

The City Record

Official Publication of the Council of the City of Cleveland



May the Twentieth, Two Thousand and Fifteen

Frank G. Jackson
Mayor

Kevin J. Kelley
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 Michael D. Polensek
- 9 Kevin Conwell
- 10 Jeffrey D. Johnson
- 11 Dona Brady
- 12 Anthony Brancatelli
- 13 Kevin J. Kelley
- 14 Brian J. Cummins
- 15 Matthew Zone
- 16 Brian Kazy
- 17 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 – Kevin J. Kelley

Ward	Name	Residence	
1	Terrell H. Pruitt	16920 Throckley Avenue	44128
2	Zack 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	Michael D. Polensek	17855 Brian Avenue	44119
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Jeffrey D. Johnson	9024 Parkgate Avenue	44108
11	Dona Brady	1272 West Boulevard	44102
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	Brian Kazy	4300 West 143rd Street	44135
17	Martin J. Keane	15907 Colletta Lane	44111

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

MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff
 Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer
 Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs
 Martin J. Flask, Executive Assistant to the Mayor of Special Projects
 Monyka S. Price, Executive Assistant to the Mayor, Chief of Education
 Jenita McGowan, Executive Assistant to the Mayor, Chief of Sustainability
 Natoya J. Walker Minor, Executive Assistant to the Mayor, Chief of Public Affairs
 Edward W. Rybka, Executive Assistant to the Mayor, Chief of Regional Development
 Dan Williams, Media Relations Director

OFFICE OF CAPITAL PROJECTS – Matthew L. Spronz, Director

DIVISIONS:
 Architecture and Site Development – Christopher Diehl, Manager
 Engineering and Construction – Richard J. Switalski, Manager
 Real Estate – James DeRosa, Commissioner

OFFICE OF EQUAL OPPORTUNITY – Melissa K. Burrows, Ph.D., Director
DEPT. OF LAW – Barbara A. Langhenry, Director, Gary D. Singletary, Chief Counsel,
 Richard F. Horvath, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel,
 Victor R. Perez, Chief Assistant Prosecutor, Room 106; Robin Wood, Law Librarian,
 Room 100

DEPT. OF FINANCE – Sharon Dumas, Director, Room 104;
 Natasha Brandt, Manager, Internal Audit

DIVISIONS:
 Accounts – Lonya Moss Walker, Commissioner, Room 19
 Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122
 City Treasury – James Hartley, Interim Treasurer, Room 115
 Financial Reporting and Control – James Gentile, Controller, Room 18
 Information Technology and Services – Douglas Divish, Commissioner, 205 W. St. Clair
 Avenue
 Purchases and Supplies – Tiffany White, 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 – Sharon Dumas, Interim Director, 1201 Lakeside Avenue

DIVISIONS:
 Cleveland Public Power – Ivan Henderson, Commissioner
 Utilities Fiscal Control – Frank Badalamenti, Chief Financial Officer
 Water – Alex Margevicius, Interim Commissioner
 Water Pollution Control – Rachid Zoghaib, Commissioner

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

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

DEPT. OF PUBLIC WORKS – Michael Cox, Director

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

DIVISIONS:
 Motor Vehicle Maintenance – Daniel A. Novak, Commissioner
 Park Maintenance and Properties – Richard L. Silva, Commissioner
 Parking Facilities – Antonette Thompson, Interim Commissioner
 Property Management – Tom Nagle, Commissioner
 Recreation – Samuel Gissentaner, Interim Commissioner
 Streets – Randell T. Scott, Interim Commissioner
 Traffic Engineering – Robert Mavec, Commissioner
 Waste Collection and Disposal – Randell T. Scott, Interim Commissioner

DEPT. OF PUBLIC HEALTH – Toinette Parrilla, Director, 75 Erieview Plaza

DIVISIONS:
 Air Quality – George Baker, Commissioner
 Environment – Chantez Williams, Commissioner, 75 Erieview Plaza
 Health – Myron Bennett, Commissioner, 75 Erieview Plaza

DEPT. OF PUBLIC SAFETY – Michael C. McGrath, Director, Room 230

DIVISIONS:
 Animal Control Services – John Baird, Chief Dog Warden, 2690 West 7th Street
 Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.
 Emergency Medical Service – Nicole Carlton, Acting Commissioner, 1708 South Pointe Drive
 Fire – Patrick Kelly, Chief, 1645 Superior Avenue
 Police – Calvin D. Williams, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director

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

DEPT. OF BUILDING AND HOUSING – Ronald J.H. O’Leary, Director, Room 500

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

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

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

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

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

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

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

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

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS – Room 516,
 Joseph F. Denk, Chairman; Howard Bradley, Patrick M. Gallagher, Robert Maschke, Halim
 M. Saab, P.E., Alternate Members – D. Cox, P. Frank, E. P. O’Brien, Richard Pace, J.F.
 Sullivan.

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

BOARD OF SIDEWALK APPEALS – Capital Projects Director Matthew Spronz, Law
 Director Barbara A. Langhenry; Council Member Kenneth L. Johnson.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Barbara A. Langhenry;
 Utilities Director Paul Bender; Council President Kevin J. Kelley.

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

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

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

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

MORAL CLAIMS COMMISSION – Law Director Barbara A. Langhenry; Chairman;
 Finance Director Sharon Dumas; Council President Kevin J. Kelley; 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, Freddy L. Collier, Jr., Allan Dreyer, Giancarlo Calicchia, Council Member
 Terrell H. Pruitt, Robert Strickland, Julie Trotter, Robert Vilkas, Donald Petit, Interim
 Secretary.

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

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

Judge Courtroom
 Presiding and Administrative Judge Ronald B. Adrine – Courtroom 15A
 Judge Pinkey S. Carr – Courtroom 12C
 Judge Marilyn B. Cassidy – Courtroom 13A
 Judge Michelle Denise Earley – Courtroom 14C
 Judge Emanuella Groves – Courtroom 14B
 Judge James H. Hewitt, III – 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 Angela R. Stokes – Courtroom 15C
 Judge Pauline H. Tarver – Courtroom 13C
 Judge Ed Wade – Courtroom 12B
 Judge Joseph J. Zone – Courtroom 14D

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

The City Record

71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 102

WEDNESDAY, MAY 20, 2015

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CITY COUNCIL

MONDAY, MAY 18, 2015

The City Record
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Address all communications to
PATRICIA J. BRITT
City Clerk, Clerk of Council
216 City Hall

**The following Committees meet at
the Call of the Chair:**

Mayor's Appointments Committee:
Dow (CHAIR), Brady, Cleveland,
Kelley, Mitchell.

Operations Committee: Pruitt
(CHAIR), Mitchell, Kelley, Keane,
Zone.

Rules Committee: Kelley
(CHAIR), Cleveland, Keane,
Polensek, Pruitt.

Dear Mr. Dreyer:

You are requested, without objec-
tion of Cleveland City Council, to
serve as Clerk of Council Pro Tem-
pore for the purposes of the Council
Meeting on May 18, 2015, and for all
matters requiring the Clerk's signa-
ture between May 15 through May
21, 2015.

Your assistance is appreciated.

Sincerely,
Kevin J. Kelley
Council President

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2015-2017

MONDAY — Alternating

9:30 A.M. — **Health and Human
Services Committee:** Cimperman
(CHAIR), Mitchell (VICE-CHAIR),
Brady, Cleveland, Conwell, Cum-
mins, J. Johnson.

9:30 A.M. — **Municipal Services
and Properties Committee:** K. John-
son (CHAIR), Dow (VICE-CHAIR),
Brancatelli, Cummins, J. Johnson,
Kazy, Reed.

MONDAY

2:00 P.M. — **Finance Committee:**
Kelley (CHAIR), Cleveland (VICE-
CHAIR), Brady, Brancatelli, Con-
well, Keane, Mitchell, Pruitt, Zone.

TUESDAY

9:30 A.M. — **Development, Plan-
ning and Sustainability Committee:**
Brancatelli (CHAIR), Cleveland
(VICE-CHAIR), Cimperman, Cum-
mins, Dow, Pruitt, Zone.

TUESDAY — Alternating

1:30 P.M. — **Utilities Committee:**
Pruitt (CHAIR), Brady (VICE-
CHAIR), Brancatelli, Cummins,
Keane, Mitchell, Polensek.

1:30 P.M. — **Workforce and Com-
munity Benefits Committee:** Cleve-
land (CHAIR), Zone (VICE-CHAIR),
J. Johnson, Kazy, Polensek, Pruitt,
Reed.

WEDNESDAY — Alternating

10:00 A.M. — **Safety Committee:**
Zone (CHAIR), Conwell (VICE-
CHAIR), Cimperman, Kazy, Keane,
Mitchell, Polensek.

10:00 A.M. — **Transportation Com-
mittee:** Keane (CHAIR), Dow
(VICE-CHAIR), Conwell, J. Johnson,
K. Johnson, Kazy, Reed.

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio
Monday, May 18, 2015

The meeting of the Council was
called to order at 7:04 p.m. with the
President of Council, Kevin J. Kel-
ley, in the Chair.

Council Members present: Anthony
Brancatelli, Joe Cimperman, Phyllis
E. Cleveland, Kevin Conwell, Brian
J. Cummins, Jeffrey D. Johnson,
Brian Kazy, Kevin J. Kelley, Ken-
neth L. Johnson, Martin J. Keane,
Mamie J. Mitchell, Michael D.
Polensek, Terrell H. Pruitt, Zack
Reed, and Matthew Zone.

Also present were: Mayor Frank
G. Jackson, Chief of Staff Ken Sil-
liman, Chief Operating Officer Dar-
nell Brown, Chief of Government
Affairs Valarie J. McCall, Chief of
Regional Development Edward W.
Rybka, Chief of Education Monyka
S. Price, and Directors Langhenry,
Davis, Smith, Spronz, Parrilla,
McGrath, Cox, O'Leary, Southering-
ton, Nichols, Griffin, Collier, Fumich,
Ambroz and Burrows.

Pursuant to Ordinance No. 2926-76,
the opening prayer was offered by
Pastor Ronald Lee, Calvary Congre-
gational Church, Cleveland, Ohio
(Ward 1). Pledge of Allegiance.

MOTION

On the motion of Council Member
J. Johnson, the reading of the min-
utes of the last meeting was dis-
pensated with and the journal
approved. Seconded by Council Mem-
ber Kazy.

COMMUNICATIONS

File No. 595-15.

Allan Dreyer,
Deputy Clerk
Cleveland City Council
601 Lakeside Avenue
Room 220
Cleveland, Ohio

Received.

File No. 596-15.

From Office of Equal Opportunity,
City of Cleveland. Bi-Monthly Status
Report, dated April 15, 2015, includ-
ing City Resident Utilization Report.
Received.

FROM OHIO DIVISION OF LIQUOR CONTROL

File No. 597-15.

RE: #0698464. New License Appli-
cation, D5J. Big Bang Bar Cleveland
LLC, 1163 Front Street (Ward 3).
Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 624-15—Gale Edward
Drummer.

Res. No. 625-15—Richard Pippens.

CONGRATULATIONS RESOLUTION

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

Res. No. 626-15—Elder Eric L. Wal-
don.

RECOGNITION RESOLUTIONS

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

Res. No. 627-15—Carlos Jones &
The PLUS Band.

Res. No. 628-15—The Jim Miller
Band.

Res. No. 629-15—The Greater
Cleveland Pan-Hellenic Choir.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 598-15.
By Council Members Dow, K. John-
son and Kelley (by departmental
request).

An emergency ordinance authorizing the Director of Public Works to enter into one or more Concession Agreements for the operation of concession stands at the League Park Baseball Field and the Visitors Center, for the Department of Public Works, for a period not to exceed three years.

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

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

Section 1. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Public Works is authorized to enter into one or more Concession Agreements on the basis of competitive proposals for the operation of concession stands at the League Park Baseball Field and the Visitors Center. The selection of the concessionaire or concessionaires shall be made by the Board of Control on the nomination of the Director of Public Works. The concession fee to be paid to the City shall be fixed by the Board of Control. Each Concession Agreement shall not exceed a term of three years.

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 Municipal Services and Properties, Finance.

Ord. No. 599-15.

By Council Members Dow, K. Johnson and Brancatelli (by departmental request).

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to the Asia Plaza Company to encroach into the public right-of-way of East 30th Street by installing, using, and maintaining an entrance canopy.

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

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

Section 1. That the Director of Capital Projects is authorized to issue a permit, revocable at the will of Council, to Asia Plaza Company, 2999 Payne Ave, Suite 204A, Cleveland, Ohio 44114 ("Permittee"), to encroach into the public right-of-way of East 30th Street by installing, using, and maintaining an entrance canopy at the following location:

Canopy Encroachment

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being part of Original 10 Acre Lot No's. 110, 111, 112, and 113, further bounded and described as follows:

Beginning at the intersection of the centerline of Payne Ave (80 feet wide) with the centerline of East 30th Street (66 feet wide).

Thence North 32 degrees 19 minutes 27 seconds West along said centerline of East 30th Street, a distance of 233.72 feet to a point;

Thence South 57 degrees 40 minutes 33 seconds West, a distance of 29.80 feet to the principal place of beginning;

Thence continuing South 57 degrees 40 minutes 33 seconds West, a distance of 3.20 feet to a point on the Westerly right of way line of East 30th Street;

Thence North 32 degrees 19 minutes 27 seconds West along said westerly line, a distance of 29.80 feet to a point;

Thence North 57 degrees 40 minutes 33 seconds East, a distance of 3.20 feet to a point;

Thence South 32 degrees 19 minutes 27 seconds East, a distance of 29.80 feet to the principal place of beginning.

The courses used in this description are based on the centerline of East 30th Street bearing North 32 degrees 19 minutes 27 seconds West, and are used to indicate angles only.

Distances are given in feet and decimal parts thereof.

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

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

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

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

Section 5. That 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 Municipal Services and Properties, Development Planning and Sustainability.

Ord. No. 600-15.

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

An emergency ordinance authorizing the Director of Public Utilities to exercise the fourth option to renew Contract No. PS 2011-272 with EMC Corporation to provide for the lease of the Server Area Network equipment and related datacenter hardware for the Department of Public Utilities.

Whereas, under the authority of Ordinance No. 828-11, passed July 20, 2011, the Director of Public Utilities entered into Contract No. PS 2011-272 with EMC Corporation ("EMC") for the lease of the Server Area Network

(SAN) equipment and related data-center hardware for the Department of Public Utilities; and

Whereas, Ordinance No. 828-11 requires further legislation before exercising the fourth 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 fourth option to renew Contract No. PS 2011-272 for an additional year, at a cost not to exceed \$338,400.00 with EMC for the lease of the Server Area Network (SAN) equipment and related datacenter hardware for the Department of Public Utilities.

This ordinance constitutes the additional legislative authority required by Ordinance No. 828-11 to exercise this option. (RQS 2002, RL 2015-51)

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 Utilities, Finance, Law; Committees on Utilities, Finance.

Ord. No. 601-15.

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

An emergency ordinance giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio to replacing the Broadway Avenue Bridge over Interstate 77 and relocating the Broadway Avenue southbound ramp to Pershing Avenue; and authorizing agreements.

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

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

Section 1. That it is declared to be in the public interest that the consent of the City of Cleveland is given to the Director of Transportation of the State of Ohio ("the State") to construct the following improvement under plans, specifications, and estimates approved by the State: modify the IR-77 interchange with Broadway Avenue (SR-14) by replacing the Broadway Avenue bridge over IR-77 and relocating the access for Broadway Avenue to southbound IR-77 to Pershing Avenue in the City of Cleveland PID 82388 (the "Improvement").

Section 2. That the City gives its consent to the Improvement and its administration by the Director of Transportation, provided that this ordinance shall not be construed to impose any financial obligation on the City for the Improvement. However, the City agrees to assume and contribute 100% of the cost of any item, included in the construction contracts at the request of the City, which are determined by the Director of Transportation to be ineligible or unnecessary for the Improvement.

Section 3. Utilities and Right-of-Way Statement. The City agrees to acquire and/or make available to

ODOT, under current State and Federal regulations, all necessary right-of-way required for the Improvement. The City also understands that right-of-way costs include eligible utility costs. The City agrees to be responsible for all utility accommodation, relocation, and reimbursement and agrees that all such accommodations, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

Section 4. Maintenance. The City shall maintain the right-of-way and keep it free of obstructions; and hold said right-of-way inviolate for public highway purposes.

Section 5. That this Council requests the State to proceed with the Improvement.

Section 6. That the Director of Capital Projects is authorized to enter into any agreements necessary to implement the Improvement.

Section 7. That the Clerk of Council is authorized and directed to transmit to the State three (3) certified copies of this ordinance immediately on its taking effect, and it shall become the basis for proceeding with the Improvement.

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

Referred to Directors of Capital Projects, City Planning Commission, Finance, Law; Committees on Municipal Services and Properties, Finance.

Ord. No. 602-15.

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

An emergency ordinance giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio to replacing the pedestrian bridge over Interstate 90; and authorizing agreements.

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

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

Section 1. That it is declared to be in the public interest that the consent of the City of Cleveland is given to the Director of Transportation of the State of Ohio ("the State") to construct the following improvement under plans, specifications, and estimates approved by the State: replace the pedestrian bridge over IR-90 that connects Delavan Avenue and South Waterloo Road in the City of Cleveland, PID 97245 (the "Improvement").

