

The City Record

Official Publication of the Council of the City of Cleveland



January the Twenty-Third, Two Thousand and Nineteen

Frank G. Jackson
Mayor

Kevin J. Kelley
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward Name

- 1 Joseph T. Jones
- 2 Kevin L. Bishop
- 3 Kerry McCormack
- 4 Kenneth L. Johnson, Sr.
- 5 Phyllis E. Cleveland
- 6 Blaine A. Griffin
- 7 Basheer S. Jones
- 8 Michael D. Polensek
- 9 Kevin Conwell
- 10 Anthony T. Hairston
- 11 Dona Brady
- 12 Anthony Brancatelli
- 13 Kevin J. Kelley
- 14 Jasmin Santana
- 15 Matt Zone
- 16 Brian Kazy
- 17 Martin J. Keane

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www.clevelandcitycouncil.org

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Kevin J. Kelley

Ward	Name	Residence	
1	Joseph T. Jones	4691 East 177th Street	44128
2	Kevin L. Bishop	11729 Miles Avenue, #5	44105
3	Kerry McCormack	1769 West 31st Place	44113
4	Kenneth L. Johnson, Sr.	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44115
6	Blaine A. Griffin	1810 Larchmere Boulevard	44120
7	Basheer S. Jones	1383 East 94th Street	44106
8	Michael D. Polensek	17855 Brian Avenue	44119
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Anthony T. Hairston	423 Arbor Road	44108
11	Dona Brady	1272 West Boulevard	44102
12	Anthony Brancatelli	6924 Ottawa Road	44105
13	Kevin J. Kelley	5904 Parkridge Avenue	44144
14	Jasmin Santana	3535 Marvin Avenue	44109
15	Matt Zone	1228 West 69th Street	44102
16	Brian Kazy	4300 West 143rd Street	44135
17	Martin J. Keane	15907 Colletta Lane	44111

MAYOR – Frank G. Jackson

Sharon Dumas, Interim 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
 Monyka S. Price, Executive Assistant to the Mayor, Chief of Education
 Matt Gray, Executive Assistant to the Mayor, Chief of Sustainability
 Natoya J. Walker Minor, Executive Assistant to the Mayor, Chief of Public Affairs
 Edward W. Rybka, Executive Assistant to the Mayor, Chief of Regional Development
 Tracy Martin-Thompson, Executive Assistant to the Mayor, Chief of Prevention, Intervention and Opportunity for Youth and Young Adults

OFFICE OF CAPITAL PROJECTS – Matthew L. Spronz, Director
 DIVISIONS:

Architecture and Site Development – Carter Edman, Manager
 Engineering and Construction – Richard J. Switalski, Manager
 Real Estate – James DeRosa, Commissioner

OFFICE OF EQUAL OPPORTUNITY – Melissa K. Burrows, Ph.D., Director

OFFICE OF QUALITY CONTROL AND PERFORMANCE MANAGEMENT – Sabra T. Pierce-Scott, Director

DEPT. OF LAW – Barbara A. Langhenry, Director, Gary D. Singletary, Chief Counsel, Ronda G. Curtis, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel, Victor R. Perez, Chief Assistant Prosecutor, Room 106: John Skrtic, Law Librarian, Room 100

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

Natasha Brandt, Manager, Internal Audit

DIVISIONS:

Accounts – Lonya Moss Walker, Commissioner, Room 19
 Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122
 City Treasury – James Hartley, Treasurer, Room 115
 Financial Reporting and Control – James Gentile, Controller, Room 18
 Information Technology and Services – Kimberly Roy-Wilson, Commissioner, 205 W. St. Clair Avenue
 Purchases and Supplies – Tiffany White, Commissioner, Room 128
 Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue
 Taxation – Nassim Lynch, Tax Administrator, 205 W. St. Clair Avenue

DEPT. OF PUBLIC UTILITIES – Robert L. Davis, Director, 1201 Lakeside Avenue

DIVISIONS:

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

DEPT. OF PORT CONTROL – Robert Kennedy, Director, Cleveland Hopkins International Airport, 5300 Riverside Drive

DIVISIONS:

Burke Lakefront Airport – Khalid Bahhur, Commissioner
 Cleveland Hopkins International Airport & Burke Lakefront Airport – Khalid Bahhur, Commissioner

DEPT. OF PUBLIC WORKS – Michael Cox, Director

OFFICES:

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

DIVISIONS:

Motor Vehicle Maintenance – Jeffrey Brown, Commissioner
 Park Maintenance and Properties – Richard L. Silva, Commissioner
 Parking Facilities – Kim Johnson, Interim Commissioner
 Property Management – Tom Nagle, Commissioner
 Recreation – Samuel Gissentaner, Interim Commissioner
 Streets – Frank D. Williams, Interim Commissioner
 Traffic Engineering – Robert Mavec, Commissioner
 Waste Collection and Disposal – Randell T. Scott, Interim Commissioner

DEPT. OF PUBLIC HEALTH – Merle Gordon, Director, 75 Erieview Plaza

DIVISIONS:

Air Quality – David Heame, Interim Commissioner
 Environment – Brian Kimball, Commissioner, 75 Erieview Plaza
 Health – Persis Sosiak, Commissioner, 75 Erieview Plaza

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

DIVISIONS:

Animal Control Services – John Baird, Interim Chief Animal Control Officer, 2690 West 7th Street
 Correction – David Carroll, Interim Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.
 Emergency Medical Service – Nicole Carlton, Acting Commissioner, 1708 South Pointe Drive
 Fire – Angelo Calvillo, Chief, 1645 Superior Avenue
 Police – Calvin D. Williams, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

DEPT. OF COMMUNITY DEVELOPMENT – Tania Menesse, Director

DIVISIONS:

Administrative Services – Joy Anderson, Commissioner
 Fair Housing and Consumer Affairs Office – John Mahoney, Manager
 Neighborhood Development – James Greene, Commissioner
 Neighborhood Services – Louise V. Jackson, Commissioner

