

The City Record

Official Publication of the Council of the City of Cleveland



March the Thirtieth, Two Thousand and Eleven

Frank G. Jackson
Mayor

Martin J. Sweeney
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward Name

- 1 Terrell H. Pruitt
- 2 Zachary Reed
- 3 Joe Cimperman
- 4 Kenneth L. Johnson
- 5 Phyllis E. Cleveland
- 6 Mamie J. Mitchell
- 7 TJ Dow
- 8 Jeffrey D. Johnson
- 9 Kevin Conwell
- 10 Eugene R. Miller
- 11 Michael D. Polensek
- 12 Anthony Brancatelli
- 13 Kevin J. Kelley
- 14 Brian J. Cummins
- 15 Matthew Zone
- 16 Jay Westbrook
- 17 Dona Brady
- 18 Martin J. Sweeney
- 19 Martin J. Keane

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

Ward Name Residence

- 1 Terrell H. Pruitt 3877 East 189th Street 44122
- 2 Zachary Reed 3734 East 149th Street 44120
- 3 Joe Cimperman P.O. Box 91688 44101
- 4 Kenneth L. Johnson 2948 Hampton Road 44120
- 5 Phyllis E. Cleveland 2369 East 36th Street 44105
- 6 Mamie J. Mitchell 12701 Shaker Boulevard, #712 44120
- 7 TJ Dow 7715 Decker Avenue 44103
- 8 Jeffrey D. Johnson 9024 Parkgate Avenue 44108
- 9 Kevin Conwell 10647 Ashbury Avenue 44106
- 10 Eugene R. Miller 13615 Kelso Avenue 44110
- 11 Michael D. Polensek 17855 Brian Avenue 44119
- 12 Anthony Brancatelli 6924 Ottawa Road 44105
- 13 Kevin J. Kelley 5904 Parkridge Avenue 44144
- 14 Brian J. Cummins 3104 Mapledale Avenue 44109
- 15 Matthew Zone 1228 West 69th Street 44102
- 16 Jay Westbrook 1278 West 103rd Street 44102
- 17 Dona Brady 1272 West Boulevard 44102
- 18 Martin J. Sweeney 3632 West 133rd Street 44111
- 19 Martin J. Keane 15907 Colletta Lane 44111

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

First Assistant Clerk – Sandra Franklin

MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff

Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer

Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs

Chris Warren, Executive Assistant to the Mayor, Chief of Regional Development

Monyka S. Price, Executive Assistant to the Mayor, Chief of Education

Maureen Harper, Executive Assistant to the Mayor, Chief of Communications

Andrea V. Taylor, Executive Assistant to the Mayor, Press Secretary

Andrew Watterson, Executive Assistant to the Mayor, Chief of Sustainability

Natoya J. Walker Minor, Chief of Public Affairs – Interim Director of Equal Opportunity.

OFFICE OF CAPITAL PROJECTS – Jonmarie Wasik, Director

DIVISIONS:

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

Engineering and Construction – _____, Manager

Real Estate – _____, Commissioner

DEPT. OF LAW – Robert J. Triozzi, Director, Barbara A. Langhenry, Chief Counsel,

Richard F. Horvath, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel,

Room 106; Michael Ruffing, Law Librarian, Room 100

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

Frank Badalamenti, Manager, Internal Audit

DIVISIONS:

Accounts – Richard W. Sensenbrenner, Commissioner, Room 19

Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122

City Treasury – _____, Treasurer, Room 115

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

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

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

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

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

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

DIVISIONS:

Cleveland Public Power – Ivan Henderson, Commissioner

Street Lighting Bureau – _____, Acting Chief

Utilities Fiscal Control – Dennis Nichols, Commissioner

Water – _____, Commissioner

Water Pollution Control – Ollie Shaw, Commissioner

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

DIVISIONS:

Burke Lakefront Airport – Khalid Bahhur, Commissioner

Cleveland Hopkins International Airport – Fred Szabo, Commissioner

DEPT. OF PUBLIC WORKS – Michael Cox, Director

OFFICES:

Administration – John Laird, Manager

Special Events and Marketing – Tangee Johnson, Manager

DIVISIONS:

Motor Vehicle Maintenance – Daniel A. Novak, Commissioner

Park Maintenance and Properties – Richard L. Silva, Commissioner

Parking Facilities – Leigh Stevens, Commissioner

Property Management – Tom Nagle, Commissioner

Recreation – Kim Johnson, Commissioner

Streets – _____, Commissioner

Traffic Engineering – Robert Mavec, Commissioner

Waste Collection and Disposal – Ron Owens, Commissioner

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

Erievue Plaza

DIVISIONS:

Air Quality – Richard L. Nemeth, Commissioner

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

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

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

DIVISIONS:

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

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

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

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

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

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director

DIVISIONS:

Administrative Services – Terrence Ross, Commissioner

Fair Housing and Consumer Affairs Office – _____, Manager

Neighborhood Development – _____, Commissioner

Neighborhood Services – Louise V. Jackson, Commissioner

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

DIVISIONS:

Code Enforcement – Tyrone L. Johnson, Commissioner

Construction Permitting – Timothy R. Wolosz, Commissioner

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

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

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

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

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

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

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

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

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

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

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

Michael Fluckinger.

SINKING FUND COMMISSION – Frank G. Jackson, President; Council President Martin

J. Sweeney; Betsy Hruby, Asst. Sec’y.; Sharon Dumas, Director.

BOARD OF ZONING APPEALS – Room 516, Carol A. Johnson, Chairman; Members; John

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

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

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

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

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

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

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

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

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Robert J. Triozzi; Utilities

Director Barry A. Withers; Council President Martin J. Sweeney.

CITY PLANNING COMMISSION – Room 501 – Robert N. Brown, Director; Anthony J.

Coyne, Chairman; David H. Bowen, Lillian Kuri, Lawrence A. Lumpkin, Gloria Jean

Pinkney, Norman Krumholz, Council Member Phyllis E. Cleveland.

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

Render, Genesis O. Brown.

HOUSING ADVISORY BOARD – Room 310 – Keith Brown, Terri Hamilton Brown, Vickie

Eaton-Johnson, Mike Foley, Eric Hodderson, Janet Loehr, Mark McDermott, Marcia Nolan,

David Perkowski, Joan Shaver Washington, Keith Sutton.

CLEVELAND BOXING AND WRESTLING COMMISSION – Robert Jones, Chairman;

Clint Martin, Mark Rivera.

MORAL CLAIMS COMMISSION – Law Director Robert J. Triozzi; Chairman; Finance

Director Sharon Dumas; Council President Martin J. Sweeney; Councilman Kevin

Kelley.

POLICE REVIEW BOARD – Thomas Jones, Board Chair Person; Vernon Collier, Vermel

Whalen, Nancy Cronin, Elvin Vauss.

CLEVELAND LANDMARKS COMMISSION – Room 519 – Jennifer Coleman, Chair;

Laura M. Bala, Council Member Anthony Brancatelli, Robert N. Brown, Thomas Coffey,

Allan Dreyer, William Mason, Michael Rastatter, Jr., John Torres, N. Kurt Wiebusch, Robert

Keiser, Secretary.

AUDIT COMMITTEE – Yvette M. Iutu, Chairman; Debra Janik, Bracy Lewis, Diane

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

J. Triozzi.

CLEVELAND MUNICIPAL COURT

JUSTICE CENTER – 1200 ONTARIO STREET

JUDGE COURTROOM ASSIGNMENTS

Judge Courtroom

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

Judge Marilyn B. Cassidy – Courtroom 12B

Judge Michelle Denise Earley – Courtroom 12C

Judge Emanuella Groves – Courtroom 14B

Judge Anita Laster Mays – Courtroom 14C

Judge Lynn McLaughlin-Murray – Courtroom 12A

Judge Lauren C. Moore – Courtroom 14A

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

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

Judge Michael John Ryan – Courtroom 13A

Judge Angela R. Stokes – Courtroom 15C

Judge Pauline H. Tarver – Courtroom 13C

Judge Joseph J. Zone – Courtroom 14D

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

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

Magistrate, Victor Perez – City Prosecutor

The City Record

71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 98

WEDNESDAY, MARCH 30, 2011

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CITY COUNCIL

MONDAY, MARCH 28, 2011

The City Record
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City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2010-2013

MONDAY — Alternating

9:30 A.M. — **Public Parks, Properties, and Recreation Committee:** K. Johnson, Chair; Conwell, Vice Chair; Brancatelli, Cimperman, Dow, Polensek, Reed.

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

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

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

MONDAY

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

TUESDAY

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

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

WEDNESDAY — Alternating

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

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

WEDNESDAY — Alternating

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

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

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

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

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio
Monday, March 28, 2011

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

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

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

Pursuant to Ordinance No. 2926-76, the opening prayer was offered by Pastor Mark Giuliano of the Old Stone Church at Public Square, Ward 3. Cub Scout Pack #401 of Fairview Park and St. Angela Merici School, Ward 19 led the Pledge of Allegiance.

MOTION

On the motion of Council Member Polensek the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Council Member Brady.

COMMUNICATIONS

File No. 422-11.
From Director of Finance, Department of Finance, Division of Treasury, Statement of Cash Management and Investment Policy. Received.

File No. 423-11.
From Office of Equal Opportunity — Compliance Report Chapter 188, February, 2011 Bi-Monthly Report. Received.

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 424-11.
Re: #6268757 — C1, C2 Transfer of Ownership Application — My Sons, Inc., 11500 St. Clair Avenue. (Ward 9). Received.

File No. 425-11.
Re: #652378 — D2, D2X, D3, D3A, D6 Stock Application — 17007 Lorain Avenue, Inc., dba Backstage Bar & Patios, 17005 — 07 Lorain Avenue. (Ward 19). Received.

OATHS OF OFFICE

File No. 426-11.
From: Karen Butler — Director of Public Health for the City of Cleveland. Received.

File No. 427-11.
From: Deborah Southerington — Director of Personnel and Human Resources for the City of Cleveland. Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 428-11—Willie B. Pratt.
Res. No. 429-11—Sherry Lawson.
Res. No. 430-11—Dorothy M. Bates.
Res. No. 431-11—Thomas H. Greer.
Res. No. 432-11—Betty Johnson.
Res. No. 433-11—Frank Ferro.
Res. No. 434-11—David Bostick.
Res. No. 435-11—Geraldine Ferrero.

CONGRATULATION RESOLUTIONS

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

Res. No. 436-11—Leo and Rita Hansen.
Res. No. 437-11—Rev. David Norman Hunter.
Res. No. 438-11—Jonathan Andrew Higginbotham.
Res. No. 439-11—Det. Henry Veverka, Badge #607.
Res. No. 440-11—Deborah Nebel.
Res. No. 441-11—Burt Saltzman.

RECOGNITION RESOLUTIONS

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

Res. No. 442-11—Blue Knights International Law.
Res. No. 443-11—Kevin Hart.

**FIRST READING EMERGENCY
ORDINANCES REFERRED**

Ord. No. 408-11.

By Council Members Cimperman, Miller, Cleveland and Sweeney (By Request).

An emergency ordinance to vacate a portion of Perry Court N.E. (12 feet wide).

Whereas, under Resolution No. 610-10, adopted August 18, 2010, this Council declared its intention to vacate a portion of Perry Court N.E. (12 feet wide); and

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

Whereas, on February 17, 2011 the Board of Revision of Assessments approved the above vacation under the provisions of Section 176 of the Charter of the City of Cleveland; and

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

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

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

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

Situated in the State of Ohio, County of Cuyahoga and City of Cleveland and known as being part of ten acre lots 110, 111, 112 and 113 in the Perry and Payne's Subdivision as recorded in volume 2, page 29 of Cuyahoga County Map Records and described as follows:

Being all that portion of Perry Court N.E. (12 feet wide) extending from the easterly right of way line of East 25th Street (66 feet wide) to the westerly right of way line of East 26th Street (66 feet wide).

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

Section 2. That there is reserved to the City of Cleveland an easement of full width as described above for the Illuminating Company and SBC/AT&T.

That no structures shall be erected on the premises described in this easement except those constructed under the approval of, and in compliance with, plans approved by the Illuminating Company, SBC/AT&T and the City of Cleveland.

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

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

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

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

Ord. No. 410-11.

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

An emergency ordinance to amend Section 559.17 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 109-56, passed February 11, 1957, to change the name from the American Colonial Garden to the American Garden.

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 559.17 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 109-56, passed February 11, 1957, is amended to read as follows:

Section 559.17 American Garden

Beginning at an iron pipe in the westerly line of the upper drive which is also the southeasterly corner of the Syrian Garden; thence southerly along the westerly line of the upper drive about 763.00 feet to a point in the northeasterly line of the park drive connecting the upper and lower drives; thence northwesterly along the northeasterly line of the so-called connecting park drive about 425.00 feet to a point in the easterly line of the lower drive; thence northerly along the easterly line of the lower drive about 208.00 feet to a point in the southwesterly corner of the Syrian Garden; thence northeasterly along the southeasterly line of the Syrian Garden 225.80 feet to an angle point; thence southeasterly along the southwesterly line of the Syrian Garden 104.00 feet to the place of beginning.

Section 2. That Section 559.17 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 109-56, passed February 11, 1957, 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 Public Works, City Planning Commission, Finance, Law; Committees on Public Parks, Properties, and Recreation, City Planning, Legislation, Finance.

Ord. No. 411-11.

By Council Members Cimperman, Zone, Mitchell, J. Johnson, Brady, Westbrook, Kelley, Johnson, Cummins, Polensek and Conwell.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 171.65, relating to domestic partner benefits.

Whereas, by Ordinance No. 1745-08, passed December 8, 2008, this Council established a Domestic Partnership Registry maintained by the City for committed unmarried couples; and

Whereas, by Ordinance No. 1260-08, passed November 30, 2009, this Council extended long-standing discrimination laws that included sexual orientation, to also prohibit discrimination based upon gender identity or expression; and

Whereas, currently 21 states and over 200 local governments, 83 Fortune 100 companies, 293 Fortune 500 companies, and 404 Fortune 1000 companies, and approximately 4000 other private companies, non-profits and

unions provide health insurance and other benefits to their employees' domestic partners;

Whereas, in Ohio, the Cities of Cleveland Heights and Columbus and Franklin and Lucas Counties offer their employees domestic partner benefits, and 19 Ohio public and private colleges and universities offer these benefits; and

Whereas, in order to remain competitive in the recruitment and retention of the best employees for the City, and to ensure that the terms, conditions and privileges of City employment are applied equally to all City employees similarly situated, this Council has determined to provide employment benefits to employees' domestic partners in registered domestic partnerships; and

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 171.65 to read as follows:

Section 171.65 Domestic Partner Benefits

For the purpose of the following benefits, employees and their domestic partners registered pursuant to Chapter 109 shall be treated in the same manner as employees and their spouses: hospitalization/health insurance, prescription drug program, dental care insurance, sick leave and funeral leave, special death benefit for employees, and health care benefits for surviving spouse and dependents of employees killed in the line of duty.

An employee's registered domestic partner and the partner's family shall be considered as "family members" with respect to City of Cleveland nepotism policies.

Section 2. Eligibility for health and dental insurance benefits shall commence at the next open enrollment period.

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 Personnel and Human Resources, Finance, Law; Committees on Employment, Affirmative Action and Training, Legislation, Finance.

Ord. No. 421-11.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Midtown Acquisition, LLC, or its designee, to provide for a ten-year, sixty percent tax abatement for certain real property improvements located at 6900 and 7000 Euclid Avenue in the Cleveland Area Enterprise Zone.

Whereas, by letter dated March 10, 2011, the City provided the Cleveland Metropolitan School District ("CMSD") with a notice of proposed tax exemptions required by Section 5709.83 of the Revised Code. That notice was provided to the CMSD not later than fourteen days prior to adoption of this ordinance; and

Whereas, under Ordinance No. 948-95, passed June 19, 1995, this Council designated an area, which is in the City of Cleveland and described in File No. 948-95-A, as the Cleveland Area Enterprise Zone (the "Zone") under Chapter 5709 of the Revised Code; and

Whereas, in August, 1995, the Director of Development of the State of Ohio determined that the Zone contains the characteristics described in division (A) of Section 5709.61 of the Revised Code and certified the area as an "Urban Jobs and Enterprise Zone" under Chapter 5709 of the Revised Code; and

Whereas, Midtown Acquisition, LLC, or its designee (the "Enterprise") has proposed to redevelop a large vacant building at 6900 and 7000 Euclid Avenue in the Cleveland Area Enterprise Zone; and

Whereas, the Enterprise has certified to the City that it would be at a competitive disadvantage operating at this location if taxes on certain real property improvements located at 6900 and 7000 Euclid Avenue were not abated; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, safety, property, and welfare and that its enactment is a necessary prerequisite to providing immediate assistance to create and preserve job opportunities and advance and promote commercial and economic development in the City of

Cleveland, and the assistance is immediately necessary or jobs will be lost; now, therefore,

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

Section 1. That this Council approves the application of the Enterprise for enterprise zone incentives on the basis that the Enterprise is qualified by financial responsibility and business experience to create and preserve employment opportunities in the Cleveland Area Enterprise Zone and to improve the economic climate of the City of Cleveland.