Section 2. That the City gives its consent to the Improvement and its administration by the Director of Transportation, provided that this ordinance shall not be construed to impose any financial obligation on the City for the Improvement. However, the City agrees to assume and contribute 100% of the cost of any item, included in the construction contracts at the request of the City, which are determined by the Director of Transportation to be ineligible or unnecessary for the Improvement.

Section 3. Utilities and Right-of-Way Statement. The City agrees to

acquire and/or make available to ODOT, under current State and Federal regulations, all necessary right-of-way required for the Improvement. The City also understands that right-of-way costs include eligible utility costs. The City agrees to be responsible for all utility accommodation, relocation, and reimbursement and agrees that all such accommodations, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

Section 4. Maintenance. The City shall maintain the right-of-way and keep it free of obstructions; and hold said right-of-way inviolate for public highway purposes.

Section 5. That this Council requests the State to proceed with the Improvement.

Section 6. That the Director of Capital Projects is authorized to enter into any agreements necessary to implement the Improvement.

Section 7. That the Clerk of Council is authorized and directed to transmit to the State three (3) certified copies of this ordinance immediately on its taking effect, and it shall become the basis for proceeding with the Improvement.

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

Referred to Directors of Capital Projects, City Planning Commission, Finance, Law; Committees on Municipal Services and Properties, Finance.

Ord. No. 603-15.

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

An emergency ordinance authorizing the Director of Community Development to acquire one or more software licenses and applications for a loan servicing system to replace the Knowledge Man system; and authorizing the director to employ one or more individuals or firms of consultants, computer software developers, or vendors necessary for related system issues, including maintenance and technical support for the new system, for the Department of Community Development, for a period of one year, with three one-year options to renew, the second of which requires additional legislative authority.

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

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

Section 1. That the Director of Community Development is authorized to employ by contract or contracts one or more consultants, computer software developers, or vendors for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland to acquire one or more software licenses and one or more applications for a loan servicing system to replace the Knowledge Man (K-Man) system, and for other professional services necessary for project management,

installation, design, training, implementation, testing, web hosting, other related system issues, including maintenance and technical support for the new system, for the Department of Community Development, for a period of one year, with three one-year options to renew. The first of the one-year options to renew may be exercised by the Director of Community Development, without the necessity of obtaining additional authority of this Council. The second of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the second of the one-year options to renew is exercised, then the third of the one-year options to renew may be exercised at the option of the Director of Community Development, without the necessity of obtaining additional authority of this Council.

The selection of the consultants, computer software developers, or vendors for the licenses and services shall be made by the Board of Control on the nomination of the Director of Community Development from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Community Development 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 Community Development, and certified by the Director of Finance.

Section 2. That the costs of the contract or contracts authorized shall be paid from Fund Nos. 14 SF 040, 14 SF 041, 19 SF 670, 19 SF 680, 19 SF 690, RQS 8006, RL 2015-84.

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

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

Ord. No. 604-15.

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

An emergency ordinance to repeal Sections 207.01, 217.01, and 217.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, relating to marinas and trailer parks.

Whereas, due to changes in state law, the City no longer has jurisdiction or responsibilities for marinas or trailer parks; 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 Section 207.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2393-02, passed February 3, 2003, and Section 217.01, and 217.02 as amended by Ordinance No. 511-76, passed June 14, 1976, and Ordinance No. 2393-02, passed February 3, 2003, are repealed.

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 Health, Finance, Law; Committees on health and Human Services, Finance.

Ord. No. 605-15.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Director of Finance to employ one or more professional consultants to create and administer a permitting and billing program for unnecessary police and fire alarms, for a period of two years, with two one-year options to renew, exercisable by the Director of Finance.

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

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

Section 1. That the Director of Finance is authorized to employ by contract or contracts one or more 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 create and administer a permitting and billing program for unnecessary police and fire alarms, for a period of two years, with two one-year options to renew, exercisable by the Director of Finance.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Finance from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Finance 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 and certified by the Director of Finance.

Section 2. That the cost of contract or contracts authorized shall be paid from any and all funds approved by the Director of Finance.

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

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

Ord. No. 606-15.

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

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to prepare agreements for facilities leased by signatory airlines, and to provide analytical insights, current industry best practices, and economic insights to assist the Director in negotiations with the signatory

airlines leading to the execution of a new master lease agreement, for a period of one year, with a one-year option to renew, exercisable by the Director of Port Control.

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

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

Section 1. That the Director of Port Control is authorized to employ by contract or contracts one or more consultants 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 prepare agreements for facilities leased by signatory airlines, and to provide analytical insights, current industry best practices, and economic insights to assist the Director in negotiations with the signatory airlines leading to the execution of a new master lease agreement, for a period of one year, with a one-year option to renew, exercisable by the Director of Port Control.

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

Section 2. That the cost of the contract or contracts authorized shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 106, 60 SF 114, 60 SF 126, 60 SF 141, and from the fund or subfunds to which are credited any grants or PFCs, if authorized for this purpose. (RQS 3001, RL 2015-81)

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

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

Ord. No. 607-15.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of water mains, fire hydrants, service connections, valves, and appurtenances, including concrete repair, tree lawn restoration, pavement restoration, and materials, labor and installation if necessary, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period up to two years.

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

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

Section 1. That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period up to two years of the necessary items of water mains, fire hydrants, service connections, valves, and appurtenances, including concrete repair, tree lawn restoration, pavement restoration, and materials, labor and installation if necessary, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities. 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 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 2002, RL 2015-16)

Section 3. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Utilities may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

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

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

Ord. No. 608-15.

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

An emergency ordinance authorizing the Director of Community Development to enter into one or more subordination agreements with 668 Atrium LLC for the subordination of the City's mortgage position on Atrium's mortgage to a new loan issued to Atrium by Fannie Mae for the Atrium Office Plaza Complex project.

Whereas, the City of Cleveland currently holds second position on a mortgage issued by PNC Bank to 668 Atrium LLC ("Atrium") used for the acquisition of a parking structure in connection with the Atrium Office Plaza Complex project located at 668 Euclid Avenue, 627 Prospect Avenue, 614 Euclid Avenue, and 645 Prospect Avenue (the "Project"); and

Whereas, Atrium is seeking to refinance its existing loan with PNC and obtain a new mortgage with Fannie Mae; and

Whereas, Atrium has requested that the City's loan be subordinated to the refinanced Fannie Mae mortgage and the City has no objection; 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 Community Development is authorized to enter into one or more agreements for the subordination of the City's second position mortgage on the Atrium Office Plaza Complex project. Under the agreement or agreements, the City will have second position on Atrium's re-financed loan with Fannie Mae.

Section 2. That the Director of Community Development is authorized to enter into any other agreements and obtain additional collateral as deemed necessary to complete the subordinations.

Section 3. That the subordination agreements and any additional collateral documents shall be approved by the Director of Law.

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

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

**Ord. No. 609-15,
By Council Members K. Johnson,
Brancatelli and Kelley (by departmental request).**

An emergency ordinance authorizing the Director of Public Works to enter into an amendment to the existing Lease Agreement with the Board of Park Commissioners for the Cleveland Metropolitan Park District for Rivergate Park to change the areas comprising the leased premises.

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

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

Section 1. That the Director of Public Works is authorized to enter into an amendment to the existing Lease Agreement with the Board of Park Commissioners for the Cleveland Metropolitan Park District ("Metroparks"), as authorized by Ordinance No. 1233-13, passed September 30, 2013 (the "Original Lease") to change the areas comprising the leased premises to add City-owned property under the jurisdiction of Department of Public Works on the east and west sides of Columbus Road Lift Bridge (PPN 101-19-004, 101-19-032, and the adjacent portion of Leonard Street to be vacated) more fully described as follows:

Park West of Columbus Road
Situating in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a part of a parcel of land originally known as the Ox Bow, a part of the vacated portion of the Cleveland Centre Allotment as said allotment was recorded in Volume 2, Page 21 of Cuyahoga County

Record of Maps, and Sublots Nos. 81, 82 and part of 83 in the Cleveland Centre Allotment and bounded and described as follows:

Beginning at the intersection of the westerly line of Columbus Road N.W. (80 feet wide) with the northerly line of vacated Merwin Street N.W. (60 feet wide), vacated by Ordinance No. 342-41, passed by the Council of the City of Cleveland March 10, 1941; thence northerly along said westerly line of Columbus Road N.W. 40.82 feet to a point in said westerly line of Columbus Road N.W.; thence westerly at right angles to Columbus Road N.W. 142.45 feet to a point in the centerline of vacated Merwin Street N.W.; thence southeasterly along said centerline of vacated Merwin Street N.W. to its intersection with the northeasterly prolongation of the northwesterly line of land conveyed to the City of Cleveland by deed dated October 3, 1939, and recorded in Volume 5044, Page 371 of Cuyahoga County Records; thence South 27° 20' 05" West approximately 60.56 feet along said northwesterly line to its intersection with the new dock line of the Cuyahoga River established by Ordinance No. 15-40, passed by the Council of the City of Cleveland on January 22, 1940; thence North 87° 39' 10" East 65.28 feet to the intersection of said dock line of the Cuyahoga River with the westerly line of Columbus Road N.W.; thence northerly along said westerly line of Columbus Road N.W. 65.76 feet to the place of beginning.

Park East of Columbus Road
Situating in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being all of Sublots Nos. 234, 235, and 236 in the Cleveland Center allotment of the Ox Bow, also known as Case's Point, as recorded in Volume 2, Page 21 of Cuyahoga County map records, and together bounded and described as follows:

Beginning at the intersection of the easterly line of Columbus Road N.W. with the northwesterly line of Leonard Street N.W.; thence northerly along said easterly line of Columbus Road N.W. 113.83 feet to the northerly line of said Sublot No. 234; thence easterly along said northerly line 33.17 feet to an angle; thence continuing along said northerly line 33.17 feet to the northwesterly line of Leonard Street N.W.; thence southwesterly along said northwesterly line of Leonard Street N.W. 113.83 feet to the place of beginning.

**Portion of Leonard Street,
to be vacated**

Situating in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of the remaining portion of Leonard Street N.W. (50.00 feet wide) to be vacated, and described as that portion from the Westerly right-of-way easterly to the Cuyahoga River Dock Line established by Ordinance No. 15-40, passed by the Council of the City of Cleveland on January 22, 1940, of the remaining portion of Leonard Street N.W. extending from that portion of Leonard Street N.W. vacated by ordinance 2691-89, passed December 11, 1989, southwesterly to its terminus.

Section 2. That the amendment will allow Metroparks to construct, operate, and maintain park space, a multi-purpose path, landscaping, and park amenities, including signage. The City will retain one or more ingress

and egress easements over the leased premises for the purpose of conducting bridge maintenance. All other terms of the Original Lease shall remain the same.

Section 3. That the amendment shall be prepared by the Director of Law.

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

Referred to Directors of Public Works, City Planning Commission, Finance, Law; Committees on Municipal Services and Properties, Development Planning and Sustainability, Finance.

**Ord. No. 610-15,
By Council Members Zone, Pruitt,
Reed, K. Johnson and Kelley (by departmental request).**

An emergency ordinance to levy special assessments to relay and repair sidewalks, driveway aprons and curbing, restore grass tree lawns and adjust castings, encroaching upon the public rights-of-way on portions of West 105th Street, West 106th Street, West 114th Street, and East 151st Street.

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 assessment of the cost and expense of relaying and repairing sidewalks, driveway aprons and curbing, restoring grass tree lawns and adjusting castings encroaching upon the public right of ways of the following streets to be designated for partial assessment in the future: West 105th Street from Baltic Road to Clifton Boulevard (Assessment #1), in the City of Cleveland as set forth in Resolution No. 909-12, adopted August 8, 2012, and amounting in the aggregate to \$89,803.89, as reported to this Council by the Commissioner of Assessments and Licenses in File No. 610-15-A, is adopted and conformed, and that there are levied and assessed on the lots and lands within the Improvement fifty percent (50%) of each of the several amounts reported as aforesaid, which assessments and the description of the lots and lands are now on file in the office of the Clerk of Council and which assessments are in proportion to the special benefits and are not in excess of any statutory limitation.

Section 2. That the assessment of the cost and expense of relaying and repairing sidewalks, driveway aprons and curbing, restoring grass tree lawns and adjusting castings encroaching upon the public right of ways of the following streets to be designated for partial assessment in the future: West 106th Street from Baltic Road to Clifton Boulevard (Assessment #2), in the City of Cleveland as set forth in Resolution No. 909-12, adopted August 8, 2012, and amounting in the aggregate to \$89,239.12, as reported to this Council by the Commissioner of Assessments and Licenses in the above mentioned file, is adopted and conformed, and

that there are levied and assessed on the lots and lands within the Improvement fifty percent (50%) of each of the several amounts reported as aforesaid, which assessments and the description of the lots and lands are now on file in the office of the Clerk of Council and which assessments are in proportion to the special benefits and are not in excess of any statutory limitation.

Section 3. That the assessment of the cost and expense of relaying and repairing sidewalks, driveway aprons and curbing, restoring grass tree lawns and adjusting castings encroaching upon the public right of ways of the following streets to be designated for partial assessment in the future: West 114th Street from Franklin Boulevard to Detroit Avenue (Assessment #4), in the City of Cleveland as set forth in Resolution No. 909-12, adopted August 8, 2012, and amounting in the aggregate to \$97,606.88, as reported to this Council by the Commissioner of Assessments and Licenses in the above mentioned file, is adopted and conformed, and that there are levied and assessed on the lots and lands within the Improvement fifty percent (50%) of each of the several amounts reported as aforesaid, which assessments and the description of the lots and lands are now on file in the office of the Clerk of Council and which assessments are in proportion to the special benefits and are not in excess of any statutory limitation.

Section 4. That the assessment of the cost and expense of relaying and repairing sidewalks, driveway aprons and curbing, restoring grass tree lawns and adjusting castings encroaching upon the public right of ways of the following streets to be designated for partial assessment in the future: East 151st Street from Bartlett Avenue to Kinsman Road (Assessment #5), in the City of Cleveland as set forth in Resolution No. 909-12, adopted August 8, 2012, and amounting in the aggregate to \$136,610.18, as reported to this Council by the Commissioner of Assessments and Licenses in the above mentioned file, is adopted and conformed, and that there are levied and assessed on the lots and lands within the Improvement fifty percent (50%) of each of the several amounts reported as aforesaid, which assessments and the description of the lots and lands are now on file in the office of the Clerk of Council and which assessments are in proportion to the special benefits and are not in excess of any statutory limitation.

Section 5. That this Council finds and determines that the revised assessments now on file in the office of the Clerk are in the same proportion to the estimated assessments as originally filed as the actual cost of the above-described improvements are to the estimated cost of the improvements as originally filed.

Section 6. That the assessment against each lot or parcel of land shall be payable in cash within forty (40) days after the passage of this ordinance or at the option of the owner in five (5) annual installments. All cash payments shall be made to the Commissioner of Licenses and Assessments of this City. All assessments and installments remaining unpaid at the expiration of said forty (40) days shall be certified by the Clerk of this Council to the County Auditor as provided by law to be

placed by him on the tax duplicate and collected as other taxes are collected.

Section 7. That the Clerk of Council is directed to file a certified copy of this ordinance with the Auditor of Cuyahoga County within twenty (20) days of the date of its passage as required by Section 319.61, Ohio Revised Code.

Section 8. That it is found and determined that all formal action of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements.

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

Referred to Directors of Capital Projects, City Planning Commission, Finance, Law; Committees on Municipal Services and Properties, Finance.

Ord. No. 611-15.

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

An emergency ordinance determining the method of making the public improvement of rehabilitating the small meter testing lab at the Harvard Yard Facility; and authorizing the Director of Public Utilities to enter into one or more public improvement contracts for the making of the improvement; and authorizing the purchase by one or more contracts of labor and materials needed to upgrade the facility, and for various types of testing equipment, including mobile units, for the Division of Water, Department of Public Utilities, and maintenance on all equipment, for a period of two-years.

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

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

Section 1. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of rehabilitating the water meter testing laboratory at the Harvard Yards Facility (the "Improvement"), for the Division of Water, Department of Public Utilities, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding for a gross price for the Improvement.

Section 2. That the Director of Public Utilities is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder or bidders after competitive bidding for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract for a gross price. On request of the director, the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of the improvement.

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

Section 4. That the Director of Public Utilities is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: 1) labor and materials needed to construct improvements to upgrade the facility; 2) various types of small meter testing equipment needed to convert the City's current volumetric-type testing to the current industry standard of gravimetric testing; and 3) mobile units needed for testing large meters, to be purchased by the Commissioner of Purchases and Supplies for a gross price, for the Division of Water, Department of Public Utilities.

Section 5. 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 Utilities 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 6. That the cost of the purchases, improvement, and other expenditures authorized in this ordinance shall not exceed \$600,000 and shall be paid from Fund No. 52 SF 001, RQS 2002, RL 2015-1.

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

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

Ord. No. 620-15.

By Council Member Polensek.

An emergency ordinance to approve the expansion of the Waterloo Community Entertainment District and to amend Section 699A.011 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 59-14, passed February 3, 2014 relating to Community Entertainment Districts defined.