DEPT. OF BUILDING AND HOUSING – Ayonna Blue Donald, Director, Room 500

DIVISIONS:

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

DEPT. OF HUMAN RESOURCES – Nycole West, Director, Room 121

DEPT. OF ECONOMIC DEVELOPMENT – David Ebersole, Director, Room 210

DEPT. OF AGING – Mary McNamara, Director, Room 122

COMMUNITY RELATIONS BOARD – Room 11, Grady Stevenson, Director, Mayor Frank G. Jackson, Chairman Ex-Officio; Rev. Dr. Charles P. Lucas, Jr., Vice-Chairman, Council Member Kevin L. Bishop, Roosevelt E. Coats, Jenice Contreras, Kathryn Hall, Yasir Hamdallah, Evangeline Hardaway, John O. Horton, Gary Johnson, Sr., Daniel McNea, Stephanie Morrison-Hrbek, Roland Muhammad, Gia Hoa Ryan, Council Member Jasmin Santana, Peter Whitt, Ted Wammes.

CIVIL SERVICE COMMISSION – Room 119, Rev. Gregory E. Jordan, President; Michael Flickinger, Vice-President; Michael Spreng, Secretary; Members: Daniel J. Brennan, India Pierce Lee.

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

BOARD OF ZONING APPEALS – Room 516, Carol A. Johnson, Chairman; Members: Henry Bailey, Myrline Barnes, Kelley Britt, Tim Donovan, Elizabeth Kukla, Secretary.

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

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

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

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Barbara A. Langhenry; Public Utilities Director Robert L. Davis; Council President Kevin J. Kelley.

CITY PLANNING COMMISSION – Room 501 – Freddy L. Collier, Jr., Director; David H. Bowen, Lillian Kuri, Gloria Jean Pinkney, Council Member Kerry McCormack, Diane Downing, August Fluker, Charles Slife.

FAIR HOUSING BOARD – _____, Chair; Genesis O. Brown, Daniel Conway, Robert L. Render.

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

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

MORAL CLAIMS COMMISSION – Law Director Barbara A. Langhenry; Chairman; Finance Director Sharon Dumas; Council President Kevin J. Kelley; Councilman Kevin Kelley.

CLEVELAND LANDMARKS COMMISSION – Room 519 – Julie Trott, Chair; Giancarlo Calicchia, Vice Chair; Laura M. Bala, Freddy L. Collier, Jr., Allan Dreyer, Robert Strickland, Donald Petit, Secretary, Council Member Basheer S. Jones, Matthew L. Spronz; Michele Anderson, Stephen Harrison, Raymond Tarasuck, Jr.

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

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

Judge	Courtroom
Presiding and Administrative Judge Michelle D. Earley	14-C
Judge Pinkey S. Carr	15-C
Judge Marilyn B. Cassidy	13-A
Judge Emanuella Groves	14-B
Judge Lauren C. Moore	15-A
Judge Michael L. Nelson, Sr.	12-A
Judge Ann Clare Oakar	14-A
Judge Ronald J.H. O'Leary (Housing Court Judge)	13-B
Judge Charles L. Patton, Jr.	13-D
Judge Suzan M. Sweeney	12-C
Judge Jazmin Torres-Lugo	13-C
Judge Shiela Turner McCall	12-B
Judge Joseph J. Zone	14-D

Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Timothy Lubbe – Housing Court Administrator, Robert J. Furda – Chief Bailiff; Dean Jenkins – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate.

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Vol. 106

WEDNESDAY, JANUARY 23, 2019

No. 5485

CITY COUNCIL

MONDAY, JANUARY 21, 2019

The City Record
Published weekly by the City Clerk,
Clerk of Council under authority
of the Charter of the
City of Cleveland
The City Record is available
online at
www.clevelandcitycouncil.org
Address all communications to
PATRICIA J. BRITT
City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2018-2021

MONDAY — Alternating

9:30 A.M. — **Health and Human Services Committee:** Griffin (CHAIR), McCormack (VICE-CHAIR), Conwell, B. Jones, Hairston, Santana, Zone.

9:30 A.M. — **Municipal Services and Properties Committee:** K. Johnson (CHAIR), Brady (VICE-CHAIR), Bishop, Brancatelli, Hairston, J. Jones, Kazy.

MONDAY

2:00 P.M. — **Finance Committee:** Kelley (CHAIR), Zone (VICE-CHAIR), Brady, Brancatelli, Cleveland, Conwell, Griffin, Keane, McCormack.

TUESDAY

9:30 A.M. — **Development, Planning and Sustainability Committee:** Brancatelli (CHAIR), Cleveland (VICE-CHAIR), Bishop, Hairston, B. Jones, Keane, McCormack.

TUESDAY — Alternating

1:30 P.M. — **Utilities Committee:** Keane (CHAIR), Kazy (VICE-CHAIR), Bishop, Hairston, McCormack, Polensek, Santana.

1:30 P.M. — **Workforce and Community Benefits Committee:** (CHAIR), Cleveland (VICE-CHAIR), Brady, Griffin, B. Jones, J. Jones, Kazy.

WEDNESDAY — Alternating

10:00 A.M. — **Safety Committee:** Zone (CHAIR), Polensek (VICE-CHAIR), Griffin, Kazy, B. Jones, J. Jones, Santana.

10:00 A.M. — **Transportation Committee:** Cleveland (CHAIR), Keane (VICE-CHAIR), Bishop, Conwell, Johnson, J. Jones, Santana.

The following Committees meet at the Call of the Chair:

Mayor's Appointments Committee: Kazy (CHAIR), Brady, Brancatelli, Cleveland, Kelley.

Operations Committee: McCormack (CHAIR), Griffin, Keane, Kelley, Zone.

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

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

January 16, 2019

The meeting of the Board of Control convened in the Mayor's office on Wednesday, January 16, 2019 at 10:40 a.m. with Director Langhenry presiding.

Present: Directors Langhenry, Dumas, Davis, Kennedy, Cox, Gordon, Acting Director Hennessy, Directors Menesse, West, Ebersole, McNamara, and Donald.