Section 2. That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with the Enterprise to provide for a ten-year, sixty percent (60%) tax abatement for real property improvements located at 6900 and 7000 Euclid Avenue; the abatement shall be subject to annual review of the Tax Incentive Review Council.

Section 3. That the terms of the tax abatement shall be in accordance with the terms in the Summary contained in File No. 421-11-A. These terms shall not be amended, nor shall the tax abatement be assignable or transferable to any entity, without the prior legislative authorization by Cleveland City Council.

Section 4. That the Director of Economic Development is authorized to charge and accept fees in an amount not to exceed the maximum allowable under Chapter 5709 of the Revised Code and the funds are appropriated

for the purposes listed in Chapter 5709 of the Revised Code. The fees shall be deposited to and expended from Fund No. 17 SF 305.

Section 5. 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 6. That any contract authorized by this legislation must require the recipient of financial assistance to work with, and/or cause their Tenants to work with, The Workforce Investment Board for Workforce Area No. 3 to identify and solicit qualified candidates for job opportunities related to the City's contracts. The identification process shall place special emphasis on the hard to employ, including people who are disabled and people who have been convicted of or who have pled guilty to a criminal offense which is unrelated to the duties of the job opportunity.

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

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

FIRST READING ORDINANCE REFERRED

Ord. No. 412-11.

By Council Member J. Johnson.

An ordinance establishing a Planned Unit Development Overlay District and changing the Use, Area and Height Districts of a parcel of land on the west side of Hazel Drive south of Magnolia Drive and north of East Boulevard shown shaded on the attached map from a LL1-AA1 to a Multi-Family Residential District, an 'F' Area District and a '2' Height District (Map Change No. 2344, Sheet No. 7)

Whereas, WXZ Development, Inc. has submitted an application to the Director of the City Planning Commission proposing the creation of a Planned Unit Development (PUD) Overlay District on a parcel of land on the west side of Hazel Drive south of Magnolia Drive and north of East Boulevard shown shaded on the attached map and construction of a PUD project to be known as "Hazel at the Circle" on said property; and

Whereas, the Director of the City Planning Commission has accepted said application and has provided written notification of his acceptance of the application to the member of the Council whose ward the proposed PUD Overlay District and PUD project are located, and said member of Council has not objected; and

Whereas, the City of Cleveland has determined that the proposed PUD Overlay District and PUD project meets the purposes and the approval standards set forth in Chapter 334 of the Codified Ordinances of Cleveland, Ohio, 1976, now, therefore:

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

Section 1. That the Use, Height and Area Districts of lands bounded and described as follows:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Lenore Court N.E. (16 feet wide) Vacated February 13, 1978 by Ordinance No. 2375-76 as shown by the Recorded Plat in Vol. 222 of Maps, Pg. 66 of Cuyahoga County Records and part of Sublots 39 and Sublots 82 thru 86 (both inclusive) in the Re-Allotment and Re-Survey of Wade Park Allotment as shown by the Recorded Plat in Vol. 33 of Maps, Pages 29 and 30 of Cuyahoga County Records, all being a part of Original 100 Acre Lots Nos. 394 and 395 and being further described as follows:

Beginning at a point in the Westerly Right of Way of Hazel Drive N.E. (70 feet wide) and the Centerline of said Vacated Lenore Court;

Thence commencing Northwesterly along the said Centerline of Vacated Lenore Court 185.99 feet to a point;

Thence Northeasterly along a line 67.21 feet to an Angle Point;

Thence continuing Northeasterly along a line 163.25 feet to an Angle Point;

Thence Northerly along a line 23.44 feet to a point in the Northerly Line of Sublot 82 aforesaid, said point being 190.11 feet Northwesterly along said Northerly Line from the North East Corner therein;

Thence Southeasterly along said Northerly Line of Sublot 82 and its Southeasterly Prolongation to its Intersection with the Centerline of Hazel Drive aforesaid;

Thence Southwesterly along said Centerline of Hazel Drive to its Intersection with the Southeasterly Prolongation of the Centerline of Vacated Lenore Court aforesaid;

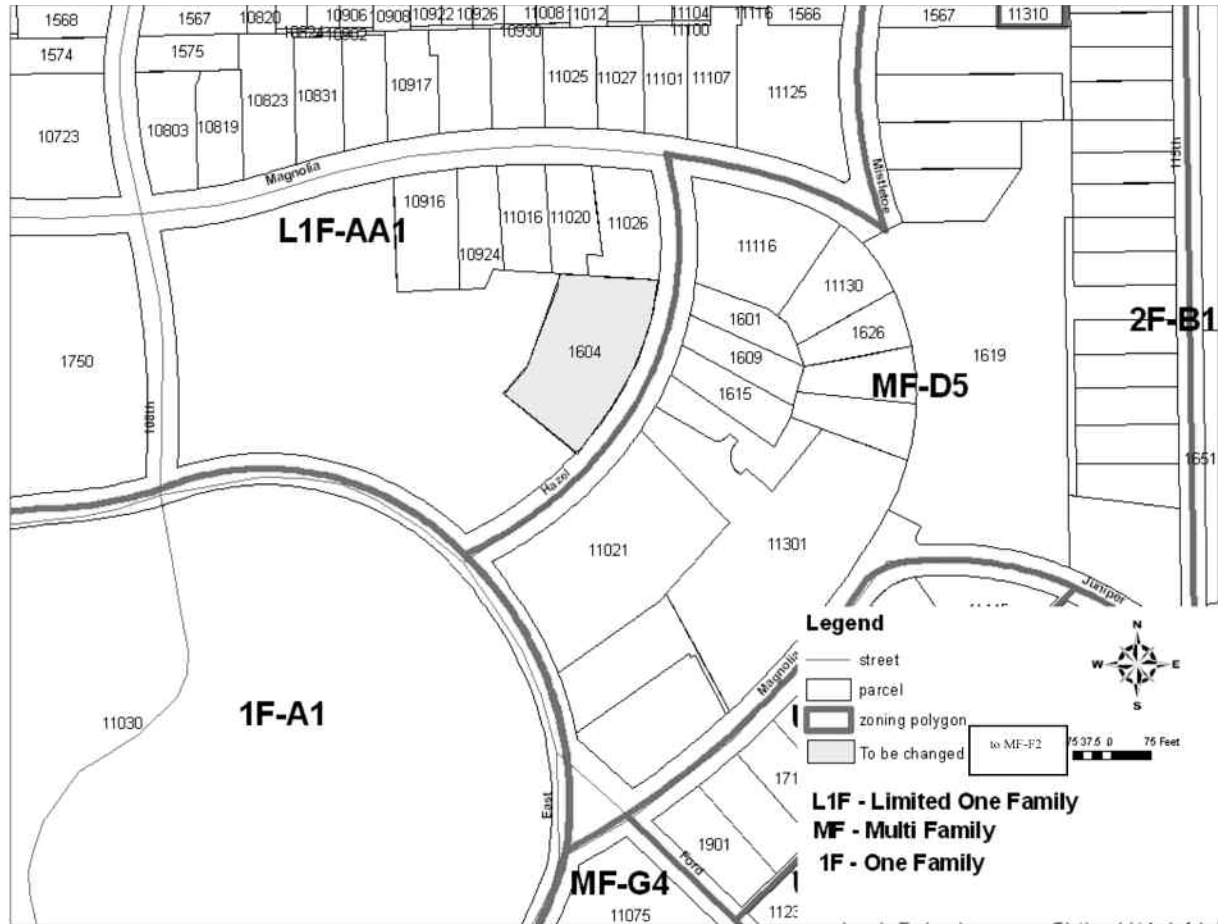
Thence Northwesterly along the said Southeasterly Prolongation to the Place of Beginning.

and as shaded on the attached map is designated a Planned Unit Development Overlay District (PUD) in accordance with the provisions of Chapter 334 of the Codified Ordinances of Cleveland, Ohio, 1976 and changed to a Multi-Family Residential District, an 'F' Area District and a '2' Height District.

Section 2. That the changed designation of lands described in Section 1 shall be identified as Map Change No. 2344, Sheet No. 7, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

Section 3. That no building permit shall be issued by the City of Cleveland for property located within the Planned Unit Development Overlay District established by this ordinance unless the building permit application conforms with the PUD project plan approved by this ordinance.

Section 4. 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; Committees on Planning, Finance.

FIRST READING EMERGENCY ORDINANCES PASSED

Ord. No. 402-11.
By Council Members Pruitt and Sweeney (by departmental request).
An emergency ordinance approving the collective bargaining agreement with the C.A.R.E./ILA Local 1975.

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 division (B) of Section 4117.10 of the Revised Code, this Council approves the collective bargaining agreement with C.A.R.E./ILA Local 1975, under the terms contained in File No. 402-11-A, for the period from April 1, 2010 through March 31, 2013, and which provides, among other things, for an

increase in the salaries and wages for members of the bargaining unit under the following schedule:

Increase	Approximate Date of Increase*
0%	April 1, 2010
0%	April 1, 2011
3%	April 1, 2012

* Wage increases shall be effective as follows:

(a) If April 1st falls in the first week of a pay period, then the wage increase shall be effective commencing at the beginning of that pay period; or

(b) If April 1st falls in the second week of a pay period, then the wage increase shall be effective commencing at the beginning of the next pay period.

Section 2. That this ordinance is declared to be an emergency measure and, provided it receives the affirma-

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

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

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

Ord. No. 403-11.
By Council Members Pruitt and Sweeney (by departmental request).
An emergency ordinance approving the collective bargaining agreement with the Fraternal Order of Police (FOP) Ohio Labor Council (OLCI).

Whereas, this ordinance constitutes an emergency measure provid-

ing 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 division (B) of Section 4117.10 of the Revised Code, this Council approves the collective bargaining agreement with The Fraternal Order of Police (FOP) Ohio Labor Council (OLCI), under the terms contained in File No. 403-11-A, for the period from April 1, 2010 through March 31, 2013, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit under the following schedule:

Increase	Approximate Date of Increase*
0%	April 1, 2010
0%	April 1, 2011
3%	April 1, 2012

* Wage increases shall be effective as follows:

(a) If April 1st falls in the first week of a pay period, then the wage increase shall be effective commencing at the beginning of that pay period; or

(b) If April 1st falls in the second week of a pay period, then the wage increase shall be effective commencing at the beginning of the next pay period.

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.

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

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

Ord. No. 404-11. By Council Members Pruitt and Sweeney (by departmental request).

An emergency ordinance approving the collective bargaining agreement with the Ohio Nurses Association (ONA) Local 85.

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 division (B) of Section 4117.10 of the Revised Code, this Council approves the collective bargaining agreement with The Ohio Nurses Association (ONA) Local 85, under the terms contained in File No. 404-11-A, for the period from April 1, 2010 through March 31, 2013, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit under the following schedule:

Increase	Approximate Date of Increase*
0%	April 1, 2010
0%	April 1, 2011
3%	April 1, 2012

(a) If April 1st falls in the first week of a pay period, then the wage increase shall be effective commencing at the beginning of that pay period; or

(b) If April 1st falls in the second week of a pay period, then the wage increase shall be effective commencing at the beginning of the next pay period.

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.

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

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

Ord. No. 405-11. By Council Members Pruitt and Sweeney (by departmental request).

An emergency ordinance approving the collective bargaining agreement with the Service Employee International Union (SEIU) Local 1.

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 division (B) of Section 4117.10 of the Revised Code, this Council approves the collective bargaining agreement with The Service Employee International Union (SEIU) Local 1, under the terms contained in File No. 405-11-A, for the period from April 1, 2010 through March 31, 2013, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit under the following schedule:

Increase	Approximate Date of Increase*
0%	April 1, 2010
0%	April 1, 2011
3%	April 1, 2012

* Wage increases shall be effective as follows:

(a) If April 1st falls in the first week of a pay period, then the wage increase shall be effective commencing at the beginning of that pay period; or

(b) If April 1st falls in the second week of a pay period, then the wage increase shall be effective commencing at the beginning of the next pay period.

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.

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

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

Ord. No. 406-11. By Council Members Pruitt and Sweeney (by departmental request).

An emergency ordinance approving the collective bargaining agreement with the Teamsters Local 507.

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 division (B) of Section 4117.10 of the Revised Code, this Council approves the collective bargaining agreement with The Teamsters Local 507, under the terms contained in File No. 406-11-A, for the period from April 1, 2010 through March 31, 2013, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit under the following schedule:

Increase	Approximate Date of Increase*
0%	April 1, 2010
0%	April 1, 2011
3%	April 1, 2012

* Wage increases shall be effective as follows:

(a) If April 1st falls in the first week of a pay period, then the wage increase shall be effective commencing at the beginning of that pay period; or

(b) If April 1st falls in the second week of a pay period, then the wage increase shall be effective commencing at the beginning of the next pay period.

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.

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

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

Ord. No. 407-11. By Council Members Westbrook, Miller, Cleveland and Sweeney (by request).

An emergency ordinance to vacate a portion of Henley Avenue S.W. (12 feet wide).

Whereas, under Resolution No. 1609-10, adopted December 6, 2010, this Council declared its intention to vacate a portion of Henley Avenue S.W. (12 feet wide); and

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

Whereas, on February 17, 2011 the Board of Revision of Assessments approved the above vacation under the provisions of Section 176 of the Charter of the City of Cleveland; and

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

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

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

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

Being all that portion of Henley Avenue S.W. (12 feet wide) extending from the westerly right of way line of West 94th Street (50 feet wide), westerly to the easterly right of way line of West 95th Street (40 feet wide).

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

Section 2. That there is reserved to the City of Cleveland an easement of full width as described above for Cleveland Public Power, the Illuminating Company, SBC/AT&T, and the City of Cleveland Fire Department.

That no structures shall be erected on the premises described in this easement except those constructed under the approval of, and in compliance with, plans approved by Cleveland Public Power, the Illuminating Company, SBC/AT&T, the City of Cleveland Fire Department and the City of Cleveland.

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

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

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

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

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

Ord. No. 409-11.
By Council Members Westbrook Miller, Cleveland and Sweeney (by request).

An emergency ordinance to vacate a portion of Stanhope Court N.W. (12 feet wide).

Whereas, under Resolution No. 1032-10, adopted October 18, 2010, this Council declared its intention to vacate a portion of Stanhope Court N.W. (12 feet wide); and

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

Whereas, on February 17, 2011 the Board of Revision of Assessments approved the above vacation under the provisions of Section 176 of the Charter of the City of Cleveland; and

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

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

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

Section 1. That this Council declares that the following described

real property is vacated:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a portion of Stanhope Court N.W. (12 feet wide) extending westerly from the westerly line of West 93rd Street (50 feet wide) to the easterly portion of Stanhope Court N.W. (12 feet wide) vacated by ordinance number 2022-77 passed March 20, 1978.

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

Section 2. That there is reserved to the City of Cleveland an easement of full width as described above for SBC/AT&T, Division of Fire, and the Illuminating Company. That there will be full ingress/egress rights to the abutting property owners and the City of Cleveland Fire Department for access.

That no structures shall be erected on the premises described in this easement except those constructed under the approval of, and in compliance with, plans approved by SBC/AT&T, Division of Police, Division of Fire, Division of Emergency Medical Services (EMS), the Illuminating Company and the City of Cleveland.

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

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

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

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

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

Ord. No. 413-11.
By Council Member Cimperman.
An emergency ordinance to add the name "Kentucky Garden Street" as a secondary name to West 38th Street between Bridge Avenue and Detroit 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 "Kentucky Garden Street" is added as a secondary name to West 38th Street between Bridge Avenue and Detroit 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.

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

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

Ord. No. 414-11.
By Council Member Cimperman.
An emergency ordinance authorizing Mildred Bennett to engage in mobile peddling in Ward 3.

Whereas, pursuant to Section 675.08 of the Codified Ordinances of Cleveland, Ohio, 1976, the consent of Council, expressed by ordinance is a prerequisite to temporary sidewalk peddling upon the public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of Mildred Bennett to engage in peddling outside of the Central Business District and has determined that it is in the public interest to allow Mildred Bennett to engage in peddling in Ward 3; 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, pursuant to Section 675.08 of the Codified Ordinances, this Council hereby consents to allow Mildred Bennett to engage in mobile peddling in the public right of way in Ward 3.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the person named in Section 1 of this ordinance.

Section 3. That the privilege granted herein may be revoked at any time by this Council.

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

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

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

Ord. No. 415-11.
By Council Member Conwell.
An emergency ordinance authorizing the issuance of a Temporary Sidewalk Occupancy Permit to Bill Buckholtz to engage in peddling in Ward 9.

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council expressed by ordinance is a prerequisite to peddling upon public rights of way outside of the Central Business District; and

Whereas, This Council has considered the request of to engage in peddling to Bill Buckholtz outside of the Central Business district, and has determined that it is in the public interest to allow Bill Buckholtz peddle in Ward 9; and

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

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

Section 1. That this Council consents, as required by, Section 675.07 of the Codified Ordinances to allow to Bill Buckholtz to engage in mobile peddling in the public rights of way

of Ward 9 at 2072 Murray Hill Road and corner of Paul Avenue.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

Section 3. That the privilege granted may be revoked at any time by this Council.

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.

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

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

Ord. No. 416-11.

By Council Member Dow.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into an agreement with the Hijos De Borinquen Spanish American Center for the Client Counseling Services Program through the use of Ward 7 Neighborhood Equity Funds.

