by the oversight and regulation of Ohio utilities; 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. Urging the Governor, the Ohio Senate and the Ohio House to support and maintain the current process of funding the Ohio Consumers' Council.

Section 2. That the Clerk of Council is hereby directed to transmit copies of this resolution to Governor John Kasich, the President of the Ohio Senate, the Ohio Senate Minority Leader, the Speaker of the Ohio

House, the Ohio House Minority Leader and Janine Migden-Ostrander, Ohio Consumers' Counsel.

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 April 4, 2011.

Effective April 6, 2011.

Res. No. 476-11.

By Council Member Cimperman.

An emergency resolution urging the City Planning Commission to amend the Civic Vision 2020 plan to strive for a community garden within five blocks of every resident by 2020.

Whereas, the community garden movement is alive and well in the City of Cleveland, and we are the national leader in the urban agriculture movement; and

Whereas, this City Council asks the Cleveland Planning Commission with regard to the Civic Vision Plan for 2020 to include a goal of a community garden within every five blocks of every resident, including but not limited to vacant lots, school gardens, rooftop gardens, container gardens, gardens at recreation centers, church gardens, health care institution sponsored gardens, and other gardens that may come forward; and

Whereas, there is a need to connect our citizens to the Healthy Cleveland Resolution passed unanimously by this City Council on March 28, 2011, and community gardening is a great way to achieve health and nutrition goals, and exercise mobility goals as well; 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 City Planning Commission to amend the Civic Vision 2020 plan to strive for a community garden within five blocks of every resident by 2020.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to Mayor Frank Jackson, the City Planning Commission, and Director Bob Brown.

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 April 4, 2011.

Effective April 6, 2011.

Ord. No. 108-11.

By Council Members Miller, Mitchell and Sweeney (by departmental request).

An emergency ordinance to change all references contained in the Codified Ordinances of Cleveland, Ohio, 1976, from the "Commissioner of Engineering and Construction" to the "Manager of Engineering and Construction"; and to change references in specific chapters of the codified ordinances from "Director of Public Service" to the "Director of Capital Projects."

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

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

Section 1. That any references contained in the Codified Ordinances of Cleveland, Ohio, 1976, to the "Commissioner of Engineering and Construction" shall be amended to read "Manager of Engineering and Construction, consistent with Ordinance No. 1332-10, passed November 22, 2010.

Section 2. That any references contained in Chapters 307, 411, 439, 501, 503, 505, 507, 508, 510, 511, 512, 512A, 513, 514, 515, 631, 675, and 680 of the Codified Ordinances of Cleveland, Ohio, 1976, to the "Director of Public Service" shall be amended to read "Director of Capital Projects."

Section 3. That the Clerk of Council is authorized, when publishing the Codified Ordinances of Cleveland, Ohio, 1976, and any amendments, to change all references from the "Commissioner of Engineering and Construction" to the "Manager of Engineering and Construction"; and is further authorized to change all references in Chapters 307, 411, 439, 501, 503, 505, 507, 508, 510, 511, 512, 512A, 513, 514, 515, 631, 675, and 680 of the Codified Ordinances of Cleveland, Ohio, 1976, from the "Director of Public Service" to the "Director of Capital Projects.

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

Passed April 4, 2011.

Effective April 6, 2011.

Ord. No. 109-11.

By Council Members Miller, Mitchell and Sweeney (by departmental request).

An emergency ordinance to amend Section 121.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 63410-A, passed September 22, 1924, relating to Offices Considered Departments.

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 121.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 63410-A, passed September 22, 1924, is amended as follows:

Section 121.01 Offices Considered Departments

For the purposes of the general provisions of the Charter and ordinances of the City, the Municipal Court, Council, office of the Mayor, office of the Clerk of Council, Sinking Fund Commission, City Planning Commission, Office of Capital Projects, and the Board of Revision of Assessments shall be treated and construed as being departments of the City government, in addition to the administrative departments under charge of the Mayor, as established by the Charter or ordinances of the City.

Section 2. That existing Section 121.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 63410-A, passed September 22, 1924, is repealed.

Section 3. That the Director of Capital Projects is authorized to enter into contracts and perform any acts under an ordinance passed by this Council that gives such authority to the Director of Public Service, specifically including public improvements, right-of-way management, encroachments upon the public highways, and street dedications.

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

Passed April 4, 2011.

Effective April 6, 2011.

Ord. No. 183-11.

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

An emergency ordinance authorizing the Director of Personnel and Human Resources or the Director of Human Resources to employ one or more professional consultants to administer the City's employee assistance program for a one year period, with a one-year option to renew, exercisable by the Director; and authorizing as month-to-month interim extension of Contract No. 69315 with The Center for Families and Children for a period not to exceed three months.

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 Personnel and Human Resources, or the Director of Human Resources, if renamed under Ordinance No. 92-11, is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of

Cleveland in order to provide professional services necessary to administer the City's employee assistance program for a one year period, with a one-year option to renew, exercisable by the Director of Personnel and Human Resources or the Director of Human Resources, if renamed under Ordinance No. 92-11.

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

Section 2. That the Director of Personnel and Human Resources, or the Director of Human Resources, if renamed under Ordinance No. 92-11, is authorized to extend the term of Contract No. PS 0165 with Ceridian Corporation, on a month-to-month basis for a period not to exceed three months, for administration of the City's COBRA program and HIPAA compliance.

Section 3. That the cost of contract or contracts and extensions of the existing contract authorized shall be paid from Fund No. 01-0402-632000 and from any fund appropriated for this purpose in budget year 2011, RQS 0402, RL 2011-19.