Absent: Mayor Jackson.
Others: Tiffany White Johnson, Commissioner, Purchases & Supplies.

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

Melissa Burrows, Director, Office of Equal Opportunity.

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

Resolution No. 15-19.

By Director Dumas.
Be it resolved, by the Board of Control of the City of Cleveland that all bids received on December 19, 2018, for an estimated quantity of labor and material necessary to replace 205 Distribution Switches, all items, for the Division of Information Technology Services, Department of Finance, under the authority of Ordinance No. 534-17, passed May 15, 2017 are rejected.

Yeas: Directors Langhenry, Dumas, Davis, Kennedy, Cox, Gordon, Acting Director Hennessy, Directors Menesse, West, Ebersole, McNamara, and Donald.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 16-19.

By Director Dumas.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on December 19, 2018, for an estimated quantity of labor and material necessary to upgrade 205 Flexpod NetApp Storage Expansion, all items, for the Division of Information Technology Services, Department of Finance, under the authority of Ordinance No. 534-17, passed May 15, 2017 are rejected.

Yeas: Directors Langhenry, Dumas, Davis, Kennedy, Cox, Gordon, Acting Director Hennessy, Directors Menesse, West, Ebersole, McNamara, and Donald.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 17-19.

By Director Kennedy.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Article 8 of the Agreement and Lease between the City of Cleveland and Scheduled Airlines that the calculation of the Rentals and Landing Fee Rates based on the 2019 Annual Budget are adopted effective January 1, 2019, as follows:

Landing Fee Rates:

Signatory Landing Fee (per 1,000 lbs.)	\$6.23
Non-Signatory Scheduled Category A (per 1,000 lbs.)	\$7.79
Non-Signatory Scheduled Category B (per 1,000 lbs.)	\$9.35

Airline Rental Rates:

Main Terminal Area

Premium Terminal Rental Rate (per square foot)	\$950.42
Standard Terminal Rental Rate (75% factor)	\$712.81
Bag-Makeup Terminal Rental Rate (50% factor)	\$475.21
Baggage Roadway Terminal Rental Rate (30% factor)	\$285.13

Concourse A Rental Rates

Premium Terminal Rental Rate (per square foot)	\$518.13
Standard Terminal Rental Rate (75% factor)	\$388.60
Bag-Makeup Terminal Rental Rate (50% factor)	\$259.07
Baggage Roadway Terminal Rental Rate (30% factor)	\$155.44

Concourse B Rental Rates

Premium Terminal Rental Rate (per square foot)	\$518.13
Standard Terminal Rental Rate (75% factor)	\$388.60
Bag-Makeup Terminal Rental Rate (50% factor)	\$259.07
Baggage Roadway Terminal Rental Rate (30% factor)	\$155.44

Concourse C Stem Rental Rates

Premium Terminal Rental Rate (per square foot)	\$518.13
Standard Terminal Rental Rate (75% factor)	\$388.60
Bag-Makeup Terminal Rental Rate (50% factor)	\$259.07
Baggage Roadway Terminal Rental Rate (30% factor)	\$155.44

Concourse C Rotunda Rental Rates

Premium Terminal Rental Rate (per square foot)	\$518.13
Standard Terminal Rental Rate (75% factor)	\$388.60
Bag-Makeup Terminal Rental Rate (50% factor)	\$259.07
Baggage Roadway Terminal Rental Rate (30% factor)	\$155.44

Yeas: Directors Langhenry, Dumas, Davis, Kennedy, Cox, Gordon, Acting Director Hennessy, Directors Menesse, West, Ebersole, McNamara, and Donald.
Nays: None.
Absent: Mayor Jackson.

Resolution No. 18-19.

By Director Kennedy.
Whereas, under the authority of Section 571.85 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Port Control is authorized to fix fees for parking aircraft on City-owned and operated ramp areas at Burke Lakefront Airport in the amounts as the Director deems appropriate, and as approved by the Board of Control; now, therefore,
Be it resolved by the Board of Control of the City of Cleveland, that under the authority of Section 571.85 of the Codified Ordinances of Cleveland, Ohio, 1976, the following fees fixed by the Director of Port Control for parking aircraft on City-owned and operated ramp areas at Burke Lakefront Airport are set and approved:

DAILY PARKING/TIE-DOWN FEES ON DESIGNATED CITY RAMPS

Public Aircraft and Mercy Flights No Charge

Private Aircraft, Commercial Aircraft, Corporate Aircraft, Scheduled Air Carrier Aircraft, and Private Aircraft transporting persons for business purposes:

For periods from 0-2 hours: No Charge

For periods from 2 - 24 hours, and for each additional 24 hour period, or portion thereof, as follows:

Single-Engine Aircraft and Helicopters: \$5.00

Multi-Engine Aircraft Weight as follows:
0 - 10,000 lbs. \$5.00
10,000 lbs. - 12,500 lbs. \$10.00
12,501 lbs. - and over \$1.00 per 1,000 lbs. gross wt.

MONTHLY PARKING/TIE-DOWN FEES ON DESIGNATED CITY RAMPS

Single-Engine and Helicopters \$50.00

Multi-Engine Aircraft by Weight as follows:

0 - 10,000 lbs. \$50.00
10,001 lbs. and over \$100.00

Be it further resolved by the Board of Control of the City of Cleveland, that under the authority of Section 139.051 of the Codified Ordinances of Cleveland, Ohio, 1976, the following landing fees at Burke Lakefront Airport, as fixed by the Commissioner of Airports, are approved:

Public Aircraft: No Charge

Private Aircraft, Commercial Aircraft, Corporate Aircraft, Scheduled Air Carrier Aircraft and Private Aircraft transporting persons for business purposes:

Helicopters: \$5.00
Single Engine Aircraft: \$7.00

Multi-Engine Aircraft by Gross Weight as follows:

0 - 5,000 lbs. Up to \$ 7.00
5,001 - 10,000 lbs. Up to \$10.00
10,001 - 12,500 lbs. Up to \$12.00
12,501 - 97,999 lbs. Up to \$1.50 per 1,000 lbs. gross wt.