Whereas, the Northeast Shores Development Corporation has submitted an application dated April 30, 2015, to the Mayor's Office requesting to expand the Waterloo Community Entertainment District; and

Whereas, the application is accompanied by a map identifying the boundaries of the proposed expanded Waterloo Community Entertainment District; and

Whereas, by submitting this ordinance for introduction to City Council, Mayor Jackson is recommending within the required 30 days, the acceptance of the application for the expansion of the Waterloo Community Entertainment District; and

Whereas, a copy of the application is placed in File No. 620-15-A; 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 based upon the information and data contained in File No. 620-15-A, this Council approves the application of the Northeast Shores Development Corporation dated April 30, 2015 to expand the Waterloo Community Entertainment District.

Section 2. That Section 699A.011 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 59-14, passed February 3, 2014 is hereby amended to read as follows:

Section 699A.011 Districts Defined

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

(a) *Playhouse Square District.* An area more fully described in Ordinance File No. 1222-13-A.

(b) *Waterloo District.* An area centered on Waterloo Avenue, east of East 156th Street, more fully described in **Ordinance File No. 620-15-A.**

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

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

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

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

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

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

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

(f) *Gordon Square District.* An area more fully described in Ordinance File No. 59-14-A.

Section 3. That existing Section 699A.011 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 59-14, passed February 3, 2014 is hereby repealed.

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.

Referred to Directors of City Planning Commission, Law; Committee on Development Planning and Sustainability.

Ord. No. 621-15.

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

An emergency ordinance authorizing and approving a contract with W.A. Chester, LLC, to make the emergency repair to an underground pipe-type transmission cable and related equipment, for the Division of Cleveland Public Power, Department of Public Utilities.

Whereas, an underground leak has been detected in an underground pipe-type transmission cable at some point between the Lake Road Substation and the Division Avenue Substation on the Cleveland Public Power ("CPP") electric system; and

Whereas, it is imperative for purposes of CPP system reliability that the leak be found and repaired immediately, in advance of the peak summer season; and

Whereas, W.A. Chester, LLC, has been the City's contractor for this type of work for over 15 years and is capable of performing this work immediately at an estimated cost of \$600,000.00; and

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

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

Section 1. That this Council authorizes and approves a contract by and between the City of Cleveland and W.A. Chester, LLC, on the basis of its letter dated April 24, 2015, in the estimated amount of \$600,000.00 to make the emergency repair to an underground leak in CPP's pipe-type transmission cable between the Lake Road Substation and the Division Avenue Substation and any related equipment.

Section 2. That the cost of the contract authorized shall be paid from Fund No. 58 SF 001, RQS 2004, RL 2015-90.

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

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

Ord. No. 622-15.

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

An emergency ordinance giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio to repair and resurface Harvard Avenue from East 116th Street to Lee Road; authorizing any other relative agreements; and to cause payment to the State for the City's share of the improvement.

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

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

Section 1. That it is declared to be in the public interest that the consent of the City of Cleveland is given to the Director of Transportation of the State of Ohio ("the State") to construct the following improvement under plans, specifications, and estimates approved by the State: repair and resurface Harvard Avenue from East 116th Street to Lee Road, PID No. 100157 (the "Improvement").

Section 2. That the City proposes to cooperate with the State in the cost of the Improvement by assuming and contributing the entire cost and expense of the Improvement, less the amount of federal funds allocated by the Federal Highway Administration, United States Department of Transportation. The City agrees to assume one hundred percent (100%) of the cost of preliminary engineering, right-of-way and environmental documentation. Also, the City agrees to assume and contribute 100% of the cost of any items included in the construction contract at the request of the City, which are determined by the State not eligible or made necessary by the Improvement. The share of the cost of the City is estimated in the amount of \$724,800, but the estimated cost is to be adjusted in order that the City's ultimate share of the improvement shall correspond with the percentages of actual costs when the actual costs are determined.

Section 3. Utilities and Right-of-Way Statement. The City agrees to acquire and/or make available to ODOT, under current State and Federal regulations, all necessary right-of-way required for the Improvement. The City also understands that right-of-way costs include eligible utility costs. The City agrees to be responsible for all utility accommodation, relocation, and reimbursement and agrees that all such accommodations, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

Section 4. Maintenance. Upon completion of the Improvement, and unless otherwise agreed, the City shall: (1) provide adequate maintenance for the Improvement under all applicable state and federal laws, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Improvement; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

Section 5. That the Director of Capital Projects is authorized to enter into contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Improvement and to enter into contracts with the Director of Transportation necessary to complete the above described project. Upon the request of ODOT, the Director of Capital Projects is also authorized to assign all rights, title, and interests of the City to ODOT arising from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

Section 6. That the City agrees that if Federal Funds are used to pay the cost of any consultant contract, the City shall comply with 23 CFR 172 in the selection of its consultant and the administration of the consultant contract. Further, the City agrees to incorporate ODOT's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The City agrees to require, as a scope of services clause, that all plans prepared by the consultant must conform to ODOT's current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the Improvement. The City agrees to include a completion schedule acceptable to ODOT and to assist ODOT in rating the consultant's performance through ODOT's Consultant Evaluation System.

Section 7. That this Council requests the State to proceed with the Improvement.

Section 8. That the Director of Capital Projects is authorized to enter into any agreements necessary to implement the Improvement.

Section 9. That this Council authorizes payment to the State of the City's share of the Improvement in the estimated sum of \$724,800 from Fund Nos. 20 SF 520, 20 SF 528, 20 SF 534, 20 SF 540, 20 SF 546, 20 SF 554, and 20 SF 563, and any and all funds approved by the Director of Finance, including future bond funds, if issued for this purpose, Request No. RQS 0103, RL 2015-83.

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

Section 11. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Capital Projects, City Planning Commission, Finance, Law; Committees on Municipal Services and Properties, Finance.

Ord. No. 623-15.

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

An emergency ordinance authorizing the Directors of Finance and Public Utilities to enter into one or more contracts with Constellation Energy Services, Inc. for electric aggregation services and power supply for residential and small commercial customers and with Empower Gas & Electric for energy efficiency, conservation, and renewable energy program services for a period of 24 months, beginning August 2015.

Whereas, Ohio state law allows a municipality to create an electric aggregation program through which the municipality negotiates a bulk discount from electric generation suppliers to provide electricity to the municipality's residential and small commercial customers; and

Whereas, Section 129.331 of the Codified Ordinances of Cleveland, Ohio, 1976, authorizes the Director of Public Utilities to enter into contracts with

electric aggregation suppliers with the approval of City Council; and

Whereas, the City desires to integrate a residential energy efficiency, conservation, and renewable energy program services into the aggregation program; and

Whereas, the City solicited proposals from aggregation service providers and energy efficiency program developers to create and manage a 24-month electric aggregation program and to offer energy efficiency program services; and

Whereas, Constellation Energy Services, Inc. ("Constellation") submitted a proposal dated April 9, 2015, to create and manage an electric aggregation program that includes discounted rates for customers and various energy efficiency and sustainability services; and

Whereas, Empower Gas & Electric ("Empower") submitted a proposal dated April 9, 2015, to develop and implement an energy efficiency, conservation, and renewable energy program services; and

Whereas, on the basis of the proposals submitted, the City has determined that the proposals submitted by Constellation and Empower best suit the needs of Cleveland's residents and small businesses; and

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

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

Section 1. That the Directors of Finance and Public Utilities are authorized to enter into a contract with Constellation Energy Services, Inc. to create and manage an electric aggregation program on the basis of its proposal, referenced above, for a price not to exceed \$0.07 per kilowatt hour of energy supplied. The term of the program shall begin with the August 2015 meter read dates and continue for a period of 24 months with an option exercisable by the Directors to extend the program by one month if necessary to avoid a gap between the end of the program and any successor program. An administrative fee not to exceed \$0.0001 may be included in the charges billed to customers.

Section 2. That the Directors of Finance and Public Utilities are authorized to enter into a contract with Empower Gas & Electric to develop and implement an energy efficiency, conservation, and renewable energy program services on the basis of its proposal referenced above. The program may be funded by a charge on customer bills in an amount not to exceed \$0.0002 per kilowatt hour. The term of the program shall be for the same duration as the term of the electric aggregation program.

Section 3. That the contract or contracts authorized by this ordinance shall contain such terms and conditions as the Director of Law deems necessary to benefit and protect the City and the customers of the electric aggregation program.

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 Utilities, Finance.

FIRST READING EMERGENCY RESOLUTIONS REFERRED

Res. No. 612-15.

By Council Member Brancatelli.

An emergency resolution urging the Ohio General Assembly to enact the same protections for tenants in foreclosed properties as the recently expired federal Protecting Tenants at Foreclosure Act, and urging mortgage servicers to voluntarily apply the protections of the act.

Whereas, consumer advocates expect a rash of evictions in the coming months on properties entering foreclosure following the expiration of the federal Protecting Tenants at Foreclosure Act at the end of 2014; and

Whereas, this 2009 federal law required that bona fide tenants in foreclosed properties be given 90 days' notice before being evicted; and

Whereas, the act also allowed bona fide tenants with leases to occupy the property until the end of the lease term, except a lease could be terminated with 90 days' notice if the unit was sold to a purchaser who would occupy the property; and

Whereas, nine states and Washington, D.C. have enacted the same protections as the expired federal law, while other states have no specific tenant protections or allow servicers to evict tenants immediately following a foreclosure sale; and

Whereas, Ohio law allows tenants to be evicted after a foreclosure sale with only three days' notice; and

Whereas, often tenants are not aware that their landlord is involved in a foreclosure action, as Ohio does not require they be notified or named in the action;

Whereas, as the foreclosure crisis continues in Cleveland, this Council urges the General Assembly to enact the same protections for tenants in foreclosed properties as were provided in the federal act, as well as notice requirements to tenants upon a foreclosure case being filed; and

Whereas, in reaction to the federal act expiring, some mortgage servicers are voluntarily following the tenant protections, while others are reviewing their policies and some are applying state and local regulations; and

Whereas, in order to provide necessary protections to tenants in foreclosed properties and avoid a rash of evictions against tenants in Cleveland, this Council urges local mortgage servicers to voluntarily apply the same protections they have been applying under the expired federal act; 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 Ohio General Assembly to enact the same protections for tenants in foreclosed properties as the now expired federal Protecting Tenants at Foreclosure Act, and urging mortgage servicers to voluntarily apply the protections of the act.

Section 2. That the Clerk of Council is directed to transmit a copy of this resolution to State Representative Kent Smith, member of the Financial Institutions, Housing and Urban Development Committee.

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.

Referred to Committee on Finance.

Res. No. 613-15.

By Council Members Polensek, Conwell, J. Johnson and Mitchell.

An emergency resolution supporting University Hospitals' decision to open a Level 1 trauma center on the east side of Cleveland.

Whereas, after the closures of the Level 1 trauma center at Mt. Sinai Medical Center and the Level 2 trauma center at St. Luke's Medical Center in 2000, only Cleveland Clinic's Huron Hospital with its Level 2 trauma center was available for transport of high-level traumatic injuries; and

Whereas, in 2011, the Cleveland Clinic closed Huron Hospital leaving the east side of the city and its neighboring suburbs with a dearth of high-level trauma care; now, 80% of the most severely injured or ill patients on the city's east side are transported 15 minutes to the nearest Level 1 trauma center at MetroHealth Medical Center; Hillcrest Hospital in Mayfield Heights is able to take Level 2 trauma patients; and

Whereas, the Collinwood and Glenville neighborhoods have been most negatively impacted by the closure of Huron Hospital and its Level 2 trauma center; and

Whereas, University Hospitals has proposed bridge this gap in trauma care by building a Level 1 trauma center on the City's east side; and

Whereas, while Cleveland has only a single Level 1 trauma center, Columbus, Akron and Indianapolis have two Level 1 centers serving smaller populations; Toledo has three Level 1 trauma centers; and

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

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

Section 1. That this Council supports University Hospitals' decision to open a Level 1 trauma center on the east side of Cleveland.

Section 2. That the Clerk of Council is hereby directed to transmit copies of this resolution to the appropriate persons at University Hospitals.

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.

Referred to Committee on Finance.

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 615-15.

By Council Member Conwell.

An emergency ordinance authorizing and directing the Director of Capital Projects to issue a permit to the Apostolic Faith Tabernacle, City of Hope Ministries to stretch banners on the east and west sides of East 105th Street between Columbia & Kempton Avenue, for the period from May 19, 2015 to June 18, 2015, publicizing Friends & Family Weekend on June 12 & 14, 2015.

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 Capital Projects is hereby authorized and directed to issue a permit to the Apostolic Faith Tabernacle, City of Hope Ministries to stretch banners on the east and west sides of East 105th Street between Columbia & Kempton Avenue, for the period from May 19, 2015 to June 18, 2015, inclusive. Said banner shall be approved by the Director of Capital Projects, 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 15. Nays 0. Read second time. Read third time in full. Passed. Yeas 15. Nays 0.

Ord. No. 616-15.

By Council Member Reed.

An emergency ordinance amending the title and section 1 of Ordinance No. 694-14 passed May 19, 2014 as it pertains to the Health and Human Services Fair through the use of Ward 2 Casino Revenue 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 title and section 1 of Ordinance No. 694-14 passed May 19, 2014 is hereby amended to read as follows:

An emergency ordinance authorizing the Director of the Department of Public Health to enter into an agreement with Union Miles Development

Corporation for the Health and Human Services Community Fair through the use of Ward 2 Casino Revenue Funds.

Section 1. That the Director of the Department of Public Health is authorized to enter into agreement effective June 1, 2014 with the Union Miles Development Corporation for the Health and Human Services Community Fair for the public purpose of providing health education and health screenings to city of Cleveland residents through the use of Ward 2 Casino Revenue Funds.

Section 2. That the title and section 1 of Ordinance No. 694-14 passed May 19, 2014 is hereby repealed.

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

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

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Passed. Yeas 15. Nays 0.

Ord. No. 617-15.

By Council Member Keane.

An emergency ordinance authorizing the Director of the Department of Public Works to enter into an agreement with Bellaire Puritas Development Corporation for the Maplewood Baseball Diamond Maintenance Program through the use of Ward 17 Casino Revenue 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 Public Works is authorized to enter into an agreement Bellaire Puritas Development Corporation for the Maplewood Baseball Diamond Maintenance Program for the public purpose of maintaining sandlot baseball diamonds for Cleveland sandlot baseball league games and activities through the use of Ward 17 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$15,000 and shall be paid from Fund No. 10 SF 188.

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

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

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

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Passed. Yeas 15. Nays 0.

Ord. No. 618-15.
By Council Member Cimperman.
An emergency ordinance amending the title and Section 1 of Ordinance No. 540-15 passed May 4, 2015 as it pertains to the Migration Arts Education Project through the use of Ward 3 Casino Revenue 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 Title and Section 1 of Ordinance No. 540-15 passed May 4, 2015, is hereby amended to read as follows:

An emergency ordinance authorizing the Director of the Department of Community Development to enter into an agreement with **Building Bridges Murals, Inc.**, for the Migration Arts Education Project through the use of Ward 3 Casino Revenue Funds.

Section 1. That the Director of the Department of Community Development is authorized to enter into an agreement effective February 1, 2015 with **Building Bridges Murals, Inc.**, for the Migration Arts Education Project for the public purpose of providing art and mediation education through the use of Ward 3 Casino Revenue Funds.

Section 2. That the Title and Section 1 of Ordinance No. 540-15 passed May 4, 2015, is hereby repealed.

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

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

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Passed. Yeas 15. Nays 0.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 614-15.
By Council Member Kelley.
An emergency resolution withdrawing objection to the renewal of a D5 Liquor Permit at 6101 Memphis Avenue and repealing Resolution No. 1016-14, objecting to said renewal.

Whereas, this Council objected to the renewal of a D5 Liquor Permit to Memphis Station, LLC, DBA Memphis Station, 6101 Memphis Avenue, Cleveland, Ohio 44144, Permanent Number 5830264 by Resolution No. 1016-14, adopted by the Council on August 20, 2014; and

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

Whereas, this resolution constitutes an emergency measure 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 objection to the renewal of a D5 Liquor Permit to Memphis Station, LLC, DBA Memphis Station, 6101 Memphis Avenue, Cleveland, Ohio 44144, Permanent Number

5830264, be and the same is hereby withdrawn and Resolution No. 1016-14, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

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

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Adopted. Yeas 15. Nays 0.

Res. No. 619-15.
By Council Member Reed.
An emergency resolution withdrawing objection to the renewal of a C2 Liquor Permit at 10808 Dove Avenue, 1st floor and repealing Resolution No. 1066-14, objecting to said renewal.

Whereas, this Council objected to the renewal of a C2 Liquor Permit to Ocean Inc., 10808 Dove Avenue, 1st floor, Cleveland, Ohio 44105, Permanent Number 6503136 by Resolution No. 1066-14, adopted by the Council on August 20, 2014; and

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

Whereas, this resolution constitutes an emergency measure 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 objection to the renewal of a C2Liquor Permit to Ocean, Inc., 10808 Dove Avenue, Cleveland, Ohio 44105, Permanent Number 6503136, be and the same is hereby withdrawn and Resolution No. 1066-14, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

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

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Adopted. Yeas 15. Nays 0.

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 1444-13.
By Council Members Cimperman and Zone.

