

The City Record

Official Publication of the Council of the City of Cleveland



May the Sixth, 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

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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 Trot, 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



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Vol. 102

WEDNESDAY, MAY 6, 2015

No. 5291

CITY COUNCIL

MONDAY, MAY 4, 2015

The City Record
Published weekly by the City Clerk,
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City of Cleveland
The City Record is available
online at
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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.

File No. 509-15.

From Diane Karpinski, Petition
Filer. Copy of a petition to be cir-
culated for an ordinance to be
placed on the ballot in November,
2016, supporting amending the U. S.
Constitution to establish that corpo-
rations are not people and money is
not speech, and providing for regu-
lar public hearings on these topics.
Received.

FROM OHIO DIVISION OF LIQUOR CONTROL

File No. 510-15.

RE: #8860446. Transfer of Owner-
ship Application, C1 C2. 3218 Able
LLC, 3218 East 135th St. (Ward 4).
Received.

File No. 511-15.

RE: #5830186. Transfer of Owner-
ship Application, C2 C2X. Memphis
Gas Inc., 7210 Memphis Ave. (Ward
13). Received.

File No. 512-15.

RE: #8113133. Transfer of Owner-
ship Application, C1 C2. Shrey LLC,
4852 Broadview (Ward 13).
Received.

File No. 513-15.

RE: #2455386. Stock Application,
C1 C2. 18506 St. Clair Ave. Inc., 18506
St. Clair Ave. (Ward 10). Received.

File No. 514-15.

RE: #4582355. New License Appli-
cation, D5J. Kenko Investment LLC,
11312 Euclid Ave. (Ward 6).
Received.

File No. 545-15.

RE: #1173825. New License Appli-
cation, D5A. CTF Hotel Holdings
Inc., 24 Public Square (Ward 3).
Received.

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 4, 2015

The meeting of the Council was
called to order at 7:01 p.m. with the
President of Council, Kevin J. Kel-
ley, in the Chair.

Council Members present: Dona
Brady, Anthony Brancatelli, Joe
Cimperman, Phyllis E. Cleveland,
Kevin Conwell, Brian J. Cummins,
TJ Dow, Jeffrey D. Johnson, Brian
Kazy, Kevin J. Kelley, Kenneth L.
Johnson, Martin J. Keane, Mamie J.
Mitchell, Michael D. Polensek, Ter-
rell H. Pruitt, and Zack Reed.

Also present were: Mayor Frank
G. Jackson, Chief of Staff Ken Sil-
liman, Chief Operating Officer Dar-
nell Brown, Chief of Regional Devel-
opment Edward W. Rybka, Chief of
Education Monyka S. Price, Chief of
Sustainability Jenita McGowan,
Chief of Public Affairs Natoya
Walker-Minor, and Directors
Langhenry, Smith, Spronz, Parrilla,
McGrath, Cox, O'Leary, Southering-
ton, Nichols, Griffin, Collier, Fumich,
Ambroz and Burrows.

Council Members, Administration,
Staff, and those in the audience rose
for a moment of silent reflection,
and the Pledge of Allegiance.

MOTION

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

COMMUNICATIONS

File No. 508-15.

From Ronald J. H. O'Leary, Direc-
tor, Department of Building and
Housing, City of Cleveland. Notice
of acceptance of a grant from Cuya-
hoga County Property Demolition
Fund-Round 1 Award, for demolition
of nuisance structures. Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 546-15—Dionne Tiffany
Edwards.

Res. No. 547-15—Reginald Evans.

Res. No. 548-15—Pauline Parks
Battle.

Res. No. 558-15—Bishop F. E.
(Floyd Eugene) Perry, Jr.

CONGRATULATIONS RESOLUTIONS

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

Res. No. 549-15—Ruth Robertson
Sasso.

Res. No. 550-15—Kayla Earnhart.
Res. No. 551-15—Meghan White.
Res. No. 552-15—Elder Robert E. Vaughn, Sr.
Res. No. 553-15—Martin “Marty” Sinclair.
Res. No. 554-15—Rev. Allen Harris.
Res. No. 555-15—Lea Kayali.
Res. No. 556-15—Sister Barbara Eppich.

RECOGNITION RESOLUTION

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

Res. No. 557-15—Cinco de Mayo — 2015.

FIRST READING EMERGENCY ORDINANCES REFERRED

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.

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

Ord. No. 516-15.

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

An emergency ordinance giving consent of the City of Cleveland to the County of Cuyahoga for the resurfacing of East 116th Street from Miles Road to Union Avenue; authorizing the Director of Capital Projects to enter into agreements; to apply for and accept an allocation of County Motor Vehicle License Tax Funds; and authorizing the Commissioner of Purchases and Supplies to acquire any real property and easements necessary for 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. Consent. That it is declared to be in the public interest that the consent of the City of Cleveland is given to the County of Cuyahoga (the "County") to construct the following improvement under plans, specifications, and estimates approved by the County: resurfacing of East 116th Street from Miles Road to Union Avenue (County ID No. 1170) (the "Improvement").

Section 2. Cooperation

(a) That the City will cooperate with the County in the Improvement.

(b) That the County will arrange for the preparation of construction plans and specifications, including necessary engineering reports for the Improvement, under Current Cuyahoga County standards for construction of County roads and bridges.

(c) That the County will arrange for the supervision and administration of the construction project.

(d) That 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 County to be not eligible or made necessary by the Improvement.

Section 3. Funding

(a) That the City agrees to cooperate with the County in the cost of the Improvement by an allocation from the County Motor Vehicle License Tax Fund; and by applying to the County to use the License Tax Funds for the Improvement.

(b) That the County shall secure and/or contribute one-hundred percent (100%) of the cost of design, construction, and construction supervision.

(c) That if funds administered by the Ohio Public Works Commission are used for the Improvement, the amount of the funds shall be applied to the County's share of the costs specified in this ordinance.

Section 4. Maintenance. That upon completion of the Improvement, the City will keep the highway open to traffic at all times; and

(a) Maintain the Improvement in accordance with the provisions of the statutes relating thereto and make ample financial provisions for the maintenance;

(b) Maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the County and hold the right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the right-of-way limits;

(c) That the County shall continue to maintain the structural elements of any bridge (defined as a structure with a span of twenty feet or greater) located within the limits of the Improvement under the applicable sections of the Revised Code; and

(d) After construction of the Improvement is complete, the City agrees to follow and maintain post-construction Best Management Practices as outlined in the Municipal Storm Water Permit that is filed with the Ohio Environmental Protection Agency.

Section 5. Traffic. That on completion of the Improvement, the City will

keep the highway open to traffic at all times; and

(a) Place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the Improvement in compliance with the provisions of Section 4511.11 of the Revised Code and other related sections of the Revised Code;

(b) That the street or highway within the limits of the Improvement is designated a through highway as provided in division (A)(6) of Section 4511.07 of the Revised Code;

(c) That stop signs affecting the movement of traffic on the street or highway within the Improvement shall be removed, and no stop signs shall be erected on same except at its intersection with another through highway where traffic does not warrant the installation of a traffic control signal but where the warrants for a "Four-Way Stop" as provided in the above-mentioned Manual are met;

(d) That no rule or regulation shall be enacted restricting the use of the Improvement by any class of vehicle or vehicle load permitted by the Revised Code to use a public highway. Any existing rule or regulation so restricting road usage is rescinded; and

(e) The City shall regulate parking in the following manner: Prohibit parking under Section 4511.66 of the Revised Code unless otherwise controlled by local ordinance or resolution.

Section 6. Right-of-Way

(a) That all existing street and public right-of-way within the City which is necessary for the Improvement shall be made available.

(b) That in the event any additional right-of-way is required, the City will arrange for the acquisition.

Section 7. Utilities

(a) That the City will make arrangements with and obtain arrangements from all privately-owned public utility companies whose lines or structures will be affected by the Improvement, and the companies have agreed to make any and all necessary arrangements in such a manner as to be clear of any construction called for by the plans for the Improvement, and the companies have agreed to make necessary rearrangements immediately after notification by the City.

(b) That the County will participate in the costs of alterations of governmentally-owned utility facilities which come within the provisions of Section 8204 (Utility Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual to the same extent that it participates in the other costs of the Improvement, provided, however, that such participation will not extend to any additions or betterments of existing facilities.

(c) That it is agreed that the City shall, at its own expense, make all rearrangements of water mains, service, lines, fire hydrants, valve boxes, sanitary sewers, or other city-owned utilities and/or appurtenances thereto which do not comply with the Provisions of Section 8204 (Utility Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual, whether inside or outside the corporate limits, as may be necessary to conform to the Improvement.

(d) That the construction, reconstruction, and/or arrangement of all utilities shall be done in a manner as not to interfere unduly with the operation of the contractor constructing the Improvement, and all backfilling of trenches made necessary by utility rearrangements shall be performed under the provisions of the ODOT Construction and Material Specifications.

Section 8. Miscellaneous

(a) That if the County is formally requested by ordinance of this Council to include the construction of sanitary sewers, water lines, area sewers (drainage of area surrounding the Improvement), sidewalks, alternate bid items, or other items in the Improvement that are in addition to those now existing and not provided for elsewhere in this ordinance, the County will do so, provided that the construction meets with the approval of the County and the City involved in this Improvement; and that the City agrees to pay, or make arrangements for the payment of the cost of the construction, cost of preliminary and design engineering, and construction supervision.

(b) For purposes of this ordinance, the agent for the County and liaison officer shall be the County Engineer of Cuyahoga County, Ohio, and/or such members of his staff as he may designate.

(c) That the City agrees to conduct this transaction by electronic means and agrees that all documents requiring County signatures may be executed by electronic means, and that the electronic signatures affixed by the County to the documents shall have the same legal effect as if that signature was manually affixed to a paper version of the document. The City also agrees on behalf of the aforementioned entities and persons to be bound by the provisions of Chapters 304 and 1306 of the Revised Code as they pertain to electronic transactions, and to comply with the electronic signature policy of the County.

Section 9. That the Director of Capital Projects is authorized to enter into agreements necessary to complete the Improvement.

Section 10. That the Director of Capital Projects is authorized to apply to the County for approval to use County Motor Vehicle License Tax funds to pay for the Improvement, to accept the funds and to file all papers and execute all documents necessary to receive the funds; and that the funds are appropriated for the purposes set forth above.

Section 11. That, notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is authorized to acquire, accept, and record for right-of-way purposes any real property and easements as is necessary to make the improvements described in this ordinance. The consideration to be paid for the property and easements shall not exceed fair market value to be determined by the Board of Control.

Section 12. That the Director of Capital Projects is authorized to execute on behalf of the City all documents necessary to acquire, accept, and record the property and easements and to employ and pay all fees for title companies, surveys, escrows,

appraisers, and all other costs necessary for the acquisition of the property and easements.

Section 13. That this Council requests the County to proceed with the Improvement.

Section 14. That the Clerk of Council is directed to transmit to the County three (3) certified copies of this ordinance immediately on its taking effect.

Section 15. 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. 517-15.

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

An emergency ordinance giving consent of the City of Cleveland to the County of Cuyahoga for the resurfacing of Eddy Road from St. Clair Avenue to Interstate 90; authorizing the Director of Capital Projects to enter into agreements; to apply for and accept an allocation of County Motor Vehicle License Tax Funds; and authorizing the Commissioner of Purchases and Supplies to acquire any real property and easements necessary for 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. Consent. That it is declared to be in the public interest that the consent of the City of Cleveland is given to the County of Cuyahoga (the "County") to construct the following improvement under plans, specifications, and estimates approved by the County; resurfacing of Eddy Road from St. Clair Avenue to Interstate 90 (County ID No. 1173) (the "Improvement").

Section 2. Cooperation

(a) That the City will cooperate with the County in the Improvement.

(b) That the County will arrange for the preparation of construction plans and specifications, including necessary engineering reports for the Improvement, under Current Cuyahoga County standards for construction of County roads and bridges.

(c) That the County will arrange for the supervision and administration of the construction project.

(d) That 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 County to be not eligible or made necessary by the Improvement.

Section 3. Funding

(a) That the City agrees to cooperate with the County in the cost of the Improvement by an allocation from the County Motor Vehicle License Tax Fund; and by applying to the County to use the License Tax Funds for the Improvement.

(b) That the County shall secure and/or contribute one-hundred percent

(100%) of the cost of design, construction, and construction supervision.

(c) That if funds administered by the Ohio Public Works Commission are used for the Improvement, the amount of the funds shall be applied to the County's share of the costs specified in this ordinance.

Section 4. Maintenance. That upon completion of the Improvement, the City will keep the highway open to traffic at all times; and

(a) Maintain the Improvement in accordance with the provisions of the statutes relating thereto and make ample financial provisions for the maintenance;

(b) Maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the County and hold the right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the right-of-way limits;

(c) That the County shall continue to maintain the structural elements of any bridge (defined as a structure with a span of twenty feet or greater) located within the limits of the Improvement under the applicable sections of the Revised Code; and

(d) After construction of the Improvement is complete, the City agrees to follow and maintain post-construction Best Management Practices as outlined in the Municipal Storm Water Permit that is filed with the Ohio Environmental Protection Agency.