98,000 lbs. and over Up to \$2.00 per 1,000 lbs. gross wt.

Be it further resolved for the purpose of this Resolution, the following definitions shall apply:

"Commercial Aircraft" shall mean an aircraft carrying persons or property for compensation or hire.

"Corporate Aircraft" shall mean a company owned aircraft transporting persons or property for business purposes.

"Gross Weight" shall mean the maximum allowable certified gross landing weight.

"Mercy Flight" shall mean an air medical transport flight that is operated by a non-profit or a for-profit provider of air medical transport where the flight is provided at no cost.

"Private Aircraft" shall mean an aircraft that is not a Commercial Aircraft, Corporate Aircraft, Public Aircraft, or Scheduled Air Carrier Aircraft.

"Public Aircraft" shall mean an aircraft used in the service of a government entity at the local, state or federal level.

"Scheduled Air Carrier" shall mean an airline that submits schedules in advance and reports landings on a monthly basis to the Department of Port Control.

Be it further resolved that the charges and fees shall be in force and effect for a period not to exceed one year from January 1, 2019 to December 31, 2019.

Yeas: Directors Langhenry, Dumas, Davis, Kennedy, Cox, Gordon, Acting Director Hennessy, Directors Menesse, West, Ebersole, McNamara, and Donald.
Nays: None.
Absent: Mayor Jackson.

Resolution No. 19-19.

By Director Kennedy.
Be it resolved, by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Elite Line Services, Inc., Inc. under the requirement contract to be entered into under the authority of Section 181.101(a)(2) of the Codified Ordinances of Cleveland, Ohio, 1976, and Board of Control Resolution No. 508-18, adopted December 5, 2018, for labor, materials, maintenance, training and inspections of various passenger bridges at Cleveland Hopkins International Airport, is approved:

SUBCONTRACTOR CSB/MBE/FBE WORK

Athos Contracting CSB
TBD

Allen Flooring, LLC CSB
TBD

Alternate Electric CSB
TBD

Yeas: Directors Langhenry, Dumas, Davis, Kennedy, Cox, Gordon, Acting Director Hennessy, Directors Menesse, West, Ebersole, McNamara, and Donald.
Nays: None.
Absent: Mayor Jackson.

Resolution No. 20-19.

By Director Cox.
Whereas, under the authority of Ordinance No. 453-11, passed by the Council of the City of Cleveland on May 16, 2011, and Resolution No. 259-11, adopted by this Board of Control on June 8, 2011, the City through its Director of Public Works entered into Contract No. CT4002 PS2011*163 (the "Contract") with Westlake Reed Leskosky ("WRL") for the engineering services necessary in order to implement public improvement projects in the City of Cleveland; and

Whereas, WRL has notified the City that as of October 1, 2016, WRL sold substantially all its assets to and assigned the Contract to DLR Group Inc. which is currently doing business as DLR Group/Westlake Reed Leskosky, effectively requesting the City's consent to assignment of the Contract to DLR Group, as the Contract requires; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that this Board authorizes the Director of Public Works to consent, on behalf of the City, to assignment of City Contract No. CT 4002 PS2011*163 with Westlake Reed Leskosky to DLR Group Inc. dba DLR Group/Westlake Reed Leskosky.

Be it further resolved that the Director of Public Works is authorized to execute all documents and perform all acts necessary to effect the above-authorized consent to assignment.

Yeas: Directors Langhenry, Dumas, Davis, Kennedy, Cox, Gordon, Acting Director Hennessy, Directors Menesse, West, Ebersole, McNamara, and Donald.
Nays: None.
Absent: Mayor Jackson.

Resolution No. 21-19.

By Director Spronz.
 Be it resolved by the Board of Control of the City of Cleveland that the bid of R. J. Platten Contracting Co. for the public improvement of the 2018 Variety Village Parking Development, Base Bid A, through F, and Optional Items 2 and 3, for the Office of Capital Projects, received on December 6, 2018 under the authority of Ordinance No. 647-18, passed on June 4, 2018, upon a unit price basis for the improvement in the aggregate amount of \$694,814.50 is affirmed and approved as the lowest responsible bid, and the Director of the Office of Capital Projects is authorized to enter into contract with the bidder.

Be it further resolved, by the Board of Control of the City of Cleveland that the employment of the following subcontractors by R. J. Platten Contracting Co. is hereby approved:

<u>Subcontractor Amount</u>	<u>CSB/MBE/FBE Percentage</u>
Riveredge Landscape and Supply. \$28,279.00	CSB 4.1%
Tech Ready Mix \$28,000.00	CSB 4.0%
Ramos Trucking \$70,000.00	CSB 10.0%
Cunningham Paving Co. \$96,337.00	CSB 13.9%
Great Northern Fence \$81,562.00	N/A 0.0%

Yeas: Directors Langhenry, Dumas, Davis, Kennedy, Cox, Gordon, Acting Director Hennessy, Directors Menesse, West, Ebersole, McNamara, and Donald.
 Nays: None.
 Absent: Mayor Jackson.

Resolution No. 22-19.

By Director Spronz.
 Be it resolved by the Board of Control of the City of Cleveland that the bid of EnviroCom Construction, Inc. for the public improvement of the Halloran Ice Skating Rink Phase 2 Architectural, Mechanical, and Electrical Improvements, Base Bid Items A through E, and Optional Items 1 through 8, for the Office of Capital Projects, received on December 7, 2018 under the authority of Ordinance No. 549-17, passed June 5, 2017, upon a gross price basis for the improvement in the aggregate amount of \$1,536,300.00 is affirmed and approved as the lowest responsible bid, and the Director of the Office of Capital Projects is authorized to enter into contract with the bidder.