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

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

Section 1. That the Director of the Department of Community Development be authorized to enter into an agreement with the Hijos De Borinquen Spanish American Center for the Client Counseling Services Program for the public purpose of providing counseling services to low income residents and senior citizens residing in the city of Cleveland through the use of Ward 7 Neighborhood Equity 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 166.

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

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

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

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

FIRST READING EMERGENCY RESOLUTIONS ADOPTED

Res. No. 417-11.

By Council Member Cimperman.

An emergency resolution withdrawing objection to the transfer of Liquor License of a C2 Liquor Permit at 3074 West 14th Street and repealing Resolution No. 1529-10, objecting to said transfer.

Whereas, this Council objected to a C2 Liquor Permit to 3074 West 14th Street by Resolution No. 1529-10 adopted by the Council on November 15, 2010; and

Whereas, this Council wishes to withdraw its objection to the above transfer of liquor license and consents to said transfer; and

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

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

Section 1. That objection to a C2 Liquor Permit to Salbros, Inc., DBA Gas City, 3074 West 14th Street, Cleveland, Ohio 44113, Permanent Number 7679502 be and the same is hereby withdrawn and Resolution No. 1529-10, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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

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

Res. No. 418-11.

By Council Member Sweeney.

An emergency resolution withdrawing objection to a New C2 Liquor Permit at 14606 Puritas Avenue and repealing Resolution No. 266-11, objecting to said permit.

Whereas, this Council objected to a New C2 Liquor Permit to Adams Adams Puritas LLC, DBA N & N Beverage, 14606 Puritas Avenue, Cleveland, Ohio 44135, Permanent Number 0049527 by Resolution No. 266-11 adopted by the Council on February 28, 2011; 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 C2 Liquor Permit to Adams Adams Puritas, LLC, DBA N & N Beverage, 14606 Puritas Avenue, Cleveland, Ohio 44135, Permanent Number 0049527, be and the same is hereby withdrawn and Resolution No. 266-11, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

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

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

Res. No. 419-11.

By Council Member Cummins.

An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit at 3101 Scranton Road, and repealing Resolution No. 960-10, objecting to said renewal.

Whereas, this Council objected to a C1 and C2 Liquor Permit to 3101 Scranton Road by Resolution No. 960-10 adopted by the Council on July 14, 2010; and

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

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

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

Section 1. That objection to a C1 and C2 Liquor Permit to Eaman, Inc., DBA Gas USA, 3101 Scranton Road, Cleveland, Ohio 44109, Permanent Number 2394393-0005 be and the same is hereby withdrawn and Resolution No. 960-10, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

Res. No. 420-11.

By Mayor Jackson and Council Members Kenneth Johnson and Sweeney.

An emergency resolution supporting passage of Senate Bill 125 by the Ohio General Assembly to enable cities to share services more efficiently and less costly.

Whereas, currently cities in Ohio cannot exercise municipal powers outside their borders without express statutory authority; and

Whereas, in the past the Ohio General Assembly has authorized cities to enter into mutual aid agreements so that cities could provide police and fire protection to their surrounding communities; and

Whereas, there is currently no Ohio statutory authority to provide other municipal services such as waste collection and snow removal to a neighboring community; and

Whereas, cities in Ohio are struggling to find ways to cut costs; and
Whereas, one way for cities to reduce their costs is to band together with their neighboring communities in the provision of governments services to their residents; and

Whereas, with the full support of Mayor Jackson, Ohio Senators Nina

Turner and Bill Seitz are co-sponsoring Senate Bill 125 which, if passed by the Ohio General Assembly, would enable cities to share services more efficiently and less costly; and

Whereas, this Council supports the passage of Senate Bill 125 and urges that the state legislators expedite their review and passage of this worthwhile legislation;

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 joins Mayor Jackson in supporting the passage of Senate Bill 125 to enable cities to share services more efficiently and less costly.

Section 2. That the Clerk of Council is directed to send a copy of this resolution to William G. Batchelder, Speaker of the Ohio House of Representatives, Thomas E. Niehaus, President of the Senate, and to Ohio Senators Nina Turner and Bill Seitz.

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

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

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

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 220-11.

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

An emergency ordinance to amend Section 670A.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2393-02, passed February 3, 2003, relating to the registration of alarm system users.

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

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

Ord. No. 244-11.

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

An emergency ordinance to amend Section 8 of Ordinance No. 1273-09, passed December 7, 2009, relating to the rehabilitation of Cedar Avenue from East 21st Street to East 55th Street.

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

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

Ord. No. 293-11.

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

An emergency ordinance to amend Sections 135.061 and 135.063 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1871-06, passed December 11, 2006

and Ordinance No. 569-97, passed May 19, 1997, relating to uniform allowances and uniform maintenance allowances.

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

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

Ord. No. 326-11.

By Council Members Conwell and Sweeney (by departmental request)

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Attorney General for the Ohio Drug Use Prevention Program.

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

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

Ord. No. 327-11.

By Council Members Conwell and Sweeney (by departmental request)

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Office of Criminal Justice Services for the 2010 Ohio Drug Law Enforcement Fund Grant.

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

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

SECOND READING EMERGENCY RESOLUTION ADOPTED

Res. No. 257-11.

By Mayor Jackson and Council Members Cimperman, Sweeney, Zone and Conwell.

An emergency resolution endorsing the creation of a Healthy Cleveland and agreeing to collaborate with the Mayor and the four hospital systems in Cleveland that will lend their staff, expertise, and research efforts to reach this goal.

Approved by Directors of Public Health, Finance, Law; Relieved of Committee on City Planning; Passage recommended by Committees on Health and Human Services, Finance, when amended, as follows:

1. In the seventh whereas clause, line 1, after "this City will" insert "work to".

Amendment agreed to.

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

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

THIRD READING EMERGENCY ORDINANCE PASSED

Ord. No. 140-11.

By Council Member Sweeney (by departmental request).

An emergency ordinance to make appropriations and provide current expenses for the daily operation of all municipal departments of the City of Cleveland for the fiscal year from January 1, 2011 until December 31, 2011.

Read third time in full. Passed. Yeas 15. Nays 3.

Those voting yea: Council Members present: Sweeney, Brady, Bran-

catelli, Cimperman, Cleveland, Conwell, Cummins, Dow, K. Johnson, Keane, Kelley, Miller, Mitchell, Polensek, Reed, Westbrook and Zone.

Those voting nay: Council Members J. Johnson, Polensek and Reed. Absent: Council Member Pruitt.

MOTION

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

MOTION

The Council Meeting adjourned at 8:20 p.m. to meet on Monday, April 4, 2011 at 7:00 p.m. in the Council Chambers.



Patricia J. Britt
City Clerk, Clerk of Council

THE CALENDAR

The following measure will be on its final passage at the next meeting:

BOARD OF CONTROL

March 23, 2011

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, March 23, 2011, at 10:42 a.m. with Director Triozzi presiding.

Present: Directors Triozzi, Withers, R. Smith, Cox, Butler, Acting Director H. Smith, Directors Rush, Southerington, Nichols, Fumich and Acting Director O'Leary.

Absent: Mayor Jackson and Director Dumas.

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

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

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

Resolution No. 108-11.

By Director Withers.

Whereas, I under the authority of Ordinance No. 2234-05, passed by the Cleveland City Council on January 23, 2006, as amended by Ordinance No. 1717-06 passed November 20, 2006, the City of Cleveland, through the Director of Public Utilities, entered into City Contract No. 68241 with Gray Matter Systems, LLC, for an estimated quantity of labor and materials necessary to refurbish the SCADA and PCCS systems, Option 2, items 7.001-7.032, for the Division of Water, Department of Public Utilities; 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 Gray Matter Systems, LLC, to obtain software support and maintenance services for the Plant Computer Control Systems (PCCS) GE Proficy Software and the technical support and maintenance services for the Supervisory Control and Data Acquisition (SCADA) for one year starting December 31, 2010; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under division (e) of Section 181.102 C.O., the compensation to be paid for maintenance and technical support services to be performed under the proposed agreement with Gray Matter Systems, LLC is fixed at an amount not to exceed \$120,281.00.

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

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 109-11.

By Director Withers.

Whereas, under the authority of Ordinance No. 856-08, passed by the Council of the City of Cleveland on June 9, 2008, and Board of Control Resolution No. 028-10, adopted January 27, 2010, the City entered into a contract with SBC Global Services, Inc. dba AT&T Global Services, Contract No. PS2010*50, for professional maintenance and technical support services and licenses necessary to implement and maintain the Verint System and the Cisco System software products; and

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

Whereas, under the authority of Section 181.102 C.O., the City intends to enter into a one-year agreement with SBC Global Services, Inc. dba AT&T Global Services starting September 30, 2010 through September 30, 2011, to continue to obtain the professional software maintenance and technical support services necessary to maintain the Verint System; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the compensation to be paid for maintenance and technical support services to be performed under the proposed agreement with SBC Global Services, Inc. dba AT&T Global Services, based on its quotation dated October 18, 2010, for a period of one year starting September 30, 2010, under the authority of Section 181.102 C.O., shall not exceed \$56,276.47.

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

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 110-11.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Konecranes, Inc. dba Crane Pro Services for an estimated quantity of crane and hoist inspection and maintenance, item 1-all items, for the various Divisions of the Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on January 13, 2011 under the authority of Ordinance No. 869-10, passed August 18, 2010, which on the basis of the estimated quantity would amount to \$81,992.00 (2%, 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services, which shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$4,099.60.

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Konecranes, Inc. dba Crane Pro Services for the contract authorized is approved:

<u>SUBCONTRACTOR</u>	<u>WORK PERCENTAGE</u>
E-Z Electric Motor Service (CSB/MBE)	\$16,990.00 20.722%
CJ Industrial Supply, Inc. (CSB/FBE)	\$1,000.00 1.220%

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

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 111-11.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Terrace Construction Company, Inc. for the public improvement of year 2011 cleaning and cement mortar lining of distribution mains, including a \$158,827.42 contingency allowance, all items, for the Division of Water, Department of Public Utilities, received on February 23, 2011, under the authority of Ordinance No. 1552-10, passed February 7, 2011, upon a unit basis for the improvement in the aggregate amount of \$1,747,101.57, is affirmed and approved as the lowest responsible bid, and the Director of Public Utilities is authorized to enter into a contract for the improvement with the bidder.

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

SUBCONTRACTOR WORK PERCENTAGE

The Vallejo Company, Inc. (CSB/MBE)	\$294,200.00 16.839%
Rockport Construction & Materials, Inc. (CSB/FBE)	\$230,000.00 13.165%

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

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 112-11.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of J.W. Didado Electric, Inc. for the public improvement by construction of the 138kV Loop Circuit Installation for Easterly TDPS-Sub and associated work as per the specification and drawings (including a \$67,734.40 contingency allowance), all items, for the Division of Cleveland Public Power, Department of Public Utilities, received on March 4, 2011, under the authority of Ordinance No. 556-08, passed June 9, 2008, upon a unit basis for the improvement in the aggregate amount of \$745,078.40, is affirmed and approved as the lowest responsible bid, and the Director of Public Utilities is authorized to enter into a contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by J.W. Didado Electric, Inc. for the above-mentioned public improvement is approved:

<u>SUBCONTRACTOR</u>	<u>PERCENTAGE</u>	<u>WORK</u>
Donato Electric, Inc. (CSB/FBE)	33.05%	\$246,217.00
Parks Drilling	9.70%	\$72,300.00
Tech Ready Mix, Inc. (CSB/MBE)	2.09%	\$15,600.00

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

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 113-11.

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that the bid of The Great Lakes Construction Company, for the public improvement of renovating and upgrading the runway safety area for Runway 10-28, Phase III, at Cleveland Hopkins International Airport, base bid items plus 10% contingency, for the Department of Port Control, received on January 5, 2011 under the authority of Ordinance No. 589-09, as amended by Ordinance No. 498-10, passed by the Council of the City of Cleveland on June 1, 2009 and May 10, 2010, respectively, upon a unit basis for the improvement, in the aggregate

amount of \$27,092,554.50, is affirmed and approved as the lowest responsible bid; and the Director of Port Control is authorized to enter into a contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that employment of the following subcontractors by The Great Lakes Construction Company, is approved:

Subcontractor	DBE Percentage	Amount
Royal Landscape Gardening, Inc.	0.54% DBE	\$ 145,000.00
P.G.T. Construction, Inc.	3.65% DBE	\$ 990,000.00
Cook Paving & Construction Co., Inc.	0.45% DBE	\$ 121,000.00
Cuyahoga Supply & Tool, Inc.	1.02% DBE	\$ 275,000.00
North Electric, Inc.	1.62% DBE	\$ 440,000.00
Hi-Lite Markings, Inc.	0.81% Non DBE	\$ 220,000.00
Great Northern Fence Co., Inc.	0.52% Non DBE	\$ 140,000.00
Reumac Stabilization, LLC	0.57% Non DBE	\$ 154,000.00
Zenith Systems, LLC	7.51% Non DBE	\$2,035,000.00
Carron Asphalt Paving, Inc.	3.45% Non DBE	\$ 935,000.00
R Cap Security	0.17% Non DBE	\$ 46,000.00

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

Nays: None.
Absent: Mayor Jackson and Director Dumas.

Resolution No. 114-11.

By Director Cox.
Be it resolved by the Board of Control of the City of Cleveland, that the bid of R. W. Clark Company, Inc. (CSB), for the public improvement of Gordon Square Fence Improvements — RE-BID, for Base Bid Items #1 — #6 including the 5% contingency for the Department of Public Works, received on February 23, 2011, under the authority of Ordinance No. 937-10, passed on July 14, 2010, upon a unit basis for the improvement in the aggregate amount of \$43,365.00, is affirmed and approved as the lowest responsible bid; and the Director of Department of Public Works is authorized to enter into contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by R. W. Clark Company, Inc. (CSB) for the aforementioned public improvement is approved:

SUBCONTRACTOR	AMOUNT PERCENTAGE
Manka Design Studio (other)	\$33,000.00 76.098%

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

Nays: None.
Absent: Mayor Jackson and Director Dumas.

Resolution No. 115-11.

By Director Cox.
Be it resolved by the Board of Control of the City of Cleveland that the bid of R.W. Clark Company, Inc., for the public improvement of the building improvements for the rehabilitation of the Health Centers, Bid Package A, Bid Package B, including alternates 1 and 2, and Bid Package D, for the Department of Public Works, received on February 10, 2011, under the authority of Ordinance No. 1416-09 passed September 28, 2009, for a gross price for the improvement in the aggregate amount of \$813,318, is affirmed and approved as the lowest responsible bid, and the Director of Public Works is authorized to enter into contract for the improvement with the bidder.

Be it further resolved, by the Board of Control of the City of Cleveland that the employment of the following subcontractors by R.W. Clark Company, Inc., is approved:

Subcontractor	MBE/FBE	Amount	Percentage
Edmonds Elevator	CSB/FBE	\$125,528	15.434%
M. Rivera Construction	CSB/MBE	\$ 38,350	4.715%
R & R Mechanical	CSB/MBE	\$ 43,720	5.375%
Ernie Electric, Inc.	MBE	\$ 65,992	8.114%
Cunningham Paving	CSB	\$ 65,000	7.992%
Robin's Nest Landscaping	MBE	\$ 18,800	2.312%
Infinity Paving		\$ 32,000	3.934%
Kone Elevator		\$227,000	27.910%

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

Nays: None.
Absent: Mayor Jackson and Director Dumas.

Resolution No. 116-11.

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

Whereas, under the Land Reutilization Program, the City has acquired Permanent Parcel Nos. 103-22-004, 103-22-012, 103-22-013, 103-22-

015, 103-22-016, 103-22-017, 103-22-018, 103-22-019, 103-22-020, 103-22-038, 103-22-040, 103-22-069, 103-22-074, 103-22-088, 103-22-089, 103-22-092, 103-22-093, 103-22-094, 103-22-095, 103-22-098, 103-22-101, 103-22-102, 103-22-103, 103-22-104, 103-22-107, 103-22-109, 103-22-124, 103-22-125, 103-22-127, 103-22-144, 103-22-145, 103-22-152, 103-22-157, 103-22-165, 103-22-170, 103-23-001, 103-23-005, 103-23-037, 103-23-039, 103-23-041, 103-23-045, 103-23-048, 103-23-049, 103-23-050, 103-23-096, 103-23-097, located at various addresses under the Land Reutilization Program; and

Whereas, Ordinance No. 1289-10 passed September 27, 2010, authorized the sale of the parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, St. John's West Family Homes, LP has proposed to the City to purchase and develop the parcels for new construction; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 1289-10, passed by the Cleveland City Council September 27, 2010, the Mayor is authorized to execute an official deed for and on behalf of the City of Cleveland to St. John's West Family Homes, LP for the sale and development of Permanent Parcel Nos. 103-22-004, 103-22-012, 103-22-013, 103-22-015, 103-22-016, 103-22-017, 103-22-018, 103-22-019, 103-22-020, 103-22-038, 103-22-040, 103-22-069, 103-22-074, 103-22-088, 103-22-089, 103-22-092, 103-22-093, 103-22-094, 103-22-095, 103-22-098, 103-22-101, 103-22-102, 103-22-103, 103-22-104, 103-22-107, 103-22-109, 103-22-124, 103-22-125, 103-22-127, 103-22-144, 103-22-145, 103-22-152, 103-22-157, 103-22-165, 103-22-170, 103-23-001, 103-23-005, 103-23-037, 103-23-039, 103-23-041, 103-23-045, 103-23-048, 103-23-049, 103-23-050, 103-23-096, 103-23-097, as described in the Ordinance 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 parcels shall be \$100.00 each, which amount is determined to be not less than the fair market value of the parcels for uses according to the Land Reutilization Program.