Section 5. Traffic. That on completion of the Improvement, the City will keep the highway open to traffic at all times; and

(a) Place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the Improvement in compliance with the provisions of Section 4511.11 of the Revised Code and other related sections of the Revised Code;

(b) That the street or highway within the limits of the Improvement is designated a through highway as provided in division (A)(6) of Section 4511.07 of the Revised Code;

(c) That stop signs affecting the movement of traffic on the street or highway within the Improvement shall be removed, and no stop signs shall be erected on same except at its intersection with another through highway where traffic does not warrant the installation of a traffic control signal but where the warrants for a "Four-Way Stop" as provided in the above-mentioned Manual are met;

(d) That no rule or regulation shall be enacted restricting the use of the Improvement by any class of vehicle or vehicle load permitted by the Revised Code to use a public highway. Any existing rule or regulation so restricting road usage is rescinded; and

(e) The City shall regulate parking in the following manner: Prohibit parking under Section 4511.66 of the Revised Code unless otherwise controlled by local ordinance or resolution.

Section 6. Right-of-Way

(a) That all existing street and public right-of-way within the City which is necessary for the Improvement shall be made available.

(b) That in the event any additional right-of-way is required, the City will arrange for the acquisition.

Section 7. Utilities

(a) That the City will make arrangements with and obtain arrangements from all privately-owned public utility companies whose lines or structures will be affected by the Improvement, and the companies have agreed to make any and all necessary arrangements in such a manner as to be clear of any construction called for by the plans for the Improvement, and the companies have agreed to make necessary rearrangements immediately after notification by the City.

(b) That the County will participate in the costs of alterations of governmentally-owned utility facilities which come within the provisions of Section 8204 (Utility Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual to the same extent that it participates in the other costs of the Improvement, provided, however, that such participation will not extend to any additions or betterments of existing facilities.

(c) That it is agreed that the City shall, at its own expense, make all rearrangements of water mains, service, lines, fire hydrants, valve boxes, sanitary sewers, or other city-owned utilities and/or appurtenances thereto which do not comply with the Provisions of Section 8204 (Utility Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual, whether inside or outside the corporate limits, as may be necessary to conform to the Improvement.

(d) That the construction, reconstruction, and/or arrangement of all utilities shall be done in a manner as not to interfere unduly with the operation of the contractor constructing the Improvement, and all backfilling of trenches made necessary by utility rearrangements shall be performed under the provisions of the ODOT Construction and Material Specifications.

Section 8. Miscellaneous

(a) That if the County is formally requested by ordinance of this Council to include the construction of sanitary sewers, water lines, area sewers (drainage of area surrounding the Improvement), sidewalks, alternate bid items, or other items in the Improvement that are in addition to those now existing and not provided for elsewhere in this ordinance, the County will do so, provided that the construction meets with the approval of the County and the City involved in this Improvement; and that the City agrees to pay, or make arrangements for the payment of the cost of the construction, cost of preliminary and design engineering, and construction supervision.

(b) For purposes of this ordinance, the agent for the County and liaison officer shall be the County Engineer of Cuyahoga County, Ohio, and/or such members of his staff as he may designate.

(c) That the City agrees to conduct this transaction by electronic means and agrees that all documents requiring County signatures may be executed by electronic means, and that the electronic signatures affixed by the County to the documents shall have the same legal effect as if that signature was manually affixed to a paper version of the document. The City

also agrees on behalf of the aforementioned entities and persons to be bound by the provisions of Chapters 304 and 1306 of the Revised Code as they pertain to electronic transactions, and to comply with the electronic signature policy of the County.

Section 9. That the Director of Capital Projects is authorized to enter into agreements necessary to complete the Improvement.

Section 10. That the Director of Capital Projects is authorized to apply to the County for approval to use County Motor Vehicle License Tax funds to pay for the Improvement, to accept the funds and to file all papers and execute all documents necessary to receive the funds; and that the funds are appropriated for the purposes set forth above.

Section 11. That, notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is authorized to acquire, accept, and record for right-of-way purposes any real property and easements as is necessary to make the improvements described in this ordinance. The consideration to be paid for the property and easements shall not exceed fair market value to be determined by the Board of Control.

Section 12. That the Director of Capital Projects is authorized to execute on behalf of the City all documents necessary to acquire, accept, and record the property and easements and to employ and pay all fees for title companies, surveys, escrows, appraisers, and all other costs necessary for the acquisition of the property and easements.

Section 13. That this Council requests the County to proceed with the Improvement.

Section 14. That the Clerk of Council is directed to transmit to the County three (3) certified copies of this ordinance immediately on its taking effect.

Section 15. 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. 518-15.

By Council Members Cimperman, Dow, J. Johnson, 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 for improving St. Clair Avenue from Old River Road to West 9th Street and East 13th Street to East 55th Street; to apply for and accept any gifts or grants from any public or private entity; authorizing the Director of Capital Projects to enter into any relative agreements; and causing payment of the City's share to the State for the cost 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: repairing and resurfacing St. Clair Avenue from Old River Road to West 9th Street and East 13th Street to East 55th Street, PID No. 100158 (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 \$786,000, but the estimated amount 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. That the Director of Capital Projects is authorized to enter into one or more agreements with the State necessary to complete the planning and construction of the Improvement, which agreements shall contain terms and conditions that the Director of Law determines shall best protect the public interest.

Section 4. 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 5. 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 6. 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 7. 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 8. That this Council requests the State to proceed with the Improvement.

Section 9. That the Director of Capital Projects is authorized to apply for and accept any gifts or grants for this purpose from any public or private entity, including but not limited to NOACA; and 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 this ordinance.

Section 10. That, when appropriate, the Director of Capital Projects is authorized to enter into one or more contracts with the railroads, Greater Cleveland Regional Transit Authority, the Northeast Ohio Regional Sewer District and other entities to obtain services or to acquire property rights such as easements and licenses, necessary to construct the improvements described in this ordinance.

Section 11. That the Director of Capital Projects is authorized to accept cash contributions from public or private entities, for infrastructure restoration costs associated with relocating, rehabilitating or reconstructing utility infrastructure for the improvement.

Section 12. That the Director of Capital Projects is authorized to enter into any agreements necessary to implement the improvement.

Section 13. 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 14. That this Council authorizes payment to the State of the City's share of the Improvement 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 all funds approved by the Director of Finance, including future bond funds if issued for this purpose, Request No. RQS 0103, RL 2015-70.

Section 15. 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. 519-15.

By Council Members Kazy, Keane, 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 for improving West 150th Street from Industrial Parkway to Lorain Avenue; to apply for and accept any gifts or grants from any public or private entity; authorizing the Director of Capital Projects to enter into any relative agreements; and causing payment of the City's share to the State for the cost 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: repairing and resurfacing West 150th Street from Industrial Parkway to Lorain Avenue, PID No. 100160 (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 \$629,200, but the estimated amount 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. That the Director of Capital Projects is authorized to enter into one or more agreements with the State necessary to complete the planning and construction of the Improvement, which agreements shall contain terms and conditions that the Director of Law determines shall best protect the public interest.

Section 4. 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 5. 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 6. 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 7. 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 8. That this Council requests the State to proceed with the Improvement.

Section 9. That the Director of Capital Projects is authorized to apply for and accept any gifts or grants for this purpose from any public or private entity, including but not limited to NOACA; and 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 this ordinance.

Section 10. That, when appropriate, the Director of Capital Projects is authorized to enter into one or more contracts with the railroads, Greater Cleveland Regional Transit Authority, the Northeast Ohio Regional Sewer District and other entities to obtain services or to acquire property rights such as easements and licenses, necessary to construct the improvements described in this ordinance.

Section 11. That the Director of Capital Projects is authorized to accept

cash contributions from public or private entities, for infrastructure restoration costs associated with relocating, rehabilitating or reconstructing utility infrastructure for the improvement.

Section 12. That the Director of Capital Projects is authorized to enter into any agreements necessary to implement the improvement.

Section 13. 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 14. That this Council authorizes payment to the State of the City's share of the Improvement 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 all funds approved by the Director of Finance, including future bond funds if issued for this purpose, Request No. RQS 0103, RL 2015-73.

Section 15. 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. 520-15.

By Council Members Keane, 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 for improving Warren Road from Munn Road to Interstate 90; to apply for and accept any gifts or grants from any public or private entity; authorizing the Director of Capital Projects to enter into any relative agreements; and causing payment of the City's share to the State for the cost 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: repairing and resurfacing Warren Road from Munn Road to Interstate 90, PID No. 100159 (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 \$273,980, but the estimated amount 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. That the Director of Capital Projects is authorized to enter into one or more agreements with the State necessary to complete the planning and construction of the Improvement, which agreements shall contain terms and conditions that the Director of Law determines shall best protect the public interest.

Section 4. 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 5. 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 6. 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 7. 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 8. That this Council requests the State to proceed with the Improvement.

Section 9. That the Director of Capital Projects is authorized to apply for and accept any gifts or grants for this purpose from any public or private entity, including but not limited to NOACA; and 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 this ordinance.

Section 10. That, when appropriate, the Director of Capital Projects is authorized to enter into one or more contracts with the railroads, Greater Cleveland Regional Transit Authority, the Northeast Ohio Regional Sewer District and other entities to obtain services or to acquire property rights such as easements and licenses, necessary to construct the improvements described in this ordinance.

Section 11. That the Director of Capital Projects is authorized to accept cash contributions from public or private entities, for infrastructure restoration costs associated with relocating, rehabilitating or reconstructing utility infrastructure for the improvement.

Section 12. That the Director of Capital Projects is authorized to enter into any agreements necessary to implement the improvement.

Section 13. 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 14. That this Council authorizes payment to the State of the City's share of the Improvement 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 all funds approved by the Director of Finance, including future bond funds if issued for this purpose, Request No. RQS 0103, RL 2015-71.

Section 15. 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. 521-15.

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

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to Buckeye Shaker Square Development Corporation to encroach into the public rights-of-way within the neighborhoods of Buckeye-Shaker, Larchmere, and Woodland Hills by installing, using, and maintaining sixteen wooden posts and eighteen signs, to be attached to Cleveland Public Power utility poles (by separate permission of the pole owner) to identify four community walking routes.

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 Buckeye Shaker Square Development Corporation, 11802 Buckeye Rd, Cleveland, Ohio, 44120 ("Permittee"), to encroach into the public rights-of-way within the neighborhoods of Buckeye-Shaker, Larchmere, and Woodland Hills by installing, using, and maintaining sixteen 8"x4"x4" wooden posts and eighteen signs, to be attached to Cleveland Public Power utility poles (by separate permission of the pole owner) to identify four community walking routes, at the following locations:

1. Northeast corner of Martin Luther King Jr. Drive. & Dickens Avenue (HEAL)
2. Northeast corner of Martin Luther King Jr. Drive. & Forest Avenue (HEAL)
3. Northeast corner of Martin Luther King Jr. Drive. & Buckeye Road (CPP)
4. Southeast corner of Martin Luther King Jr. Drive. & Shaker Boulevard (HEAL)
5. Northeast corner of Martin Luther King Jr. Drive. & Shaker Boulevard. (HEAL)
6. Northwest corner of Shaker Boulevard & East 116th Street. (HEAL)
7. Southeast corner of Martin Luther King Jr. Boulevard & East 110th Street (HEAL)
8. Northwest corner of Martin Luther King Jr. Drive & East 116th Street. (HEAL)
9. Southwest corner of Martin Luther King Jr. Drive. & Woodland Avenue (HEAL)
10. Northeast corner of Martin Luther King Jr. Drive & Larchmere Boulevard (CPP)
11. Northwest corner of Larchmere Boulevard & East 121st Street. (CPP)
12. Northwest corner of Mt. Overlook Ave. & East 121st Street (CPP)
13. Northwest corner of Mt. Overlook Avenue & East 124th Street (CPP)
14. Southwest corner of East 124th Street & Britton Drive (CPP)
15. Shaker Boulevard & Shaker Square (NW quadrant; in front of Balaton, near the mailbox) (HEAL)
16. Southwest corner of N. Moreland Boulevard & Larchmere Boulevard (CPP)
17. Southwest corner of East 130th Street & Larchmere Boulevard (CPP)
18. Southwest corner of E. 128th Street & Larchmere Boulevard (HEAL)
19. Southwest corner of E. 127th Street & Larchmere Boulevard (CPP)
20. Southwest corner of E. 126th Street & Larchmere Boulevard (CPP)
21. Southeast corner of Shaker Boulevard E. & East 116th Street (CPP)
22. 11710 Shaker Boulevard (E. of fire hydrant) (CPP)
23. Southeast corner of East 121st Street & Shaker Boulevard E. (CPP)
24. South side of 12700 Shaker Boulevard (HEAL)
25. South side of Shaker Boulevard and S.E. Quad of Shaker Square (CPP)

- 26. Northwest corner of East 118th Street & Buckeye Road (CPP)
- 27. Southwest corner of East 118th Street & Buckeye Road (HEAL)
- 28. Northeast corner of East 116th Street & Buckeye Road (CPP)
- 29. Southwest corner of Fairhill Road & East 127th Street (12636 Fairhill Road) (HEAL)
- 30. South side of Fairhill Road between East 124th Street & East 127th Street (HEAL)
- 31. Southeast corner of Fairhill Road & East 124th Street (12400 Fairhill Road) (HEAL)
- 32. Southeast corner of Britton Drive & East 124th Street (HEAL)
- 33. Northeast corner of Fairhill Road & Martin Luther King Jr. Drive (HEAL)
- 34. North side of Fairhill Road opposite Fairhill Garden Apartments (HEAL)

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, the 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. 522-15.
By Council Members Brady, Brancatelli and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into contract with Tom Pallas Industries, Inc., or its designee, to partially finance the redevelopment and acquisition of the building located at 2040 West 110th Street in Cleveland, Ohio, and other associated costs necessary to redevelop the property.