An emergency ordinance to amend Section 171.65 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 401-12,

passed March 26, 2012, to eliminate the eligibility date for domestic partner benefits and offer equal benefits for all employees.

Approved by Directors of Human Resources, Finance, Law; Passage recommended by Committees on Employment Affirmative Action and Training, Legislation, Finance, when amended, as follows:

1. In the title, line 5, after "eligibility date for" insert "**same-sex**".

2. In the first whereas clause, line 1, after "provides" insert "**full**"; in the second whereas clause, line 1, after "qualify for" insert "**equal**"; and in line 2, after "inclusion of a" insert "**same-sex**"; and add a third whereas clause to read as follows: "**Whereas, this Council recognizes that the laws of the State of Ohio currently prevent two adults of the same sex from entering into a legal marriage, but desires to provide equal health and other employment benefits to an employee's same-sex domestic partner as are available to the spouse of a City employee; and**".

3. In Section 1, at amended Section 171.65(a), line 1, after "employees and their" insert "**same-sex**"; in line 4, after "dental care insurance," insert "**vision care insurance,**"; and in line 5, after "employees and" insert "**their same-sex**".

4. In Section 1, at amended Section 171.65(b), line 1, after "registered" insert "**same-sex**".

5. In Section 1, at amended Section 171.65(c), line 1, strike "Personnel and"; in line 2, between "of" and "domestic partner" insert "**same-sex**"; and in line 3, after "employee and" insert "**their same-sex**".

Amendments agreed to.

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Passed. Yeas 15. 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. 189-15.
By Council Members K. Johnson and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Works to enter into one or more contracts with 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 Municipal Services and Properties, Finance.

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Passed. Yeas 15. Nays 0.

Ord. No. 380-15.
By Council Members Conwell, K. Johnson, Brancatelli and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Works to enter into an amendment to the Lease Agreement, as amended, with the Cleveland Museum of Natural History to change certain terms of the lease, including the term and defining certain maintenance allocations; and authorizing the Director to lease certain property located in Wade Park to the Cleveland Museum of Natural History for the purpose of facilitating the museum's renovation and expansion, for a term up to December 31, 2100.

Approved by Directors of Public Works, City Planning Commission, Finance, Law; Passage recommended by Committees on Municipal Services and Properties, Development Planning and Sustainability, Finance.

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Passed. Yeas 15. Nays 0.

Ord. No. 383-15.

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

An emergency ordinance authorizing the Director of Public Works to enter into an agreement with the Neighborhood Leadership Institute to implement educational, recreational, and cultural programs in various school buildings and recreation centers during evening hours, provide leadership training and supervise the summer tennis program.

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

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Passed. Yeas 15. Nays 0.

Ord. No. 387-15.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of trees, and labor and materials needed for other urban forestry services, including but not limited to, maintaining and planting trees, removing trees, stumps, and tree waste material, for the Division of Park Maintenance and Properties, Department of Public Works, for a period of one year, with a one-year option to renew, exercised by the Director of Public Works.

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

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Passed. Yeas 15. Nays 0.

Ord. No. 440-15.

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

An emergency ordinance authorizing the Director of Public Works to enter into one or more contracts with the National Youth Sports Program to provide a youth summer sports, nutrition, health, and life skills development program for 2015 at Case Western Reserve University.

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

1. In Section 2, line 2, strike "\$100,000" and insert "**\$150,000**".

Amendment agreed to.

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Passed. Yeas 15. 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. 444-15.

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

An emergency ordinance authorizing the Director of Public Safety to exercise the first option to renew Contract No. NF 2015-017 with PSC Metals, Inc. for vehicle salvaging for the Division of Police, Department of Public Safety.

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

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Passed. Yeas 15. Nays 0.

Ord. No. 476-15.

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

An emergency ordinance appropriating Community Development Block Grant funds for administrative expenses of the Code Enforcement Program.

Approved by Directors of Building and Housing, Community Development, Finance, Law; Passage recommended by Committees on Development Planning and Sustainability, Finance.

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Passed. Yeas 15. Nays 0.

Ord. No. 477-15.

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

An emergency ordinance appropriating Community Development Block Grant funds for expenses for the Demolition Program and emergency contracts under the Board-up Program; authorizing the Director of Building and Housing to enter into one or more contracts with various agencies to implement these programs; and authorizing the purchase by one or more requirement contracts for the items of labor and materials necessary to implement the Board-up Program.

Approved by Directors of Building and Housing, Community Development, Finance, Law; Passage recommended by Committees on Development Planning and Sustainability, Finance.

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Passed. Yeas 15. Nays 0.

Ord. No. 487-15.

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

An emergency ordinance authorizing the Directors of Public Works and Finance to enter into one or more contracts with the Cleveland Metropolitan School District to conduct recreational, cultural, and extracurricular programs for the benefit of school children during the 2014-15 school year.

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

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Passed. Yeas 15. Nays 0.

Ord. No. 562-15.

By Council Member Kelley (by departmental request).

An emergency ordinance to amend the title and Section 4 of Ordinance No. 984-14, passed September 8, 2014, regarding the Residential Opiate Project grant.

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

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Passed. Yeas 15. Nays 0.

Ord. No. 567-15.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Director of Finance to accept a gift from MCPc, Inc. of Cisco WiFi equipment, access points with mounting brackets, and licenses for the Cisco Wireless Controller.

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

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Passed. Yeas 15. Nays 0.

**SECOND READING
ORDINANCES PASSED**

Ord. No. 249-15.

By Council Member Keane.

An ordinance changing the Use, Area and Height Districts of lands on the southeast corner of Lorain Avenue and West 150th from GR-C1 to Local Retail Business, a 'G' Area District and a '2' Height District (Map Change No. 2505).

Approved by Directors of City Planning Commission, Law; Passage recommended by Committee on Development Planning and Sustainability, when amended, as follows:

1. In Section 1, after the legal description, add the following new clause: "**and as shaded on the attached map is changed from GR-C1 to Local Retail Business, a G Area District and a '2' Height District.**".

Amendment agreed to.

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Passed. Yeas 15. 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. 457-15.

By Council Member Zone.

An ordinance changing the Use, Area and Height Districts of lands on the northeast corner of Madison Avenue and West 117th Street from LR-B3 and RO-C2 to Residence Office, a 'E' Area District and a '3' Height District (Map Change No. 2508).

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

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Passed. Yeas 15. Nays 0.

Ord. No. 458-15.

By Council Member Zone.

An ordinance changing the existing mapped setback of lands on the northeast corner of Madison Avenue and West 117th Street from 5' to a 0'

mapped setback (Map Change No. 2509).

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

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Passed. Yeas 15. Nays 0.

SECOND READING EMERGENCY RESOLUTION ADOPTED

Res. No. 587-15.

By Council Member Cimperman.
An emergency resolution urging the U.S. Department of Homeland Security agents and administration, U.S. Citizen and Immigration Services, the White House, and all relevant agencies, to expeditiously assist veteran Staff Sgt. Elizabeth Perez to immediately return her husband, Marcos Perez, to the United States to reunite the Perez family of Cleveland, Ohio, so that Mrs. Perez, a daughter and sister of our city, can enjoy the fullest support she needs and has earned as a veteran of these United States of America.

Approved by Committee on Finance.

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Adopted. Yeas 15. Nays 0.

MOTION

On the motion of Council Member J. Johnson, the absence of Council Members Dona Brady and TJ Dow are hereby authorized. Seconded by Council Member Kazy.

MOTION

The Council Meeting adjourned at 8:03 p.m. to meet on Monday, June 1, 2015, at 7:00 p.m. in the Council Chamber.



Allan Dreyer
Deputy Clerk,
Clerk of Council Pro Tempore

THE CALENDAR

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

NONE

BOARD OF CONTROL

May 13, 2015

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, May 13, 2015 at 10:37 a.m. with Acting Director Horvath presiding.

Present: Acting Director Horvath, Directors Dumas, Davis, Cox, Acting Directors Baker, Withers, Jackson, Director Southerington, Acting

Director Thornton, Directors Fumich and O'Leary.

Absent: Mayor Jackson and Director Smith.

Others: Tiffany White, Commissioner, Division of Purchases & Supplies.

Matthew Spronz, Director, Mayor's Office of Capital Projects.

Melissa Burrows, Director, Office of Equal Opportunity.

William Sonntag, Acting Director, Mayor's Office of Capital Projects.

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

Resolution No. 178-15.

By Interim Director Dumas.
Whereas, under the authority of Ordinance No. 617-13, passed by the Council of the City of Cleveland on May 13, 2013, and Board of Control Resolution No. 530-13, adopted by this Board on September 11, 2013, the City, through its Director of Public Utilities, entered into City Contract No. PS2013*211 with GDS Associates, Inc. to perform the professional services necessary for Power Supply consulting services to evaluate current power supply, for a fee of \$400,000.00, for the Division of Cleveland Public Power, Department of Public Utilities; and

Whereas, under Board of Control Resolution No. 249-14, adopted June 18, 2014, the Director of Public Utilities entered into a first modification to City Contract No. PS2013*211 for additional professional services to evaluate current power supply, planning, transmission interconnection, distribution system engineering, retail rate and financial planning, electric customer surveys and review, and marketing preparation and increasing the total fee to \$1,550,000.00; and

Whereas, the City desires to modify City Contract No. PS2013*211 to include 2015 services consisting of power supply planning support, completion of a strategic marketing plan and evaluation of peaking generation projects, discretionary task-based services and competitive rate analyses; and

Whereas, GDS Associates, Inc. has proposed by its letter dated February 19, 2015 ("Proposal") to perform the above-described additional services for a fee of \$350,000.00; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that the Director of Public Utilities is authorized to enter into a second modification to City Contract No. PS2013*211 with GDS Associates, Inc., on the basis of GDS Associates, Inc.'s February 19, 2015 proposal, for additional services and to increase the dollar amount of the contract from \$1,550,000.00 to \$1,900,000.00. The second modification shall be prepared by the Director of Law and shall include such additional provisions as that Director deems necessary to benefit and protect the public interest.

Be it further resolved that the participation of Palmer Energy Company as a subconsultant to GDS Associates, Inc. under City Contract No. PS2013*211 is increased from \$10,000.00 (0.65%) to \$45,000.00 (2.37%).

Yeas: Acting Director Horvath, Directors Dumas, Davis, Cox, Acting Directors Baker, Withers, Jackson,

Director Southerington, Acting Director Thornton, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Smith.

Resolution No. 179-15.

By Interim Director Dumas.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Cook Paving & Construction Co., Inc. for an estimated quantity of labor, material and installation necessary for the restoration of pavement for water mains and appurtenances, all items, for the Division of Water, Department of Public Utilities, for a period of one year starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on February 18, 2015 under the authority of Ordinance No. 314-13, passed April 8, 2013, which on the basis of the estimated quantity would amount to \$1,867,803.00 (0%), 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, necessary for the specified items.

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Cook Paving & Construction Co., Inc. for the above-mentioned service is approved:

<u>SUBCONTRACTOR</u>	<u>WORK PERCENTAGE</u>
RAR Contracting Co., Inc. (CSB/MBE)	\$231,000.00 12.367%
Rockport Ready Mix (CSB/FBE)	\$150,000.00 8.031%

Yeas: Acting Director Horvath, Directors Dumas, Davis, Cox, Acting Directors Baker, Withers, Jackson, Director Southerington, Acting Director Thornton, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Smith.

Resolution No. 180-15.

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Forms & Surfaces, Inc. for the purchase of 150 recycling trash bins, all items, for the various divisions of the Department of Port Control, received on March 25, 2015, under the authority of Section 181.101(a)(5) of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the order quantity would amount to \$98,350.00, is approved as the lowest and best bid, and the Director of Port Control is requested to enter into a Standard contract for the items.

Yeas: Acting Director Horvath, Directors Dumas, Davis, Cox, Acting Directors Baker, Withers, Jackson, Director Southerington, Acting Director Thornton, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Smith.

Resolution No. 181-15.

By Directors Cox and Spronz.
Be it resolved by the Board of Control of the City of Cleveland that the bid of ThyssenKrupp Elevator Corporation for the public improvement of the Gateway East Garage Elevator Improvements, Base Bid Packages A, B, and C, Alternate Items A-4, 1-A, 2-A, 3-A, 4-A, 5-A, 6-A, and 7-A for the Departments of Public Works and Capital Projects, received on April 23, 2015 under the authority of Ordinance No. 533-12, passed June 4, 2012, upon a gross price basis for the improvement in the aggregate amount of \$2,347,730.00 is affirmed and approved as the lowest responsible bid; and the Directors of the Departments of Public Works and Capital Projects are authorized to enter into contract with the bidder.

Be it further resolved, by the Board of Control of the City of Cleveland that the employment of the following subcontractor by ThyssenKrupp Elevator Corporation is hereby approved:

<u>Subcontractor</u> <u>Amount</u>	<u>CSB/MBE/FBE</u> <u>Percentage</u>
Henle Builders, Inc, \$409,400.00	Non-certified 0.000%

Yeas: Acting Director Horvath, Directors Dumas, Davis, Cox, Acting Directors Baker, Withers, Jackson, Director Southerington, Acting Director Thornton, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Smith.

Resolution No. 182-15.

By Director Cox.
Be it resolved by the Board of Control of the City of Cleveland that, under Ordinance No. 80-15, passed by the Council of the City of Cleveland on March 23, 2015, the firm of Innovative Foods, Inc., is selected upon nomination of the Director of Public Works from a list of firms determined after a full and complete canvass by the Director of Public Works to operate concession stands at Brookside and Gordon Parks for the Division of Park Maintenance and Properties, Department of Public Works, for a concession fee of the greater of \$1,500.00 per year or 5% of the gross profits for Brookside Park and the greater of \$1,000.00 per year or 5% of the gross profits for Gordon Park.

Be it further resolved that the Director of Public Works is authorized to enter into a concession agreement with Innovative Foods, Inc., for a period of not to exceed three (3) years upon contract execution, based on its proposal received on April 1, 2015, and the agreement shall be prepared by the Director of Law and shall contain such additional provisions as said Director deems necessary to protect and benefit public interest.

Yeas: Acting Director Horvath, Directors Dumas, Davis, Cox, Acting Directors Baker, Withers, Jackson, Director Southerington, Acting Director Thornton, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Smith.

Resolution No. 183-15.

By Director Cox.
Whereas, by Resolution No. 250-12, adopted on June 6, 2012, under the authority of Section 131.15(f) of the Codified Ordinances of Cleveland, Ohio 1976, this Board of Control established the rental rates for the Cleveland Public Auditorium, its various rooms, halls, and portions thereof, and

Whereas, the City of Cleveland will sponsor Senior Day 2015 to be held on May 20, 2015; and

Whereas, Senior Day 2015 is open to the public free of charge; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that notwithstanding and as an exception to the terms of Resolution No. 250-12, adopted by this Board of Control on June 6, 2012, the use of the space at Cleveland Public Auditorium for Senior Day 2015 shall be provided at no charge.

Be it further resolved that the Cleveland Public Auditorium shall charge the Department of Aging at the prevailing rate for any labor, materials, and equipment supplied.

Yeas: Acting Director Horvath, Directors Dumas, Davis, Cox, Acting Directors Baker, Withers, Jackson, Director Southerington, Acting Director Thornton, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Smith.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

ROBERT BENNETT,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, JUNE 8, 2015

9:30 A.M.

Calendar No. 15-103: 12815 Lorain Avenue (Ward 11)

Fred Assad, owner, and Khalil Ewais, tenant, propose to construct a parking lot in a General Retail Business Zoning District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 352.10 which states that a 6 foot wide landscape strip is required along West 128th Street where parking lot abuts street; no landscaping is proposed.

2. Section 352.11 which states that a 4 foot wide transition strip is required and no landscaping is proposed.

3. Section 343.18(c) which states that a driveway in Local Retail Business and General Retail Business is required to be at least 15 feet from the property line and 3 feet are proposed. (Filed May 4, 2015)

Calendar No. 15-104: 5806 Broadway Avenue (Ward 12)

5806 Broadway Properties, LLC, owner, propose to change use from store to school in a C2 Local Retail Business District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 343.01 which states that in a Local Retail Business District a school is required to be 15 feet from any adjoining premises in a residence district not used for a similar purpose by reference per 337.08(e) and the proposed school abuts a Two-Family Residential District.

2. Section 349.04(c) which states that 27 parking spaces are required and 17 are proposed.

3. Section 359.01 which states that a substitution of nonconforming use requires Board of Zoning Appeals approval. (Filed May 5, 2015)

Calendar No. 15-107: 5209 Euclid Avenue (Ward 7)

Community Action Against Addiction, owner, propose to change use from office to residential drug rehabilitation facility in the Midtown Mixed Use District 4, (MMUD-4). The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 344 which states that a residential drug rehabilitation facility is not permitted in the MMUD-4.

2. Section 343.11(b)(2)(G) which states that a residential drug rehabilitation facility (convalescent home) is first permitted in a General Retail Business District.

3. Section 344.05 which states that a 20 foot front yard setback is required and a 5 foot setback is provided. (Filed May 7, 2015)

Calendar No. 15-108: 12728 Bellaire Road (Ward 11)

Misin Cristiana, owner, proposes to change use from car lot and office to church in a C1 Local Retail Business District. The owner appeals for relief from the following

sections of the Cleveland Codified Ordinances:

1. Section 343.01 in a Local Retail Business District a church is required to be 15 feet from any adjoining premises in residence district not used for a similar purpose by reference per Section 337.02(e); and the proposed church abuts a One Family Residential District at the rear.