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

Passed April 4, 2011.

Effective April 6, 2011.

Ord. No. 184-11.
By Council Members Pruitt and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources or the Director of Human Resources to employ one or more professional consultants to administer the City's COBRA program and HIPAA compliance for a one year period, with a one-year option to renew, exercisable by the Director; and authorizing as month-to-month interim extension of Contract No. PS 0165 with Ceridian Corporation for a period not to exceed three months.

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 Personnel and Human Resources, or

the Director of Human Resources if renamed under Ordinance No. 92-11, is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to administer the City's COBRA program and HIPAA compliance for a one year period, with a one-year option to renew, exercisable by the Director of Personnel and Human Resources or the Director of Human Resources, if renamed under Ordinance No. 92-11.

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

Section 2. That the Director of Personnel and Human Resources, or the Director of Human Resources, if renamed under Ordinance No. 92-11, is authorized to extend the term of Contract No. PS 0165 with Ceridian Corporation, on a month-to-month basis for a period not to exceed three months, for administration of the City's COBRA program and HIPAA compliance.

Section 3. That the cost of the contracts and extensions of the existing contract authorized shall be paid from Fund No. 01-0402-632000, RQS 0402, RL 2011-18.

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

Passed April 4, 2011.

Effective April 6, 2011.

Ord. No. 214-11.

By Council Member Reed.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 10530 Elmerge Road to Rayshoun T. Howell.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed by the City of Cleveland through its Department of Community Development under the

terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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

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

Section 1. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to Rayshoun T. Howell.

Section 2. That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 136-24-044

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio: and known as being Sublot No. 17 in A. Gaehr Subdivision of part of Original One Hundred Acre Lot No. 466 as shown by the recorded plat in Volume 42 of Maps, Page 12 of Cuyahoga County Records, and being 40 feet front on the Southerly side of Elmerge Road, S.E. and extending back 121.96 feet, as appears by said plat.

Also subject to zoning ordinances, if any.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

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

Passed April 4, 2011.

Effective April 6, 2011.

Ord. No. 331-11.

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

An emergency ordinance to amend the title of Ordinance No. 414-10, passed May 24, 2010; and to supplement the ordinance by adding new Section 3a. relating to applying for and accepting a grant for environmental cleanup and demolition of St. Vincent Charity Hospital Campus Buildings and authorizing one or more professional services contracts to implement the grant.

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 of Ordinance No. 414-10, passed May 24, 2010, is amended to read as follows:

An Emergency Ordinance authorizing the Director of Economic Development to apply for and accept a Clean Ohio Revitalization Fund grant from the State of Ohio Department of Development for environmental cleanup and demolition of St. Vincent Charity Hospital campus buildings in order to prepare the site for redevelopment and other major renovations to the campus located at 2351 E. 22nd Street in the City of Cleveland; authorizing the Director to enter into one or more contracts with St. Vincent Charity Medical Center to implement the project; and authorizing the Director to employ one or more professional consultants or one or more firms of consultants who employ an Ohio VAP-Certified professional to provide professional services to conduct environmental assessment, remediation and demolition activities at St. Vincent Medical Center and to complete services to issue a "No Further Action Letter."

Section 2. That the existing title of Ordinance No. 414-10, passed May 24, 2010, is repealed.

Section 3. That Ordinance No. 414-10, passed May 24, 2010, is supplemented by adding new Section 3a. to read as follows:

Section 3a. That the Director of Economic Development is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants who employ an Ohio VAP-Certified professional for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to

provide professional services necessary to conduct environmental assessment, remediation and demolition activities at St. Vincent Medical Center and to complete services to issue a "No Further Action Letter."

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Economic Development from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Economic Development for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control.

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

Passed April 4, 2011.

Effective April 6, 2011.

Ord. No. 445-11.

By Council Members Westbrook and Zone.

An emergency ordinance to add the name "Marcy's Way" as a secondary and honorary name to West 104th Street between Edgewater Drive and Clifton Boulevard.

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

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

Section 1. That, notwithstanding and as an exception to the Codified Ordinances of the City of Cleveland, 1976, the name "Marcy's Way" is added as a secondary and honorary name to West 104th Street between Edgewater Drive and Clifton Boulevard.

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 April 4, 2011.

Effective April 6, 2011.

COUNCIL COMMITTEE MEETINGS

Monday, April 11, 2011

9:30 a.m.

Health and Human Services Committee and Legislation Committee: Present in Health: Cimperman, Chair; J. Johnson, Vice Chair; Conwell, Keane, Kelley, Reed, Zone. *Pro tempore:* Mitchell.

Present in Legislation: Mitchell, Chair; Brancatelli, Cimperman, Cleveland, Reed, Sweeney. *Authorized Absence:* K. Johnson, Vice Chair.

2:00 p.m.

Finance Committee: Present: Sweeney, Chair; Kelley, Vice Chair; Brady, Brancatelli, Cleveland, Keane, Miller, Mitchell, Polensek, Westbrook. *Authorized Absence:* Pruitt.

Tuesday, April 12, 2011

9:30 a.m.

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

11:30 a.m.

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

1:30 p.m.

Sustainability Sub - Committee: Present: Zone, Chair; Westbrook, Vice Chair; Cummins, J. Johnson, Mitchell.

Wednesday, April 13, 2011

10:00 a.m.

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

1:00 p.m.

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

1:30 p.m.

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

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