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

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

Section 1. That, the Director of Economic Development is authorized to enter into one or more various types of loan agreements and forgivable loan agreements under the Vacant Property Initiative with Tom Pallas Industries, Inc., or its designee, to provide economic development assistance to partially finance the redevelopment and acquisition of the building located at 2040 West 110th Street in Cleveland, Ohio, and other associated costs necessary to redevelop the property.

Section 2. That the terms of the loan shall be according to the terms set forth in the Legislative Summary contained in File No. 522-15-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, and are approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the costs of the loan or forgivable loan agreements shall not exceed \$400,000, and shall be paid from Fund No. 17 SF 008, RQS 9501, RL 2015-74.

Section 4. That the Director of Economic Development is authorized to accept such collateral as the director determines is sufficient in order to secure repayment of the loan.

Section 5. That the Director of Economic Development is authorized to accept monies in repayment of the loan and to deposit the monies in Fund Nos. 17 SF 006.

Section 6. That the Director of Economic Development is authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and the fees are appropriated to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. The fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

Section 7. That the contract and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

Section 8. The contract authorized in this legislation will require the recipient of financial assistance to work with The Workforce Investment Board for Workforce Area No. 3 to identify and solicit qualified candidates for job opportunities related to the City's contracts, and place special emphasis on the hard to employ, including but not limited to the disabled and persons who have been convicted of or have pled guilty to a criminal offense, unless the criminal conviction or related circumstances relate to the duties for the particular job sought.

Section 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 Economic Development, Finance, Law; Committees on Development Planning and Sustainability, Finance.

Ord. No. 523-15.
By Council Members K. Johnson and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Capital Projects to employ one or more professional consultants to survey City streets and to and collect and input data necessary to implement the Pavement Management Program, for a period up to five 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 Capital Projects is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to survey City streets and to collect and input data necessary to implement the Pavement Management Program, for a period up to five years.

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 Capital Projects from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Capital Projects 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 Capital Projects, and certified by the Director of Finance.

Section 2. That the cost of the contract or contracts authorized shall be paid from Fund No. 20 SF 520, 20 SF 528, 20 SF 534, 20 SF 540, 20 SF 546, 20 SF 554, 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 2015-67.

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 Capital Projects, Finance, Law; Committees on Municipal Services and Properties, Finance.

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.

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

Ord. No. 525-15.

By Council Members Mitchell, 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 East 93rd Street from Union Avenue to Kinsman Road; to apply for and accept any gifts or grants for this purpose from any public or private entity; authorizing one or more contracts with consultants and any other relative agreements; and authorizing the acquisition of any real property and easements necessary to make 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 East 93rd Street pavement from Union Avenue to Kinsman Road (US-411/SR-8), PID No. 100098 (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-aid funds set aside by the Director of Transportation for the financing of the Improvement from 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.

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 apply for and accept any gifts or grants for this purpose from any public or private entity, including but not limited to NOACA; and 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 this ordinance.

Section 9. That the Director of Capital Projects 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 design, engineering and construction services necessary for the Improvement.

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

Section 10. That, when appropriate, the Director of Capital Projects is authorized to enter into one or more contracts with the railroads, Greater Cleveland Regional Transit Authority, the Northeast Ohio Regional Sewer District and other entities to obtain services or to acquire property rights such as easements and licenses, necessary to construct the improvements described in this ordinance.

Section 11. That the Director of Capital Projects is authorized to accept cash contributions from public or private entities, for infrastructure restoration costs associated with relocating, rehabilitating or reconstructing utility infrastructure for the Improvement. That the Director of Capital Projects is authorized to enter into agreements with the entities for this purpose.

Section 12. That the Director of Capital Projects is authorized to enter into one or more agreements with private utility companies to pay charges for the installation of underground lines in connection with the Improvement.

Section 13. That, notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is authorized to acquire, accept, and record for right-of-way purposes any real property and easements as is necessary to make the improvements described in this ordinance. The consideration to be paid for the property and easements shall not exceed fair market value.

Section 14. That the Director of Capital Projects is authorized to execute

on behalf of the City all documents necessary to acquire, accept, and record the property and easements and to employ and pay all fees for title companies, surveys, escrows, appraisers, and all other costs necessary for the acquisition of the property and easements.

Section 15. That the Director of Capital Projects is authorized to enter into any agreements necessary to implement the Improvement.

Section 16. That the cost of the contracts, payments, property acquisition, cash matches, and other expenditures authorized shall be paid from the fund or funds to which are credited any gift or grant proceeds accepted under this ordinance, cash matches, cash contributions accepted and appropriated under this ordinance, and from any and all funds approved by the Director of Finance, including future bond funds if issued for this purpose.

Section 17. 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 18. 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. 526-15.

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

An emergency ordinance authorizing the Director of Public Safety to execute a deed of easement granting to The Cleveland Clinic Foundation certain easement rights in property located on a portion of Fire Station No. 10, at 1935 East 101st Street; and declaring that the easement rights granted are not needed for the City's public use.

Whereas, The Cleveland Clinic Foundation ("The Clinic") has requested the Director of Public Safety to convey certain easement rights in property located on a portion of Permanent Parcel No. 119-10-018 at Fire Station No. 10, at 1935 East 101st Street; and

Whereas, The Clinic requires an easement to install electric distribution lines; and

Whereas, the easement rights to be granted are not needed for the City's public use; and

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

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

Section 1. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that an easement interest in the following described property is not needed for the City's public use:

**CLEVELAND CLINIC
PERMANENT EASEMENT**

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio, being part of the Original 100 Acre Lot No. 401 and located within a record parcel of land as conveyed to the City of Cleveland by deed as recorded in Deed Volume 85-1262, Page 37; of the Cuyahoga County Records and more particularly bounded and described as follows:

Commencing at the intersection of the southerly right-of-way of Chester Avenue (86') and easterly right-of-way of East 101st Street (60') ;

Thence South 00°35' 13" West, a distance of 165.14 feet along the easterly right-of-way of said East 101st Street to the POINT OF BEGINNING;

Thence North 89°54' 02" East, a distance of 199.57 feet to a point;

Thence along the arc of a curve, deflecting to the right an arc distance of 33.90' to a point, said arc having a radius of 34.33', a central angle of 56°34' 34" and a chord of 32.54' which bears South 61°48' 41" East, said point being on the easterly property line of said City of Cleveland parcel;

Thence South 01°05' 27" East, a distance of 2.71 feet along the easterly property line of said City of Cleveland parcel to a point;

Thence South 88°54' 33" West, a distance of 24.00 feet along the southerly property line of said City of Cleveland parcel to a point;

Thence South 27° 52' 18" West, a distance of 2.19 feet along the southwest property line of said City of Cleveland parcel to a point;

Thence along the arc of a curve, deflecting to the left an arc distance of 3.72' to a point, said arc having a radius of 14.33', a central angle of 14°51' 21" and a chord of 3.71' which bears North 82°40' 18" West;

Thence South 89°54' 02" West, a distance of 199.81 feet to a point on the easterly right-of-way of said East 101st Street;

Thence North 00°35' 13" East, a distance of 20.00 feet along the easterly right-of-way of said East 101st Street to the POINT OF BEGINNING; and containing more or less 0.1009 acres and subject to all legal easements, restrictions, reservations, conditions and right-of-way of previous record.

Section 2. That the Commissioner of Purchases and Supplies is authorized to convey the above-described easement interest to The Clinic subject to any conditions stated in this ordinance, at a price determined to be fair market value by the Board of Control.

Section 3. That the easement shall be non-exclusive and the purpose of the easement shall be to install electric distribution lines.

Section 4. That the duration of the easement shall be permanent; that the easement shall not be assignable without the consent of the Director of Public Safety; that the easement shall require that The Clinic provide reasonable insurance, maintain any Clinic improvements located within the easement; pay any applicable taxes and assessments; and shall contain such other terms and conditions that the Director of Law determines to be necessary to protect and benefit the City.

Section 5. That the conveyance referenced above shall be made by official deed of easement prepared by the Director of Law and executed by the Director of Public Safety on behalf of

the City of Cleveland. The Directors of Public Safety and Law are authorized to execute any other documents, including without limitation, contracts for right of entry, as may be necessary to effect this ordinance.

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

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

Ord. No. 527-15.

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

An emergency ordinance to terminate and discontinue the 1991 North Coast Harbor Community Development Plan as authorized by Ordinance No. 1346-91, passed June 17, 1991.

Whereas, Ordinance No. 1346-91, passed June 17, 1991, this Council approved the North Coast Harbor Community Development Plan Area ("1991 Plan"), effective until June 2021, to eliminate conditions of blight and deterioration and to propose certain types of development in several key action areas; and

Whereas, due to several changes within the North Coast Harbor area, as well as subsequent City Planning Commission waterfront plans, Council wishes to terminate and discontinue the 1991 Plan and replace it with the development plan authorized by Ordinance No. 561-14, passed June 2, 2014, as amended by Ordinance No. 1507-14, passed December 8, 2014; 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 1991 Plan as approved by Ordinance No. 1346-91, passed June 17, 1991, is terminated and discontinued and is replaced with the development plan authorized by Ordinance No. 561-14, passed June 2, 2014, as amended by Ordinance No. 1507-14, passed December 8, 2014.

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 City Planning Commission, Finance, Law; Committees on Development Planning and Sustainability, Finance.

Ord. No. 530-15.

By Council Member Conwell.

An emergency ordinance to add the name Jamie Ireland Way as a secondary and honorary name to East 105th Street between Park Lane Villa and Euclid Avenue.

Whereas, this ordinance constitutes an emergency measure providing for

the usual daily operation of a municipal department; now, therefore,

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

Section 1. That, notwithstanding and as an exception to the Codified Ordinances of the City of Cleveland, 1976, the name Jamie Ireland Way shall be added as a secondary and honorary name to East 105th Street between Park Lane Villa and Euclid Avenue.

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.

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

Ord. No. 531-15.

By Council Member J. Johnson.

An emergency ordinance designating the Lake Shore Bank / Cleveland Public Library St. Clair Branch Building as a Cleveland Landmark.

Whereas, under Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976, the Cleveland Landmarks Commission (the "Commission"), has proposed to designate the Lake Shore Bank / Cleveland Public Library St. Clair Branch Building as a landmark; and

Whereas, the owner of the Lake Shore Bank / Cleveland Public Library St. Clair Branch Building has been properly notified and has consented in writing to the proposed designation; and

Whereas, the Commission has recommended designation of the Lake Shore Bank / Cleveland Public Library St. Clair Branch Building as a landmark and has set forth certain findings of fact constituting the basis for its decision; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, and safety in that the immediate protection of the historic landmark is necessary to safeguard the special historical, community, or aesthetic interest or value in the landmark; now, therefore

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

Section 1. That the Lake Shore Bank / Cleveland Public Library St. Clair Branch Building whose street addresses in the City of Cleveland are 5404 St. Clair Avenue, N. E., and 1368 East 55th Street, Cuyahoga County Auditor's Permanent Parcel Numbers are 104-12-001 and 104-12-040, and is also known as the following described property:

Parcel Number 15 (PPN 104-12-001):

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being a part of Original Ten Acre Lot Number 131, and being more fully bounded and described as follows:

Bounded Northerly by St. Clair Avenue, N. E., Easterly by East 55th Street, Westerly and Southwesterly by Marquette Street, and being 112 and 16/100 feet front on St. Clair Avenue, N. E.; 211 and 36/100 feet on East 55th Street; and 179 and 8/100 feet on Marquette Street, N. E., be the same more or less but subject to all legal highways,

Excepting therefrom a parcel conveyed by the Lake Shore Banking and Savings Company to the Public Library Board of the City of Cleveland by Deed dated November 4, 1902, and recorded in Volume 871, Page 190, of Cuyahoga County Records;

Parcel Number 16 (PPN 104-12-040):

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Original Ten Acre Lot Number 131, and bounded and described as follows:

Beginning at the intersection of the Easterly line of Marquette Street, N. E., and the Northwesterly line of East 55th Street, formerly Willson Avenue; thence Northerly along the Easterly line of Marquette Street, N. E., about 124.06 feet to the centerline of a party wall described in the Deed to the Public Library Board of the City of Cleveland dated November 4, 1902, and recorded in Volume 871, Page 190 of Cuyahoga County Records; thence Easterly along the centerline of the party wall so described to the Northwesterly line of East 55th Street; thence Southwesterly along the Northwesterly line of East 55th Street to the place of beginning; be the same more or less;

Which in its entirety is a property having special character or special historical or aesthetic value as part of the development, heritage, or cultural

characteristics of the City, State, or the United States, is designated a landmark under Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976.