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

Nays: None.
Absent: Mayor Jackson and Director Dumas.

Resolution No. 117-11.

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

Whereas, under the Land Reutilization Program, the City has acquired Permanent Parcel Nos. 103-23-042, 103-23-044, located at various addresses under the Land Reutilization Program; and

Whereas, Ordinance No. 294-11 passed March 7, 2011, authorized the sale of the parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, St. John's West Family Homes, LP has proposed to the City to purchase and develop the parcels for new construction; now, therefore,

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

under the authority of Ordinance No. 294-11, passed by the Cleveland City Council March 7, 2011, the Mayor is authorized to execute an official deed for and on behalf of the City of Cleveland to St. John's West Family Homes, LP for the sale and development of Permanent Parcel Nos. 103-23-042, 103-23-044, as described in the Ordinance 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 parcels shall be \$100.00 each, which amount is determined to be not less than the fair market value of the parcels for uses according to the Land Reutilization Program.

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

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 118-11.

By Director Rush.

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

Whereas, under the Land Reutilization Program, the City has acquired Permanent Parcel Nos. 103-22-005, 103-22-006, 103-22-009, 103-22-035, 103-22-037, 103-22-066, 103-22-068, 103-22-070, 103-22-087, 103-22-100, 103-22-106, 103-22-108, 103-22-136, 103-22-153, 103-22-154, 103-22-169, located at various addresses under the Land Reutilization Program; and

Whereas, Ordinance No. 269-10 passed March 8, 2010, authorized the sale of the parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, St. John's West Family Homes, LP has proposed to the City to purchase and develop the parcels for new construction; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 269-10, passed by the Cleveland City Council March 8, 2010, the Mayor is authorized to execute an official deed for and on behalf of the City of Cleveland to St. John's West Family Homes, LP for the sale and development of Permanent Parcel Nos. 103-22-005, 103-22-006, 103-22-009, 103-22-035, 103-22-037, 103-22-066, 103-22-068, 103-22-070, 103-22-087, 103-22-100, 103-22-106, 103-22-108, 103-22-136, 103-22-153, 103-22-154, 103-22-169, as described in the Ordinance 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 parcels shall be \$100.00 each, which amount is determined to be not less than the fair market value of the parcels for uses according to the Land Reutilization Program.

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

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 119-11.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel Nos. 134-10-073 and 134-10-074 located at 4191 East 74th Street in Ward 12; and

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

Whereas, Deborah M. Brown, abutting/adjacent landowner, 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 12 has consented to the proposed sale;

2. The parcels are either less than 4,800 square feet or less than 40 feet frontage;

3. 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 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 Deborah M. Brown for the sale and development of Permanent Parcel Nos. 134-10-073 and 134-10-074 located at 4191 East 74th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for said parcels shall be \$1.00 each, which amount is determined to be not less than the Fair Market value of said parcels for uses according to the Program.

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

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 120-11.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 123-21-086 located at 3095 Otokar in Ward 5; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commis-

sioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Cleveland New Construction Ltd. Partner, abutting/adjacent landowner, has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 5 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Cleveland New Construction Ltd. Partner for the sale and development of Permanent Parcel No. 123-21-086 located at 3095 Otokar, 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 said parcel shall be \$1.00, which amount is determined to be not less than the Fair Market value of said parcel for uses according to the Program.

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

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 121-11.

By Director Rush.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Independence Excavating, Inc., for the public improvement of the Lower Woolen Mills Demolition & Environmental Remediation, for Base Bid Items and Contingency, for the Department of Community Development, received on February 9, 2011, under the authority of Ordinance No. 1881-06, passed on December 11, 2006, Ordinance No. 1511-09, passed on November 23, 2009, and Ordinance No. 643-08, passed on May 12, 2008, upon a gross price basis for the improvement in the aggregate amount of \$213,569.40, is affirmed and approved as the lowest responsible bid, and the Director of Department of Community Development 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 Independence Excavating, Inc. for the aforementioned public improvement is approved:

<u>SUBCONTRACTOR AMOUNT</u>	<u>MBE/FBE PERCENTAGE</u>				
Ballast Fence \$5,900.00	CSB/FBE 2.763%	14	WR	Sewer Service Worker	Open
Lightning Demolition \$25,000.00	CSE/MBE 11.706%	15	EE	Superintendent of Sewer Maintenance	N/C
Granger Trucking \$23,500.00	CSB/MBE 11.003%	16	WR	Unit Supervisor	Open
Down To Earth \$14,111.00	CSB/FBE 6.607%				
Midwest Landclearing \$14,800.00	CSB/FBE 6.930%				

Yeas: Directors Triozzi, Withers, R. Smith, Cox, Butler, Acting Director H. Smith, Directors Rush, Southerington, Nichols, Fumich and Acting Director O'Leary.
Nays: None.
Absent: Mayor Jackson and Director Dumas.

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 stated in the examination announcement.

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

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

ROBERT BENNETT,
President

CIVIL SERVICE NOTICE

ANNOUNCEMENTS — 2011
4/1/2011 — 4/7/2011

Announ- cement No.	Exam Method	Classi- fication	Exam Type
10	WR	Arborist I	Open
11	WR	Data Control Clerk	Open
12	WR	Meter Reader Supervisor	Open
13	WR	Police Traffic Controller	Open

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

- Lease - from rental agency.
- Lease - from independent party. Must include copy of cancelled check or money order receipts for previous rent and/or security deposit, and fully executed; otherwise, it is unacceptable.
- Utility bills bearing the property address **and** your name.
- Post Office change of address form properly date stamped.
- Official documents relating to home ownership including deed, purchase agreement, or insurance policy.
- Bank statements (Within last three months).
- School registration of children.
- Car insurance documents.
- Car registration **or** Driver's License **or** Ohio I.D. (**One only**).
- Loans and credit card statements (Within last three months).
- Rental contracts (e.g.: furniture, tools, car, etc.).
- Current bills not listed above (Within last three months).
- The following are examples of **unacceptable** categories of proof:

- Library cards.
- Voter registration cards.
- Birth certificates.
- Notarized letters or affidavits.
- Social Security card.
- Rental receipts from independent party without cancelled checks or money order receipt.

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 10

ARBORIST I (OPEN)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$16.11- \$19.22 per Hr.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. **APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION FROM 8:30 A.M. ON FRIDAY, APRIL 1, 2011 UNTIL 4:30 P.M. ON THURSDAY, APRIL 7, 2011**

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, APRIL 7, 2011

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

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

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

DUTIES OF THE POSITION

Under supervision, performs skilled arboricultural work including planting, pruning, and removing trees. Removes dead and dangerous trees and tree stumps from City rights-of-way, parks, and public properties. Trims, prunes, and otherwise maintains street and public trees. Plants trees by digging holes with shovel or auger. Uses chain saws, pole saws, and hand tools to cut and trim trees. Operates chipper and stump grinder. Cleans work area. Irrigates, cultivates, sprays, and fertilizes trees. Performs emergency duties during and after storms to remove trees and branches from streets. Performs general, basic maintenance on equipment and vehicles. Substitutes for Arborist II as needed. Performs other job-related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

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

A High School diploma or G.E.D. is required. Two (2) years of experience in Arboriculture or a closely related field is required. Must be able to lift and carry a minimum of 30 lbs.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the

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

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

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

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 11

DATA CONTROL CLERK (OPEN)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$10.00- \$16.49 per Hr.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION FROM 8:30 A.M. ON FRIDAY, APRIL 1, 2011 UNTIL 4:30 P.M. ON THURSDAY, APRIL 7, 2011

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, APRIL 7, 2011

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

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

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

DUTIES OF THE POSITION

Coordinates the assembly of all required source documents, key

punch cards, and magnetic tapes needed for a computer operation. Follows and supervises the movement of source documents into key punch, key punched cards into tabulating, the processed key punch cards from tabulating into computer operations, the computer output to its appropriate destination. Balances computer reports to a control figure to analyze any out-of-balance conditions and directs correction to be made as needed to the input data or the computer program logic. Performs other job-related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

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

A High School Diploma or GED is required. One year of full time paid experience in data processing or secretarial work with the emphasis on computer work is required, two years is preferred. Should be able to communicate effectively. Transcription skills are preferred.

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

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

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

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

AN EQUAL OPPORTUNITY EMPLOYER

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

METER READER SUPERVISOR (OPEN)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$14.47- \$22.45 per Hr.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION FROM 8:30 A.M. ON FRIDAY, APRIL 1, 2011 UNTIL 4:30 P.M. ON THURSDAY, APRIL 7, 2011

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, APRIL 7, 2011

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

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

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

DUTIES OF THE POSITION

Under supervision, assists the Chief Meter Reader in the supervision of the activities of Meter Readers. Assists in the planning of field and office activities. Performs and assists in the field and office work of the meter reading bureau. Performs related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

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

A High School Diploma or GED is required. Five years of full time paid experience in meter reading operations is required. Must possess basic computer skills, especially Microsoft Office Suites. Must be able to lift 50 pounds and carry 10 pounds. A valid State of Ohio Driver's License is required.

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

tance, or indigence is exempt from the filing fee. A copy of such proof must be included with the application.

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

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

AN EQUAL OPPORTUNITY EMPLOYER

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

POLICE TRAFFIC CONTROLLER (OPEN)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$10.00- \$14.96 per Hr.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION FROM 8:30 A.M. ON FRIDAY, APRIL 1, 2011 UNTIL 4:30 P.M. ON THURSDAY, APRIL 7, 2011

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, APRIL 7, 2011

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

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

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

DUTIES OF THE POSITION

Under supervision, writes parking tickets and calls for the towing of vehicles from public thoroughways and lands. Performs impound work. Directs vehicular traffic and performs crowd and traffic control for special events (races, parades, ball games, etc.) and performs related duties as required. (Employees are prohibited from performing criminal investigations or exercising their authority on privately-owned premises.) Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

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

A High School Diploma or GED is required. A valid State of Ohio Driver's License is required. Must be able to stand and walk in all types of weather for long periods of time.

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

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

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

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 14

SEWER SERVICE WORKER (OPEN)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$14.99- \$18.71 per Hr.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION FROM 8:30 A.M. ON FRIDAY, APRIL 1, 2011 UNTIL 4:30 P.M. ON THURSDAY, APRIL 7, 2011

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, APRIL 7, 2011

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

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

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

DUTIES OF THE POSITION

Under immediate supervision and instruction, carries out tasks related to operation, maintenance, and repairs to sewers, manholes, and catch basins. Performs related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

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

A High School Diploma or GED is required. Previous labor experience is preferred. A valid State of Ohio Driver's License is required. Must have the capability to operate a jackhammer. Availability for overtime is required.

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

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

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

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 15

SUPERINTENDENT OF SEWER MAINTENANCE (NON-COMP)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a Non-Competitive exam-

ination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$20,800.00- \$72,440.97 per Yr.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. **APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION FROM 8:30 A.M. ON FRIDAY, APRIL 1, 2011 UNTIL POSITION IS FILLED**

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

EXAMINATION INFORMATION

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

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

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

DUTIES OF THE POSITION

Under administrative direction, manages the maintenance/repair of sewer operations and pump station operations. Directs and supervises work performed by supervisory maintenance personnel. Prioritizes repair and maintenance work to be performed. Evaluates and determines overtime requirements. Interviews job candidates. Participates in disciplinary employee hearings. Directs the procurement of supplies and materials. Supervises the preparation and maintenance of records and reports. Operates computer using various software packages such as Accela, GIS, and Work Management System. Performs other job-related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

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

A High School Diploma or GED is required. A Bachelor's Degree in Civil Engineering or related field from an accredited four year college or university is required. Four years of full time paid supervisory experience is required. Four years of full time paid management of sewer systems (e.g., sewer construction, operation of special equipment including vacuum

cleaners, sewer jets, and TV inspection units). (Substitution: Two years of experience in the construction and maintenance of storm and/or sanitary sewers may substitute for each year of college education lacking.) Should be computer proficient. A valid State of Ohio Driver's License is required, an Ohio Class A Commercial Driver's License is preferred.

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

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

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

AN EQUAL OPPORTUNITY EMPLOYER

**APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 16**

UNIT SUPERVISOR (OPEN)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$13.29- \$23.23 per Hr.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. **APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION FROM 8:30 A.M. ON FRIDAY, APRIL 1, 2011 UNTIL 4:30 P.M. ON THURSDAY, APRIL 7, 2011**

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, APRIL 7, 2011

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

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

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

DUTIES OF THE POSITION

Under general direction, supervises the total operation of a group of employees performing the same or related tasks in a functional work unit. Performs other job-related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

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

A High School Diploma or GED is required. An Associate's Degree from an accredited college or university is required. Three years of relevant full time paid experience in a work unit is required. (Substitution: One year of supervisory experience may substitute for each year of college education lacking.) A valid State of Ohio Driver's License is required

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

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

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

AN EQUAL OPPORTUNITY EMPLOYER

**ROBERT BENNETT,
President**

March 30, 2011

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, APRIL 11, 2011

9:30 A.M.

Calendar No. 11-35: 2111 Center Street (Ward 3)

Cleveland 2111 LLC, owner, and Patrick Lally appeal to establish a music entertainment use in an existing three-story building on an acreage parcel in a B3 General Industry District; subject to the limitations of Sections 347.12(a)(2), the regulations for spacing prohibit the use to be established within five hundred (500) feet of another such use, which includes charity gambling at 2249 Elm Street and the Cleveland Powerhouse/Nautica

Stage; and by the provisions in Section 349.04(e) the proposed use requires an off-street parking area equal to three times the gross floor area according to the Cleveland Codified Ordinances.

Calendar No. 11-36: 2365-73 Professor Street (Ward 3)

Mark LaGrange, owner, appeals to add live entertainment and an outdoor patio and to expand the occupancy of the second floor to 25 people for a bar/restaurant and two (2) dwelling units in a mixed use building on a 60' x 123.32' parcel in a C1 General Retail Business District; contrary to Sections 347.12(a)(1) the use for live entertainment is not at least 500 feet from a residence district, churches or libraries; and no parking is shown on the plan, contrary to Section 349.04(e) that requires a parking area equal to three times the gross floor area of the bar/restaurant and patio plus two spaces for the residential units; and a 10 foot wide landscaped transition strip, providing 75 percent year round opacity, is required where the premises abuts a residence district and none is shown, contrary to Sections 352.08-12 of the Cleveland Codified Ordinances.

Calendar No. 11-39: 2401 Meyer Avenue (Ward 14)

Bamco Investments LLC and Michael Ferrante, owner, Universal Auto Repair and Leo Espinal, tenant, appeal to establish use as a motor vehicle repair garage an existing one-story building on a corner parcel in a C2 Semi-Industry District, where the proposed use is within 10 feet of a residence district to the east, contrary to Section 345.03(c)(2) that requires a distance of at least 100 feet, and pursuant to Section 349.04(g) four (4) accessory off-street parking spaces are required and provisions in Section 349.07 require parking and all vehicle maneuvering areas to be hard surfaced and drained within the lot containing the use; and an eight foot wide landscape transition strip providing 75 percent year round opacity is required, where the proposed use abuts an alley that fronts the residence district, according to Sections 352.08-11 in the Cleveland Codified Ordinances.

10:30 A.M.

Calendar No. 10-251: 2606 Martin Luther King Drive (Ward 6)

Church of God in Christ, Inc. and James Bannerman appeal to construct an addition to a legal non-conforming church on a 50' x 105' parcel in a General Retail Business District; subject to Section 359.01, except as provided in Section 347.06 and Chapter 351, use of building or land lawfully existing on the effective date of the Zoning Code, or any amendment or supplement thereto or for which a permit has been lawfully issued may be continued even though such use does not conform to the zoning district where it is located; but no expansion, substitution or other change in such nonconforming use to other than a conforming use is permitted, except as a variance under the terms of Chapter 329 and by special permit issued only if the Board of Zoning Appeals finds, after public hearing, that such expansion or substitution or other change is no more harmful or objectionable than the previous nonconforming use in floor or other space occupied, in volume of trade or production, in kind

of goods sold or produced, in daily hours or other period of use, in the type or number of persons to occupy or to be attracted to the premises or in any other characteristic of the new use as compared with the previous use; and by reference to Section 337.02(e)(1) churches and other places of worship, if located within 15 feet of a residential district, require the Board of Zoning Appeals approval, in accordance with the Cleveland Codified Ordinances.

**POSTPONED FROM
FEBRUARY 14, 2011**

10:30 A.M.

Calendar No. 10-274: 4135 Lee Road (Ward 1)

Toris Realty Company, owner, David Grimmer and Jonathon Hayden, tenant, appeal to establish use as a tattoo/body piercing parlor in a one-story retail plaza space, located in a C1 Shopping Center District that abuts a residence district and is within 1,000 feet of JFK High School; and by the limitations of Section 343.04 the proposed use is not permitted and first allowed in a General Retail Business District, provided that it meets the distance separation of 1,000 feet pursuant to Sections 347.12(b) of the Cleveland Codified Ordinances. (Filed 12-29-10; no testimony taken.)