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

<u>Subcontractor Amount</u>	<u>CSB/MBE/FBE Percentage</u>
Chieftain Trucking \$100,000.00	CSB 6.5%
Tucker Grubbs \$20,000.00	CSB 1.3%

Tech Ready Mix \$60,000.00	CSB 3.9%
Everything Ice \$941,117.00	N/A 0.0%

Yeas: Directors Langhenry, Dumas, Davis, Kennedy, Cox, Gordon, Acting Director Hennessy, Directors Menesse, West, Ebersole, McNamara, and Donald.
 Nays: None.
 Absent: Mayor Jackson.

Resolution No. 23-19.

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

Whereas, the Greater Cleveland Sports Commission, wishes to use the Public Hall, the Grand Reception Hall and meeting rooms of the Cleveland Public Auditorium January 18, 2019 - January 20, 2019 for a Junior Volleyball Tournament; and
 Whereas, the City is willing to allow the Greater Cleveland Sports Commission to use the Music Hall in the Cleveland Public Auditorium January 18, 2019 - January 20, 2019 without charge for rental; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that notwithstanding and as an exception to the Public Auditorium rental rates established by Board of Control Resolution No. 250-12, adopted on June 6, 2012, Greater Cleveland Sports Commission, may use the Public Hall, the Grand Reception Hall and meeting rooms of the Cleveland Public Auditorium January 18, 2019 - January 20, 2019, without a rental charge, for a Junior Volleyball Tournament.

Be it further resolved, that the City shall charge Greater Cleveland Sports Commission the actual costs, at the prevailing rates, of any labor, materials and equipment supplied for the event.

Yeas: Directors Langhenry, Dumas, Davis, Kennedy, Cox, Gordon, Acting Director Hennessy, Directors Menesse, West, Ebersole, McNamara, and Donald.
 Nays: None.
 Absent: Mayor Jackson.

KEITH D. SCHEURMAN, Jr.
 Acting Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

ROBERT BENNETT,
 President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, FEBRUARY 4, 2019

9:30 A.M.

Calendar No. 19-005: 5100 St. Clair Avenue (Ward 10)

Ohio Technical College, owner, proposes to change use from school to student housing in a C3 Residence Industry District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 357.05(b)(2) which states that on the rear of a corner lot in an use district where the rear lot line of the corner lot is also the side line of the butt lot in the rear of the boundary line off an alley between them, and a setback building line is established for such butt lot, no building shall be erected nearer to the side street at the rear line of the corner lot than the setback building line of the butt lot; 18 feet are required; 0' proposed.

2. Section 357.09 which states that an interior side yard equal to one-fourth of the building height or in this case 13 feet and no interior side yard is proposed.

3. Section 355.04 which states that in a "C" Area District the maximum gross floor area of a building cannot exceed 1/2 lot area in this case 16,272 square feet are permitted and 40,790 square feet are proposed.

4. Sections 352.08-10 which state that a 10 foot wide transition strip is required at the rear and east sides of the property where the lot abuts a Two-Family District and a 5 foot wide transition strip is proposed.

5. Section 349.15 which states that 3 bicycle parking spaces are required and none are proposed. (Filed January 4, 2019)

Calendar No. 19-006: 4835 Broadview Road (Ward 13)

The L. Old Brooklyn, LLC. Proposes to establish use as a 12 unit apartment building in a C1 Multi-Family District. The owner appeals for relief from the strict application of Section 349.04 which states that one accessory off-street parking space is required for each dwelling unit; 12 spaces are required and 9 spaces are provided.

Calendar No. 19-008: 2512 Church Avenue (Ward 3)

Schmaltz Church Street Holdings, owner, proposes to establish use as

a restaurant in a D3 Local Retail Business District. The owner appeals for relief from the strict application of Section 349.04(f) which states that 11 parking spaces are required based on the number of employees and the area dedicated to patron use, but no parking is proposed. (Filed January 9, 2019)

**POSTPONED FROM
JANUARY 14, 2019**

Calendar No. 18-284: 4814 Bridge Avenue (Ward 3)

Moise Magda Jr., owner, and Charlie Denk, tenant, propose to use property for a boutique cooking school in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 337.03(b) which states that in a Two-Family Residential District, uses are permitted as regulated in a One-Family Residential District.

2. Section 337.02(g)(3)(a) which states that a private school must be 30 feet away from an adjoining premises in a residential district, and requires the approval of the Board of Zoning Appeals unless operated as a "gainful business".

3. Section 343.11(b)(2)(H) which states that a private school operated as a "gainful business" is first permitted in a General Retail Business District.

4. Section 349.04(c) which states that accessory off-street parking is required at the rate of one space per each two employees plus one space per 10 students. (Filed December 11, 2018 - Testimony Taken)

First postponement made to allow for time to revise the case description due to a revision in the notice of nonconformance.

**POSTPONED FROM
DECEMBER 10, 2018**

Calendar No. 18-259: 6201 White Avenue (Ward 7)

Alfreda Davis, owner, proposes to use dwelling unit for "Type A" Day Care in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of Section 337.03 of the Cleveland Codified Ordinances which states that child care use requires approval from the Board of Zoning Appeals and is required to be 30' from any adjoining premises in residence district not use for a similar purpose as referenced in One family zoning District 337.02(f)(3)(c). The proposed child care is surrounded by Two-Family District. (Filed November 13, 2018 - Testimony Taken)

First postponement made to allow for time for the appellant to pursue purchase of a neighboring land bank lot.

**POSTPONED FROM
OCTOBER 29, 2018**

Calendar No. 18-221: 3629 Rocky River Drive (Ward 17)

Brian Meisterics, owner, propose to change use from two dwelling units to four dwelling units in an A1 One-Family Residential District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 337.02 which states that multi-family use (4 dwelling units) is not a permitted use in the One family District; first permitted in Multi-Family District per Section 337.08.

2. Section 359.01 which states that an expansion of a nonconforming use requires BZA Approval. (Filed October 3, 2018 - No Testimony)

First postponement made for 90 days due to discovery of res judicata. The Board heard and denied an identical request in Calendar Number 88-274. The Board will review new information that will differentiate the two cases.

Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

TUESDAY, JANUARY 22, 2019

At the meeting of the Board of Zoning Appeals on Tuesday, January 22, 2019 the following appeals were scheduled for hearing before the Board and;

The following appeals were **APPROVED:**

Calendar No. 18-285: 1526 West 25th Street

West 25 Street Lofts LLC., owner, proposes to expand use to include Entertainment in a D2 Local Retail Business District.

Secretary

Calendar No. 18-286: 3005 Chester Avenue

Chester Storage, LLC., owner, proposes to establish use as self-storage facility and enclose parking lot with a new 6 foot tall fence in a B2 General Retail Business District and a C2 Semi-Industry District.

Calendar No. 18-288: 11601 Euclid Avenue

Uptown Three LP., owner, proposes to construct a new 4 story retail and 49 unit apartment building in a C3 General Retail Business District.

Calendar No. 18-289: 10480 Kinsman Road

Unity Baptist Church, owner, proposes to consolidate a parcel of land located in a B1 Two-Family Residential District to expand the church parking lot.

The following appeals were **DENIED:**

None.

The following appeal was **WITHDRAWN:**

Calendar No. 18-287: Stiebinger Block 1422 West 29th Street (aka 2901 Detroit Avenue).

The following appeals were **DISMISSED:**

None.

The following case was **POSTPONED:**

Calendar No. 18-262: Daniel F. Linder Co., LPA 2077 East 4th Street. Postponed to March 4, 2019.

The following cases were heard by the Board of Zoning Appeals on Monday, January 14, 2019 and the decisions were adopted and approved on Tuesday, January 22, 2019:

The following appeals were **APPROVED:**

Calendar No. 18-279: 3671 West 48th Street

Stanley Barker, owner, proposes to erect a 12' x 22' 1 story frame kitchen addition to an existing single family residence in a C2 General Retail Business District.

Waste Collection Appeals

Calendar No. 18-280: 3598 West 120th Street

Michael Kutsick, owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances and disputes the decision of the hearing examiner in Parking Violations Bureau on November 27, 2018.

Calendar No. 18-281: 2299 Columbus Road

Randy Kelly, owner, proposes to erect a 16' x 24' 1 story frame kitchen addition to an existing single family residence in a B1 Multi-Family Residential District.

Secretary

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

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY of CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, FEBRUARY 13, 2019

File No. 6-19 — Ductile Iron Pipe and Fittings, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, JANUARY 24, 2019 AT 10:30 A.M. DISTRIBUTION AND MAINTENANCE FACILITY, 4600 HARVARD AVENUE, CLEVELAND, OHIO 44105, PIPE REPAIR CONFERENCE ROOM.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

File No. 7-19 — Landscape Maintenance at Various Public Utilities Facilities, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 947-17, passed by the Council of the City of Cleveland, December 4, 2017.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, JANUARY 24, 2019 AT 11:00 A.M. CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, 2ND FLOOR ATRIUM CONFERENCE ROOM.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

January 16, 2019 and January 23, 2019

FRIDAY, FEBRUARY 15, 2019

File No. 5-19 — WPC Pavement and Drainage Improvement Project Phase 2, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 1276-16, passed by the Council of the City of Cleveland, November 28, 2016.

THERE WILL BE A **NON-REFUNDABLE FEE** FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR MONEY ORDER (NO COMPANY CHECKS, NO CASH, AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS. ALL PLANS AND SPECIFICATIONS MUST BE PURCHASED DIRECTLY FROM THE DIVISION OF PURCHASES AND SUPPLIES. BIDDERS MUST BE ON THE PLAN-HOLDERS LIST TO SUBMIT A BID OR RECEIVE ANY ADDENDA.) OUT-OF-AREA BIDDERS MAY SEND THEIR **NON-REFUNDABLE FEE** FOR PLANS VIA FED EX DELIVERY TO: CITY OF CLEVELAND, DIVISION OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE ROOM 128, CLEVELAND, OHIO 44114. INCLUDE IN YOUR REQUEST YOUR COMPANY'S FED EX ACCOUNT NUMBER, FULL COMPANY NAME AND ADDRESS, COMPANY CONTACT/ REPRESENTATIVE FULL NAME, CONTACT TELEPHONE NUMBER, FACSIMILE TELEPHONE NUMBER AND EMAIL ADDRESS. THE FED EX DELIVERY CHARGES FOR THE PLANS AND SPECIFICATIONS WILL BE BILLED TO THE BIDDER'S COMPANY FED EX ACCOUNT NUMBER PROVIDED.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, JANUARY 24, 2019 AT 11:00 A.M. DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

QUESTIONS REGARDING THE PURCHASE OF PLANS AND SPECIFICATIONS CAN BE DIRECTED TO ROYCE GRIFFIN AT (216) 664-2628.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

File No. 8-19 — Purchase of Transformers and Accessories, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, TUESDAY, JANUARY 29, 2019 AT 10:00 A.M. CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, CENTENNIAL CONFERENCE ROOM.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

File No. 9-19 — 2019 Plumbing Services, for the Division of Cleveland Public Power, Department of Public

Utilities, as authorized by Ordinance No. 545-17, passed by the Council of the City of Cleveland, June 5, 2017.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, MONDAY, JANUARY 28, 2019 AT 10:00 A.M. CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, CENTENNIAL CONFERENCE ROOM.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

File No. 10-19 — 2019 Labor and Material Necessary to Provide Snow and Ice Removal Services for Various Common-Use Gates at Cleveland Hopkins International Airport, for the Division of Airports, Department of Port Control, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **MANDATORY** PRE-BID MEETING, FRIDAY, FEBRUARY 1, 2019 AT 10:00 A.M. CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135, CENTRAL RECEIVING ROOM.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

January 16, 2019 and January 23, 2019

FRIDAY, MARCH 8, 2019

File No. 11-19 — North Airfield Improvements Project Phase 3-Alpha/Romeo at Cleveland Hopkins International Airport, for the Division of Airports, Department of Port Control, as authorized by Ordinance No. 1276-16, passed by the Council of the City of Cleveland, November 28, 2016.