Legal Description approved by Greg Esber, Section Chief Plats, Surveys and House Numbering Section Division of Engineering & Construction

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 City Planning, Law; Committee on Development Planning and Sustainability.

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.

Referred to Committee on Finance.

FIRST READING ORDINANCE REFERRED

Ord. No. 532-15.

By Council Member Kazy.

An emergency ordinance establishing the Bellaire-Puritas Design Review District along Lorain Ave. between W. 140th Street and W. 123rd Street as shown shaded on the attached Map. (Map Change No. 2510).

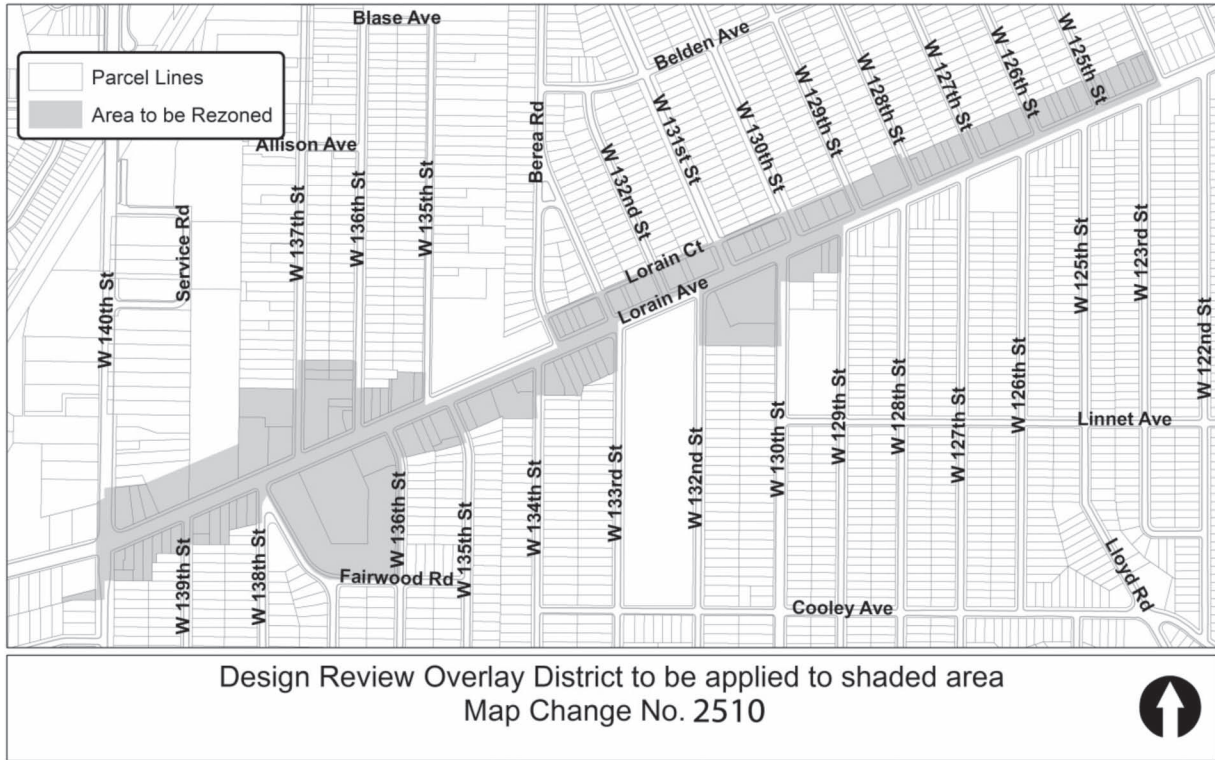
Whereas, the City Planning Commission has determined that the proposed Bellaire-Puritas Design Review District meets the criteria for designation outlined in Section 341.04 of Chapter 341 of the Codified Ordinances of the City of Cleveland, Ohio, now, therefore

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

Section 1. That the Bellaire-Puritas Design Review District is hereby established and includes lands located along Lorain Avenue between West 140th Street and West 123rd Street as shown shaded on the attached map.

Section 2. That the designation of the area described in Section 1 hereof as the Bellaire-Puritas Design Review District shall be identified as Map Change Number 2510, and shall be made upon the Building Zone Maps of the City of Cleveland and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

Section 3. That this ordinance 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.

FIRST READING EMERGENCY RESOLUTIONS REFERRED

Res. No. 528-15.

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

An emergency resolution declaring the intent to vacate a portion of Leonard Street N.W.

Whereas, this Council is satisfied that there is good cause to vacate a portion of Leonard Street N.W., as described; and

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

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

Section 1. That this Council declares its intent to vacate a portion of the following described real property:

Leonard Street N.W.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being all the remaining portion of Leonard Street N.W. (50.00 feet wide) extending from that portion of Leonard Street N.W. vacated by ordinance 2691-89, passed December 11, 1989 southwesterly to its terminus.

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

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

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

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

Res. No. 529-15.

By Council Members J. Johnson, Reed and Kelley.

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.

Referred to Director of Law; Committee on Finance.

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

Ord. No. 537-15.

By Council Member Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for the Ride of Silence, on May 20, 2015, sponsored by Bike Cleveland.

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 Ride for Silence, on May 20, 2015, start: Free Stamp in Willard Park—left onto Lakeside Avenue, E.; right onto East 12th Street; left onto Euclid Avenue; slight right to stay on Euclid; right onto Adelbert Road—University Hospitals; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 538-15.

By Council Members Cimperman, Zone and Brady.

An emergency ordinance consenting and approving the issuance of a permit for the Rite Aid 2015 Cleveland Marathon, Half Marathon and 10K Course on May 17, 2015, and the 5K Course on May 16, 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 pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Rite Aid 2015 Cleveland Marathon, **Marathon Course** (on May 17, 2015) **start:** Ontario Street at the Quicken Loans Arena, northwest corner of the building; straight on Ontario to Prospect Avenue; turn

right on Prospect to East 9th Street; turn left on East 9th to Euclid Avenue; turn right on Euclid to East 18th Street; right on East 18th to Carnegie Avenue; right on Carnegie, becomes Lorain Avenue, to West 20th Street; turn left on West 20th to Abbey Avenue; turn left on Abbey to West 11th Street left on West 11th to Starkweather Avenue; right on Starkweather to West 14th Street; left on West 14th to Clark Avenue; right on Clark to Scranton Road; right on Scranton to Barber Avenue; left on Barber to West 25th Street; right on West 25 to Lorain Avenue; left on Lorain to West 58th Street; right on West 58th to Detroit Avenue; left on Detroit Avenue (in west bound lanes, with traffic) to Lake Avenue; turn right (30 degrees) on Lake Avenue to West Boulevard; turn left West Boulevard to Detroit Avenue; turn right on Detroit Avenue (in west bound lanes, with traffic) to West Boulevard; turn left on West Boulevard to Western Avenue; right on Western Avenue to West 103rd Street; right on West 103rd to Madison Avenue; left on Madison to West 116th Street; right on West 116th to Franklin Boulevard; right on Franklin, becomes West 110th Street, to Baltic Road; right on Baltic to West 104th Street; left on West 104th to Clifton Boulevard; left on Clifton (in west bound lanes with traffic) to West 110th Street; right on West 110th to Lake Avenue; left on Lake Avenue (in east bound lanes, against traffic) into the City of Lakewood, Ohio; then from the City of Lakewood east on Lake Avenue to West 117th Street and the City of Cleveland; left on West 117th to Edgewater Drive; right on Edgewater Drive to West Boulevard and the Cleveland Memorial Shoreway exit ramp; straight on the Cleveland Memorial Shoreway, (in west bound lanes, against traffic), to Shoreway exit ramp to West Lakeside Avenue; bear left at top of Cleveland Memorial Shoreway exit ramp to West Lakeside Avenue; straight on West Lakeside Avenue to Ontario Street (Cuyahoga County Courthouse)—**FINISH; Half Marathon Course** (on May 17, 2015) **start:** Ontario Street at the Quicken Loans Arena, northwest corner of the building; straight on Ontario to Prospect Avenue; turn right on Prospect to East 9th Street; turn left on East 9th to Euclid Avenue; turn right on Euclid to East 18th Street; right on East 18th to Carnegie Avenue; right on Carnegie, becomes Lorain Avenue, to West 20th Street; turn left on West 20th to Abbey Avenue; turn left on Abbey to West 11th Street; left on West 11th to Starkweather Avenue; right on Starkweather to West 14th Street; left on West 14th to Clark Avenue; right on Clark to Scranton Road; right on Scranton to Barber Avenue; left on Barber to West 25th Street; right on West 25th to Lorain Avenue; left on Lorain to West 58th Street; right on West 58th to Detroit Avenue; left on Detroit Avenue (in west bound lanes, with traffic) to Lake Avenue; turn right (30 degrees) on Lake Avenue to West Boulevard; West Boulevard to Clifton Boulevard; (Marathon and Half Marathon Split; right on Clifton to West 104th Street; right on West 104th to Lake Avenue; right on Lake Avenue (in east bound lanes, with traffic) to West Boulevard/Cleveland Memorial Shoreway entrance ramp; bear left at entrance ramp, stay on Cleveland Memorial

Shoreway to West Lakeside Avenue exit ramp; bear right at top of West Lakeside exit ramp to West Lakeside Avenue; straight on West Lakeside Avenue to just west Ontario Street (Cuyahoga County Courthouse)—**FINISH; 10K Course** (on May 17, 2015) **start:** Ontario Street at Quicken Loans Arena, northwest corner of the building; straight on Ontario to Prospect Avenue; right on Prospect to East 9th Street; left on East 9th to Euclid Avenue; right on Euclid to East 18th Street; right on East 18th to Carnegie Avenue; right on Carnegie, becomes Lorain Avenue, to West 25th Street; right on West 25th to Franklin Boulevard; left on Franklin to West 54th Street; right on West 54th to Herman Avenue; right on Herman Avenue to Cleveland Memorial Shoreway entrance/exit ramp; bear left on entrance ramp to Cleveland Memorial Shoreway; straight on Cleveland Memorial Shoreway (in west bound lanes, against traffic) to shoreway exit ramp at West Lakeside Avenue; bear left at top of Cleveland Memorial Shoreway/West Lakeside Avenue entrance ramp to West Lakeside Avenue; straight on West Lakeside Avenue to just west on Ontario Street (Cuyahoga County Courthouse)—**FINISH; 5K Course** (on May 16, 2015) **start:** Edgewater Park (upper section-access from West Boulevard) near east end parking lot; straight on the Edgewater Park Upper Section entrance/exit road to West Boulevard; bear left at West Boulevard to Lake Avenue; left on Lake Avenue to West 76th Street; left at West 76th to Herman Avenue; right at Herman to West 73rd Street; left at West 73rd to Father Frascati Avenue; left on Father Frascati Avenue to West 74th Street; left on West 74th to Goodwalt Avenue; right on Goodwalt to West 76th Street; right on West 76th to Cleveland MetroParks (railroad) Underpass; straight through the Cleveland MetroParks (railroad) Underpass to Pedestrian/Bike Path Loop; right at the Pedestrian/Bike Path Loop, complete loop counterclockwise to Cleveland Memorial Shoreway Underpass; right at Cleveland Memorial Shoreway Underpass to Edgewater Park (lower section) Pedestrian/Bike Path; merge right at Edgewater Park (lower section) Pedestrian/Bike Path, complete path loop counterclockwise to Pavilions (eastside of beach)—**FINISH;** provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 539-15.

By Council Member Conwell.

An emergency ordinance authorizing the Director of the Department of Economic Development to enter into an agreement with Tonda Lanton or designee for the Crawford Building Project through the use of Ward 9 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 the Department of Economic Development is authorized to enter into an agreement with Tonda Lanton or designee for the Crawford Project located at 1204 - 1212 East 105th Street, Cleveland, Ohio 44108 for the public purpose of exterior improvements for local area businesses resulting in new job creation for Cleveland residents through the use of Ward 9 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$12,000 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 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 540-15.

By Council Member Cimperman.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into an agreement with Building Bridges Collaborative, Inc., for 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 Director of the Department of Community Development is authorized to enter into an agreement effective February 1, 2015 with Building Bridges Collaborative, 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 cost of said contract shall be in an amount not to exceed \$5,000 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 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 541-15.

By Council Member Conwell.