First postponement granted for the appellants to meet with the Local Design Review Advisory Committee about the plan.

Calendar No. 11-2: 3299 East 142nd Street (Ward 1)

EJ Fletcher, owner, appeals to change use from two dwelling units to a three family dwelling (third unit located in the attic) of an existing residence located on a 40' x 133' lot in a B1 Two-Family District; contrary to the zoning regulations and first allowed in a Multi-Family District in Section 337.08; two parking spaces are provided and three are required according to Section 349.04; a minimum lot area of 5,320 square feet is provided contrary to 7,200 square feet and Section 355.04; the interior side yards provided are 3 feet and a minimum of 8 feet is required, pursuant to Sections 357.09(2)(C) of the Cleveland Codified Ordinances.

First postponement granted for the appellant to consult with the Councilman about the possibility of a zoning change.

Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, MARCH 28, 2011

At the meeting of the Board of Zoning Appeals on Monday, March 28, 2011, the following appeals were heard by the Board.

The following appeals were **Approved:**

Music License

Calendar No. 11-20: 3232 Lakeside Avenue

Theodore Talliere, manager, and Charles Fleck, owner, appealed from revocation of a Music License dated June 23, 2009.

Tow Truck Drivers License

Calendar No. 11-21: Ramon Black
Ramon Black appealed from the denied application for a tow truck

drivers license dated January 31, 2011.

Calendar No. 11-6: 3800 Bridge Avenue West Side United Church of Christ, owner, and Happy Works Daycare, Inc., tenant, appealed to expand the use of a church to include a day care center in the second floor of the existing building in a B1 Two-Family District.

The following appeals were **Denied:**

Calendar No. 11-29: 10723 Magnolia Drive

Mt. Zion Congregational Church appealed for an addition to expand use of a church to include an early childhood learning center and accessory offices in an AA1 Limited One Family District.

Calendar No. 10-263: 10500 Quincy Avenue

JCC Miles appealed for a change of use from a car wash to storage of construction materials in a General Industry District.

The following appeal was **Withdrawn:**

Calendar No. 11-15: 4243 Fulton Road Memphis Fulton Association, owner, and Lori Groff, lessee, appealed from a Violation Notice issued by the Cleveland Department of Building and Housing.

The following appeals were **Dismissed:**

None

The following appeal was **Postponed:**

Calendar No. 10-179: 3292 Fulton Road postponed to May 23, 2011.

The following appeal heard by the Board on March 21, 2011 was adopted and approved on March 28, 2011.

The following appeal was **Approved:**

Calendar No. 11-28: 9208 Detroit Avenue

Brian Lyons appealed to establish use as a bar with entertainment in an existing building located in a General Retail Business District; subject to conditions.

The following appeal heard by the Board on January 3, 2011 was adopted and approved on March 28, 2011.

The following appeal was **Approved:**

Calendar No. 10-207: 1001 Fairfield Avenue

Gillota Fuel Products, Inc. appealed to establish use, maintain a gas station and repair garage, on a corner parcel in a General Retail Business district; subject to conditions and approved landscaping plan.

Secretary

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

NO MEETING

PUBLIC NOTICE

**Department of Finance
Division of Treasury**

**Statement of Cash Management
and Investment Policy**

Effective April 9, 2009

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Purpose

The purpose of this document is to identify the policy that will govern the investment activities of the Treasurer’s Office of the City of Cleveland. This policy has been adopted by, and, if necessary, will be revised on an annual basis by, the Director of Finance.

This policy is designed to ensure prudent management of public funds, conformance to Chapter 178 of the Codified Ordinances of the City of Cleveland, availability of operating and capital funds when needed, and an investment return competitive with comparable funds and financial market indices.

All participants in the investment process shall act responsibly as custodians of the public trust. Investment officials shall recognize that the investment portfolio is subject to public review and evaluation. The overall program shall be designed and managed with a degree of professionalism that is worthy of the public trust.

Scope of the Investment Policy

This policy applies to the investment of all moneys of the City of Cleveland under the custody and control of the Division of Treasury. Any practice not clearly authorized under this policy is prohibited. The guidance set forth herein is to be strictly followed by all those responsible for any aspect of the management or administration of these funds.

The City’s investments shall be segregated into distinct portfolios, including portfolios for the General Fund, and the Divisions of Water, Airport, Utilities, Cemeteries, Safety, and Railroads. Total Average Portfolio, as defined in this policy, shall mean the average of the month-end market values for the prior twelve (12) month period of an individual portfolio.

Investment Objectives

All Portfolios shall be managed to accomplish the following hierarchy of objectives:

Preservation of Principal – The single most important objective of the City of Cleveland investment program is the preservation of principal of those funds within the Portfolio.

Maintenance of Liquidity – The Portfolio shall be managed in such a manner that assures that funds are available as needed to meet those immediate and/or future operating requirements of the City of Cleveland.

Maximize Return – The Portfolio shall be managed in such a fashion as to attain a market-average rate of return throughout budgetary and economic cycles, within the context and parameters set forth by objectives 1 and 2 above.

Delegation of Authority

The Treasurer is responsible for the prudent investment of the City of Cleveland Treasury and shall oversee the establishment of investment procedures consistent with this policy. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Treasurer. The Treasurer shall be responsible for all trades undertaken, and shall establish a system of controls to regulate the activities of subordinate officials and shall exercise control over that staff. Investment staff shall be bonded in amounts appropriate to levels of responsibility and portfolio characteristics.

The City's Internal Auditor will review the investment program to ensure compliance with this policy.

Standard of Prudence

The standard of prudence to be applied to the investment of the City of Cleveland shall be the industry standard "Prudent Investor Rule", which states:

"Investments shall be made with judgment and care, under circumstances then prevailing which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived."

Treasury staff acting in accordance with this policy or any other written procedures pertaining to the administration and management of the City of Cleveland and who exercise the proper due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided that these deviations are reported immediately to the Treasurer and that appropriate action is taken to control and prevent any further adverse developments.

Ethics and Conflict of Interest

Employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Further, no employee involved in the investment process shall use the authority to influence of office or employment to secure anything of value or the promise or offer of anything of value that would create an improper influence upon the public official or employee with respect to that person's duties.

Employees and investment officials shall comply fully with the reporting and disclosure requirements of Chapter 102 of the Ohio Revised Code.

Authorized Instruments

The Treasurer is authorized to invest the City of Cleveland in instruments as described in section 178.12 of the Codified Ordinances as summarized and restricted below:

A. U.S. Treasury Obligations. United States Treasury bills, notes, or any other obligation or security issued by the United States Treasury or any other obligation guaranteed as to principal and interest by the United States.

B. Federal Agency Obligations. Bonds, notes, debentures, or other obligations or securities issued by any federal government agency or instrumentality.

C. State and Municipal Bonds and Notes. Bonds and notes of the State of Ohio, and any municipal corporation, village, county, township, or other political subdivision of Ohio for which the full faith and credit of the subdivision is pledged, so long as such subdivision has not defaulted in the payment of principal or interest on its bonds or notes within the last ten (10) years.

D. State Pool. State of Ohio Local Agency Investment Pool (STAR Ohio) authorized under section 135.45 of the Ohio Revised Code.

E. Bank Deposits. Time certificates of deposit (not to exceed one [1] year) or savings or deposit accounts in an eligible institution as defined in Chapter 178 of the Codified Ordinances of the City of Cleveland. Collateralization is required on all deposits of City funds as stated in Chapter 178 of the Codified Ordinances of the City of Cleveland.

F. U.S. Government money market mutual funds. Issued by open ended investment companies registered with the SEC, with an average maturity of one hundred twenty (120) days or less, which have the objective of maintaining a constant net asset value per share, and which invest exclusively in U.S. Treasury Obligations, Federal Agency Obligations, and repurchase agreements secured by such obligations.

G. Repurchase Agreements. Specific agreements shall not exceed a term of one (1) year with any eligible depository or designated securities broker/dealer which has entered into a master repurchase agreement pursuant to Codified Ordinance Section 178.12, division (c), under the terms of which agreement the City Treasurer purchases for the City, and such eligible depository or securities broker/dealer agrees to unconditionally repurchase, any of the securities listed in Section 178.12, divisions (b) (1), (b) (2), or (b) (3), of the Codified Ordinances of the City of Cleveland.

Diversification

Each Portfolio shall be structured to diversify investments to reduce the risk of loss resulting from over-concentration of assets in a specific maturity, a specific issuer or a specific type of security. The maximum percentage of the Total Average Portfolio permitted in each security is as follows:

A. U.S. Treasury	100 % maximum
B. Federal Agency (Fixed Rate)	100 % maximum
C. Federal Agency (Callable)	55 % maximum
D. Certificates of Deposit	25 % maximum
E. Repurchase Agreements	25 % maximum
F. State Bonds and Notes	10 % maximum
G. Municipal Bonds and Notes	10 % maximum
H. STAR Ohio	75 % maximum
I. Money Market Mutual Funds	75 % maximum

Each Portfolio will be further diversified to limit the exposure to any one issuer. No more than 2% of the Total Average Portfolio will be invested in the securities of any single issuer with the following exceptions:

U.S. Government Obligations	100 % maximum
Money Market Mutual Funds	10 % maximum
Repurchase Agreements Counterparties	5 % maximum

Maximum Maturity

Maintenance of adequate liquidity to meet the cash flow needs of the City is essential. Accordingly, each Portfolio will be structured in a manner that ensures sufficient cash is available to meet anticipated liquidity needs. Selection of investment maturities must be consistent with the cash requirements in order to avoid the forced sale of securities prior to maturity.

Assets will be invested in permitted investments with a stated maturity of no more than five (5) years from the date of purchase unless the security is matched to a specific obligation or debt of the City. To control the volatility of the assets, the Treasurer of the City will determine a duration target, not to exceed three (3) years.

Notwithstanding these limitations, in no case will the assets in any Portfolio be invested in securities with a term to maturity that exceeds the expected disbursement date of those funds.

Prohibited Investments and Investment Practices

The Treasurer is expressly prohibited from the following investments and investment practices. This is not an exclusive list.

Short sales (selling a specific security before it has been legally purchased);

Investment in complex derivatives such as range notes, dual index notes, inverse floating rate notes and leveraged notes, or notes linked to lagging indices or to long-term indices;

Collateralized mortgage obligations (CMOs) and real estate mortgage investment conduits (REMICs);

Investing in any security not specifically permitted by this Policy.

Monitoring and Adjusting the Portfolio

Those responsible for the day-to-day management of the Portfolios will routinely monitor the contents of each Portfolio, the available markets and the relative values of competing instruments, and will adjust each Portfolio as necessary to meet the investment objectives listed above. It is recognized and understood that this non-speculative active management of Portfolio holdings may cause a loss on the sale of an owned investment. It is the policy of the City of Cleveland to charge any such loss against the interest income account during the month in which the loss was realized.

The City of Cleveland Office of Budget and Management, on a quarterly basis, allocates the net income/losses earned on investments of the General Revenue Account to various funds based on each fund's cash balance in proportion to the City of Cleveland as a whole.

Internal Controls

The City Treasurer is responsible for monitoring a system of internal controls governing the administration and management of the Portfolio which include a review of all investment activity, trade reconciliation, and targeting cash balances. Such controls are designed to prevent and control losses of the City funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by any personnel. The internal controls address: control of collusion, separation of duties, separating transaction authority from accounting and record keeping, custodial safekeeping, clear delegation of authority, written confirmation of telephone transactions, minimizing the number of authorized investments officials and documentation of investment transactions.

Eligible Banks and Broker/Dealers

The Director of Finance will establish and the Treasurer will maintain a list of eligible brokers, dealers, and banks with which investment transactions can be made, as described in Section 178.11 of the Codified Ordinances of the City of Cleveland. Qualified firms will be limited to "primary" dealers and other dealers that qualify under Securities and Exchange Commission Rule 15C3-1 (uniform net capital rule) that are registered with the Ohio Department of Commerce to do business in the State of Ohio. All financial institutions and broker dealers must provide the following information, on an annual basis:

Sworn statement pledging to adhere to "Capital Adequacy Standards"

Annual financial statements for the most recent year showing the amount of liquid capital

A written statement from a certified public accountant certifying no weakness in the internal systems of controls of the dealer or broker were found

A completed "Broker/Dealer Request for Information" and all documentation required by Section 178.12 of the Codified Ordinances of the City of Cleveland.

Preference will be given to banks and broker/dealers who are headquartered or maintain a presence in the City of Cleveland.

Financial institutions and broker/dealers will be required to comply with this policy and to pledge to offer for sale only appropriate securities.

Competitive Selection of Investment Instruments

It will be the policy of the Treasurer to transact all security purchases/sales only with approved financial institutions through a competitive process. The City shall accept the offer which (a) has the highest rate of return within the maturity required; and (b) optimizes the investment objective of the overall portfolio. When selling a security, the Treasurer will select the bid that generates the highest sale price.

Primary fixed price Federal Agency offerings may be purchased from the list of qualified broker/dealers without competitive solicitation.

In making investment decisions, all other things being equal and subject to compliance with any applicable Internal Revenue Code requirements for bond proceeds, investment in corporations and financial institutions doing business in the City of Cleveland will be given preference over other investment options.

Safekeeping and Custody

All investment securities purchased by the Treasurer or held as collateral on deposits or investments shall be held in third-party safekeeping at the Federal Reserve Bank of Cleveland or at a secured and insured depository as required by Chapter 178 of the City of Cleveland Codified Ordinance and Section 113.05 of the Ohio Revised Code.

All securities in the Portfolio shall be held in the name of the Treasurer of the City of Cleveland and will be free and clear of any lien. Further, all investment transactions will be conducted on a delivery-vs-payment basis. The depository shall issue a safekeeping receipt to the Treasurer listing the specific instrument, rate, maturity and other pertinent information.

Appropriate Treasury officials and representatives of the depository responsible for, or in any manner involved with, the safekeeping and custody process of the City of Cleveland shall be bonded in such a fashion as to protect the City from losses from malfeasance and misfeasance.

Performance Standards

The investment portfolios shall be designed and managed with the objective of obtaining a market rate of return throughout budgetary and economic cycles, commensurate with the investment risk constraints and cash flows needs of the City.

Reporting

The City Treasury shall maintain accurate, complete, and timely records of all investment activities. Each business day, the Treasurer shall provide the Commissioner of Accounts and the City Controller a sworn statement (Daily Treasurer's Report) showing the total amount deposited in and withdrawn from each depository from the preceding business day. Within fifteen (15) business days of the end of the month, the City Treasurer shall submit an investment report to the Director of Finance. This report shall include: (i.) a listing of the existing portfolios in terms of investment securities, book value, maturity date, return, market value, and other features deemed relevant, (ii.) a listing of all transactions executed during the month. The City Treasurer will also prepare annual reports in sufficient detail to provide full disclosure of all investment activities to the Director of Finance.

Conflict of Law

In the event that any portion of this policy is in conflict with any City, State, or Federal law, that law will prevail.

Investment Policy Effective Date

This policy is adopted this 9th day of April 2009 and shall remain in effect until rescinded or amended by the Director of Finance.

Sharon Dumas
Director of Finance

March 23, 2011

NOTICE OF PUBLIC HEARING

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

**Mercedes Cotner
Committee Room 217
City Hall, Cleveland, Ohio
On Wednesday, April 13, 2011
1:00 p.m.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on April 13, 2011, at 1:00 p.m., to consider the following ordinances now pending in the Council:

Ord. No. 744-10

By Council Member Keane
Changing the Use District of lands on the north and south sides of Lorain Road between West 147th Street and West 165th Street from General Retail Business to Local Retail Business (Map Change No. 2304; Sheet No. 12).

Ord. No. 745-10

By Council Member Keane
Establishing a Pedestrian Retail Overlay (PRO) District the north and south sides of Lorain Road between West 178th Street and the Norfolk Southern Railroad tracks west of West 143rd Street. (Map Change No. 2303, Sheet Number 12).

Ord. No. 1568-10

By Council Member Cummins
To change the Use District of land on the south side of Seymour Avenue west of Fulton Road from Two Family Residential to Local Retail Business. (Map Change No. 2340; Sheet No. 1).

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

Phyllis E. Cleveland
Chair
Committee on City Planning

March 30, 2011 and April 6, 2011

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

Where invitations for bids are advertised, the following notice shall be included in the advertisement: "Pursuant to the MBE/FBE Code, each prime bidder, each minority business enterprise ("MBE") and each female business enterprise ("FBE") must be certified before doing business with the City. Therefore, any prime contractor wishing to receive credit for using an MBE or FBE should ensure that applications for certification as to MBE or FBE status compliance with the Code, affirmative action in employment and, if applicable, joint venture status, are submitted to the Office of Equal Opportunity ("OEO") prior to the date of bid opening or submission of proposals or as specified by the Director. Failure to comply with the business enterprise code or with representations made on these forms may result in cancellation of the contract or other civil or criminal penalties."