2. Section 349.04(e) which states that 6 parking spaces required at the rate of one parking space per six seats based on the maximum seating capacity. (Filed May 7, 2015)

Violation Notice

Calendar No. 15-105: 2167 East 55th Street (Ward 5)

Abeco-Ayad, Inc., owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances and disputes the Notice of Violation V15012843 issued on April 30, 2015 by the Cleveland Department of Building and Housing for failure to comply with Section 350.04 of the Cleveland Codified Ordinances which states that no outdoor sign or display structure may be erected until a permit has been issued. (Filed May 5, 2015)

POSTPONED FROM APRIL 27, 2015

Calendar No. 15-61: 8 Lakefront Walk (Ward 8)

Vincent and Susan Degeorge, owners, propose to erect a 24' x 35', 1 story, 3 car garage in an A1 One-Family Residential District. The owners appeal for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 327.02(e) which states that a site plan drawn to scale and shall clearly indicate the proposed yards, the extent of all proposed encroachments beyond required yard lines and the location and distances to building on adjoining premises. All consolidations and lot splits shall be checked and approved by the Commissioner of Engineering and Construction before issuance of permit.

2. Sections 349.07(a) through (c) which states that accessory off street parking spaces, driveways, maneuvering area and access ways shall be properly graded for drainage and minimize traffic congestion. (Filed March 23, 2015 - Testimony taken)

First postponement made at the request of the board in order to allow for time for the plans to be revised to show dimensions.

POSTPONED FROM APRIL 27, 2015

Calendar No. 15-63: 2150 West 18th Street (Ward 3)

Carolyn Bentely, owner, proposes to erect a 2 story 22' - 2" x 20' - 11" addition, that will house a master bedroom and an attached garage, to an existing single family residence in a B1 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.01(b) which states that the maximum gross floor area shall not exceed 50 percent of lot area or in this case 1,350 square feet and 2,002 square feet are proposed.

2. Section 357.05(a) which states that the required side street yard is 5 feet and 4 feet 11 inches are proposed.

3. Section 357.05(b)(1) which states that on the rear third of a corner lot in a Residence District where the rear lot line abuts a Residence District, the building line shall be not less than ten (10) feet back from the side street line, and 4' - 11" are proposed.

4. Section 357.09(2)(A) which states that no building shall be erected less than 10 feet from a main building on an adjoining lot within a Residence District and 9 feet are proposed.

5. Section 357.09(2)(C) which states that the minimum required interior side yard is 8 feet where 4' - 11" and 2' - 11" are proposed. (Filed March 25, 2015)

First postponement made at the request of the appellant in order to allow for more time for community engagement.

POSTPONED FROM MAY 18, 2015

Calendar No. 15-57: 3047 West 47th Street (Ward 3)

Christopher Flynn, owner, proposes to erect a four foot high chain link fence in the front yard of a residence in a B1 Two-Family Residential District. Per section 358.04(c)(1) in Residential Districts, only ornamental fences, shall be installed in actual front yards and in actual side street yards if located within four (4) feet of the side street property line. The Board of Zoning Appeals may, however, permit a chain link fence if the Board determines that such fence is common in the immediate vicinity of the subject property. (Filed March 20, 2015)

Calendar No. 15-58: 3051 West 47th Street (Ward 3)

Christopher Flynn, owner, proposes to erect a four foot high chain link fence in the front yard of a vacant lot in a B1 Two-Family Residential District. Per section 358.04(c)(1) in Residential Districts, only ornamental fences, shall be installed in actual front yards and in actual side street yards if located within four (4) feet of the side street property line. The Board of Zoning Appeals may, however, permit a chain link fence if the Board determines that such fence is common in the immediate vicinity of the subject property. (Filed March 20, 2015)

The first postponement was made in order to allow for time for community engagement. The second postponement was made at the request of the board to allow for the appellant to talk with community development about land bank deed restrictions.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, MAY 18, 2015

At the meeting of the Board of Zoning Appeals on Monday, May 18, 2015 the following appeals were scheduled for hearing before the Board.

The following appeals were **APPROVED:**

Calendar No. 15-22: 8035 Superior Avenue

La Femme Couture, owner, proposes to change use to a food store in a C2 Multi-Family Residential District.

Calendar No. 15-74: 6012 West Clinton Avenue

Ralph McCormack, owner, proposes to erect 137 linear feet of 4 - 6 foot high chain link fence in side and rear yard in a B2 Two-Family Residential District.

Calendar No. 15-77: 2502 West 8th Street

John and Randi Zubin, owner, proposes to erect a two story 500 square foot addition to an existing single family residence on a 2,100 square foot lot in a B1 Two Family Residential District.

Calendar No. 15-78: 16408 Myrtle Avenue

Michelle Payne, owner, proposes to establish use as a Type A day care in an A1 One-Family Residential District.

Calendar No. 15-80: 2658 Scranton Road

Wagner Industries, owner, propose to change use from manufacturing to 59 apartment units and commercial space in a C2 Semi-Industry District.

The following appeals were **DENIED:**

None

The following appeals were **DISMISSED:**

None.

The following appeals were **WITHDRAWN:**

None.

The following cases were **POSTPONED:**

Calendar No. 15-57: 3047 West 47th Street

Christopher Flynn. Postponed to June 8, 2015.

Calendar No. 15-58: 3051 West 47th Street

Christopher Flynn. Postponed to June 8, 2015.

Calendar No. 15-73: 2650 East 69th Street

Beaver Ave. Land Co. LLC. Postponed to July 13, 2015.

The following cases were heard and approved by the Board of Zoning Appeals on Monday, May 11, 2015 and the decisions were adopted and approved on Monday, May 18, 2015.

The following appeals were **APPROVED:**

Calendar No. 15-23: 3179 West 25th Street

Woodland Inc. (aka Ali Farai) proposes to establish use of 16,698 square foot building as a banquet/assembly hall in a C2 Local

Retail Business District and a Pedestrian Retail Overlay District (PRO).

Calendar No. 15-69: 1965 East 6th Street
Corning Place Ohio LLC. owner, proposes to change use of a twelve story building to 123 apartment units and retail space in an E6 General Retail Business District and the Central Business District.

Calendar No. 15-79: 1425 Rockwell Avenue
Cleveland Tech Holdings, LLC., owner, proposes to erect an 8 foot tall fence in an E3 Semi-Industry District.

The following cases were **AFFIRMED** (variance rights extended an additional 6 months):

Calendar Nos. 14-117 through 14-126: 1201 Auburn Avenue - Chelsea Investments - affirmed to November 10, 2015.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of May 13, 2015

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

* * *

Docket A-42-15.

RE: Appeal of Michael Wright, Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property, located on the premises known as 1338 East 88th Street from a NOTICE OF VIOLATION - EXTERIOR MAINTENANCE, dated March 5, 2015 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until October 1st, 2015 to complete abatement of the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action, noting that no work has been done. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

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

* * *

Docket A-43-15.

RE: Appeal of Myra (Davis) Dean, Owner of the Two Dwelling Units Two-Family Residence Two Story Frame Property, and S-2 Storage - Low Hazard (Non-combustibles) One

Story Frame Garage Property located on the premises known as 2766 East 125th Street from a CONDEMNATION ORDER - MAIN STRUCTURE & GARAGE, dated March 9, 2015 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until June 1st, 2015, to submit a plan and obtain all required permits to the Building Department; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

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

* * *

Docket A-45-15.

RE: Appeal of Alanza & Jesse Davis, Owners of the Two Dwelling Units Two-Family Residence Two & One/half Story Wood Frame/Siding/Masonry Veneer Property, located on the premises known as 3814 East 142nd Street from a NOTICE OF VIOLATION - FIRE DAMAGE, dated March 5, 2015 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellants until June 1st, 2015 to obtain all required permits, and until September 1st, 2015 to complete abatement of all the violations on the property; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

* * *

Docket A-46-15.

RE: Appeal of Sharlena Adkins, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property, located on the premises known as 2316 East 84th Street from a VACATE ORDER, dated April 6, 2015 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to require the Appellant to obtain all required permits which would include mechanical, electrical and plumbing permits, by June 1st, 2015 so that occupancy can continue; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

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

Docket A-47-15.

RE: Appeal of 2516 Corp., Owner of the Property, located on the premises known as 2516 Market Avenue from an ADJUDICATION ORDER, dated March 10, 2015, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-47-15 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-48-15.

RE: Appeal of Peggy J. Mosely, Owner of the Two Dwelling Units Two-Family Residence Two Story Frame Property, located on the premises known as 3284 East 134th Street a CONDEMNATION ORDER - MAIN STRUCTURE, dated March 3, 2015 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

* * *

Docket A-49-15.

RE: Appeal of Jesse B. Kemp, Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property and Two & One/half Story Frame Garage Property, located on the premises known as 3429 East 135th Street from a CONDEMNATION ORDER - MAIN STRUCTURE & GARAGE, dated March 10, 2015, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until June 1st, 2015 to submit a plan to the Building Department and obtain all required permits for rehabilitation of the property, and until November 15th, 2015 to complete abatement of all the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

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

* * *

Docket A-50-15.

RE: Appeal of Hamilton Clair Holdings, LLC, Owner of the Property, located on the premises known as 3865 Hamilton Avenue from a NOTICE OF VIOLATION - FIRE CODE, dated March 12, 2015, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances

of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until June 15th, 2015 to lower the hazardous occupancy to two totes high, until July 15th, 2015 to complete submittal to the Division of Fire for the fire suppression systems, until August 15th, 2015 to have issued a contract for installation of the fire system, and until September 15th, 2015 to submit plans and any other required information to the Building Department to obtain a Certificate of Occupancy; noting that failure to meet any of these dates will result in immediate requirement to eliminate the fire hazard in the building, and to Cease Use of the building as it is now being used to the satisfaction of the Fire Prevention Bureau; the property is REMANDED at this time to the Division of Fire for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

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

* * *

Docket A-51-15.

RE: Appeal of Hamilton Clair Holdings, LLC, Owner of the Property, located on the premises known as 3972 Hamilton Avenue from a NOTICE OF VIOLATION — FIRE CODE, dated March 12, 2015, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until June 15th, 2015 to lower the hazardous occupancy to two totes high, until July 15th, 2015 to complete submittal to the Division of Fire for the fire suppression systems, until August 15th, 2015 to have issued a contract for installation of the fire system, and until September 15th, 2015 to submit plans and any other required information to the Building Department to obtain a Certificate of Occupancy; noting that failure to meet any of these dates will result in immediate requirement to eliminate the fire hazard in the building, and to Cease Use of the building as it is now being used to the satisfaction of the Fire Prevention Bureau; the property is REMANDED at this time to the Division of Fire for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

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

* * *

AMENDED RESOLUTION:

Docket A-22-15.

William Gardner — 18082 Weston Road:

FROM:...DENY the appeal request for additional time, and to REMAND property to the Department of Building and Housing for supervision and any required further action, noting that no work has been done...

TO:...grant the Appellant until May 29, 2015 to obtain all required permits for renovation of the property, and until November 20, 2015 to complete abatement of all violations

on the property, noting that failure to meet any of the dates will result in the property being REMANDED immediately; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action...

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

* * *

APPROVAL OF RESOLUTIONS:

Separate motions were entered by Mr. Gallagher and seconded by Mr. Bradley for Approval and Adoption of the Resolutions as presented by the Secretary for the following Dockets respectively, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

- A-22-15 — William Gardner (Amended)
- A-31-15 — U.S. Bank, N.A. As Trustee
- A-36-15 — Donald Kuhar
- A-38-15 — Carol Sakac
- A-39-15 — Wells Fargo Bank, N.A.
- A-41-15 — Halloran West LLC
- A-56-15 — John & Shannon Spalek

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

APPROVAL OF MINUTES:

Separate motions were entered by Mr. Gallagher and seconded by Mr. Bradley Approval and Adoption of the Minutes as presented by the Secretary, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

April 29, 2015

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

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JOSEPH F. DENK
Chairman

PUBLIC NOTICE

**- TAXICABS-
NOTICE OF RATES OF FARE
ADJUSTMENT DUE TO COST OF
GASOLINE**

Dedrick C. Stephens, Commissioner
Division of Assessments and
Licenses

As of the first Moanday of May, 2015, and one month prior thereto, the price per gallon for regular unleaded gasoline for the Cleveland-Lorain-Elyria Metro Area as published by the Automobile Association of America's State-by-State Fuel Price Average Report is less than \$3.00 per gallon. Therefore, pursuant to CO §443.261(b), the increase of \$1.00 to the rates of fare set forth in CO §443.26 authorized and published hereto on June 1, 2011, is hereby repealed and shall take effect thirty (30) days from the publication of this notice. Pursuant to CO §443.261(c), each change in the

fare amount shall be applied to the meter. A representative of the Bureau of Weights and Measure must remove the current security seal affixed to each taxicab meter prior to the fare being changed on the meter.

Dedrick C. Stephens
Commissioner
Division of Assessments and
Licenses

May 6, 2015, May 13, 2015, May 20, 2015, May 27, 2015 and June 3, 2015

PUBLIC NOTICE

Request For Proposals

**SOFTWARE SOLUTION AND
PROFESSIONAL SERVICES FOR
AN INTEGRATED LEGISLATIVE
MANAGEMENT SYSTEM**

**PROPOSAL DUE DATE/TIME:
Thursday, June 11, 2015 / 4:00 p.m.
(Eastern Standard Time)**

**TO GET A COPY OF THIS
RFP, GO TO
www.clevelandcitycouncil.org.**

Cleveland City Council requests responses from qualified parties to provide a software solution and professional services for an integrated legislative management system for the Council.

Council is the legislative branch of the municipal government of the City of Cleveland. The Office of City Council conducts a wide array of research, policy, legislative, document management, archive and publishing activities. In 2009, Council contracted for professional services to create a comprehensive Legislative Management System (LMS), to serve as the operational spine for a wide array of current Council functions, be integrated with existing office software/hardware/network infrastructure, and have the capacity to bring additional functionality and integration in the future. Council selected the OnBase software as a service platform, which has been customized for the legislative functions of Council.

Through this RFP, Council is seeking proposals for the next phase of LMS development. Council's major goals for its LMS is to integrate many users across multiple platforms, continue to reduce the cost of managing Council's workflow, and to become as "paperless" as possible. The Council is seeking a proven software solution to meet these goals. The Council is also looking for a software provider or vendor-authorized consulting partner to configure, implement, train core users and provide ongoing technical support.

There will be a mandatory meeting/conference call for all potential proposers on Thursday, May 28, 2015, at 2:00 p.m. (EST). Potential proposers may attend in person at Cleveland City Hall, 601 Lakeside Avenue, East, Cleveland, Ohio, in Mercedes Cotner Council Committee Room 217; or participate by conference call (call-in information will

be supplied upon request to adreyer@clevelandcitycouncil.org).

May 20, 2015, May 27, 2015, June 3, 2015 and June 10, 2015

PUBLIC NOTICE

Request For Proposals

PROFESSIONAL SERVICES FOR UPDATING THE CITY COUNCIL WEBSITE

PROPOSAL DUE DATE/TIME:
Thursday, June 4, 2015 / 4:00 P.M.
(Eastern Standard Time)

TO GET A COPY OF THIS RFP, GO TO
www.clevelandcitycouncil.org.

Cleveland City Council requests responses from qualified parties to provide professional services necessary to update, customize, maintain and implement the City Council Website.

The Council is looking for a website developer/designer and/or vendor-authorized consulting partner to refresh, redesign, configure, implement, develop, and train core users for the City Council Website. In addition to providing technical assistance, the selected Consultant must be qualified to consult with the Clerk of Council and her designees on future phases of product implementation in the areas of technology, subject matter and process.

There will be a non-mandatory meeting for all potential proposers on Thursday, May 21, 2015, at 1:00 p.m. at Cleveland City Hall, 601 Lakeside Avenue, East, Cleveland, Ohio, in Mercedes Cotner Council Committee Room 217.

May 20, 2015, May 27, 2015 and June 3, 2015

NOTICE OF PUBLIC HEARING

Notice of Public Hearing By the Council Committee On Development, Planning and Sustainability

Mercedes Cotner Committee Room 217 City Hall, Cleveland, Ohio On Tuesday, May 26, 2015 9:30 a.m.

Notice is hereby given to all interested property owners that the Council Committee on Development, Planning and Sustainability will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Tuesday, May 26, 2015, at 9:30 a.m., to consider the following ordinances now pending in the Council:

Ord. No. 1434-13.

By Council Members Cummins and Zone.

An ordinance establishing a Pedestrian Retail Overlay District

on the north and south sides of Clark Avenue between W. 56th Street and W. 41st Street as shown on the attached map (Map Change No. 2457).

Ord. No. 998-14.

By Council Member Zone. An ordinance changing the Use and Area Districts of parcels on the south side of Lake Avenue west of Clifton Boulevard from an 'A' Area District and a One Family Residential District to an RA2 Residential Attached Townhouse District (Map Change No. 2498).

Ord. No. 398-15.