An emergency ordinance authorizing the Director of the Department of Economic Development to enter into an agreement with Alphonso Mitchum or designee for the Al's Deli Project through the use of Ward 9 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 the Department of Economic Development is authorized to enter into an agreement with Alphonso Mitchum or designee for the Al's Deli Project located at 10604 Superior Ave, Cleveland, Ohio 44106 for the public purpose of exterior improvements for local area businesses resulting in new job creation for Cleveland residents through the use of Ward 9 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$12,000 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 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 533-15.

By Council Member J. Johnson.

An emergency resolution objecting to the transfer of liquor license of a D2, D2X, D3 and D3A Liquor Permit to 7513 St. Clair Avenue.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of liquor license of a D2, D2X,

D3 and D3A Liquor Permit from Triple Threat, Inc., DBA Club Odyssey, 6735 St. Clair Avenue, 1st floor, S/Portion, Cleveland, Ohio 44103, Permanent Number 90530790001 to Triple Threat, Inc., DBA Club Odyssey, 7513 St. Clair Avenue, Cleveland, Ohio 44103, Permanent Number 90530790002; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of liquor license of a D2, D2X, D3 and D3A Liquor Permit from Triple Threat, Inc., DBA Club Odyssey, 6735 St. Clair Avenue, 1st floor, S/Portion, Cleveland, Ohio 44103, Permanent Number 90530790001 to Triple Threat, Inc., DBA Club Odyssey, 7513 St. Clair Avenue, Cleveland, Ohio 44103, Permanent Number 90530790002; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

Res. No. 534-15.

By Council Member J. Johnson.

An emergency resolution objecting to the transfer of ownership of a C1 Liquor Permit to 10929 St. Clair Avenue.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C1 Liquor Permit from Swift Foods, Inc., DBA Swift Food Mart, 10929 St. Clair Avenue, Cleveland, Ohio 44108, Permanent Number 8738908 to OW10929, LLC, DBA Swift Food Mart, 10929 St. Clair Avenue, Cleveland, Ohio 44108, Permanent Number 66094440005; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 Liquor Permit from Swift Foods, Inc., DBA Swift Food Mart, 10929 St. Clair Avenue, Cleveland, Ohio 44108, Permanent Number 8738908 to OW10929, LLC, DBA Swift Food Mart, 10929 St. Clair Avenue, Cleveland, Ohio 44108, Permanent Number 66094440005; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

Section 2. That the Clerk of Council be and she is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a

letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

Res. No. 535-15.

By Council Member Dow.

An emergency resolution objecting to a New C2 Liquor Permit at 3700 Superior Avenue, #E.

Whereas, Council has been notified by of an the Division of Liquor Control application for a New C2 Liquor Permit at Nak Won Oriental Food, Inc., DBA Kims Oriental Food, 3700 Superior Avenue, #E, Cleveland, Ohio 44114, Permanent Number 9751107; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C2 Liquor Permit at Nak Won Oriental Food, Inc., DBA Kims Oriental Food, 3700 Superior Avenue, #E, Cleveland, Ohio 44114, Permanent Number 9751107; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

Res. No. 536-15.

By Council Member Dow.

An emergency resolution objecting to the transfer of ownership of a D5 and D6 Liquor Permit to 1417-1423 East 21st Street.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a D5 and D6 Liquor Permit from Hayes Development Group, LLC, DBA Mardi Gras, 1417-1423 East 21st Street, Cleveland, Ohio 44114, Permanent Number 3693706 to Zon Investments, LLC, 1417-1423 East 21st Street, Cleveland, Ohio 44114, Permanent Number 9957550; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D5 and D6 Liquor Permit from Hayes Development Group, LLC, DBA Mardi Gras, 1417-1423 East 21st Street, Cleveland, Ohio 44114, Permanent Number 3693706 to Zon Investments, LLC, 1417-1423 East 21st Street, Cleveland, Ohio 44114, Permanent Number 9957550; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

Res. No. 542-15.

**By Council Member Cimperman.
An emergency resolution objecting to the transfer of ownership of a D2, D2X, D3 and D6 Liquor Permit to 75 Public Square, Suite B-100.**

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a D2, D2X, D3 and D6 Liquor Permit from Underground Entertainment, Inc., DBA Underground, 75 Public Square, Suite B-100, Cleveland, Ohio 44113, Permanent Number 9148958 to Public Square Pizza, LLC, DBA Public Square, Suite B-100, Cleveland, Ohio 44113, Permanent Number 7107927; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D2, D2X, D3 and D6 Liquor Permit from Underground Entertainment, Inc., DBA Underground, 75 Public Square, Suite B-100, Cleveland, Ohio 44113, Permanent Number 9148958 to Public Square Pizza, LLC, DBA Public Square, Suite B-100, Cleveland, Ohio 44113, Permanent Number 7107927; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

Res. No. 543-15.

**By Council Member Dow.
An emergency resolution withdrawing objection to a New C1 Liquor Permit at 6718 St. Clair Avenue and repealing Resolution No. 361-15, objecting to said permit.**

Whereas, this Council objected to a New C1 Liquor Permit at PZB, LLC, DBA Prijatels Pharmacy, 6718 St. Clair Avenue, Cleveland, Ohio 44103, Permanent Number 7128579 by Resolution No. 361-15 adopted by the Council on March 30, 2015; and

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

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

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

Section 1. That objection to a New C1 Liquor Permit at PZB, LLC, DBA Prijatels Pharmacy, 6718 St. Clair Avenue, Cleveland, Ohio 44103, Permanent Number 7128579, be and the same is hereby withdrawn and Resolution No. 361-15, 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 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 20-15.

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

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, to enact new Section 131.37; and to amend Section 131.35, amended by Ordinance No. 459-14, passed June 9, 2014, relating to rental of League Park Baseball Field and Visitors Center.

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 1, at new Section 131.37(k), line four, strike "improvements to the Complex," and insert "improvements to the Complex and for City events held at the Complex."

Amendment agreed to.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. 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. 379-15.

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

An emergency ordinance authorizing the Director of the City Planning Commission to enter into an amendment to Contract No. 55936, as amended, with Omni Media Cleveland, Inc. to change the terms of the agreement.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 435-15.

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

An emergency ordinance appropriating Community Development Block Grant and HOME funds for administrative expenses of the Department of Community Development.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 436-15.

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

An emergency ordinance authorizing the Director of Community Development to enter into or amend contracts with various social service agencies, community development or local development corporations and private for profit entities; to enter into or amend memorandums of understanding with various City of Cleveland departments to implement the City's community development programs; and to expend funds for the operation of programs administered by the Department of Community Development.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 488-15.

By Council Members 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 for improving the North and South Marginal Roads from East 9th Street to East 55th Street; to apply for and accept any gifts or grants from any public or private entity; authorizing the Director of Capital Projects to enter into any relative agreements; and causing payment of the City's share to the State for the cost of the improvement.

Approved by Directors of Capital Projects, City Planning Commission, Finance, Law; Passage recommended by Committees on Municipal Services and Properties, Finance.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 489-15.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Director of Finance to employ one or more professional consultants to provide administration of Family and Medical Leave Act benefits for City employees, for a period of one year, with a one-year option to renew, exercisable by the Director of Finance.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 490-15.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter into an amendment to Contract No. RC 2010-135 with Meritech, Inc. to continue for two-years the rental of Group I, II, and III copiers and services for the various divisions of City government.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 491-15.

By Council Member Kelley (by departmental request).

An emergency ordinance to amend various sections of Ordinance No. 323-15, passed March 30, 2015, as amended by various ordinances, relating to compensation for various classifications.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

LAID ON THE TABLE

Ord. No. 450-15.

By Council Member Conwell.

An emergency ordinance to add the name Jamie Ireland Way as a secondary and honorary name to East Boulevard between Euclid Avenue and Bellflower Road.

Without objection Ordinance No. 450-15 was relieved of further consideration of all committees and laid on the table pursuant to Rules of Council.

The rules were suspended. Yeas 16. Nays 0. Ordinance No. 450-15 Laid on the Table.

MOTION

On the motion of Council Member K. Johnson, the absence of Council Member Matthew Zone is hereby authorized. Seconded by Council Member Keane.

MOTION

The Council Meeting adjourned at 7:34 p.m. to meet on Monday, May 11, 2015, at 7:00 p.m. in the Council Chamber.



Patricia J. Britt
City Clerk, Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

April 29, 2015

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, April 29, 2015 at 10:40 a.m. with Acting Director Horvath presiding.

Present: Acting Director Horvath, Director/Interim Director Dumas, Acting Director Shaw, Director Cox, Acting Directors Baker, Withers, Cosgrove, Directors Fumich and O'Leary.

Absent: Mayor Jackson, Directors Southerington and Nichols.

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

Melissa Burrows, Director, Office of Equal Opportunity.

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

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

Resolution No. 152-15.

By Director Dumas.

Whereas, under the authority of Ordinance No. 735-12, passed by the Council of the City of Cleveland on June 4, 2012, and Resolution No. 610-12, adopted by this Board on November 21, 2012, the City, through the Director of Finance, entered into Contract No. PS2013-043 with MCPc, Inc. to obtain professional services supplementing the City's regularly employed staff necessary to update and improve network infrastructure, Microsoft Exchange and Active Directory and City-wide applications, and approved various sub-consultants, including Avvenire Solutions, LLC; and

Whereas, MCPc, Inc. has requested the City's consent to employ BPI Information Systems, Inc. as a substitute sub-consultant under Contract No. PS2013-043 to complete the upgrade of City-wide applications that was to have been performed by Avvenire Solutions, LLC; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the employment of BPI Information Systems, Inc. by MCPc, Inc. as a substitute for sub-consultant Avvenire Solutions, LLC under Contract No. PS2013-043 is approved.

Yeas: Acting Director Horvath, Director/Interim Director Dumas, Acting Director Shaw, Director Cox, Acting Directors Baker, Withers, Cosgrove, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Southerington and Nichols.

Resolution No. 153-15.

By Director Dumas.

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

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

Whereas, division (c) of Section 181.102 of the Codified Ordinances of

Cleveland, Ohio, 1976, ("C.O.") authorizes a director to execute one or more license agreements for software needed to implement or maintain a previously acquired software system directly with software licensing firm; and

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

Whereas, under the authority of Section 181.102 C.O., the City intends to enter into an agreement with Environmental Systems Research Institute, Inc. (ESRI) to renew the necessary software licenses and to obtain the professional services necessary to continue support and maintenance for the citywide GIS software and applications for one year starting June 1, 2015; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of division (e) of Section 181.102 C.O., the compensation to be paid for license fees and for maintenance and support services to be performed under the contract with Environmental Systems Research Institute, Inc. (ESRI) for the one-year term starting June 1, 2015 shall not exceed \$196,749.19.

Yeas: Acting Director Horvath, Director/Interim Director Dumas, Acting Director Shaw, Director Cox, Acting Directors Baker, Withers, Cosgrove, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Southerington and Nichols.

Resolution No. 154-15.

By Interim Director Dumas.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Terrace Construction Co., Inc. for the public improvement of Rosecliff Road Storm Sewer Replacement Project (Base Bid All Items including the 10% contingency allowance) for the Division of Water Pollution Control, Department of Public Utilities, received on February 27, 2015, under the authority of Ordinance No. 991-14, passed November 17, 2014, upon a unit basis for the improvement, in the aggregate amount of \$272,090.03, is affirmed and approved as the lowest responsible bid, and the Director of Public Utilities is authorized to enter into contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Terrace Construction Co., Inc. for the above-mentioned public improvement is approved:

<u>SUBCONTRACTOR</u>	<u>CSB/MBE/FBE</u>	<u>WORK</u>
Rockport Construction	CSB/FBE \$38,637.00 (14.200%)	
The Vallejo Company	CSB/FBE \$13,843.00 (5.088%)	
Cook Paving	CSB/MBE \$31,658.00 (11.64%)	

Yeas: Acting Director Horvath, Director/Interim Director Dumas, Acting Director Shaw, Director Cox, Acting Directors Baker, Withers, Cosgrove, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Southerington and Nichols.

Resolution No. 155-15.

By Director Smith.

Resolved, by the Board of Control of the City of Cleveland that all bids received for the public improvement of centralized checked baggage inspection system, all items, for the Department of Port Control, received April 10, 2015, under the authority of Ordinance No. 220-15, passed by the Council of the City of Cleveland on April 14, 2015, are rejected.

Yeas: Acting Director Horvath, Director/Interim Director Dumas, Acting Director Shaw, Director Cox, Acting Directors Baker, Withers, Cosgrove, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Southerington and Nichols.

Resolution No. 156-15.

By Director Cox.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Precision Environmental Co. for the public improvement of the Highland Park Mausoleum Hazardous Conditions Abatement, Base Bid Package 3 and Optional Item A-3 for the Department of Public Works, received on November 5, 2014 under the authority of Ordinance No. 537-12, passed May 14, 2012, upon a gross price basis for the improvement in the aggregate amount of \$47,900.00 is affirmed and approved as the lowest responsible bid; and the Director of the Department of Public Works is 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 subcontractors by Precision Environmental Co. is hereby approved:

<u>Subcontractor</u>	<u>CSB/MBE/FBE</u>
<u>Amount</u>	<u>Percentage</u>
Enviro Serve	Non Certified
\$22,277.00	46.507%

Yeas: Acting Director Horvath, Director/Interim Director Dumas, Acting Director Shaw, Director Cox, Acting Directors Baker, Withers, Cosgrove, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Southerington and Nichols.