THURSDAY, APRIL 14, 2011

File No. 47-11 — Water Main Replacements: West Park Blvd., Lansmere Road and Stockholm Road in the City of Shaker Heights, Ohio for the Division of Water, of the Department of Public Utilities and as authorized by Ordinances No. 1928-07 passed City Council December 10, 2007.

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

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, MARCH 31, 2011 AT 10:00 A.M. THE CARL B STOKES PUBLIC UTILITIES BUILDING, PUBLIC UTILITIES AUDITORIUM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114

March 23, 2011 and March 30, 2011

WEDNESDAY, APRIL 20, 2011

File No. 45-11 — Landscape Maintenance at Various Public Utilities for the Division of Water, of the Department of Public Utilities and as authorized by Ordinances No. 1599-10 passed City Council December 6, 2010.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING FRIDAY, APRIL 1, 2011 AT 10:00 A.M. THE CARL B STOKES PUBLIC UTILITIES BUILDING, MAIN AUDITORIUM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114

March 23, 2011 and March 30, 2011

THURSDAY, APRIL 21, 2011

File No. 46-11 — Labor and Materials for Air Duct Cleaning for the Division of Water, of the Department of Public Utilities and as authorized by Section 181.101 Codified Ordinances, City of Cleveland 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, MARCH 31, 2011 AT 2:00 P.M. THE CARL B STOKES PUBLIC UTILITIES BUILDING, MAIN AUDITORIUM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114

March 23, 2011 and March 30, 2011

WEDNESDAY, APRIL 20, 2011

File No. 49-11 — Nuisance Wildlife Trapping and Removal Service & Pest Control for the Division of Animal Control Services, of the Department of Public Safety and as authorized by Section 181.101 Codified Ordinances, City of Cleveland 1976

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, APRIL 7, 2011 AT 11:00 A.M. THE DOG KENNEL, 2690 WEST 7TH STREET, CLEVELAND, OHIO 44113

File No. 50-11 — Animal Cremations for the Division of Animal Control Services, of the Department of Public Safety and as authorized by Section 181.101 Codified Ordinances, City of Cleveland 1976

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, APRIL 7, 2011 AT 1:00 P.M. THE DOG KENNEL, 2690 WEST 7TH STREET, CLEVELAND, OHIO 44113

March 30, 2011 and April 6, 2011

THURSDAY, APRIL 21, 2011

File No. 48-11 — Pool Chemical for the Division of Recreation, of the Department of Public Works and as authorized by Section 181.101 Codified Ordinances, City of Cleveland 1976

THERE WILL BE A MANDATORY PRE-BID MEETING THURSDAY, APRIL 7, 2011 AT 10:00 A.M. THE CLEVELAND CITY HALL, RECREATIONS, ROOM 8, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114

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

March 30, 2011 and April 6, 2011

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 101-11.

By Council Member Miller.
An emergency resolution supporting House Bill No. 4 of the 129th Ohio General Assembly that would amend the Ohio Revised Code to eliminate the financial responsibility random verification program of the Bureau of Motor Vehicles.

Whereas, House Bill No. 4 introduced on January 11, 2011 by Representative Matt Huffman (R) would amend the Ohio Revised Code to eliminate the financial responsibility random verification program of the Bureau of Motor Vehicles; and

Whereas, current law requires that a person be able to verify the person's ability to pay for damages for liability that come from the ownership, maintenance, or use of a motor vehicle; and

Whereas, the ability to provide this verification is called proof of financial responsibility and is usually accomplished through providing proof of motor vehicle liability insurance coverage; and

Whereas, under current law, any person operating a motor vehicle in Ohio or permitting another to operate the person's motor vehicle in Ohio may be required to provide that proof of financial responsibility under the following circumstances:

- Involvement in a traffic accident requiring the filing of an accident report;

- Receipt of a traffic ticket indication that proof of financial responsibility was not produced upon the request of a peace officer or State Highway Patrol trooper; and

- Whenever the person is randomly selected by the Registrar and requested to provide verification under the random verification program; and

Whereas, failure to maintain proof of financial responsibility results in two civil penalties:

- suspension of operating privileges and impoundment of driver's license, and

- suspension of vehicle registration and impoundment of certificate of registration; and

Whereas, current law requires the Registrar to establish the random verification program by rule, but House Bill No. 4 would repeal this program; and

Whereas, with the looming state budget hole, eliminating the random verification program would save the State of Ohio \$800,000; and

Whereas, all other requirements of proof of financial responsibility remain unchanged; and

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

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

Section 1. That this Council supports House Bill No. 4 of the 129th Ohio General Assembly that would amend the Ohio Revised Code to eliminate the financial responsibility random verification program of the Bureau of Motor Vehicles.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to Representative Huffman, the 129th Ohio General Assembly and Mayor Jackson.

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

Adopted March 21, 2011.

Effective March 24, 2011.

Res. No. 367-11.
By Council Member Brancatelli.
An emergency resolution withdrawing objection to the transfer liquor ownership of a C1 and C2 Liquor Permit at 7020 Harvard

Avenue and repealing Resolution No. 23-11, objecting to said transfer.

Whereas, this Council objected to a C1 and C2 Liquor Permit to 7020 Harvard Avenue by Resolution No. 23-11 adopted by the Council on January 10, 2011; and

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

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

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

Section 1. That objection to a C1 and C2 Liquor Permit from 7020 Harvard Avenue, Eden Oil, Inc., DBA Harvard Gas USA, 7020 Harvard Avenue, Cleveland, Ohio 44105, Permanent Number 2434505 to Harvard Gas, LLC, DBA Harvard Gas USA, 7020 Harvard Avenue, Cleveland, Ohio 44105, Permanent Number 3648441, be and the same is hereby withdrawn and Resolution No. 23-11, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted March 21, 2011.

Effective March 24, 2011.

Res. No. 368-11.
By Council Member Cimperman.
An emergency resolution objecting to the transfer of ownership of a D5 and D6 Liquor Permit to 620 Frankfort Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a D5 and D6 Liquor Permit from Down River Specialties, Inc., DBA Motion, 620 Frankfort Avenue, Cleveland, Ohio 44113, Permanent Number 22898800005 to K K Tricks, LLC, DBA K AK Tricks Night Club, 620 Frankfort Avenue, Cleveland, Ohio 44113, Permanent Number 4422102; and

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

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

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

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

Whereas, the place for which the permit is sought is so located with respect to the neighborhood that it substantially interferes with public

decency, sobriety, peace or good order; and

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D5 and D6 Liquor Permit from Down River Specialties, Inc., 620 Frankfort Avenue, Cleveland, Ohio 44113, Permanent Number 22898800005 to K K Tricks, LLC, DBA K AK Tricks Night Club, 620 Frankfort Avenue, Cleveland, Ohio 44113, Permanent Number 4422102; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted March 21, 2011.

Effective March 24, 2011.

Res. No. 369-11.
By Council Member Cimperman.
An emergency resolution withdrawing objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit at 2045 East 21st Street, and repealing Resolution No.1079-10, objecting to said renewal.

Whereas, this Council objected to a D1, D2, D3, D3A and D6 Liquor Permit to 2045 East 21st Street by Resolution No. 1079-10 adopted by the Council on August 18, 2010; and

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

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

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

Section 1. That objection to a D1, D2, D3, D3A and D6 Liquor Permit to 2045 East 21st Street, owned by Downunder Entertainment, LLC, DBA Peabody's Entertainment, 2045 East 21st Street, Cleveland, Ohio 44115, Permanent Number 2293436, be and the same is hereby withdrawn and Resolution No. 1079-10, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

Adopted March 21, 2011.
Effective March 24, 2011.

Res. No. 370-11.
By Council Member Cimperman.
An emergency resolution withdrawing objection to the renewal of a D1, D2, D3, D3A, and D6 Liquor Permit at 618 Prospect Avenue and repealing Resolution No. 1083-10, objecting to said transfer.

Whereas, this Council objected to a D1, D2, D3, D3A and D6 Liquor Permit to 618 Prospect Avenue by Resolution No. 1083-10 adopted by the Council on August 18, 2010; and

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

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

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

Section 1. That objection to a D1, D2, D3, D3A and D6 Liquor Permit to 618 Prospect Avenue, owned by View Cleveland, LLC, 618 Prospect Avenue, Cleveland, Ohio 44115, Permanent Number 9271908, be and the same is hereby withdrawn and Resolution No. 1083-10, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted March 21, 2011.
Effective March 24, 2011.

Res. No. 371-11.
By Council Member Cimperman.
An emergency resolution withdrawing objection to the renewal of a D5 Liquor Permit at 2233 West 3rd Street, 1st floor and patio and repealing Resolution No. 1085-10, objecting to said renewal.

Whereas, this Council objected to a D5 Liquor Permit to 2233 West 3rd Street, 1st floor and patio by Resolution No. 1085-10 adopted by the Council on August 18, 2010; and

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

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

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

Section 1. That objection to a D5 Liquor Permit to 2233 West 3rd Street, 1st floor and patio, owned by Patricia A. Hanych, 2233 West 3rd Street, Cleveland, Ohio 44113, Permanent Number 3587876, be and the same is hereby withdrawn and Resolution No.

1085-10, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted March 21, 2011.
Effective March 24, 2011.

Res. No. 372-11.
By Council Member Cimperman.
An emergency resolution withdrawing objection to the renewal of a D5 and D6 Liquor Permit at 1392 West 6th Street and repealing Resolution No.1086-10, objecting to said renewal.

Whereas, this Council objected to a D5 and D6 Liquor Permit to 1392 West 6th Street by Resolution No. 1086-10 adopted by the Council on August 18, 2010; and

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

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

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

Section 1. That objection to a D5 and D6 Liquor Permit to 1392 West 6th Street, owned by Mercury Lounge, LLC, 1392 West 6th Street, Cleveland, Ohio 44113, Permanent Number 5829842, be and the same is hereby withdrawn and Resolution No. 1086-10, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted March 21, 2011.
Effective March 24, 2011.

Res. No. 373-11.
By Council Member Cimperman.
An emergency resolution objecting to the transfer of ownership and location of a D5 and D6 Liquor Permit to 2510 Elm Street.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership and location of a D5 AND D6 Liquor Permit from SNM Entertainment, Inc., 2000 Sycamore Street, 1st floor Units 160 & 190, Cleveland, Ohio 44113, Permanent Number 7642439 to Echelon on the Water, Inc., DBA Echelon on the Water, 2510 Elm Street, Cleveland, Ohio 44113, Permanent Number 2434367; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership and location of a D5 Liquor Permit from SNM Entertainment, Inc., 2000 Sycamore Street, 1st floor Units 160 & 190, Cleveland, Ohio 44113, Permanent Number 7642439 to Echelon on the Water, Inc. DBA Echelon on the Water, 2510 Elm Street, Cleveland, Ohio 44113, Permanent Number 2434367; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted March 21, 2011.
Effective March 24, 2011.

Res. No. 374-11.
By Council Member Cimperman.
An emergency resolution objecting to the transfer of ownership and location of a D5 Liquor Permit to 240 Euclid Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership and location of a D5 Liquor Permit from Telecom Acquisition Corp I, Inc., 1st floor and patio, 1301 Old River Road, Cleveland, Ohio 44113, Permanent Number 88361720002 to 236 Euclid Retail LLC, 240 Euclid Avenue, Cleveland, Ohio 44114, Permanent Number 9115395; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership and location of a D5 Liquor Permit from Telecom Acquisition Corp I, Inc., 1st floor and patio, 1301 Old River Road, Cleveland, Ohio 44113, Permanent Number 88361720002 to 236 Euclid Retail LLC, 240 Euclid Avenue, Cleveland, Ohio 44114, Permanent Number 9115395; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted March 21, 2011.

Effective March 24, 2011.

Res. No. 375-11.

By Council Member Kelley.

An emergency resolution withdrawing objection to the renewal of a D5 Liquor Permit at 6101 Memphis Avenue and repealing Resolution No. 963-10, objecting to said renewal.

Whereas, this Council objected to a D5 Liquor Permit to 6101 Memphis Avenue by Resolution No. 963-10 adopted by the Council on July 14, 2010; and

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

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

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

Section 1. That objection to a D5 Liquor Permit to 6101 Memphis Avenue, owned by Cal Ger, LLC, DBA Memphis Station, Permanent Number 1184084, be and the same is hereby withdrawn and Resolution No. 963-10, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted March 21, 2011.

Effective March 24, 2011.

Res. No. 376-11.

By Council Member Reed.

An emergency resolution objecting to the transfer of ownership of a D1 and D2 Liquor Permit to 4658 Warner Road.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a D1 and D2 Liquor Permit from Mildred Fantelli, DBA Cozy Inn, 4568 Warner Road, Cleveland, Ohio 44105, Permanent Number 2637923 to Martin J. Martina, DBA Cozy Inn, 4568 Warner Road, Cleveland, Ohio 44105, Permanent Number 5588648; and

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

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

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

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

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

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

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

Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D1 and D2 Liquor Permit from Mildred Fantelli, DBA Cozy Inn, 4568 Warner Road, Cleveland, Ohio 44105, Permanent Number 2637923 to Martin J. Martina, DBA Cozy Inn, 4568 Warner Road, Cleveland, Ohio 44105, Permanent Number 5588648; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted March 21, 2011.

Effective March 24, 2011.

Res. No. 382-11.

By Mayor Jackson, Council Members Zone and Mitchell.

An emergency resolution urging local area municipalities, public and private businesses and individuals to support "Earth Hour 2011" by turning off their lights for one hour, from 8:30 pm until 9:30 pm on Saturday March 26, 2011.

Whereas, on March 26, 2011, the world will once again observe "Earth Hour" when hundreds of millions of people, organizations, corporations and governments around the world will come together to make a bold statement about their concern for climate change by turning off their lights for one hour between the 8:30pm and 9:30 pm; and

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

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

Whereas, nearly one billion people turned out for Earth Hour 2009, involving 4,100 cities in 87 countries on seven continents and including 80 million Americans and 318 U.S. cities; and

Whereas, Earth Hour 2010 was the biggest Earth Hour ever: a record 128 countries and territories joined the global display of climate action. Iconic buildings and landmarks from Asia Pacific to Europe and Africa to the Americas switched off; people across the world from all walks of life turned off their lights and came together in celebration and contemplation of the one thing we all have in common - our planet; and

Whereas, in past years, landmarks from around the world went dark for Earth Hour, including: the Empire

State Building; the Brooklyn Bridge; Broadway Theater Marquees; the Las Vegas Strip; United Nations Headquarters; the Golden Gate Bridge; Seattle's Space Needle; Church of Latter-Day Saints Temple; the Gateway Arch in St Louis; the Great Pyramids of Giza; the Acropolis and Parthenon in Athens; Christ the Redeemer Statue in Rio de Janeiro; St. Peter's Basilica in Vatican City; Big Ben and Houses of Parliament in London; Elysee Palace and Eiffel Tower in Paris; Beijing's Bird Nest and Water Cube; Symphony of Lights in Hong Kong; and Sydney's Opera House; and

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

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

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

Section 1. That this Council urges local area municipalities, public and private businesses and individuals to support "Earth Hour 2011" by turning off their lights for one hour, from 8:30 pm until 9:30 pm on Saturday March 26, 2011.

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

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

Adopted March 21, 2011.

Effective March 21, 2011.

Ord. No. 13-11.

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

An emergency ordinance authorizing the Director of Economic Development to apply for and accept a Clean Ohio grant from the State of Ohio Department of Development for environmental assistance for proposed redevelopment of the John Hartness Brown Building at 1001-1101 Euclid Avenue; authorizing the Director to enter into one or more contracts with JHB Hotel, LLC, or its designee, to implement the project and to incorporate LEED principles in the redevelopment of the site; and authorizing the director to employ one or more professional consultants or one or more firms of consultants who employ an Ohio VAP-Certified professional 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 oversee the redevelopment work and to complete services to issue a "No Further Action Letter."

Whereas, the redevelopment of the John Hartness Brown Building at 1001-1101 Euclid Avenue is a high-priority project for the City of Cleveland; and

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

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

Section 1. That the Director of Economic Development is authorized to apply for and accept a Clean Ohio grant in an amount up to \$3,000,000, from the State of Ohio Department of Development for environmental assistance for proposed redevelopment of the John Hartness Brown Building at 1001-1101 Euclid Avenue Street, to be used to implement the project as described in the executive summary below; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the executive summary for the grant contained in the file described below and in any subsequent grant amendments, which amendments will be filed with Council.

Section 2. That the executive summary for the grant File No. 13-11-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the Director of Economic Development is authorized to enter into one or more contracts with JHB Hotel, LLC, or its designee, to implement the project and to incorporate LEED principles in the redevelopment of the site.

Section 4. That the Director of Economic Development is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants who employ an Ohio VAP-Certified professional for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to oversee the redevelopment work and to complete services to issue a "No Further Action Letter."

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

Section 5. That the contract or contracts authorized by this ordinance shall be prepared by the Director of Law, approved by the Director of Economic Development, and certified by the Director of Finance.

Section 6. That the cost of the contract or contracts authorized will be paid from the fund or subfunds that are credited the proceeds of the grant accepted under this ordinance.

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

Passed March 21, 2011.

Effective March 24, 2011.

Ord. No. 17-11.