THERE WILL BE A **NON-REFUNDABLE FEE** FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF ONE HUNDRED DOLLARS (\$100.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR MONEY ORDER (NO COMPANY CHECKS, NO CASH, AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS. ALL PLANS AND SPECIFICATIONS MUST BE PURCHASED DIRECTLY FROM THE DIVISION OF PURCHASES AND SUPPLIES. BIDDERS MUST BE ON THE PLAN-HOLDERS LIST TO SUBMIT A BID OR RECEIVE ANY ADDENDA.) OUT-OF-AREA BIDDERS MAY SEND THEIR **NON-REFUNDABLE FEE** FOR PLANS VIA FED EX DELIVERY TO: CITY OF CLEVELAND, DIVISION OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE ROOM 128, CLEVELAND, OHIO 44114. INCLUDE IN YOUR

REQUEST YOUR COMPANY'S FED EX ACCOUNT NUMBER, FULL COMPANY NAME AND ADDRESS, COMPANY CONTACT/ REPRESENTATIVE FULL NAME, CONTACT TELEPHONE NUMBER, FACSIMILE TELEPHONE NUMBER AND EMAIL ADDRESS, THE FED EX DELIVERY CHARGES FOR THE PLANS AND SPECIFICATIONS WILL BE BILLED TO THE BIDDER'S COMPANY FED EX ACCOUNT NUMBER PROVIDED.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, FEBRUARY 8, 2019 AT 10:30 A.M. CLEVELAND HOPKINS INTERNATIONAL AIRPORT FSS BUILDING, 5301 WEST HANGAR ROAD, CLEVELAND, OHIO 44135.

QUESTIONS REGARDING THE PURCHASE OF PLANS AND SPECIFICATIONS CAN BE DIRECTED TO ROYCE GRIFFIN AT (216) 664-2628.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKE SIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

January 23, 2019 and January 30, 2019

ADOPTED RESOLUTIONS AND ORDINANCES

Ord. No. 1028-18.

By Council Member Kelley (by departmental request).

An emergency ordinance to authorize the Mayor to enter into one or more agreements with a local organizing committee and/or sponsor for the 2019 Major League Baseball All-Star Game, 2022 National Basketball Association All-Star Game, 2024 NCAA Women's Final Four and other major events; and to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 697A.01 to 697A.04 and 697A.99 relating to major qualifying 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 Mayor is authorized to enter into one or more agreements with a local organizing committee and/or sponsor for the 2019 Major League Baseball All-Star Game, 2022 National Basketball Association All-Star Game, 2024 NCAA Women's Final Four and for these following events if they occur within three (3) years from the passage of this ordinance:

National Football League Draft;
USA Triathlon National Championship

Section 2. (a) That the agreement or agreements shall include one or more of the following provisions notwithstanding any ordinance provision to the contrary:

(1) That City-owned facilities, including Public Hall, the public areas of City Hall, Malls A, B and C, the City-owned lakefront parking

lots, Public Square, and the North Coast Marina, may be made available as needed as a venue for official activities associated with the event, as an in-kind contribution on terms acceptable to the Director of Public Works or such other director having management responsibility for the facility;

(2) That the City will expedite the review and approval process for all licenses, permits, approvals, reviews, variances and inspections required by the laws of the City as needed for the event and related activities;

(3) That the City will provide security, traffic control and related protective services as required by the event security and traffic plan;

(4) That the City will cooperate with the implementation of a comprehensive technology and telecommunications services plan for the event and provide access as determined appropriate by the directors of the affected departments;

(5) That the City may issue the necessary permits required for the hanging or display of banners and other signage related to event on City rights-of-way and City-owned property and expedite the review and permit approval process for a comprehensive general signage plan for the temporary display of signage in support of the event within the Central Business District, Hopkins Airport and the major routes into the City, in accordance with a plan proposed by the local organizing committee and/or sponsor of the event and approved by the directors of the affected departments;

(6) That the local organizing committee and/or the sponsor of the event agrees to secure all necessary permits and consents and pay the City's standard permitting fees as required for the event and related activities;

(7) That the local organizing committee and/or the sponsor of the event agrees to reimburse the City for reasonable, anticipated costs unrelated to the provision of the City's standard municipal services and not covered by grants, gifts or other sources of funds accepted in support of the City's hosting the event;

(8) That the local organizing committee and/or the sponsor of the event shall comply with all applicable laws governing the reporting and remitting of taxes to the City; and

(9) That the City will work in partnership with the local organizing committee and/or the sponsor of the event in all of its activities related to the event and related activities.

(b) Notwithstanding any Code provisions or ordinances to the contrary, the Director of Port Control is authorized to enter into one or more agreements with the local organizing committee and/or sponsor for the use of airport and lakefront property under the Director's management, including the Burke Lakefront Airport parking areas, as needed for the event related activities on terms acceptable to the director.

(c) The Director of Public Utilities is authorized to enter into one or more agreements with the local organizing committee and/or sponsor to provide utility services during the event and related activities

in accordance with the standard terms and conditions of the City's utilities.

(d) The Directors of Public Works, Public Safety, Building and Housing, Capital Projects, and Finance as applicable to the duties of their respective departments, are authorized to apply for and accept any gifts or grants from public or private entities for the purpose of effectuating the City's responsibilities related to the hosting of the event. The appropriate director is further authorized to file all papers and execute all documents necessary to receive the funds accepted under this ordinance, and upon acceptance of the funds by the appropriate director, they shall be appropriated for the purposes set forth in this ordinance.

(e) The Directors of Public Works, Public Safety, Building and Housing, and Capital Projects, as applicable to the duties of their respective departments, are authorized to enter into one or more agreements with the State of Ohio, the Greater Cleveland Regional Transit Authority, Cuyahoga County, the Gateway Development Corporation, the Cleveland-Cuyahoga County Port Authority, and any other entity involved in the event as needed to effectuate the purposes of this ordinance.