Resolution No. 157-15.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel Nos. 127-13-001, 127-13-002, 127-13-047 and 127-13-051 located on East 93rd Street and Laisy Avenue; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland,

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

Whereas, Valerie J. McCall has proposed to the City to purchase and develop the parcels for yard expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Valerie J. McCall for the sale and development of Permanent Parcel Nos. 127-13-001, 127-13-002, 127-13-047 and 127-13-051 located on East 93rd Street and Laisy Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcels shall be \$800.00, which amount is determined to be not less than the fair market value of the parcels for uses according to the Program.

Yeas: None.

Nays: Acting Director Horvath, Director/Interim Director Dumas, Acting Director Shaw, Director Cox, Acting Directors Baker, Withers, Cosgrove, Directors Fumich and O'Leary.

Absent: Mayor Jackson, Directors Southerington and Nichols.

Resolution No. 158-15.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel Nos. 127-13-001, 127-13-002, 127-13-047 and 127-13-051 located on East 93rd Street and Laisy Avenue; and

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

Whereas, Valerie J. McCall has proposed to the City to purchase and develop the parcels for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 6 has either approved the proposed sale or has not disapproved or requested a hold of the proposed

sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Valarie J. McCall for the sale and development of Permanent Parcel Nos. 127-13-001, 127-13-002, 127-13-047 and 127-13-051 located on East 93rd Street and Laisy Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcels shall be \$800.00, which amount is determined to be not less than the fair market value of the parcels for uses according to the Program.

Yeas: Acting Director Horvath, Director/Interim Director Dumas, Acting Director Shaw, Director Cox, Acting Directors Baker, Withers, Cosgrove, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Southerington and Nichols.

Resolution No. 159-15.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel Nos., 110-31-008 and 110-31-009 located at 11445 Superior Avenue and 11415 Superior Avenue; and

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

Whereas, Northeast Ohio Regional Sewer District has proposed to the City to purchase and develop the parcels for the construction and maintenance of Northeast Ohio Regional Sewer District's Dugway South Tunnel and Doan Valley Tunnel Project; and

Whereas, the following conditions exist:

1. The member of Council from Ward 9 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community

Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Northeast Ohio Regional Sewer District for the sale and development of Permanent Parcel Nos. 110-31-008 and 110-31-009 located at 11445 Superior Avenue and 11415 Superior Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcels shall be \$28,780.00, which amount is determined to be not less than the fair market value of the parcels for uses according to the Program.

Yeas: Acting Director Horvath, Director/Interim Director Dumas, Acting Director Shaw, Director Cox, Acting Directors Baker, Withers, Cosgrove, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Southerington and Nichols.

Resolution No. 160-15.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 133-14-012 located at 7915 Harvard Avenue; and

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

Whereas, The Most Reverend Richard G. Lennon, Bishop of the Roman Catholic Diocese of Cleveland as trustee for Holy Name Parish, has proposed to the City to purchase and develop the parcel for green space; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with The Most Reverend Richard G. Lennon, Bishop of the Roman Catholic Diocese of Cleveland as trustee for Holy Name Parish, for the sale and development of Permanent Parcel No. 133-14-012 located at 7915 Harvard Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel

shall be \$200.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Acting Director Horvath, Director/Interim Director Dumas, Acting Director Shaw, Director Cox, Acting Directors Baker, Withers, Cosgrove, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Southerington and Nichols.

Resolution No. 161-15.

By Director Dumas.

Whereas, by Resolution No. 150-15, adopted on April 22, 2015, this Board fixed the compensation to be paid Automatic Data Processing, Inc. ("ADP") for an upgrade and enhancement to the City integrated payroll and human resources information system based on ADP's March 11, 2015 Statement of Work; and

Whereas, the comply with the employer-related information reporting provisions of the Affordable Care Act ("ACA") by no later than the January 1, 2016 deadline, the City requires, in addition to and as part of the above-mentioned upgrade and enhancement, an application system to generate the information reports the ACA requires; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that Resolution No. 150-15, adopted April 22, 2015, is amended by revising the fourth paragraph to state that the upgrade and enhancement to the City's payroll and human resources information system is "based upon ADP's statement of work dated March 11, 2015 and ADP's cost proposal dated April 21, 2015," and by increasing the compensation fixed in the fifth paragraph ("BE IT RESOLVED . . .") for the upgrade and enhancement from an amount not to exceed "\$204,000.00" to an amount not to exceed "\$374,000.00".

Be it further resolved that all other provisions of Resolution No. 150-15 not expressly amended herein shall remain unchanged and in full force and effect.

Yeas: Acting Director Horvath, Director/Interim Director Dumas, Acting Director Shaw, Director Cox, Acting Directors Baker, Withers, Cosgrove, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Southerington and Nichols.

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, MAY 11, 2015

9:30 A.M.

Calendar No. 15-79: 1425 Rockwell Avenue (Ward 3)
Cleveland Tech Holdings, LLC., owner, proposes to erect an 8 foot tall fence in an E3 Semi-Industry District. The owner appeals from the strict application of Section 358.05 which states that an 8 foot tall fence is not permitted in a Semi-Industry District. (Filed April 21, 2015)

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, MAY 18, 2015

9:30 A.M.

POSTPONED FROM APRIL 20, 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)

These cases were postponed to allow for more time for community engagement. The original postponed date was June 1, 2015 but a representative from the Development Corp. requested a change in date.

SCHEDULE OF THE BOARD OF ZONING APPEALS

TUESDAY, MAY 26, 2015

9:30 A.M.

Calendar No. 15-76: 2491 West 5th Street (Ward 3)
Anthony & Michelle Sileo, owners, propose to erect a 22' x 40' 3 story frame single family residence with attached garage on a parcel in a B1 Two-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 327.02(e) which states that no portion of the Building shall encroach beyond required property lines (including roof eaves and foundation wall).

2. Section 349.05(a) which states that no off street parking space shall be located within 10 feet of any wall with ground floor opening designed to provide light or ventilation (including rear garage door opening).

3. Section 349.07(a) which states that accessory off-street parking spaces, driveways and maneuvering areas shall be properly graded for drainage.

4. Section 357.04(a) which states that the required front yard setback is 22' and 20' are proposed.

5. Section 357.09(2)(A) which states that no building shall be erected less than 10' from main building on an adjoining lot and 8' are proposed.

6. Section 357.09(2)(B) which states that the interior side yards required are 9' - 6" where 0' and 8' are proposed.

7. Section 357.09(2)(B) which states that the interior side yard required for a front porch is 3' and 2' are proposed. (Filed April 16, 2015)

Calendar No. 15-97: 16901 Grovewood Avenue (Ward 8)

Ron Bolden, owner, proposes to change use from a store to a church in a B1 Two Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 337.03 which states that a church is required to be 15 feet from any adjoining premises in a residence district not used for a similar purpose by reference per Section 337.02(e).

2. Section 349.04(e) which states that 6 parking spaces are required at the rate of one parking space per

six seats based on maximum seating capacity and one space is proposed. (Filed April 23, 2015)

Violation Notice

Calendar No. 15-98: 3106 Searsdale Avenue (Ward 13)

Bash Homes LLC., 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 V15009112 issued on March 26, 2015 by the Cleveland Department of Building and Housing for failure to comply with Sections 327.02 and 327.99 of the Cleveland Codified Ordinances regarding changing use from a 2 family dwelling unit to a 3 family dwelling without a permit. (Filed April 23, 2015)

Calendar No. 15-99: 4533 Warner Road (Ward 2)

Rightway Investments, owner, proposes to erect a 6 foot tall chain link fence in the front and side yard of a parcel located in a C1 Local Retail Business District. The owner appeals for relief from the following section of the Cleveland Codified Ordinances:

1. Section 358.05 which states that a six (6) foot high fence is not permitted in the front yard and side street yard in a Local Retail Business District. (Filed April 28, 2015)

POSTPONED FROM
JANUARY 12, 2015

Violation Notice

Calendar No. 14-243: 4960 Pearl Road (Ward 13)

J.F. Glaze Cleveland, LLC, 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 V14035928 issued on November 7, 2014 by the Cleveland Department of Building and Housing for failure to comply with Sections 347.08(A) and 347.08 (C) of the Cleveland Codified Ordinances regarding locating trash and refuse containers so that they are not visible from the street or from any lot designated for residential purposes, the containers shall be screened with an opaque fence not lower than the height of the refuse containers, shall be placed on a concrete slab and shall have locking latches that must be locked at all times. (Filed December 2, 2014)

First postponement made at the request of the appellant to allow for time for him to work with the Storefront Renovation Program.

POSTPONED FROM APRIL 27, 2015

Calendar No. 15-65: 5705 Ensign Avenue (Ward 5)

Carey Holdings Inc., owner, proposes to use property for storage of fill dirt on 5 parcels located in a C2 Semi-Industry District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 345.03 which states that outdoor storage of dusty materials not listed as a permitted use. Said

use is first permitted in a General Industry District per Section 345.04(a)(1)(B).

2. Section 358.05(A)(2) which states that fences in actual front yards and in side street yards shall not exceed four feet in height. Fences in actual rear yards and in actual interior side yards shall not exceed six feet in height. An eight foot high fence consisting of seven feet and one foot of barbed wire with no setback is proposed.

3. Section 349.07(a) which states that all vehicle maneuvering areas shall be paved, and drained within the lot and no paving or grad shown. (Filed March 26, 2015)

Postponed at the request of the board in order to allow for more time for community input.

The following case has been postponed to July 20, 2015 at the request of the appellant to allow for the tenant and owner to work out funding issues for the required fencing:

Calendar No. 14-215: 399 East 131st Street (Ward 10)

Clement Kollin, owner, proposes to store fill dirt on a parcel located in a B3 Semi-Industry District. The owner appeals for relief from the following Sections of the Cleveland Codified Ordinances:

1. Section 345.03 which states that outdoor storage of dusty materials is not permitted in a Semi-Industry District but as stated in Section 345.04(a)(1)(B) is first permitted in a General Industrial District.

2. Section 345.04(a)(1)(C)(3) which states that open yard storage requires a seven foot high, non-transparent fence.

3. Section 349.07(a) which states that all vehicle maneuvering areas shall be paved, and drained within the lot and no paving or drainage is shown. (Filed October 31, 2014)

First postponement made at the request of the Board to allow for a community meeting to take place. second postponement made at the request of the appellant to work on revisions to the plan. third postponement made at the request of the appellant to work on revisions to the plan. fourth and final request to allow for the tenant and owner to work out funding issues for the required fencing.

The following case has been postponed to September 14, 2015 at the request of the appellant to allow for more time for the easement agreement with the city to be amended by legislation:

Calendar No. 15-003: 1460 East 9th Street (Ward 3)

City of Cleveland, owner, and Hampton Inn, tenant proposes to install a 5 foot high solid metal gate in side street yard in an E5 General Retail Business District. The tenant applies for relief from the strict application of Section 358.05(a)(2) of the Cleveland Codified Ordinances which states a fence/gate in the side street yard in a General Retail Business District cannot exceed four feet in height and must be at least 50% open above two feet in height. (Filed January 21, 2015)

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, MAY 4, 2015

At the meeting of the Board of Zoning Appeals on Monday, May 4, 2015 the following appeals were scheduled for hearing before the Board.

The following appeals were **APPROVED:**

Calendar No. 14-238: 1862 East 123rd Street aka 1885 Coltman

East 123rd Street Properties LTD., owner, proposes to erect two new buildings to house 204 residential units, with 258 accessory off-street parking spaces in a B2 Semi-Industry District.

Calendar No. 15-64: 11125 Magnolia Drive

Cleveland Music School Settlement, owner, proposes to install a 30' x 40' temporary tent for various events that will occur from April 9th, 2015 to October 9, 2015.

Calendar No. 15-66: 1112 Kenilworth Avenue

Kathleen Crowther, owner, proposes to change use to tattooing and an art gallery in a C1 General Retail Business 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. 15-62: Murray Hill Partners LLC

2187 Murray Hill Road. Postponed to June 1, 2015.

Calendar No. 15-63: Carolyn Bentley

2150 West 18th Street. Postponed to June 8, 2015.

Calendar No. 15-67: Eric Poole

5405 Storer Avenue. Postponed to August 3, 2015.

The following cases were heard and approved by the Board of Zoning Appeals on Monday, April 27, 2015 and the decisions were adopted and approved on Monday, May 4, 2015.

The following appeals were **APPROVED:**

Calendar No. 15-35: 1455 West 29th Street

Ohio City Firehouse, LLC., owner, proposes to change use of a building located in a D2 Local Retail Business District from photo lab studio to mixed use, including residences, flower shop and coffee shop.

Calendar No. 15-59: 14608 Roxboro Avenue

Mark R. Bast, owner, proposes to erect a new master bedroom addition to residence in an A1 One-Family Residential District.