By Council Member Zone. An ordinance changing the Use District of parcels south of Lake Ave and north of Franklin Ave between W. 75th Street and W. 85th Street to a Local Retail, Townhouse or Two-Family District, Changing the Area District to K and establishing an Urban Form Overlay District as identified on the attached map (Map Change No. 2507).

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

Anthony Brancatelli, Chair Committee on Development, Planning and Sustainability

May 13, 2015 and May 20, 2015

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

Where invitations for bids are advertised, the following notice shall be included in the advertisement: "Pursuant to the MBE/FBE Code, each prime bidder, each minority business enterprise ("MBE") and each female business enterprise ("FBE") must be certified before doing business with the City. Therefore, any prime contractor wishing to receive credit for using an MBE or FBE should ensure that applications for certification as to MBE or FBE status compliance with the Code, affirmative action in employment and, if applicable, joint venture status, are submitted to the office of Equal Opportunity ("OEO")

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

WEDNESDAY, JUNE 10, 2015

File No. 59-15 — 2015 Citywide Industrial Paper, for the various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 1192-14, passed by the Council of the City of Cleveland, September 22, 2014. **THERE WILL BE A NON-MANDATORY PRE-BID MEETING TUESDAY, JUNE 2, 2015 AT 1:30 P.M. THE CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

May 20, 2015 and May 27, 2015

FRIDAY, JUNE 12, 2015

File No. 60-15 — 2015 Lumber, for the various Divisions of City Government, Department of Finance, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976. **THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, JUNE 4, 2015 AT 1:30 P.M. THE CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

May 20, 2015 and May 27, 2015

FRIDAY, JUNE 19, 2015

File No. 61-15 — Purchase of Crossarms and Accessories (Re-bid), for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976. **THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, MAY 28, 2015 AT 10:00 A.M. CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CONFERENCE ROOM A, CLEVELAND, OHIO 44114.**

May 20, 2015 and May 27, 2015

WEDNESDAY, JUNE 24, 2015

File No. 62-15 — Castings, Pull Boxes and Gratings, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976. **THERE WILL BE A NON-MANDATORY PRE-BID MEETING FRIDAY, MAY 29, 2015 AT 10:00 A.M. CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CONFERENCE ROOM A, CLEVELAND, OHIO 44114.**

May 20, 2015 and May 27, 2015

**ADOPTED RESOLUTIONS
AND ORDINANCES**

Res. No. 529-15.

By Council Members J. Johnson, Kelley, Reed, Pruitt, Cleveland, Mitchell, Keane, Brady, Cimperman, K. Johnson, Dow, Polensek, Conwell, Brancatelli, Cummins, Kazy, and Zonc.

An emergency resolution opposing proposed House Bill 180 and Senate Bill 152 that would prohibit residency requirements in local public improvement contracts.

Whereas, recently, Ohio Senator Joe Uecker and Ohio Representative Ron Maag proposed companion legislation that would prohibit local governments from requiring contractors and design professionals to use local residents in local public improvement contracts; and

Whereas, in 2004, under its powers of local self-government derived from the Ohio Constitution, the City enacted the Fannie M. Lewis Cleveland Resident Employment Law requiring that every public improvement contract of \$100,000 or more have one or more City residents perform 20% of the total construction worker hours and that contractors and subcontractors use significant effort to ensure no less than 4% of those resident construction worker hours are performed by low-income workers; and

Whereas, the Fannie M. Lewis Cleveland Resident Employment Law was enacted to alleviate the lack of use of city residents on Cleveland construction projects found to exist by this Council and this law is reviewed regularly to determine whether there is a continuing need to ensure adequate resident employment; and

Whereas, from 2009-2011, Cleveland resident unemployment rate was 21.2%; the 2000 U.S. Census rated Cleveland with the highest unemployment rate among 23 target cities; out of the 23 target cities only four have a smaller percentage of their working residents employed inside the city's boundaries than does Cleveland; and

Whereas, it is incumbent upon this council to help improve the quality of life for our residents by, among other things, helping to ensure that the unemployed have the ability to get decent jobs close to home; 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 proposed House Bill 180 and Senate Bill 152 that would prohibit residency requirements in local public improvement contracts.

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

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 May 11, 2015.
Effective May 13, 2015.

Ord. No. 438-15.

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

An emergency ordinance authorizing the Director of Public Health to enter into contract with the Ohio Department of Health to perform investigations of violations regarding smoking in workplaces and other public places.

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

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

Section 1. That the Director of Public Health is authorized to enter into contract with the Ohio Department of Health, under which the City will perform investigations of violations regarding smoking in workplaces and other public places from July 1, 2015 to June 30, 2017. The contract shall provide that the City will receive compensation for performing the investigations in the amount of \$125.00 per investigation to be deposited into Fund No. 10 SF 804. The Director of Finance is authorized to receive and accept the compensation on behalf of the City and the Director of Public Health is authorized to sign the documents necessary to enter into the contract.

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

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

Passed May 11, 2015.
Effective May 13, 2015.

Ord. No. 439-15.

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

An emergency ordinance authorizing the Director of Public Health to enter into contract with the Ohio Department of Health to perform environmental lead investigations of residences of Medicaid-eligible and non-Medicaid-eligible children; and to enter into one or more contracts with various agencies, entities, or individuals to provide services necessary to implement this ordinance.

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

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

Section 1. That the Director of Public Health is authorized to enter into contract with the Ohio Department of Health, under which the City will perform environmental lead investigations for lead hazards in residences occupied by Medicaid-eligible and non-Medicaid-eligible children from

July 1, 2015 to June 30, 2017. The contract shall provide that the City will receive compensation for performing the lead investigations in an amount not to exceed \$222,000 for each year of the grant to be deposited into Fund No. 10 SF 304. The Director of Finance is authorized to receive and accept the compensation on behalf of the City and the Director of Public Health is authorized to sign the documents necessary to enter into the contract.

Section 2. That the Director of Public Health is authorized to enter into one or more contracts with JA Consultants, Environmental Health Watch, Cleveland Tenants Organization, Lutheran Metropolitan Ministry, and other various agencies, entities, or individuals to conduct lead investigations, risk assessments, case management, community outreach, and other services necessary to implement this ordinance.

Section 3. That the agreements shall be prepared by the Director of Law.

Section 4. That the costs of the contracts shall be paid from compensation received from the Ohio Department of Health for environmental lead investigations conducted by the City under Section 1 of this ordinance and deposited into Fund No. 10 SF 304.

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

Passed May 11, 2015.
Effective May 13, 2015.

Ord. No. 445-15.

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

An emergency ordinance to amend the title and Section 1 of Ordinance No. 830-14, passed August 20, 2014, relating to applying for and accepting a grant from the Cuyahoga County Solid Waste Management District for the Solid Waste Disposal 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 title and Section 1 of Ordinance No. 830-14, passed August 20, 2014, are amended to read as follows:

An Emergency Ordinance authorizing the Director of Public Health to apply for and accept a grant from Cuyahoga County Solid Waste Management District for the 2015-17 Solid Waste Disposal Program.

Section 1. That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$70,000 for each year of the grant, and any other funds that may become available during the grant term, from the Cuyahoga County Solid Waste Management District to conduct the 2015-17 Solid Waste Disposal Program; that the Director is authorized to file all papers and execute all documents necessary to

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

Section 2. That the existing title and Section 1 of Ordinance No. 830-14, passed August 20, 2014, are repealed.

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

Passed May 11, 2015.

Effective May 13, 2015.

Ord. No. 446-15.

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Commission on Minority Health for the 2015-17 Cleveland Office on Minority Health 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 Health is authorized to apply for and accept a grant in an approximate amount of \$42,500, for each year of the grant, and any other funds that may become available during the grant term from the Ohio Commission on Minority Health to conduct the 2015-17 Cleveland Office on Minority Health Grant; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

Section 2. That the summary for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 446-15-A, is made a part of this ordinance as if fully rewritten, is approved in all respects, and shall not be changed without additional legislative authority.

Section 3. That the Director of Public Health shall have the authority to extend the term of the grant during the grant term.

Section 4. That the Director of Public Health shall deposit the grant accepted under this ordinance into a fund or funds designated by the Director of Finance to implement the program as described in the file and appropriated for that purpose.

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

Passed May 11, 2015.

Effective May 13, 2015.

Ord. No. 447-15.

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 2015-17 Cities Readiness Initiative Program; authorizing one or more contracts with various agencies, entities, or individuals; and authorizing the purchase or lease of television and radio advertising time and other media.

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

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

Section 1. That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$527,357, for each year of the grant, and any other funds that may become available during the grant term from the Ohio Department of Health to conduct the 2015-17 Cities Readiness Initiative ("CRI") Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

Section 2. That the summary for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 447-15-A, is made a part of this ordinance as if fully rewritten, is approved in all respects, and shall not be changed without additional legislative authority.

Section 3. That the Director of Public Health shall have the authority to extend the term of the grant during the grant term.

Section 4. That the Director of Public Health shall deposit the grant accepted under this ordinance into a fund or funds designated by the Director of Finance to implement the program as described in the file and appropriated for that purpose.

Section 5. 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 Health 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. The contracts will be paid from the fund or funds to which are credited any grant funds accepted under this ordinance.

Section 6. That the Director of Public Health is authorized to enter into one or more contracts with the Cuyahoga County Board of Health, Ashtabula County Health Department, Ashtabula County Health Department, Conneaut City Health Department, Elyria City Health Department, Geauga County Health District, Lake County General Health District, Lorain City Health Department, Lorain County General Health District, Medina County Health Department, Shaker Heights Health Department, and other agencies, entities, or individuals needed to implement the grant as described in the file.

Section 7. That the Director of Public Health is authorized to make one

or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the purchase or lease, during the grant term, of television and radio advertising time and other media, for the Department of Public Health.

Section 8. That the costs of the contract or contracts authorized by this ordinance shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance.

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

Passed May 11, 2015.

Effective May 13, 2015.

Ord. No. 448-15.

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Cuyahoga County Board of Health for the 2015-17 Public Health Emergency Preparedness Grant Program, Emergency Ebola Supplemental.

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

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

Section 1. That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$78,801, for each year of the grant, and any other funds as they become available during the grant term, from the Cuyahoga County Board of Health to conduct the 2015-17 Public Health Emergency Preparedness Grant Program, Emergency Ebola Supplemental; that the Director of Public Health is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes set forth in the administrative summary for the grant contained in the file described below.

Section 2. That the summary for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 448-15-A, is made a part of this ordinance as if fully rewritten, is approved in all respects, and shall not be changed without additional legislative authority.

Section 3. That the Director of Public Health shall have the authority to extend the term of the grant during the grant term.

Section 4. That the Director of Public Health shall deposit the grant accepted under this ordinance into a fund or funds designated by the Director of Finance to implement the program as described in the file and appropriated for that purpose.

Section 5. That, unless expressly prohibited by the grant agreement, under Section 108(b) of the Charter, purchases made under the grant agreement may be made through cooperative arrangements with other governmental agencies. The Director

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

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

Passed May 11, 2015.
Effective May 13, 2015.

Ord. No. 449-15.

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Cuyahoga County Board of Health for the 2015-17 Public Health Emergency Preparedness Grant Program.

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

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

Section 1. That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$177,965, for each year of the grant, and any other funds as they become available during the grant term, from the Cuyahoga County Board of Health to conduct the 2015-17 Public Health Emergency Preparedness Grant Program; that the Director of Public Health is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes set forth in the administrative summary for the grant contained in the file described below.

Section 2. That the summary for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 449-15-A, is made a part of this ordinance as if fully rewritten, is approved in all respects, and shall not be changed without additional legislative authority.

Section 3. That the Director of Public Health shall have the authority to extend the term of the grant during the grant term.

Section 4. That the Director of Public Health shall deposit the grant accepted under this ordinance into a fund or funds designated by the Director of Finance to implement the program as described in the file and appropriated for that purpose.

Section 5. That, unless expressly prohibited by the grant agreement, under Section 108(b) of the Charter, purchases made under the grant agreement may be made through cooperative arrangements with other governmental agencies. The Director of Public Health may sign all documents and do all things that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through

that cooperative process. The contracts will be paid from the fund or funds to which are credited any grant funds accepted under this ordinance.

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

Passed May 11, 2015.
Effective May 13, 2015.

Ord. No. 478-15.

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

An emergency ordinance appropriating Community Development Block Grant funds and Federal HOME funds for the operation of the Low Interest Loan and Grant Programs; and to enter into one or more contracts with various agencies to implement these programs.

Whereas, the City of Cleveland has received a Community Development Block Grant, Year 41 and 2015 Federal HOME grant funds, from the United States Government; 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 Community Development is authorized to expend funds from CDBG Fund No. 14 SF 041 in the amount of \$192,700, and Federal HOME Program Fund No. 19 SF 690 in the amount of \$295,000, and prior years balances for the operation of Low Interest Loan and Grant Home Repair Programs, including all related services. Programs include: Senior Home Owners Assistance Program (SHAP), Afford-A-Home (AAH), Repair-A-Home (RAH), Corrective Action Grant, Housewarming, Furnace Repair, Home Maintenance Assistance Program (HMAP), Lead Hazard Abatement, Tree Removals and Gutter Cleaning Program. Request No. RQS 8006, RL 2015-0059.

Section 2. That the Director of Community Development is authorized to enter into one or more contracts with various non-profit agencies, rehabilitation service providers, tenants, homeowners, and entities providing services necessary to process loans and grants to implement the Low Interest Loan and Grant Programs in the City of Cleveland.

Section 3. That the Director of Community Development is authorized to accept monies in repayment under the programs and to utilize the repayments, and other program income in a revolving fund for additional expenditures under these programs and administrative expenses, which repayments and program income are appropriated for those purposes.

Section 4. That the City is authorized to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of loans made under this program.

Section 5. That the Director of Community Development is authorized to

enter into forbearance agreements with any recipient of a validly existing loan administered by the City, and to charge and accept fees to cover costs incurred in the preparation of loan documents, closing, and servicing costs. Such fees shall be deposited into Fund No. 14 and are hereby appropriated for the purposes of the Low Interest Loan and Grant Program.

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

Passed May 11, 2015.
Effective May 13, 2015.

Ord. No. 479-15.

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

An emergency ordinance authorizing the Director of Community Development to enter into contracts for Commercial Revitalization and rebate, grant, and/or loan agreements with Storefront Renovation Program applicants, and to enter into agreements for eligible costs to community development corporations for implementation of the Storefront Renovation and Commercial Revitalization Programs.

Whereas, the City has created a Storefront Renovation Program to encourage exterior rehabilitation of buildings in targeted areas in the City of Cleveland; and

Whereas, the City is creating a Commercial Revitalization Program to further encourage rehabilitation, increase the availability of goods and services for low and moderate income residents, and create employment in the City; 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 Community Development is authorized to enter into rebate, grant, and/or loan agreements with Storefront Renovation Program applicants, and contracts for eligible administrative costs, consulting, or professional services, and expenses to community development corporations for implementation of the Commercial Revitalization and Storefront Renovation Programs. The Director is also authorized to provide compensating balance deposits to designated lenders via approved non-profit corporations in return for below market interest rate commercial loans to be used in the Storefront Renovation Program.

Section 2. That the Director of Community Development is authorized to enter into contracts with Commercial Revitalization Program applicants.

Section 3. That the Director of Community Development is authorized to accept program income monies in repayment from community development corporations under the Storefront Renovation Program and to utilize this program income, other Community Development Block Grant program income, and kiosk program

income in a revolving fund, for Commercial Revitalization and Storefront Renovation program expenditures.

Section 4. That the City is authorized to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of loans, costs, and fees under the City's Storefront Renovation Program and Commercial Revitalization Program.

Section 5. That the Director of Community Development is authorized to enter into forbearance agreements with any recipient of a validly existing loan, administered by the City for Commercial Revitalization or Storefront Renovation.

Section 6. That the Director of Community Development is authorized to collect from persons or entities with whom the City is entering into loan agreements or forbearance agreements an amount equal to any amount spent for services related to such agreements, such as title searches, credit bureau reports and document filing fees. Such fees shall be deposited into Fund No. 14.

Section 7. That the total of the contracts, grant agreements, loan agreements, and rebate agreements authorized may not exceed \$192,241, plus amounts deposited in the revolving fund established in Section 3 of this ordinance and any prior years balances and will be paid from Fund Nos. 13 SF 872 and 14 SF 041, Request No. RQS 8006, RL 2015-60.

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 the after the earliest period allowed by law.

Passed May 11, 2015.
Effective May 13, 2015.

Ord. No. 483-15.
By Council Members Brancatelli and Kelley (by departmental request).

An emergency ordinance appropriating Community Development Block Grant funds for anti-predatory lending and foreclosure prevention assistance, financial literacy programs, fair housing, and administrative costs to implement the programs.

Whereas, the City of Cleveland has received a Community Development Block Grant, Year 41, from the United States Government; 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 CDBG funds in the amount of \$183,366 are appropriated for anti-predatory lending and foreclosure prevention assistance, financial literacy programs, fair housing, and administrative costs to implement the programs.

Section 2. That the Director of Community Development is authorized to enter into one or more contracts with various organizations to provide counseling, training, marketing, program evaluation and other services required for anti-predatory lending

and foreclosure prevention assistance, financial literacy, fair housing activities and to expend funds for administrative costs to implement the programs.