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

An emergency ordinance authorizing the Director of Economic Development to apply for and accept a Clean Ohio grant from the State of Ohio Department of Development for environmental assistance for proposed redevelopment of the Key Gas Components Facility at 1966 East 66th Street; authorizing the Director to enter into one or more contracts with Sixty-Six, LLC, or its designee, to implement the project and to incorporate LEED principles in the redevelopment of the site; and authorizing the director to employ one or more professional consultants or one or more firms of consultants who employ an Ohio VAP-Certified professional 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 oversee the redevelopment work and to complete services to issue a "No Further Action Letter."

Whereas, the redevelopment of the Key Gas Components Facility at 1966 East 66th Street is a high-priority project for the City of Cleveland; and

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

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

Section 1. That the Director of Economic Development is authorized to apply for and accept a Clean Ohio grant in an amount up to \$3,000,000, from the State of Ohio Department of Development for environmental assistance for proposed redevelopment of the Key Gas Components Facility at 1966 East 66th Street, to be used to implement the project as described in the executive summary below; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the executive summary for the grant contained in the file described below and in any subsequent grant amendments, which amendments will be filed with Council.

Section 2. That the executive summary for the grant, File No. 17-11-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the Director of Economic Development is authorized to enter into one or more contracts with Sixty-Six, LLC, or its designee, to implement the project and to incorporate LEED principles in the redevelopment of the site.

Section 4. That the Director of Economic Development is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants who employ an Ohio VAP-Certified professional for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to oversee the redevelopment work and to complete services to issue a "No Further Action Letter."

The selection of the consultants for the services shall be made by the Board of Control on the nomination of

the Director of Economic Development from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Economic Development for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control.

Section 5. That the contract or contracts authorized by this ordinance shall be prepared by the Director of Law, approved by the Director of Economic Development, and certified by the Director of Finance.

Section 6. That the cost of the contract or contracts authorized will be paid from the fund or subfunds that are credited the proceeds of the grant accepted under this ordinance.

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

Passed March 21, 2011.

Effective March 24, 2011.

Ord. No. 105-11.

By Council Member Cummins.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3503 Highview Avenue to Joseph McCandlish.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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

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

Section 1. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to Joseph McCandlish.

Section 2. That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 014-03-061

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 18 in E. H. Foster's Allotment of a part of Original Brooklyn Township Lot No. 56. Said Sublot No. 18 has a frontage of 41.1 feet on the Southerly side of Highview Avenue, S.W. and extends back 182.40 deep on the Easterly line 191.84 feet deep on the Westerly line, and is 40 feet wide in the rear, as per plat of said Allotment recorded in Volume 14 of Maps, Page 43 of Cuyahoga County records, be the same more or less, but subject to all legal highways.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be

executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

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

Passed March 21, 2011.

Effective March 24, 2011.

Ord. No. 106-11.

By Council Member Mitchell.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Mt. Overlook Avenue to Johnny Woodson.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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

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

Section 1. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to Johnny Woodson.

Section 2. That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 129-05-048

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio; and known as being part of Original One Hundred Acre Lot No. 421 and bounded and described as follows:

Beginning at an iron pin at the intersection of the West line of said Original One Hundred Acre Lot No.

421 with the North line of Mt. Overlook Avenue, 40 feet wide, thence South 84°12'10" East, along said North line of Mt. Overlook Avenue, 174.68 feet to a drill hole at the true place of beginning of the parcel herein described:

Course #1

Thence North, 0°01'40" W., 100.51 feet to an iron pin in the south line of land conveyed to St. Anne's Maternity Hospital by deed dated June 12, 1947;

Course #2

Thence S. 84°12'10" E., along said South line 40.56 feet to an iron pin in the West line of Leisy Estates Subdivision as shown by plat recorded in Volume 70, Page 14 of Cuyahoga County Map Records.

Course #3

Thence S. 0°17'30" W., along said West line, 100.46 feet to a point in said North line of Mt. Overlook Avenue;

Course #4

Thence N. 84°12'10" West., 40.00 feet along said North line of Mt. Overlook Avenue to the place of beginning and being further known as Sublot No. 5, as shown by survey and Subdivision plat by the C.W. Cortney Engineering Company dated November 1, 1948, be the same more or less, but subject to all legal highways.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

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

Passed March 21, 2011.

Effective March 24, 2011.

Ord. No. 133-11.

By Council Member J. Johnson.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on St. Clair Avenue to Ohio Technical College.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the

Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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

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

Section 1. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to Ohio Technical College.

Section 2. That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 104-10-055

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio; and known as being part of Sublot No. 3 in Ranney and Herrick's Allotment of part of Original Ten Acre Lot Nos. 128, 129, 130 and 131, as shown by the recorded plat in Volume 12 of Maps, Page 30 of the Cuyahoga County Records, and bounded and described as follows:

Beginning on the Southwesterly line of East 52nd Street, at the most Easterly corner of Sublot No. 3; thence Southwesterly along the Southeastery line of Sublot No. 3, 46 feet to a point and the principal place of beginning; thence continuing Southwesterly along said Southeastery line of Sublot No. 3, 24.5 feet; thence Northwesterly and parallel with the Southwesterly line of East 52nd Street, 60 feet; thence Northeasterly and parallel with the Southeastery line of Sublot No. 3, 24.5 feet; thence Southeastery and parallel with the Southwesterly line of East 52nd Street, 60 feet to the principal place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

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

Passed March 21, 2011.

Effective March 24, 2011.

Ord. No. 175-11.
By Council Members Keane and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. 69220 with Weather Forecast Inc. of Ohio to provide for the use and occupancy of space located in the passenger terminal building at Burke Lakefront Airport for activities necessary forecasting weather.

Whereas, under the authority of Ordinance No. 359-09, passed May 4, 2009, the Director of Port Control entered into Contract No. 69220 with Weather Forecast Inc. of Ohio for the use and occupancy of space located in the passenger terminal building at Burke Lakefront Airport for activities necessary for forecasting weather; and

Whereas, Ordinance No. 359-09 requires further legislation before exercising the first option to renew on this contract; and

Whereas, for the use of the Leased Premises Weather Forecast, Inc. of Ohio shall pay the City an annual fee of \$3,458.04, payable in monthly installments of \$288.17. This amount is based on a fair market appraisal price of \$13.00 per square foot; and

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

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

Section 1. That the Director of Port Control is authorized to exercise the first option to renew Contract No. 69220 for an additional year with Weather Forecast Inc. of Ohio for the use and occupancy of space located in the passenger terminal building at Burke Lakefront Airport for activities necessary for forecasting weather. This ordinance constitutes the additional legislative authority required by Ordinance No. 359-09 to exercise this option.

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

Passed March 21, 2011.

Effective March 24, 2011.

Ord. No. 176-11.
By Council Members Keane and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. 69361 with Premier Flight Academy to provide for the use and occupancy of space located in the passenger terminal building at Burke Lakefront Airport for activities necessary for training and instruction of student pilots.

Whereas, under the authority of Ordinance No. 358-09, passed May 4, 2009, the Director of Port Control entered into Contract No. 69361 with Premier Flight Academy for the use and occupancy of space located in the passenger terminal building at Burke Lakefront Airport for activities necessary for training and instruction of student pilots; and

Whereas, Ordinance No. 358-09 requires further legislation before exercising the first option to renew on this contract; and

Whereas, for the use of the Leased Premises Premier Flight Academy shall pay the City an annual fee of \$18,720.00, payable in monthly installments of \$1,560.00. This amount is based on a fair market appraisal price of \$13.00 per square foot; and

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

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

Section 1. That the Director of Port Control is authorized to exercise the first option to renew Contract No. 69361 for an additional year with Premier Flight Academy for the use and occupancy of space located in the passenger terminal building at Burke Lakefront Airport for activities necessary for training and instruction of student pilots. This ordinance constitutes the additional legislative authority required by Ordinance No. 358-09 to exercise this option.

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

Passed March 21, 2011.

Effective March 24, 2011.

Ord. No. 177-11.
By Council Members Keane and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. 69370 with Bencin Aviation, dba Precision Helicopter Services to provide for the use and occupancy of space located in the passenger terminal building at Burke Lakefront Airport for activities necessary for training and instruction of student helicopter pilots.

Whereas, under the authority of Ordinance No. 356-09, passed May 4, 2009, the Director of Port Control entered into Contract No. 69370 with Bencin Aviation, dba Precision Helicopter Services for the use and occupancy of space located in the passenger terminal building at Burke Lakefront Airport for activities necessary for training and instruction of student pilots; and

Whereas, Ordinance No. 356-09 requires further legislation before exercising the first option to renew on this contract; and

Whereas, for the use of the Leased Premises Bencin Aviation shall pay the City an annual fee of \$2,313.96, payable in monthly installments of \$192.83. This amount is based on a fair market appraisal price of \$13.00 per square foot; and

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

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

Section 1. That the Director of Port Control is authorized to exercise the first option to renew Contract No. 69370 for an additional year with Bencin Aviation, dba Precision Helicopter Services for the use and occupancy of space located in the passenger terminal building at Burke Lakefront Airport for activities necessary for training and instruction of student helicopter pilots. This ordinance constitutes the additional legislative authority required by Ordinance No. 356-09 to exercise this option.

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

Passed March 21, 2011.

Effective March 24, 2011.

Ord. No. 178-11.

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

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. 69405 with T & G Flying Club, Inc. to provide for the use and occupancy of space located in the passenger terminal building at Burke Lakefront Airport for activities necessary for training and instruction of student pilots.

Whereas, under the authority of Ordinance No. 360-09, passed May 4, 2009, the Director of Port Control entered into Contract No. 69405 with T & G Flying Club, Inc. for the use and occupancy of space located in the passenger terminal building at Burke Lakefront Airport for activities necessary for training and instruction of student pilots; and

Whereas, Ordinance No. 360-09 requires further legislation before exercising the first option to renew on this contract; and

Whereas, for the use of the Leased Premises T & G Flying Club shall pay the City an annual fee of \$20,175.96, payable in monthly installments of \$1,681.33. This amount is based on a fair market appraisal price of \$13.00 per square foot; and

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

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

Section 1. That the Director of Port Control is authorized to exercise the first option to renew Contract No. 69405 for an additional year with T & G Flying Club, Inc. for the use and occupancy of space located in the passenger terminal building at Burke Lakefront Airport for activities necessary for training and instruction of student pilots. This ordinance constitutes the additional legislative authority required by Ordinance No. 360-09 to exercise this option.

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

Passed March 21, 2011.

Effective March 24, 2011.

Ord. No. 179-11.

By Council Member Brancatelli.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 75th Street to Chad Murray.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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

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

Section 1. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to Chad Murray.

Section 2. That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 133-02-033

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being the Northerly part of Sublot No. 109 in the H. S. Whittlesey's Subdivision of part of Original One Hundred Acre Lot No. 319, as shown by the recorded plat in Volume 7 of Maps, Page 31 of Cuyahoga County Records, and bounded and described as follows:

Beginning in the Easterly line of East 74th Street, at the intersection of the Northerly line of the Wheeling and Lake Erie Railroad right-of-way, with the Westerly line of Sublot No. 109; thence Northerly along said Westerly line to the Northwest corner thereof, thence Easterly along the Northerly line of said Sublot, 128 feet to the Northeast corner thereof, thence Southerly along the Easterly line of said Sublot to the Northerly line of said Railroad's right-of-way; thence Westerly along said right-of-way to the place of beginning, be the same more or less, but subject to all legal highways.

P. P. No. 133-02-034

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio; and known as being Sublot No. 110 in H. S. Whittlesey's Allotment of part of Original One Hundred Acre Lot No. 319 as shown by the recorded plat in Volume 7 of Maps, Page 31 of Cuyahoga County Records and being 40 feet front on the Westerly side of East 75th Street (formerly Groton Street) and extending back of equal width 128 feet to the Easterly line of East 74th Street (formerly Mound Street), as appears by said plat, be the same more or less, but subject to all legal highways.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the

Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

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

Passed March 21, 2011.

Effective March 24, 2011.

Ord. No. 180-11.

By Council Member Mitchell.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 12615 Buckeye Road to Harper Industries, Inc.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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

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

Section 1. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to Harper Industries, Inc.

Section 2. That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 129-16-035

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 123 and 124 in Wm. M. Southern's Brugge Farm Subdivision of part of Original One Hundred Acre Lot No. 429, as shown by the recorded plat in Volume 35 of Maps, Page 9 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Westerly line of East 127th Street, (formerly Brugge Street), at its point of intersection with the Northerly line of Buckeye Road S.E., (formerly South Woodland

Avenue); thence Westerly along said Northerly line of Buckeye Road S.E., 80 feet to the Southwest corner of said Sublot No. 123; thence Northerly along the Westerly line of said Sublot No. 123, 100 feet; thence Easterly about 80 feet to a point in said Westerly line of East 127th Street distant 100 feet Northerly, (measured along said Westerly line), from the place of beginning; thence Southerly along said Westerly line of East 127th Street, 100 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

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

Passed March 21, 2011.

Effective March 24, 2011.

Ord. No. 181-11.
By Council Members Brancatelli and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with The Greater Cleveland Sports Commission to provide financial assistance to organize and administer programs for marketing the City of Cleveland as a venue for sporting events and to actively market the Cleveland Public Hall as a premier site for the hosting of major events.

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 a grant agreement with The Greater Cleveland Sports Commission to provide financial assistance to organize and administer programs for marketing the City of Cleveland as a venue for sporting events and to actively market the Cleveland Public Hall as a premier site for the hosting of major events.

Section 2. That the costs of the grant shall not exceed an amount of \$200,000 and shall be paid from Fund No. 17 SF 652, RQS 9501, RL 2011-15.

Section 3. That the agreement and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

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

Passed March 21, 2011.

Effective March 21, 2011.

Ord. No. 182-11.
By Council Members Cleveland, Brancatelli and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into contract with Midtown Acquisition, LLC, or its designee, to provide economic development assistance to partially finance the acquisition, demolition, and redevelopment of 6900 and 7000 Euclid Avenue, and other associated costs necessary to redevelop the property.

Whereas, the Council of the City of Cleveland has determined that to assist with business expansion, retain and create jobs within the City of Cleveland, and increase the City's tax base, it is in the public interest and a proper public purpose for the City to provide financing assistance for projects that have business retention, expansion, and attraction implication or that have certain job creation potential; and

Whereas, in compliance with Section 13, of Article VIII, Ohio Constitution, the City has established the Cleveland Citywide Development Corporation for review of proposed economic development projects; and

Whereas, the project has been reviewed by the City's Department of Economic Development and approved by the Cleveland Citywide Development Corporation at its March 15, 2011 Board Meeting; 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 provided Midtown Acquisition LLC, or its designee, submits documents required by the City's bond counsel, the Director of Economic Development is authorized to enter into a loan agreement under the Vacant Property Initiative with Midtown Acquisition LLC, or its designee, to provide economic development assistance to partially finance the acquisition, demolition, and redevelopment of 6900 and 7000 Euclid Avenue, 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 Summary contained in File No. 182-11-B, 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 any funding under this ordinance, including forgivable and nonforgivable portions, shall not exceed \$1,330,000, and shall be paid from Fund Nos. 17 SF 008, 10 SF 541, and 10 SF 552, RQS 9501, RL 2011-60.

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. Any loan agreement, security instrument, or other document shall be prepared and approved by the Director of Law.

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, 10 SF 542, and 10 SF 553.

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

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

Passed March 21, 2011.

Effective March 21, 2011.

Ord. No. 189-11.
By Council Members Conwell, Brancatelli, Cleveland and Sweeney (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by SDC University Circle Developer LLC, or its designee, located at 2021 Cornell Road for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code; and authorizing an agreement with SDC University Circle Developer LLC, or its designee.