Calendar No. 15-60: 3322 Broadview Road

Apolonio Lumaban, owner, proposes to change use to Motor Vehicle Service Garage for detailing of automobiles in a C2 Local Retail Business District.

The following appeal was **DENIED:**

Calendar No. 14-236: 3401 Denison Avenue

George Sevastos, owner, proposes to re-establish use as motor vehicle sales in a C1 Multi-Family Residential District.

The following case was **AFFIRMED** (variance rights extended an additional 6 months):

Calendar No. 14-142: 3675 East 65th Street - Elevate Gallery -

affirmed to October 27, 2015.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of
April 29, 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-22-15.

RE: Appeal of William Gardner, Owner of the One Dwelling Unit Single-Family Residence One Story Frame Property, located on the premises known as 18082 Weston Road from a CONDEMNATION ORDER — MAIN STRUCTURE, dated January 16, 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 DENY the appeal request for additional time, and to REMAND the property 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, Saab, Bradley. Nays: None. Absent: Mr. Maschke.

* * *

Docket A-31-15.

RE: Appeal of U.S. Bank, N.A. As Trustee, Trustee of the One Dwelling Unit Single-Family Residence Two & One-half Three-Family Residence

Two & One-half Story Frame Property, located on the premises known as 2990 East 65th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated February 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 May 15, 2015 to obtain all required permits and until August 1, 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. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Maschke.

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

* * *

Docket A-35-15.

RE: Appeal of Ronald Morris, Owner of the One Dwelling Unit Single-Family Residence Two Story Wood Frame/Siding/Masonry Veneer Property, located on the premises known as 11413 Melba Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE & GARAGE, dated February 27, 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-35-15 has been POSTPONED; to be rescheduled for May 27, 2015.

* * *

Docket A-36-15.

RE: Appeal of Donald Kuhar, Owner of the Two Dwelling Units Two-Family Residence Two Story Frame Property, located on the premises known as 10617 Bernard Avenue from a NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE, dated February 17, 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 September 1, 2015 to complete abatement of all 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. Bradley and seconded by Mr. Saab.

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

* * *

Docket A-38-15.

RE: Appeal of Carol Sakac, Owner of the Two Dwelling Units Two-Family Residence Two Story Frame Property, located on the premises known as 3211 West 112th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated March 2, 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 August 1, 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. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

* * *

Docket A-39-15.

RE: Appeal of Wells Fargo Bank, N.A., Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property and One Story Garage - Detached; Wood Frame Property, located on the premises known as 3344 East 128th Street from a CONDEMNATION ORDER — MAIN STRUCTURE & GARAGE, dated February 26, 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 May 15, 2015 in which to obtain all required demolition permits and to repay the City for the board-up expenses already incurred, and until June 15, 2015 to complete demolition of 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. Bradley and seconded by Mr. Gallagher.

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

* * *

Docket A-41-15.

RE: Appeal of Halloran West LLC, Owner of the Two Dwelling Units Two-Family Residence Two Story Frame Property, located on the premises known as 3250 West 114th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated March 2, 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 July 15, 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. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

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

No action this date, the docket is rescheduled for May 13, 2015.

* * *

Docket A-56-15.

RE: Appeal of John & Shannon Spalek, Owner of the Residential Property, located on the premises known as 4521 Burger Avenue from an ADJUDICATION ORDER, dated March 27, 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 variance to the ten (10) feet requirement and permit the pool to be erected as proposed, noting that the existing six (6) foot fence must be maintained, and that if that fence is removed by the neighbor, this owner must erect a replacement fence to be maintained and preserved for the use of the pool; 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. Saab.

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

* * *

AMENDED RESOLUTION:

Docket A-29-15.

Birlus Wordlaw - 11508 Superior Avenue:

FROM:..DENY the appeal request for additional time, noting that the existing conditions of the property, no work has been done, and the Appellant is not present for the hearing; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action.

TO:..grant the Appellant until May 15, 2015 in which to obtain all required permits and until July 1, 2015 to complete abatement of all violations on the property, noting that failure to meet any of the granted 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, Saab, Bradley. Nays: None. Absent: Mr. Maschke.

* * *

APPROVAL OF RESOLUTIONS:

Separate motions were entered by Mr. Saab 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-24-15 — Chantell Mims-Penland
- A-26-15 — Levander Malone
- A-27-15 — Brauhaus Cleveland LLC
- A-28-15 — Kirby Ave. Property, Inc.
- A-29-15 — Birlus Wordlaw (AMENDED)
- A-30-15 — Donna & Danielle Haldeman
- A-33-15 — Robshir Property
- A-34-15 — Mic-Ray Metal Products, Inc.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley. Nays: None. Absent: Mr. 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 15, 2015

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

* * *

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

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 12, 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 12, 2015, at 9:30 a.m., to consider the following ordinances now pending in the Council:

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).

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).

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).

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

April 29, 2015 and May 6, 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."

FRIDAY, MAY 15, 2015

File No. 54-15 — Rehabilitation of MLK, Jr. BLVD Bridge 50.28 (2-1) & 50.30 (3-1) Over Doan Brook (Re-Bid), for the Division of Engineering and Construction, Mayor's Office of Capital Projects, as authorized by Ordinance No. 730-13, passed by the Council of the City of Cleveland, May 20, 2013.

***THERE WILL BE A NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF TWENTY FIVE DOLLARS (\$25.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR A MONEY ORDER (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS).**

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, MAY 7, 2015 AT 10:00 A.M. CLEVELAND CITY HALL, ROOM 518, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

File No. 56-15 — Criminal and Civil Filing System, for the Cleveland Municipal Court, 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 FRIDAY, MAY 8, 2015 AT 10:30 A.M. CLEVELAND MUNICIPAL CLERK OF COURTS, JUSTICE

CENTER, LEVEL 2, 1200
ONTARIO ST., CLEVELAND,
OHIO 44114.

April 29, 2015 and May 6, 2015

WEDNESDAY, MAY 20, 2015

File No. 58-15 — Capital Maintenance and Repair of City Facilities, for the Division of Property Management, Department of Public Works, as authorized by Section 131.67 of the Codified Ordinances of Cleveland, Ohio, 1976.
THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING MONDAY, MAY 11, 2015 AT 11:00 A.M. THE CLEVELAND CITY HALL, DIVISION OF PROPERTY MANAGEMENT, 4150 EAST 49TH, BLDG. 2, 2ND FLOOR, NEWBURGH HEIGHTS, OHIO 44105.

April 29, 2015 and May 6, 2015

FRIDAY, MAY 22, 2015

File No. 55-15 — Centralized Checked Baggage Inspection System WBS No A1-A230-3 (Re-bid), for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 220-15, passed by the Council of the City of Cleveland, Pending.

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

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING THURSDAY, MAY 7, 2015 AT 1:00 P.M. THE DEPARTMENT OF PORT CONTROL, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, FEDERAL SERVICE STATION BUILDING, DPC PLANNING AND ENGINEERING, CONFERENCE ROOM 6C-24C, 5301 WEST HANGAR ROAD, CLEVELAND, OHIO 44135.

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

April 29, 2015 and May 6, 2015

WEDNESDAY, MAY 27, 2015

File No. 57-15 — 2015-2018 Department of Finance Citywide Sales of Scrap Metal Materials (Re-bid), for the various Divisions of City Government, Department of Finance, as authorized by Section 181.18 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING TUESDAY, MAY 12, 2015 AT 11:00

A.M. THE CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

April 29, 2015 and May 6, 2015

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 494-15.
By Council Member Brancatelli.
An emergency resolution withdrawing objection to the renewal of a D5 Liquor Permit at 5612 Harvard Avenue, 1st floor and basement and repealing Resolution No. 909-13, objecting to said renewal.

Whereas, this Council objected to the renewal of a D5 Liquor Permit to American Nightlife Magazine, Inc., 5612 Harvard Avenue, 1st floor and basement, Cleveland, Ohio 44105, Permanent Number 0164864 by Resolution No. 909-13, adopted by the Council on July 10, 2013; and

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

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

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

Section 1. That objection to the renewal of a D5 Liquor Permit to American Nightlife Magazine, Inc., 5612 Harvard Avenue, 1st floor and basement, Cleveland, Ohio 44105, Permanent Number 0164864, be and the same is hereby withdrawn and Resolution No. 909-13, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted April 27, 2015.
Effective April 28, 2015.

Res. No. 495-15.
By Council Member Cimperman.
An emergency resolution withdrawing objection to the renewal of a D5 and D6 Liquor Permit at 1222 Prospect Avenue, 1st floor and basement and repealing Resolution No. 1018-14, objecting to said renewal.

Whereas, this Council objected to the renewal of a D5 and D6 Liquor Permit to Club Center Lounge, Inc., DBA Xecutive Lounge, 1222 Prospect Avenue, 1st floor and basement, Cleveland, Ohio 44115, Permanent Number 15721860001 by Resolution No. 1018-14, 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 providing for the usual daily operation of

a municipal department; now, therefore,

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

Section 1. That objection to the renewal of a D5 and D6 Liquor Permit to Club Center Lounge, Inc., DBA Xecutive Lounge, 1222 Prospect Avenue, 1st floor and basement, Cleveland, Ohio 44115, Permanent Number 15721860001, be and the same is hereby withdrawn and Resolution No. 1018-14, 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.

Adopted April 27, 2015.
Effective April 28, 2015.

Res. No. 496-15.
By Council Member Cummins.
An emergency resolution objecting to a New C2 Liquor Permit at 3474 West 25th Street.

Whereas, Council has been notified by of an the Division of Liquor Control application for a New C2 Liquor Permit at West 25th Gas & Go, Inc., 3474 West 25th Street, Cleveland, Ohio 44109, Permanent Number 9526240; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C2 Liquor Permit at West 25th Gas & Go, Inc., 3474 West 25th Street, Cleveland, Ohio 44109, Permanent Number 9526240; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted April 27, 2015.

Effective April 28, 2015.

Res. No. 497-15.

By Council Member Kelley.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 5741 Memphis Avenue and repealing Resolution No. 116-15 objecting to said permit.

Whereas, this Council objected to a transfer of ownership of a C1 and C2 Liquor Permit to Brahamani Food, LLC, DBA Convenient Food Mart, #3053, 5741 Memphis Avenue, Cleveland, Ohio 44114, Permanent Number 0909290 by Resolution No. 116-15 adopted by the Council on February 2, 2015; and

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

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

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

Section 1. That objection to the transfer of ownership of a C1 and C2 Liquor Permit to Brahamani Food, LLC, DBA Convenient Food Mart, #3053, 5741 Memphis Avenue, Cleveland, Ohio 44114, Permanent Number 0909290, be and the same is hereby withdrawn and Resolution No. 116-15, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted April 27, 2015.

Effective April 28, 2015.

Ord. No. 194-15.

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

An emergency ordinance authorizing the Director of Port Control to lease certain warehouses located at City Docks 30 and 32 to various companies for the purposes that may include storage, movie staging, construction staging, and special events, for a term of two years, with two one-year options to renew, the first of which shall require additional legislative authority.

Whereas, the City of Cleveland owns certain warehouses known as City Docks 30 and 32, which are not needed for the City's public use; and

Whereas, various companies have proposed to lease the property from 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 notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Port Control is authorized to lease to various companies ("Lessees"), certain warehouses known as City Docks 30 and 32, which are not needed for the City's public use and is more fully depicted in the map placed in File No. 194-15-A.

Section 2. That the term of the lease or leases authorized by this ordinance shall not exceed two years, with two one-year options to renew. The first of the one-year option to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew may be exercised at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council. The Director of Port Control may terminate any lease entered into under this ordinance by giving a thirty-day notice to the Lessees.

Section 3. That the spaces authorized by this ordinance shall be leased at fair market value as determined by the Board of Control, exclusive of utilities.

Section 4. That the lease or leases may authorize the Lessees to make improvements to the leased premises subject to the approval of appropriate City agencies and officials.

Section 5. That the lease or leases shall be prepared by the Director of Law.

Section 6. That the Director of Port Control, the Director of Law, and other appropriate City officials are authorized to execute any other documents and certificates, and take any other actions which may be necessary or appropriate to effect the lease or leases authorized by this ordinance.

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

Passed April 27, 2015.

Effective April 28, 2015.

Ord. No. 221-15.

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

An emergency ordinance determining the method of making the public improvement of installing or constructing a storage structure for equipment at Cleveland Hopkins International Airport; authorizing the Director of Port Control to enter into one or more public improvement contracts to construct the improvement; and authorizing the director to employ one or more professional consultants necessary to design the improvement.

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

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

Section 1. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of installing or constructing a storage structure for equipment at Cleveland Hopkins International Airport (the "Improvement"), for the Division of Cleveland Hopkins International Airport, Department of Port Control, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement.