Section 3. That the aggregate cost of the contracts and administrative costs shall not exceed \$183,366 and shall be paid from Fund 14 SF 041, Request No. RQS 8006, RL 2015-55.

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 May 11, 2015.
Effective May 13, 2015.

Ord. No. 484-15.
By Council Members Brancatelli and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contracts with one or more non-profit agencies to operate a community garden 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 enter into contracts with one or more non-profit agencies to operate a community gardening program.

Section 2. That the cost of the contract or contracts shall not exceed \$126,057, and shall be paid from Fund No. 14 SF 041, Request No. RQS 8006, RL 2015-56.

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

Passed May 11, 2015.
Effective May 13, 2015.

Ord. No. 515-15.
By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the issuance and sale of Subordinate Lien Unrestricted Income Tax Bonds to refund all or a portion of outstanding Series 2008 bonds issued to refinance a payment to the Police and Fire Pension Fund to obtain debt service savings and authorizing and approving related matters.

Whereas, under authority of Section 3 of Article XVIII of the Ohio Constitution, Section 717.07 of the Ohio Revised Code, the Charter of the City, Ordinance No. 367-94, passed by the City Council on March 14, 1994, and the Original Indenture (as defined in Section 1), the City issued its Subordinated Income Tax Variable Rate Refunding Bonds, Series 1994 (the "Series 1994 Bonds"), to provide for a payment to the Police and Fire Pension Fund of the State of

Ohio in satisfaction at a reduced amount of certain obligations of the City for employer's accrued liability to that Pension Fund; and

Whereas, under authority of Section 3 of Article XVIII of the Ohio Constitution, Section 717.07 of the Ohio Revised Code, the Charter of the City, Ordinance No. 290-08 passed by the City Council on February 25, 2008 and under a Trust Indenture dated as of August 1, 2008 (the "Trust Indenture"), between the City and U.S. Bank National Association (the "Trustee"), the City issued its Subordinate Lien Unrestricted Income Tax Bonds, Series 2008 (Police and Fire Pension Payment) (the "Series 2008 Bonds"), to currently refund all of its outstanding Series 1994 Bonds; and

Whereas, this Council has determined to authorize the issuance by the City of refunding bonds ("Refunding Bonds") for the purpose of refunding all or a portion of the City's outstanding Series 2008 Bonds (the "Refunded Bonds") to obtain debt service savings on all or a portion of the Refunded Bonds; and

Whereas, the Refunding Bonds and any additional series of Bonds issued under the Trust Indenture are payable from and secured by the Pledged Revenues (as defined in Section 1) under the terms of the Trust Indenture;

Whereas, the authorization for issuance of Refunding Bonds is necessary to enable the City to take advantage of favorable market conditions on a timely basis to obtain debt service savings and thereby to protect and preserve the credit of the City, and as a result, this Ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health and safety, and for the usual daily operation of a municipal department; now, therefore,

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

Section 1. Definitions. In addition to the words and terms elsewhere defined in this Ordinance, including its preambles, unless the context or use clearly indicates another or different meaning or intent:

"Certificate of Award" means the certificate authorized by Section 3, to be executed by the Director of Finance, setting forth and determining those terms or other matters pertaining to the Refunding Bonds that this Ordinance requires or authorizes to be set forth or determined in it.

"Credit Support Instrument" means an insurance policy, surety, letter of credit, or other instrument used to enhance or provide for the security of Refunding Bonds.

"Debt Service Charges" means, for any period or time, the principal of (whether at stated maturity, by mandatory sinking fund redemption, by acceleration or otherwise) and interest and any premium due on the Obligations (as defined in the Trust Indenture) for that period or payable at that time, as the case may be.

"Financial Advisor" means any financial advisory firm or firms retained by the Director of Finance of the City, from time to time, pursuant to Section 13.

"First Supplemental Indenture" means First Supplemental Trust Indenture, between the City and the Trustee, supplementing the Trust Indenture and providing terms specific to the Refunding Bonds.

"General Bond Ordinance" means Ordinance No. 1749-80 passed by the Council on October 8, 1980, as amended by Ordinance No. 1112-83 passed by the Council on May 6, 1983, and Ordinance No. 944-96, passed by the Council on June 10, 1996.

"Indenture" means the Trust Indenture, as supplemented and amended from time to time, including by the First Supplemental Indenture.

"Original Indenture" means the Indenture of Trust dated as of May 15, 1994, between the City and the Original Trustee, securing the Series 1994 Bonds, as supplemented and amended by the First Supplemental Indenture of Trust dated as of May 8, 1998, the Second Supplemental Indenture of Trust dated as of March 9, 1999, and the Third Supplemental Indenture of Trust dated as of June 1, 1999.

"Original Trustee" means U.S. Bank National Association, as trustee under the Original Indenture.

"Pledged Revenues" means the lesser of (i) the Unrestricted Income Tax Receipts, or (ii) the Unrestricted Income Tax Receipts remaining after the City's Central Collection Agency has withheld and paid to the Escrow Agent, as defined in the General Bond Ordinance, the amount required by Section (b) of the General Bond Ordinance to be withheld and paid to the Escrow Agent and after payment of any other amounts required to honor the pledge of income tax receipts of the City in Section 9 of the General Bond Ordinance.

"Refunding Bonds" means the Refunding Bonds authorized by this Ordinance.

"Unrestricted Income Tax Receipts" means the gross income tax receipts of the City net of the amount restricted by Chapter 191 of the Codified Ordinances of the City to the payment of capital expenditures.

Unless otherwise indicated, any reference to a Section is a reference to a Section of this Ordinance.

Section 2. Purpose, Authority, and Authorized Principal Amount. This Council finds and determines that it is necessary and proper and in the best interest of the City to authorize the issuance of Refunding Bonds for the purpose of refunding the Refunded Bonds. The Refunding Bonds are issued under authority of Article XVIII, Section 3 of the Ohio Constitution, Ohio Revised Code Section 717.07, the Charter of the City, and this Ordinance. The principal amount of the Refunding Bonds is to be the amount set forth in the Certificate of Award authorized in Section 3 and shall be the amount determined by the Director of Finance, based on the written advice of a Financial Advisor, to be necessary (i) to refund the Refunded Bonds, (ii) to fund any deposit to a debt service reserve fund, (iii) to pay costs of any Credit Support Instruments, and (iv) to pay costs of issuing the Refunding Bonds and refunding the Refunded Bonds; provided that the aggregate net present value debt service savings resulting from the refunding of the Refunded Bonds is not less than 3%. The proceeds from the sale of the Refunding Bonds shall be deposited and applied as provided in the First Supplemental Indenture and for the purposes stated in this Ordinance, and those proceeds are appropriated for those purposes.

Section 3. Terms of Refunding Bonds. The final terms of the

Refunding Bonds shall be set forth in a written certificate to be signed and delivered by the Director of Finance upon the sale of the Refunding Bonds upon terms and conditions consistent with this Ordinance and that in the opinion of the Director of Finance, based on the written advice of a Financial Advisor, are in the best interests of the City (the "Certificate of Award"). The Refunding Bonds shall be dated the date of issuance or such other date as is designated in the Certificate of Award. The Refunding Bonds shall mature on the dates and in the respective principal amounts determined in the Certificate of Award, provided that the final maturity date shall be not later than the final maturity date of the Refunded Bonds. The Refunding Bonds shall bear interest from their date at the rate or rates per year set forth in the Certificate of Award, or if any Refunding Bonds bear interest at variable rate or rates, at the rate determined pursuant to the method identified in the Certificate of Award and set forth in the First Supplemental Indenture, until the principal amount of the Refunding Bonds is paid or payment is provided for. Interest on the Refunding Bonds shall be payable on the dates determined in the Certificate of Award and as further provided for in the First Supplemental Indenture. If any Refunding Bonds bear interest at a fixed rate, that rate shall not exceed 6% per year (computed on the basis of a 360-day year consisting of twelve 30-day months). If any Refunding Bonds bear interest at a variable rate or rates, those rates shall not exceed the rate set forth below.

The provisions of Sections 9.98 to 9.983 of the Revised Code shall apply to the Refunding Bonds and pursuant to that authority and this Ordinance, the Director of Finance may determine in the Certificate of Award, based on the written advice of a financial advisor, that the City's best interests will be served by causing all or a portion of the Refunding Bonds to be obligations bearing interest at variable rates. If the Director of Finance so determines, then the Director of Finance shall specify in the Certificate of Award the method and procedure by which the variable rate of interest to be borne by the variable rate Refunding Bonds shall be determined; provided that the variable rate Refunding Bonds shall not bear interest at a rate in excess of 25% per year. The Director of Finance is authorized to enter into agreements in connection with the delivery of the variable rate Refunding Bonds, and from time to time thereafter so long as the variable rate Refunding Bonds are outstanding, with providers of Credit Support Instruments and others as may be determined by the Director of Finance, based on the written advice of a financial advisor, to be necessary or appropriate to provide for the method of determining the variable interest rates, permitting holders the right of tender, providing for liquidity or credit support for the payment of the variable rate Refunding Bonds upon tender for purchase or redemption, and providing for the repayment by the City of any amounts drawn under the Credit Support Instrument.

The Director of Finance, based on the written advice of a Financial Advisor, shall further determine and specify in the Certificate of Award

whether any of the Refunding Bonds are subject to optional redemption prior to maturity, the earliest date on which redeemable Refunding Bonds shall be subject to prior redemption, which shall not be later than ten years from the first interest payment date, and the applicable redemption premium for the redeemable Refunding Bonds, which shall be not greater than 102% of the principal amount redeemed. The Refunding Bonds may be subject to purchase by the City in lieu of optional redemption if and to the extent provided in the Certificate of Award and the First Supplemental Indenture.

Section 4. Form; Exchange; Execution. The Refunding Bonds shall be issued in fully registered form. The Refunding Bonds initially shall be delivered only in book-entry form, shall be registered in the name of the Depository (as defined in the Indenture) or its nominee, as registered owner, and immobilized in the custody of the Depository, and shall not be transferable or exchangeable (except for transfer to another Depository or its nominee) without further action by the City pursuant to the provisions of the Indenture. The principal and any redemption premium and the interest payable on each Refunding Bond shall be payable at the times, to the persons and in the manner set forth in, or referenced by, the Indenture, including, without limitation, provisions thereof permitting special arrangements for payments to the Depository. The Refunding Bonds shall be signed by the persons and in the manner set forth in the Indenture. The Refunding Bonds shall be numbered as determined by the Director of Finance.

Section 5. Sale of Refunding Bonds. The Refunding Bonds shall be sold at not less than 97% of par plus accrued interest at private sale by the Director of Finance to one or more financial institutions selected by the Director of Finance based on an evaluation of the qualifications of firms that have proposed to underwrite the Refunding Bonds (collectively, the "Original Purchaser") in accordance with law, the provisions of this Ordinance and the Certificate of Award. The Director of Finance shall cause the Refunding Bonds to be prepared, and have the Refunding Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Refunding Bonds if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. The Director of Finance is authorized to sign and deliver, in the name and on behalf of the City, a bond purchase agreement between the City and the Original Purchaser, or representative thereof (the "Purchase Agreement"), containing terms consistent with this Ordinance and that are determined by the Director of Finance, based on the written advice of a Financial Advisor, to be customary for revenue bonds issued by governmental entities, including, without limitation, representations as to the accuracy and completeness of information contained in the official statement of the City described below. The Director of Finance shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Purchase Agreement from the proceeds of the Refunding Bonds to the extent available and

then from Fund No. 01 SF 001 or from other money lawfully available and appropriated or to be appropriated for that purpose. The Mayor, the Director of Finance, the Clerk, the Director of Law, and other City officials, as appropriate, are each authorized to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance.

If, in the judgment of the Director of Finance, a disclosure document in the form of an Official Statement is appropriate or necessary in connection with the original issuance of the Refunding Bonds, the Director of Finance is authorized to prepare or cause to be prepared on behalf of the City an Official Statement and any necessary supplements and to authorize the use and distribution of that Official Statement and any supplements. The Director of Finance is authorized to sign on behalf of the City that Official Statement and any supplements. The Director of Finance is authorized to sign and deliver, on behalf of the City, such certificates in connection with the accuracy of the Official Statement and any supplements as may, in the Director's judgment, be necessary or appropriate. The Director of Finance is also authorized to determine and certify on behalf of the City that such disclosure document is "deemed final" by the City within the meaning of Securities and Exchange Commission Rule 15c2-12 (the "SEC Rule"). The Director of Finance is authorized to contract for services for the production and distribution of preliminary and final official statements, including by printed and electronic means.

For the benefit of the holders and beneficial owners from time to time of the Refunding Bonds, the City agrees, in accordance with, and as the only obligated person with respect to the Refunding Bonds under the SEC Rule, to provide or cause to be provided such financial information and operating data and notices, in such manner, as may be required for purposes of the SEC Rule. In order to describe and specify certain terms of the City's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Director of Finance is authorized to prepare or cause to be prepared, and to sign and deliver, in the name and on behalf of the City, a continuing disclosure agreement or certificate, which shall constitute the continuing disclosure agreement made by the City for the benefit of the holders and beneficial owners of the Refunding Bonds in accordance with the SEC Rule. The performance of that agreement shall be subject to the availability of funds and their annual appropriation to meet costs the City would be required to incur to perform it. The Director of Finance is further authorized to establish procedures in order to ensure compliance by the City with its continuing disclosure agreement, including the timely provision of information and notices.

Section 6. Security and Source of Payment. The Refunding Bonds shall be special obligations of the City, and the Debt Service Charges on the Refunding Bonds shall be payable

solely from the Pledged Revenues. The payment of Debt Service Charges on the Refunding Bonds will be secured by the Indenture and by a pledge of and lien on the debt service fund and any debt service reserve fund held by the Trustee under the Indenture. The Refunding Bonds do not and shall not represent or constitute a general obligation debt or pledge of the faith and credit of the City.

Section 7. Pledge and Covenant to Maintain Income Tax. So long as the Refunding Bonds are outstanding under the Indenture, the City pledges the Pledged Revenues and grants a lien thereon, subordinate to the lien granted in the General Bond Ordinance as security for the general obligation bonds of the City issued and outstanding under the General Bond Ordinance, to the full extent required to meet Debt Service Charges payable on the Refunding Bonds and any Debt Service Charges on Parity Obligations (as defined in the Indenture). The City covenants to appropriate annually sufficient amounts from the income taxes for such purpose. The City further covenants that so long as any Refunding Bonds are outstanding under the Indenture, the City shall not repeal or amend, or suffer the repeal of, any ordinance for the levy or collection of its unrestricted income taxes in any manner or to such extent that the City would not be able to meet its obligations to the holders of the Refunding Bonds.

Section 8. Supplemental Indenture. The Director of Finance is authorized to sign and deliver on behalf of the City a supplemental trust indenture (the "First Supplemental Indenture"), supplementing the Trust Indenture to provide procedures for the authentication, registration and transfer of the Refunding Bonds, redemption of Refunding Bonds, payments under any Credit Support Instrument authorized by Section 12, application of the proceeds of the Refunding Bonds, defeasance of the Refunding Bonds, and other terms consistent with this Ordinance and the Certificate of Award and approved by the Director of Finance as not substantially adverse to the City. The First Supplemental Indenture shall be approved as to form by the Director of Law. The determination by the Director of Finance that the provisions of the First Supplemental Indenture are not substantially adverse to the City shall be conclusively evidenced by the Director's signing of the First Supplemental Indenture. As appropriate under the Charter, the Mayor, the Director of Finance, the Director of Law, the Clerk of Council and other appropriate officers of the City are, and each of them is, authorized to sign, acknowledge and deliver, in the name and on behalf of the City, such documents, certifications and instruments in addition to the Trust Indenture and First Supplemental Indenture as may be necessary or appropriate to issue and sell the Refunding Bonds and to consummate the transactions authorized by this Ordinance.

Section 9. Refunding of Refunded Bonds; Escrow Agreement. The Director of Finance is authorized to sign and deliver, in the name and on behalf of the City, an escrow agreement between the City and the Trustee, as escrow trustee, providing for, among other matters: the investment and

holding in escrow of the proceeds of the Refunding Bonds to be applied to the refunding of the Refunded Bonds; the application of the moneys derived from those investments to the payment of the Debt Service Charges on the Refunded Bonds; and the conditional call for redemption of the Refunded Bonds. The Director of Finance shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the escrow agreement from proceeds of the Refunding Bonds to the extent available and then from Fund No. 70 SF 001 or other money lawfully available and appropriated or to be appropriated for that purpose. Provision shall be made in the escrow agreement to give the Trustee any written notice of redemption required under the Trust Indenture. The Director of Finance and other appropriate City officials shall sign all documents and take all other actions necessary or appropriate on the part of the City to effect such refunding in accordance with the escrow agreement, the Trust Indenture and to cause the Refunded Bonds to be deemed paid and discharged, including without limitation, the retention of an independent firm of accountants to verify the mathematical accuracy of the calculations relating to the escrow.

Section 10. Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Refunding Bonds in such manner and to such extent as may be necessary so that (a) the Refunding Bonds will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Internal Revenue Code of 1986, as amended (the Code) or (ii) be treated other than as bonds to which Section 103(a) of the Code applies, and (b) the interest thereon will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Refunding Bonds to be and to remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Refunding Bonds to the governmental purpose of the borrowing, (ii) restrict the yield on investment property acquired with those proceeds, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

Each covenant made in this section with respect to the Refunding Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Refunding Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Refunding Bonds from gross income for federal income tax purposes, and the officers identified above

are authorized to take actions with respect to those issues as they are authorized in this section to take with respect to the Refunding Bonds.