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified

Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized to acquire from and reconvey to, SDC University Circle Developer LLC, or its designee, for a price of one dollar and other valuable considerations determined as fair market value, the following property for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code and more fully described as follows:

**LEGAL DESCRIPTION
OF A
0.4095 ACRE PARCEL OF LAND**

Situated in the City of Cleveland, County of Ohio and State of Ohio, and known as being all of Sublot Numbers 196 and 197 in Knight and Richardson's Re-Subdivision of part of Original One Hundred Acre Lot Number 403, as shown on the recorded plat in Volume 24 of Maps, Page 17 of Cuyahoga County Records;

Commencing at a stone monument found at the center line intersection of Cornell Road, 60 feet wide, and Euclid Avenue, 100 feet wide, of which said monument bears South 42°52' 23" West, and passing over a drill hole in monument found, 0.07 feet (East), at the center line intersection of said Euclid Boulevard and Mayfield Road, 84 feet wide, a distance of 202.85 feet therefrom, a total distance of 324.08 feet to a one inch iron pin monument found on said center line of Euclid Boulevard; thence South 47°03' 17" East along the center line of Cornell Road, 60 feet wide, a distance of 193.77 feet to a point therein; thence North 42°52' 23" East, a distance of 30.00 feet to a p.k. nail or drill hole and "x" to be set on the northerly line of said Cornell Road and the southeasterly corner of land now or formerly owned by University Circle East LLC, an Ohio limited liability company, Permanent Parcel No. 121-01-001, said point also being the TRUE POINT OF BEGINNING for the land hereinafter described, thence clockwise along the following six courses and distances:

Thence continuing North 42°52' 23" East along the easterly line of said University Circle East LLC, and its northeasterly prolongation, a distance of 169.51 feet to a 5/8 inch iron pin with cap, "GPD" to be set on the southerly line of land now or formerly owned by University Circle East LLC, an Ohio limited liability company, Permanent Parcel No. 121-01-004;

Thence South 47°03' 17" East along the southerly line of said University Circle East LLC, and its southeasterly prolongation, a distance of 46.00 feet to a 5/8 inch iron pin with cap, "GPD" to be set at the most southeasterly corner of land now or formerly owned by University Circle East LLC, an Ohio limited liability company, Permanent Parcel No. 121-01-006;

Thence North 42°52' 23" East along the easterly line of land now or formerly owned by University Circle East LLC, a distance of 30.49 feet to a 5/8 inch iron pin with cap, "GPD" to be set an angle point;

Thence South 47°03' 17" East continuing along the easterly line of said University Circle East LLC, and its southeasterly prolongation, a calculated distance of 50.21 feet to a 5/8 inch iron pin found, 0.15 feet (East) and 0.10 feet (North) at the most southeasterly corner of land now or formerly owned by University Circle East LLC, an Ohio limited liability company, Permanent Parcel No. 121-

01-007, and the northwesterly corner of land now or formerly owned by University Hospitals of Cleveland, an Ohio corporation not for profit, Permanent Parcel No 121-01-031;

Thence South 42°52' 23" West along the westerly line of said University Hospitals of Cleveland, a distance of 200.00 feet to a p.k. nail or drill hole and "x" to be set on the northerly line of aforementioned Cornell Road, 60 feet , and the southwesterly corner thereof;

Thence North 47°03' 17" West along the northerly line of Cornell Road, 60 feet wide, a calculated distance of 96.21 feet to the True Point of Beginning, and containing 0.4095 acre (17,840 square feet) of land, more or less, and subject to all easements, restrictions, and covenants of record.

Basis of Bearing : State Plane Grid North NAD83 (NSRS2007), Ohio North Zone.

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

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

Section 4. That the conveyance shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland.

Section 5. That the Director of Economic Development is authorized to enter into an agreement with SDC University Circle Developer LLC, or its designee, which shall include the terms and conditions of the transaction authorized by this ordinance.

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

Passed March 21, 2011.

Effective March 24, 2011.

Ord. No. 190-11.

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

An emergency ordinance authorizing the Director of Community Development to apply for and accept grants from the United States Department of Housing and Urban Development for the CDBG Year 37 under the Title I of the Housing and Community Development Act of 1974, for the 2011 Federal HOME Grant Program, Emergency Shelter Grant Program, and the Housing Opportunities for Persons with AIDS Program.

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

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

Section 1. That the Director of Community Development is authorized to apply for and accept grants from the U. S. Department of Housing and Urban Development (HUD) in the following approximate amounts: \$23,600,000 to conduct the 2011 Year 37 Community Development Block Grant Program; \$ 6,000,000 to conduct

the Federal HOME Grant Program; \$1,100,000 to conduct the Emergency Shelter Grant Program; and \$ 975,000 for the Housing Opportunities for Persons with AIDS (HOPWA) Program, for the purposes set forth in the budgets and according thereto and in compliance with the requirements of Title I of the Housing and Community Development Act of 1974 and applicable rules and regulations. That the Director of Community Development is authorized to file all papers and execute all documents necessary to receive the funds under the grants, and that the funds are appropriated for the purposes set forth in the budgets for the grants.

Section 2. That the budgets for the grants, placed in File No. 190-11-A, made a part hereof as if fully rewritten herein, are approved in all respects.

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

Passed March 21, 2011.

Effective March 24, 2011.

Ord. No. 213-11.

By Council Member Polensek.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1055 East 169th Street to Rhonda S. Mclean.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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

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

Section 1. That under Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below, to Rhonda S. Mclean.

Section 2. That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 113-21-030

Situated In the City of Cleveland, County of Cuyahoga and State of Ohio; and known as being Sublot No. 14 in Moreland Allotment of part of Original Euclid Township Tract No. 15, as shown by the recorded plat in Volume 64 of Maps, Page 29 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 169th Street, 154.13 feet deep on the Northerly line, 154.17 feet deep on the Southerly line, and 40 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 3. That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 5. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

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

Passed March 21, 2011.
Effective March 24, 2011.

Ord. No. 226-11.
By Council Members Keane and Sweeney (by departmental request).
An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. 69366 with Physio-Control, Inc. to maintain and repair automated external defibrillators at Cleveland Hopkins International Airport and Burke Lakefront Airport.

Whereas, under the authority of Ordinance No. 445-08, passed May 5, 2008, the Director of Port Control entered into Contract No. 69366 with Physio-Control, Inc. to maintain and repair automated external defibrillators at Cleveland Hopkins International Airport and Burke Lakefront Airport; and

Whereas, Ordinance No. 445-08 requires further legislation before exercising the first option to renew on this contract; and

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

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

Section 1. That the Director of Port Control is authorized to exercise the first option to renew Contract No. 69366 for an additional year at a cost not to exceed \$8,325.00 with Physio-Control, Inc. to maintain and repair automated external defibrillators at Cleveland Hopkins International Airport and Burke Lakefront Airport. This ordinance constitutes the additional legislative authority required by Ordinance No. 455-08 to exercise this option. RQS 3001, RL 2011-11.

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 mem-

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

Passed March 21, 2011.
Effective March 24, 2011.

Ord. No. 227-11.
By Council Members Keane and Sweeney (by departmental request).
An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. 69429 with South Shore Cable Construction, Inc. to provide for the use and occupancy of certain City-owned property at 6400 Kolthoff Road, Brook Park.

Whereas, under the authority of Ordinance No. 588-09, passed June 8, 2009, the Director of Port Control entered into Contract No. 69429 with South Shore Cable Construction, Inc. to provide for the use and occupancy of certain City-owned property at 6400 Kolthoff Road, Brook Park; and

Whereas, Ordinance No. 588-09 requires further legislation before exercising the first option to renew on this contract; and

Whereas, for the use of the leased premises, South Shore Cable Construction, Inc. shall pay the City an annual fee of \$71,450.04, payable in monthly installments of \$5,954.17; and

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

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

Section 1. That the Director of Port Control is authorized to exercise the first option to renew Contract No. 69429 for an additional year with South Shore Cable Construction, Inc. for the use and occupancy of certain City-owned property at 6400 Kolthoff Road, Brook Park. This ordinance constitutes the additional legislative authority required by Ordinance No. 588-09 to exercise this option.

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

Passed March 21, 2011.
Effective March 24, 2011.

Ord. No. 246-11.
By Council Members Keane and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. 69009 with KS Associates, Inc. to provide professional services to provide drawings of the existing and proposed airfield signage, lighting, and marking plans, as required for certification of Cleveland Hopkins International Airport by the Federal Aviation Administration, and update drawings, as required.

Whereas, under the authority of Ordinance No. 1239-07, passed September 24, 2007, the Director of Port Control entered into Contract No. 69009 with KS Associates, Inc. to drawings of the existing and proposed airfield signage, lighting, and marking plans, as required for certification of Cleve-

land Hopkins International Airport by the Federal Aviation Administration, and update drawings, as required; and

Whereas, Ordinance No. 1239-07 requires further legislation before exercising the first option to renew on this contract; and

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

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

Section 1. That the Director of Port Control is authorized to exercise the first option to renew Contract No. 69009 for an additional year at a cost not to exceed \$35,000 with KS Associates, Inc. to provide drawings of the existing and proposed airfield signage, lighting, and marking plans, as required for certification of Cleveland Hopkins International Airport by the Federal Aviation Administration, and update drawings, as required. This ordinance constitutes the additional legislative authority required by Ordinance No. 1239-07 to exercise this option. (RQS 3001, RL 2011-10)

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

Passed March 21, 2011.
Effective March 24, 2011.

Ord. No. 250-11.
By Council Members K. Johnson and Sweeney (by departmental request).

An emergency ordinance authorizing the Directors of Public Works and Finance to employ one or more temporary employment agencies to provide professional services to supply temporary and seasonal personnel for the Department of Public Works and the Project Clean program and for the Department of Finance, for a period not to exceed one year.

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

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

Section 1. That the Director of Public Works is authorized to employ by contract or contracts one or more temporary employment agency or agencies for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland to provide the professional services necessary to supply temporary and seasonal personnel for the Department of Public Works and Project Clean program, for a period not to exceed one year.

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

Section 2. That the Director of Finance is authorized to employ by contract or contracts one or more temporary employment agency or agencies for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland to provide the professional services necessary to supply temporary and seasonal personnel for the Department of Finance, for a period not exceeding one year.

The selection of the agency or agencies shall be made by the Board of Control on the nomination of the Director of Finance from a list of qualified agencies 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, and approved and certified by the Director of Finance.

Section 3. That the costs for the services contemplated shall be paid from Fund Nos. 62 SF 001, 63 SF 001, 01-7012-6380, 01-1503-6320, and funds appropriated for this purpose in budget year 2011, Request No. RQS-7012, RL 2011-17.

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

Passed March 21, 2011.
Effective March 21, 2011.

Ord. No. 252-11.
By Council Members Kelley, Brantelli and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into contract with Brookpark Industrial Properties, LLC, or its designee, to provide development assistance to partially finance the acquisition of a building located at 4600 Brookpark Road, and certain other costs necessary to redevelop the property.

Whereas, the Council of the City of Cleveland has determined that to assist with business expansion, retain and create jobs within the City of Cleveland, and increase the City's tax base, it is in the public interest and a proper public purpose for the City to provide financing assistance for projects that have business retention, expansion, and attraction implication or that have certain job creation potential; and

Whereas, in compliance with Section 13, of Article VIII, Ohio Constitution, the City has established the Cleveland Citywide Development Corporation for review of proposed economic development projects; and

Whereas, this project has been reviewed by the City's Department of Economic Development and approved by the Cleveland Citywide Development Corporation at its November 4, 2010 Board Meeting; and

Whereas, Council desires to authorize the development assistance to the project which has been reviewed by the Department of Economic Development and approved by the Cleveland Citywide Development Corporation in compliance with the Ohio Constitution and statutory requirements; 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, provided Brookpark Industrial Properties, LLC, or its designee, submits documents required by the City's bond counsel, the Director of Economic Development is authorized to enter into contract with Brookpark Industrial Properties, LLC, or its designee, to provide development assistance to partially finance the acquisition of a building located at 4600 Brookpark Road, and certain other costs necessary to redevelop the property.

Section 2. That the terms of the loan shall be according to the terms set forth in the Summary contained in File No. 252-11-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, and are approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the cost of the contract shall not exceed \$540,000 from Fund No. 10 SF 541 and \$180,000 from Fund 17 SF 008, for an aggregate total of \$720,000, which funds are appropriated for this purpose, Request No. RQS 9501, RL 2011-14.

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. Any loan agreement, security instrument, or other document shall be prepared and approved by the Director of Law.

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. 10 SF 542 and 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, and/or cause their Tenants to work with, The Workforce Investment Board for Workforce Area No. 3 to identify and solicit qualified candidates for job opportunities related to the City's contracts, and place special emphasis on the hard to employ, including but not limited to the disabled and persons who have been convicted of or have pled guilty to a criminal offense, unless the criminal conviction or related circumstances relate to the duties for the particular job sought.

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

Passed March 21, 2011.
Effective March 24, 2011.

Ord. No. 254-11.

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

An emergency ordinance authorizing the Director of Public Works to enter into an agreement with One Market Square Park, Ltd. to allow the City to install and maintain a mural on the Bender Building facing Market Square Park; and authorizing the Director to enter into a property adoption agreement with the Ohio City Near West Development Corp. to maintain the park, including the mural.

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

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

Section 1. That the Director of Public Works is authorized to enter into an agreement with One Market Square Park, Ltd. to allow the City to install and maintain a mural on the Bender Building facing Market Square Park.

Section 2. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 and Section 133.24 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Works is authorized to enter into a property adoption agreement with the Ohio City Near West Development Corp. to maintain the Market Square Park, including the mural.

Section 3. That this property adoption shall not be construed as a conveyance of any right, title, or interest in public property, but is the grant of a privilege revocable at the will of Council.

Section 4. That the agreements shall be prepared by the Director of Law.

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

Passed March 21, 2011.
Effective March 24, 2011.

Ord. No. 301-11.
By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to enter into one or more contracts with Court Community Service for professional services necessary to place criminal defendants in community service, and for placement in the Cleveland Work Crew Program, both as referred by the Court, each for a period of one year, with a one year option to renew, for the Cleveland Municipal Court.

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, on behalf of the Cleveland Municipal Court, is authorized to enter into one or more contracts with Court Community Service for professional services necessary to arrange community service for persons the Court refers for a period of one year, commencing January 1, 2011, with one (1) option, exercisable by the Director of Finance, to renew for an addi-

tional one-year term. The cost of the contract shall not exceed \$255,000, and if the option is exercised, the cost for the optional year shall not exceed \$261,000.

Section 2. That the Director of Finance, on behalf of the Cleveland Municipal Court, is authorized to enter into one or more contracts with Court Community Service for professional services necessary to arrange community service for persons the Court refers in the Cleveland Work Crew Program for a period of one year, commencing January 1, 2011, with one (1) option, exercisable by the Director of Finance, to renew for an additional one-year term, and cancelable on thirty days' written notice by the director. The cost of the contract shall not exceed \$147,000, and if the option is exercised, the cost for the optional year shall not exceed \$149,900.

Section 3. The cost of the contracts shall be paid from the fund or funds appropriated for this purpose in budget year 2011, RQS 0115, RL 2011-28.

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 March 21, 2011.
Effective March 24, 2011.

Ord. No. 365-11.
By Council Members Brancatelli and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Cuyahoga County Land Reutilization Corporation to authorize the County Land Bank to demolish structures and to perform related services on City-owned properties that are currently in the City's land bank, for a period up to two years.

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with the Cuyahoga County Land Reutilization Corporation to authorize the County Land Bank to demolish structures and to perform related services on City-owned properties that are currently in the City's land bank for a period up to two years.

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

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

Passed March 21, 2011.
Effective March 21, 2011.

Ord. No. 366-11.
By Council Member Sweeney.
An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase through cooperative agreements using state

procedures various items of office furniture and office equipment for Cleveland City Council and the Clerk of 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, pursuant to Section 108 (b) of the Charter, the Commissioner of Purchases and Supplies is authorized to purchase various items of office furniture and office equipment for Cleveland City Council and the Clerk of Council through cooperative agreements using state procedures. The Director of Finance or her designee may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process. The above authorized agreements will be paid for from fund 21, subfund 009, unit 00, app unit 680, object 6930, program C09904.

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

Passed March 21, 2011.
Effective March 24, 2011.

Ord. No. 380-11.
By Council Member Conwell.
An emergency ordinance amending Section 2 of Ordinance No. 1204-10 passed September 13, 2010 as it pertains to authorizing the Director of the Department of Economic Development to enter into an agreement with Green's Barber Shop for exterior building renovations through the use of Ward 9 Neighborhood Capital Funds.

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

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

Section 1. That Section 2 of Ordinance No. 1204-10 passed September 13, 2010 is hereby amended to read as follows:

Section 2. That the cost of said contract shall be in an amount not to exceed \$4,483.48 and shall be paid from Fund No. 10 SF 177.

Section 2. That Section 2 of Ordinance No. 1204-10 passed September 13, 2010 is hereby repealed.

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

Passed March 21, 2011.
Effective March 24, 2011.

Ord. No. 381-11.
By Council Member Sweeney.
An emergency ordinance authorizing the Clerk of Council to accept a grant from the Ohio Historical Records Advisory Board.

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 hereby authorized to accept a grant from the Ohio Historical Records Advisory Board in the amount of \$2,215 to provide the archival quality materials to re-house, arrange and identify the collection know as the Demolition Files. The Clerk is authorized to sign a grant agreement for this purpose and any other documents necessary in order to fulfill the grant agreement.

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

Passed March 21, 2011.
Effective March 24, 2011.

COUNCIL COMMITTEE MEETINGS

**Monday, March 28, 2011
9:00 a.m.**

Health and Human Services Committee: Present: Cimperman, Chair; J. Johnson, Vice Chair; Conwell, Keane, Kelley, Reed, Zone.

11:00 a.m.

Legislation Committee: Present: Mitchell, Chair; K. Johnson, Vice Chair; Brancatelli, Cimperman, Reed, Sweeney. *Authorized Absence:* Cleveland.

2:00 p.m.

Finance Committee: Present: Sweeney, Chair; Kelley, Vice Chair; Brady, Brancatelli, Cleveland, Keane, Miller, Mitchell, Polensek, Pruitt, Westbrook. *Authorized Absence:* Pro tempore: Cimperman.

Tuesday, March 29, 2011

9:30 a.m.

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

1:30 p.m.

Employment, Affirmative Action and Training Committee: Present: Pruitt, Chair; Miller, Vice Chair; J. Johnson, Mitchell, Westbrook. *Authorized Absence:* Cummins, K. Johnson. Pro tempore: Sweeney.

Wednesday, March 30, 2011

10:00 a.m.

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

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O—Ordinance; R—Resolution; F—File
 Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
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 West side (Hazel Dr. South of Magnolia Dr. & North of East Blvd.) — Change Use, Area and
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