Section 2. That the Director of Port Control is authorized to enter into one or more contracts for the making of the Improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

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

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

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

Section 5. That the cost of the contracts and other expenditures authorized shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 106, 60 SF 112, 60 SF 114, 60 SF 115, 60 SF 116, 60 SF 117, 60 SF 119, 60 SF 121, 60 SF 122, 60 SF 126, 60 SF 128, 60 SF 130, 60 SF 141,

60 SF 160, and from the fund or funds to which are credited any grant proceeds accepted for this purpose of federal passenger facility charges, if authorized for this purpose, Request No. RQS 3001, RL 2015-31.

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 April 27, 2015.
Effective April 28, 2015.

Ord. No. 225-15.
By Council Members Keane and Kelley (by departmental request).
An emergency ordinance authorizing the purchase by one or more requirement contracts of various types of parts necessary to repair and maintain vehicles, trucks, and various types of equipment, including labor and installation, if necessary, for the Divisions of Cleveland Hopkins International Airport and Burke Lakefront Airport, Department of Port Control, for a term of two years, with two one-year options to renew, the first of which shall require additional legislative authority.

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

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

Section 1. That the Director of Port Control is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a term of two years, with two one-year options to renew, of the necessary items of various types of parts necessary to repair and maintain vehicles, trucks, and various types of equipment, including 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 Cleveland Hopkins International Airport and Burke Lakefront Airport, Department of Port Control. The first of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew may be exercisable at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council. 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. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be paid from the fund or funds to which are credited

any future bond proceeds, if authorized for this purpose, and 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 3001, RL 2015-12)

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 Port Control may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

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

Passed April 27, 2015.
Effective April 28, 2015.

Ord. No. 269-15.
By Council Members Keane and Kelley (by departmental request).
An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary for painting and paint removal on roadways, runways and other paved surfaces, for the various divisions of the Department of Port Control, for a period of two years with two one-year options to renew, the first of which is exercisable through additional legislative authority.

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

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

Section 1. That the Director of Port Control is authorized to 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, with two one-year options to renew, for the necessary items of labor and materials necessary for painting and paint removal on roadways, runways and other paved surfaces in the approximate amount as purchased during the preceding term, purchased by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of the Department of Port Control. The first of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew may be exercisable at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council. 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. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

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 3001, RL 2015-14)

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 Port Control may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

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

Passed April 27, 2015.
Effective April 28, 2015.

Ord. No. 351-15.
By Council Members Brancatelli and Kelley (by departmental request).
An emergency ordinance authorizing the Director of City Planning to apply for and accept one or more grants from the Northeast Ohio Area Coordinating Agency through the Ohio Department of Transportation for the 2015 Transportation for Livable Communities Initiative; authorizing the Director to enter into one or more agreements, including a multi-party agreement, professional services contracts, and other agreements needed to implement this ordinance.

Whereas, the Ohio Department of Transportation ("ODOT") has provided funds to the Northeast Ohio Area Coordinating Agency ("NOACA") to distribute to local government agencies for transportation projects; and

Whereas, the City of Cleveland has been awarded funds for a Multi-Modal Facility Project, a Midway Cycle Track and Protected Bike Facility Project, and the East 79th Street Corridor Project; and

Whereas, a tri-party agreement is necessary between ODOT, NOACA and the City to implement the three projects and to establish funding procedures; and

Whereas, in addition to the tri-party agreement, the City will also enter into agreements with various public and private entities to implement the three projects; 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 City Planning is authorized to apply for and accept one or more grants in an amount not to exceed \$285,000 from the Northeast Ohio Area Coordinating Agency ("NOACA") to implement the following projects under the 2015 Transportation for Livable Communities Initiative: Multi-Modal Facility Project, a Midway Cycle Track and Protected Bike Facility Project, and the East 79th Street Corridor Project (the "2015 TLCI Projects"). That the Director is authorized to file all papers and execute all documents necessary to implement the 2015 TLCI Projects.

Section 2. That a summary of the 2015 TLCI projects, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 351-15-A, made a part of this ordinance as if fully rewritten, including the obligation of the City of Cleveland to provide cash matching funds in the sum up to \$34,500, is approved in all respects, and shall not be changed without additional legislative authority.

Section 3. That the Director of City Planning, the Director of ODOT, and NOACA are authorized to enter into a tri-party agreement for implementation of the 2015 TLCI Projects, including but not limited to, the process for approving deliverables, paying third parties, disbursing funds, identifying procedures, and other issues relating to implementing this ordinance.

Section 4. That the Director of City Planning is authorized to enter into one or more contracts needed to implement this ordinance with various public and private entities, including, but not limited to, the Greater Cleveland Regional Transit Authority, the Greater Cleveland Partnership, Greyhound, St. Clair Superior Development Corporation, Bike Cleveland, Historic Gateway, and various community development corporations. The contracts may include, among other things, the obligation of the entities to provide cash matching funds towards one or more of the three 2015 TLCI Projects, if necessary.

Section 5. That the Director of City Planning is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to conduct transportation corridor study services.

As required by ODOT, the selection of the consultants for the services must comply with Sections 153.65 through 153.71 of the Ohio Revised Code and Federal Regulations 23 CFR 172. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of City Planning, and certified by the Director of Finance.

Section 6. That the Director of City Planning is authorized to enter into any agreements necessary to implement this ordinance.

Section 7. That the cost of contract or contracts authorized shall be paid from the fund or funds which are credited the grant proceeds accepted under this ordinance, the City's cash match in the amount up to \$34,500 which is payable from Fund Nos. 20 SF 520, 20 SF 528, 20 SF 534, 20 SF 540, 20 SF 546, 20 SF 554, 20 SF 563, and any funds approved by the Director of Finance, including future bond funds if issued for this purpose.

and the cash matches received from any of the public or private entities identified in Section 3 of this ordinance. (RQS0110, RL 2015-44)

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.

Passed April 27, 2015.

Effective April 28, 2015.

Ord. No. 399-15.
By Council Members Keane and Kelley (by departmental request).

An emergency ordinance to amend Section 7 of Ordinance No. 1588-09, passed November 30, 2009, relating to the public improvement of rehabilitating the terminal ticketing lobby at Cleveland Hopkins International Airport.

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 7 of Ordinance No. 1588-09, passed November 30, 2009, is amended to read as follows:

Section 7. That the cost of the contracts authorized shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 106, 60 SF 112, 60 F 114, 60 SF 115, 60 SF 116, 60 SF 126, 60 SF 128, 60 SF 130, 60 SF 141, 60 SF 160, passenger facility charges and the fund and subfunds to which are credited the proceeds of any general airport revenue bonds and grants, Request No. 175261.

Section 2. That existing Section 7 of Ordinance No. 1588-09, passed November 30, 2009, is repealed.

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

Passed April 27, 2015.

Effective April 28, 2015.

Ord. No. 400-15.
By Council Members Keane and Kelley (by departmental request).

An emergency ordinance to amend Sections 1 and 7 of Ordinance No. 1587-09, passed November 30, 2009, relating to the public improvement of rehabilitating the exterior terminal building facade at Cleveland Hopkins International Airport; and to supplement the ordinance by adding new Section 6a, authorizing the director to accept the gift of funds from the Rental Car Consortium for the purpose of constructing canopies for the benefit of the traveling public.

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 Ordinance No. 1587-09, passed November 30, 2009, is supplemented by adding new Section 6a, to read as follows:

Section 6a. That the Director of Port Control is authorized to accept the gift of funds from the Rental Car Consortium for the purpose of constructing canopies for the benefit of the traveling public. That the Director is authorized to file all papers and execute all documents necessary to receive the funds; and that the funds are appropriated for the purposes described in Section 1 of this ordinance.

Section 2. That Sections 1 and 7 of Ordinance No. 1587-09, passed November 30, 2009, is amended to read as follows:

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 exterior terminal building facade at Cleveland Hopkins International Airport, including constructing canopies for use by the traveling public (the "Improvement"), for the Department of Port Control, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement.

Section 7. That the cost of the contracts authorized shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 106, 60 SF 112, 60 F 114, 60 SF 115, 60 SF 116, 60 SF 126, 60 SsF 128, 60 SF 130, 60 SF 141, 60 SF 160, passenger facility charges and the fund and subfunds to which are credited the proceeds of any general airport revenue bonds, gifts, and grants, Request No. 175259.

Section 3. That existing Sections 1 and 7 of Ordinance No. 1587-09, passed November 30, 2009, is repealed.

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

Passed April 27, 2015.

Effective April 28, 2015.

Ord. No. 403-15.
By Council Member Kelley (by departmental request).
An emergency ordinance to amend Section 52 of Ordinance No. 323-15, passed March 30, 2015, relating to compensation for various classifications.

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

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

Section 1. That Section 52 of Ordinance No. 323-15, passed March 30, 2015, is amended to read as follows:
Section 52. Housing Court Employees

	Minimum	Maximum
1. Chief Housing Court Specialist.....	\$52,158.83	\$92,427.06
2. Housing Court Administrative Assistant.....	23,063.94	58,939.38
3. Housing Court Administrator.....	64,815.84	103,878.54
4. Housing Court ADR Specialist.....	42,178.00	90,045.81
5. Housing Court Chief Bailiff.....	38,884.00	94,348.04
6. Housing Court Chief Magistrate.....	71,667.00	125,383.66
7. Housing Court Coordinator.....	23,064.00	56,182.76
8. Housing Court Court Reporter.....	23,715.99	62,343.65
9. Housing Court Deputy Bailiff.....	22,173.84	58,272.37
10. Housing Court Deputy Bailiff - Uniformed.....	22,173.84	58,272.37
11. Housing Court Deputy Bailiff Supervisor.....	42,815.88	74,798.61
12. Housing Court Deputy Bailiff/Finance Officer.....	38,544.06	75,078.85
13. Housing Court Deputy Bailiff/Judicial Clerk.....	21,993.75	54,490.42
14. Housing Court Deputy Bailiff/Staff Attorney.....	29,585.00	74,922.62
15. Housing Court Magistrate.....	42,178.32	98,102.62
16. Housing Court Magistrates' Personal Bailiff.....	23,063.94	54,755.16
17. Housing Court Personal Bailiff.....	63,969.00	94,737.11
18. Housing Court Project Coordinator.....	31,050.00	72,208.42
19. Housing Court Receptionist.....	23,064.00	37,603.68
20. Housing Court Scheduler.....	23,063.94	54,755.16
21. Housing Court Secretary.....	20,815.92	40,891.00
22. Housing Court Specialist.....	34,000.00	73,955.59
23. Housing Court Specialist - Mediation Coordinator.....	29,585.48	63,002.69
24. Housing Court Student Aide.....	10.70	11.56

Section 2. That existing Section 52 of Ordinance No. 323-15, passed March 30, 2015, is repealed.

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

Referred to Directors of Human Resources, Finance, Law; Committee on Finance.
Passed April 27, 2015.
Effective April 28, 2015.

Ord. No. 416-15.

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

An emergency ordinance authorizing the lease by one or more contracts of up to two high-reach extendable turret vehicles, for the Division of Cleveland Hopkins International Airport, Department of Port Control, for a period of up to ten 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 Port Control 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: up to two high-reach extendable turret vehicles to be leased by the Commissioner of Purchases and Supplies on a unit basis, for the Division of Cleveland Hopkins International Airport, Department of Port Control, for a period of up to ten years.

Section 2. That under Section 108(b) of the Charter, the leases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Port Control may sign all documents that are necessary to enter into the leases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 3. 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 126, 60 SF 141, and the fund or funds to which are credited the proceeds of any federal grants, state grants, and local grants issued for this purpose and passenger facility charges if authorized for this purpose, Request No. RQS 3001, RL 2015-46.

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

Passed April 27, 2015.
Effective April 28, 2015.

COUNCIL COMMITTEE MEETINGS

**Monday, May 4, 2015
9:30 a.m.**

Health and Human Services Committee: Present: Cimperman, Chair; Brady, Cleveland, Cummins, J. Johnson. *Authorized Absence:* Mitchell, Vice Chair; Conwell. *Pro tempore:* Brancatelli.

2:00 p.m.

Development, Planning and Sustainability Committee & Finance Committee: *Cancelled.*

Finance Committee: Present: Kelley, Chair; Cleveland, Vice Chair; Brady, Brancatelli, Conwell, Keane, Mitchell, Pruitt. *Authorized Absence:* Zone.

**Tuesday, May 5, 2015
9:30 a.m.**

Development, Planning and Sustainability Committee: Present: Brancatelli, Chair; Cleveland, Vice Chair; Cimperman, Cummins, Dow, Pruitt. *Authorized Absence:* Zone.

2:00 p.m.

Workforce and Community Benefits Committee: Present: Cleveland, Chair; J. Johnson, Kazy, Polensek, Pruitt, Reed. *Authorized Absence:* Zone, Vice Chair.

**Wednesday, May 6, 2015
10:00 a.m.**

Utilities Committee & Municipal Services and Properties Committee TOUR: Present in Utilities: Pruitt, Chair; Brady, Vice Chair; Brancatelli, Cummins, Keane, Mitchell, Polensek. Present in MS&P: K. Johnson, Chair; Dow, Vice Chair; Brancatelli, Cummins, J. Johnson, Kazy. *Authorized Absence:* Reed.

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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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