The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for issuance of the Refunding Bonds is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the City with respect to the Refunding Bonds as the City is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in Section 148(f)(4)(C) of the Code or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Refunding Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing rebate amounts or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Refunding Bonds, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Refunding Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Refunding Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Refunding Bonds.

Section 11. Authorization of Hedging Arrangements. This Council finds that by engaging in interest rate hedging arrangements with respect to Bonds the City may reduce its cost of borrowing by optimizing the relative amounts of its fixed and variable rate obligations or minimizing the risk of variations in its debt service costs or obtaining savings by confirming rates of interest on Bonds in advance of their issuance. To permit the City to have the flexibility to undertake with respect to Bonds interest rate swap, swaption, rate cap, rate collar and other hedging transactions, from time to time, and to establish the procedures for approving those transactions, this Council authorizes the signing and delivery of one or more agreements, including amendments or supplements to existing agreements (each, a "Hedge Agreement"), and any related agreements necessary for the consummation of the transactions contemplated by each Hedge Agreement or to achieve or maintain compliance with federal regulations applicable to the Hedge Agreement, if any, and the payment of any amounts owed in connection with each Hedge Agreement. The authorizations in this Section are supplemental to and not in derogation of any authority provided by any other ordinance of this Council concerning hedging arrangements.

Upon the determination of the Director of Finance, based on the written advice of a Financial Advisor, that it is to the financial advantage of the City and in the City's best interests that a hedging arrangement be undertaken by the City with respect to any Bonds issued or to be issued under the Indenture, the Director of Finance may authorize one or more interest rate hedge transactions in accordance with the applicable Hedge Agreement; provided that (a) the counterparty shall be rated at the time of signing the Hedge Agreement not lower than "A" by at least one rating agency or its obligations under the Hedge Agreement shall be guaranteed or insured by an entity rated at the time of signing the Hedge Agreement not lower than "A" by at least one rating agency, with such rating in either case determined without regard to a gradation by numerical or plus or minus or other modifier and (b) the term of each hedge transaction shall not exceed the final maturity of the Bonds to which the hedge relates.

The Director of Finance shall negotiate the terms of each Hedge Agreement with a counterparty satisfying the credit criteria in this Ordinance. The City shall receive a written opinion of a Financial Advisor that the payments to be made by the counterparty to the City, or by the City to the counterparty, shall be fair value for the Hedge Agreement, considering, among other things, the credit of the City and the counterparty and the terms and conditions of the Hedge Agreement. The Director of Finance shall determine the terms and conditions of the Hedge Agreement, including without limitation, the rates to be paid by the counterparty to the City and by the City to the counterparty under the Hedge Agreement, the time or times and procedures for the exercise by the counterparty or the City, as the case may be, of any option under the Hedge Agreement, and whether the obligations of the City under the Hedge Agreement shall be secured by a Credit Support Instrument. The approval of each interest rate hedge transaction by the Director of Finance shall be conclusively evidenced by the signing and delivery of the applicable Hedge Agreement by the Director of Finance.

The Director of Finance is authorized to terminate any Hedge Agreements in whole or in part or any Credit Support Instrument securing a Hedge Agreement if the Director of Finance determines, based on the written advice of a Financial Advisor, that the City's best interests will be served by such termination. The Director of Finance is further authorized to enter into amendments, novations, assignments or modifications of a Hedge Agreement or any Credit Support Instrument securing a Hedge Agreement determined by the Director of Finance, based on the written advice of a Financial Advisor, that the City's best interests will be served by such amendment or modification.

The City's obligations under any Hedge Agreement shall be payable from the Pledged Revenues and may be payable also from other funds permitted by law to be used for the purpose, as identified by the Director of Finance in the Hedge Agreement. Those payments may be secured by a pledge of Pledged Revenues that may

be subordinate to the pledge of Pledged Revenues for the Bonds, to the extent permitted by the Indenture, all as determined by the Director of Finance and set forth in the Hedge Agreement. The obligation of the City to make payments under any Hedge Agreement does not and shall not represent or constitute a general obligation, debt, bonded indebtedness or a pledge of the faith and credit of the City or the State of Ohio. Nothing gives any party to any Hedge Agreement the right to have excises, ad valorem or other taxes levied by the City or the State of Ohio for the payment of any amounts due under any Hedge Agreement.

Section 12. Credit Facilities and Ratings. If, in the judgment of the Director of Finance, based on the written advice of a Financial Advisor, the filing of an application for a rating on the Refunding Bonds by one or more nationally recognized rating agencies is in the best interests of the City, the Director of Finance is authorized to prepare and submit those applications and to provide to each such agency such information as may be required for the purpose. The Director of Finance is authorized to contract for one or more Credit Support Instruments for any Series of Refunding Bonds or designated portions thereof if the Director determines, based on the written advice of a Financial Advisor, that the Credit Support Instruments will result in debt service savings to the City. The cost of obtaining each rating and the cost of obtaining each Credit Support Instrument, except to the extent paid by the Original Purchaser in accordance with the Bond Purchase Agreement, shall be paid from the proceeds of Refunding Bonds or funds appropriated for that purpose.

Section 13. Financial Advisor. The Director of Finance may obtain the services of one or more Financial Advisors, from time to time, to assist the Director of Finance in making any of the determinations required by this Ordinance to be determined by the Director of Finance. The Director of Finance may rely on the written advice of any Financial Advisor so retained. Any Financial Advisor or consultant employed under the authority of this Ordinance shall be disinterested in the transaction and be independent of the underwriters or counterparties and any other party interested in the transaction.

Section 14. Interpretation and Legislative Intent. Any provisions of the Codified Ordinances of the City that are inconsistent with the provisions of this Ordinance shall not apply to the Refunding Bonds or matters authorized herein.

All terms, conditions, pledges, covenants or agreements on the part of the City provided for in this Ordinance are made by the voluntary act of the City under its lawful authority, including its authority under its Charter and Article XVIII of the Constitution of Ohio.

Nothing in this Ordinance is intended to, and no provision hereof shall be applied in any manner as would, impair the obligation of contract of the City with respect to any outstanding bonds, notes, certificates of indebtedness, other obligations, trust indentures, trust agreements, or other agreements or contracts made or entered into by the City and for which

consideration was duly received by the City prior to the passage of this Ordinance or the General Bond Ordinance.

Section 15. Validity. This Council finds and determines that this Ordinance was passed in compliance with all applicable provisions of the City's Charter and the rules of this Council. This Council further finds and determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Refunding Bonds in order to make them legal, valid, and binding special obligations of the City have been performed and have been met, or will at the time of delivery of the Refunding Bonds have been performed and have been met, in regular and due form as required by law, and that no limitation of indebtedness or taxation, either statutory or constitutional, is applicable to the issuance of the Refunding Bonds.

Section 16. Delivery to County Fiscal Officer. The Director of Finance is directed to forward a certified copy of this Ordinance and of the Certificate of Award for the Refunding Bonds to the County Fiscal Officer of Cuyahoga County and to secure a receipt therefor.

Section 17. Captions, Headings, and Section References. The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit, or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs, or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

Section 18. Severability. Each section of this Ordinance and each subdivision or paragraph of any section is hereby declared to be independent, and the finding or holding of any section or any subdivision or paragraph of any section to be invalid or void shall not be deemed or held to affect the validity of any other section, subdivision or paragraph of this Ordinance.

Section 19. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

Section 20. Sunset of Authorization. The authority granted by this Ordinance shall expire three years from the effective date of this Ordinance. If a preliminary official statement with respect to the Refunding Bonds is distributed under the authority of this Ordinance at any time within the three-year period following its effective date, then the authority granted by this Ordinance shall not expire as to those Refunding Bonds. The Director of Finance shall notify the Chairman of the Finance Committee and the Clerk of this Council of the initiation of the issuance of any Refunding Bonds under the authority of this Ordinance.

Section 21. Emergency. This Ordinance is hereby declared to be an emergency measure for the immediate preservation of the public peace,

property, health and safety of the City by providing for the refunding of the Refunded Bonds, which will enable the City to obtain debt service savings and thereby protect and preserve the credit of the City, and for the usual daily operation of a municipal department, and, provided it receives the affirmative vote of two-thirds of all 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 May 11, 2015.

Effective May 13, 2015.

**Ord. No. 524-15.
By Council Member Kelley (by departmental request).**

An emergency ordinance authorizing the Director of Finance to employ one or more professional consultants to provide workers' compensation and actuarial services, for a period of one year, with a one-year option to renew, exercisable by the Director of Finance.

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

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

Section 1. That the Director of Finance 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 for a comprehensive workers compensation program, including but not limited to, actuarial and auditing services, disability and account management, preparing reports, scheduling and payment of medical exams, claims settlement, handicap reimbursement, investigations, and filing claims appeals and other duties for a one year period, with a one-year option to renew, exercisable by the Director of Finance.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Finance from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Finance 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 and certified by the Director of Finance.

Section 2. That the cost of contract or contracts authorized shall be paid from Fund No. 01-1501-6380, Request No. RQS 1501, RL 2015-80.

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

Passed May 11, 2015.

Effective May 13, 2015.

Ord. No. 544-15.

By Council Member Kelley.

An emergency ordinance authorizing the Clerk of Council to enter into an amendment to the agreement with Saint Martin De Porres High School Work Study Program, City Contract No. 2014-108 for additional money in order to continue participation under the agreement as a sponsor of students for work/study positions with Cleveland City Council.

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

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

Section 1. That the Clerk of Council is authorized to enter into an amendment to the agreement with Saint Martin De Porres High School Work Study Program, City Contract No. 2014-108 to add Six Thousand Dollars (\$6,000.00) to the agreement in order to continue participation as a sponsor of students for work/study positions with Cleveland City Council. The additional amount shall be certified from fund number 01, subfund 001, department 0101, object 6320.

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

Passed May 11, 2015.

Effective May 13, 2015.

Ord. No. 559-15.

By Council Member Reed.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into an agreement with Mt. Pleasant NOW Development Corporation for the Mt. Pleasant Historical Markers Project through the use of Ward 2 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into agreement with The Mt. Pleasant NOW Development Corporation for the Mt. Pleasant Historical Markers Project for the public purpose of providing public art with historical content on the Mt. Pleasant neighborhood in the city of Cleveland through the use of Ward 2 casino revenue funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$18,000 and shall be paid from Fund No. 10 SF 188.

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

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

effect and be in force from and after the earliest period allowed by law.

Passed May 11, 2015.

Effective May 13, 2015.

Ord. No. 560-15.

By Council Member Reed.

An emergency ordinance authorizing the Director of the Department of Public Health to enter into an agreement with Union Miles Development Corporation for the Health and Human Services Community Fair through the use of Ward 2 Casino Revenue 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 Public Health is authorized to enter into an agreement with the Union Miles Development Corporation for the Health and Human Services Community Fair for the public purpose of providing health education and health screenings to city of Cleveland residents through the use of Ward 2 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$26,587 and shall be paid from Fund No. 10 SF 188.

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

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

Passed May 11, 2015.

Effective May 13, 2015.

Ord. No. 573-15.

By Council Member Cimperman.

An emergency ordinance authorizing and directing the Director of Capital Projects to issue a permit to St. Wendelin Parish to stretch a banner on Columbus Avenue, adjacent to the parish, for the period from May 13, 2015 to June 12, 2015, inclusive, welcoming the community.

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 Capital Projects is hereby authorized and directed to issue a permit to St. Wendelin Parish to stretch a banner on Columbus Avenue, adjacent to the parish, for the period from May 13, 2015 to June 12, 2015, inclusive. Said banner shall be approved by the Director of Capital Projects, 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.

Passed May 11, 2015.

Effective May 13, 2015.

Ord. No. 574-15.

By Council Member Conwell.

An emergency ordinance authorizing and directing the Director of Capital Projects to issue a permit to the Apostolic Faith Tabernacle, City of Hope Ministries to stretch a banner on the east and west corner of East 105th & Columbia Avenue, for the period from May 13, 2015 to June 12, 2015, publicizing Friends & Family Weekend on June 12, 2015.

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 Capital Projects is hereby authorized and directed to issue a permit to the Apostolic Faith Tabernacle, City of Hope Ministries to stretch a banner on the east and west corner of East 105th & Columbia Avenue, for the period from May 13, 2015 to June 12, 2015, inclusive. Said banner shall be approved by the Director of Capital Projects, 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.

Passed May 11, 2015.

Effective May 13, 2015.

Ord. No. 575-15.

By Council Members Cimperman and Zone.

An emergency ordinance consenting and approving the issuance of a permit for the Cleveland Triathlon on July 26, 2015, sponsored by Pacific Sports LLC.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Cleveland Triathlon on July 26, 2015, start: Voinivich Park; Swim Course: North Coast Harbor area; Bike Course: Cleveland Memorial Shoreway from East 9th Street to West Boulevard (eastbound Shoreway only); Run Course: Cleveland Memorial Shoreway and Lakeside Avenue; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed May 11, 2015.

Effective May 13, 2015.

Ord. No. 576-15.

By Council Member Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for the Gold Jacket 5K on June 7, 2015, sponsored by the Pro Football Hall of Fame.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Gold Jacket 5K on June 7, 2015, start: Lakeside Avenue at Mall C; Lakeside east to East 18th Street; East 18th south to Carnegie Avenue; Carnegie west to East 9th Street; East 9th north to St. Clair Avenue; St. Clair west to West 3rd Street; West 3rd north to Lakeside Avenue; Lakeside east to Mall C—Finish Line; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

Passed May 11, 2015.
Effective May 13, 2015.

Ord. No. 577-15.
By Council Member Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for the Susan G. Komen Race for the Cure on September 12, 2015, managed by Hermes Sports & Events, Inc.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Susan G. Komen Race for the Cure on September 12, 2015, start: Lakeside Avenue and East 6th Street; Lakeside east to East 18th Street; East 18th south to Euclid Avenue; Euclid west to East 12th Street; East 12th north to Lakeside Avenue; Lakeside west to East 9th Street; East 9th north to Erieside Avenue; Erieside west to West 3rd Street; West 3rd south to

Lakeside Avenue; Lakeside east to Mall C—Finish Line; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed May 11, 2015.
Effective May 13, 2015.

COUNCIL COMMITTEE MEETINGS

Monday May 18, 2015
9:30 a.m.

Health and Human Services Committee: Present: Cimperman, Chair; Cleveland, Cummins, J. Johnson. *Authorize Absence:* Mitchell, Vice

Chair; Brady, Conwell. *Pro tempore:* Brancatelli.

2:00 p.m.

Workforce and Community Benefits & Finance Committee: Present in Workforce: Cleveland, Chair; Zone, Vice Chair; J. Johnson, Kazy, Polensek, Pruitt, Reed. Present in Finance: Kelley, Chair; Cleveland, Vice Chair; Brancatelli, Conwell, Keane, Mitchell, Pruitt, Zone. *Authorized Absence:* Brady.

Finance Committee: Present: Kelley, Chair; Cleveland, Vice Chair; Brancatelli, Conwell, Keane, Mitchell, Pruitt, Zone. *Authorized Absence:* Brady.

Tuesday May 19, 2015
9:30 a.m.

Development, Planning and Sustainability Committee: Present: Cleveland, Vice Chair; Cimperman, Cummins, Pruitt. *Authorized Absence:* Brancatelli, Chair; Dow, Zone.

Wednesday May 20, 2015
1:00 p.m.

Municipal Services & Properties Committee: Present: K. Johnson, Chair; Dow, Vice Chair; Cummins, J. Johnson, Kazy, Reed. *Authorized Absence:* Brancatelli. *Pro tempore:* Kelley.

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O—Ordinance; R—Resolution; F—File
Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
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Apostolic Faith Tabernacle, City of Hope Ministries — East 105th St. (between Columbia & Kempton Ave.) — banners — May 19 to June 18 — Friends & Family Weekend on June 12 & 14, 2015 (O 615-15)	733
Supporting University Hospitals' decision to open a Level 1 trauma center (R 613-15)	733

Ward 10

Supporting University Hospitals' decision to open a Level 1 trauma center (R 613-15)	733
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Ward 12

Broadway Avenue Bridge over IR — 77 construction & relocating the ramp to Pershing Ave. — consent — Ohio Department of Transportation (ODOT) — Capital Projects Office (Ward(s) 05, 12) (O 601-15)	726
Supporting protections for tenants in foreclosed properties (R 612-15).....	732

Ward 13

Memphis Ave., 6101 — withdraw objection to renewal — repeal Res. 1016-14 — liquor permit (R 614-15) 734

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Supporting protections for tenants in foreclosed properties (R 612-15) 732

Ward 15

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Cleveland Triathlon — July 26th — Pacific Sports LLC. (Ward 03, 15) (O 575-15)..... **750**
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Lake Avenue north of Franklin Ave. (between W. 75th St. and W. 85th St.) — change Use District — City Planning Commission (O 398-15)..... 741
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Ward 17

Lorain Ave., and West 150th St. (southeast corner) — change Use, Area and Height Districts — City Planning Commission (O 249-15) 735
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