(f) Any agreements authorized by this ordinance shall be approved by the Director of Law and contain such terms and conditions as necessary to protect the public interest consistent with the purposes of this ordinance.

(g) The cost of any expenditures incurred under this ordinance, including the cost of all contracts, shall be paid from the fund or funds to which are credited any grant funds or gifts received under this ordinance, and from any other funds that are appropriated for this purpose as determined by the Director of Finance.

Section 3. That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Sections 697A.01 to 697A.04 and 697A.99 to read as follows:

CHAPTER 697A MAJOR QUALIFYING EVENTS Section 697A.01 Definitions

As used in this chapter, the following words, phrases and terms have the following meaning:

(a) "Local Organizing Committee" means an organization located in the Greater Cleveland area and responsible for performing and providing support, hospitality and local organizing functions in connection with the Major Qualifying Event.

(b) "Major Qualifying Event" means an event for which the City has entered into an agreement, authorized by Council, to host the event in conjunction with the Local Organizing Committee or Sponsor.

(c) "Major Qualifying Event Security and Traffic Plan" means the plan developed and implemented by the Director of Public Safety under this chapter.

(d) "Sponsor" means the organization responsible for conducting the Major Qualifying Event.

Section 697A.02 Major Qualifying Event Permits

(a) Notwithstanding any Code provision or ordinance to the contrary,

the Directors of Public Works, Public Safety, Building and Housing, Capital Projects, and the Commissioner of Assessments and Licenses, as applicable to the duties of their respective departments or divisions, are authorized to issue appropriate permits and authorizations related to activities associated with Major Qualifying Event.

(b) Notwithstanding any Code provisions or ordinances to the contrary, the various City directors are authorized to develop and implement policies and practices for consolidating applications for and expediting review and issuance of City licenses, permits, approvals, reviews and inspections as required by the laws of the City as needed for the Major Qualifying Event and related activities and to issue a comprehensive permit that incorporates various City permits for the Major Qualifying Event, including review and approval of a comprehensive signage plan in the Central Business District and the major routes into the City as proposed by the Local Organizing Committee or Sponsor, in a form acceptable to the Director of Law. The consolidated application process and issuance of a comprehensive City permit as described in this section shall be coordinated by the Director of Public Works or the Director's designee.

Section 697A.03 Major Qualifying Event Security and Traffic Plan

(a) Notwithstanding any Code provision or ordinance to the contrary, the Director of Public Safety is authorized to develop and implement a security and traffic control plan during the Major Qualifying Event in consultation with Local Organizing Committee and the Sponsor, including the development and implementation of a traffic plan that involves the closing of streets and rerouting of traffic to accommodate the increased traffic, buses and vehicles related to the event, and designation of passenger pick-up and drop-off areas during the event.

(b) As part of the Major Qualifying Event Security and Traffic Plan and notwithstanding any Code provision or ordinance to the contrary, the Director of Public Safety may promulgate regulations to be approved by the Board of Control that place reasonable time, place and manner restrictions on the use of the public rights-of-way and public property during the Major Qualifying Event, to allow appropriate access and operation of affected businesses and/or to protect public safety, person, property, and to accommodate the interests of person participating in the Major Qualifying Event and persons not participating in the Major Qualifying Event. The regulations may include the issuance of public gathering permits, demonstration permits, temporary use permits, parade permits, and business access permits during the Major Qualifying Event, may exclude public assemblies in certain areas defined in the regulations and as required by the Major Qualifying Event Security and Traffic Plan, and may prohibit materials and objects defined in the regulations in

certain areas of the city around the Major Qualifying Event and related venues.

Section 697A.04 Major Qualifying Event Vending and Peddling Plan

(a) Notwithstanding any Code provisions or ordinances to the contrary, the Director of Capital Projects and/or the Commissioner of Assessments and Licenses, as appropriate to their respective duties, are authorized to promulgate and implement a vending and peddling plan during the Major Qualifying Event.

(b) As part of the Major Qualifying Event Vending and Peddling Plan and notwithstanding any Code provision or ordinance to the contrary, the Director of Capital Projects and/or the Commissioner of Assessments and Licenses, as appropriate to their respective duties, may promulgate regulations to be approved by the Board of Control that place reasonable restrictions on the sale of goods, wares and merchandise on public rights-of-way and public property during the Major Qualifying Event in areas identified in the regulations. The regulations may include the issuance of special vending permits, may limit the size of vendor signage in areas identified in the regulations, prohibit the sale of goods, wares or merchandise containing counterfeit trademarks, and may prohibit the distribution of free samples of commercial goods, ware, or merchandise in areas identified in the regulations.

Section 697A.99 Prohibitions and Penalties

(a) No person shall do any of the following:

(1) Fail to comply with the regulations promulgated under division (b) of Section 697A.03;

(2) Have in his or her possession any prohibited item identified in the regulations promulgated under division (b) of Section 697A.03 in any area identified in the regulations; or

(3) Sell, offer for sale, or distribute items in violation of the regulations promulgated under division (b) of Section 697A.04 in any area identified in the regulations.

(b) (1) Whoever violates any of the prohibitions of division (a)(1) and (a)(2) of this section is guilty of a misdemeanor of the first degree.

(2) Except as provided in division (b)(3), whoever violates any prohibition of division (a)(3) is guilty of a minor misdemeanor. If the offender persists after reasonable warning or request to desist, a violation of division (a)(3) is a misdemeanor of the third degree.

(3) Whoever engages in the sale of goods, wares or merchandise containing counterfeit trademarks as prohibited under division (a)(3) of this section is guilty of a misdemeanor of the first degree.

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 January 14, 2019.
Effective January 15, 2019.

Ord. No. 119-2019. By Council Members Bishop, McCormack and Kelley.

An emergency ordinance amending the Title and Sections 1 and 2 of Ordinance No. 1476-18, passed December 3, 2018 as it pertains to authorizing the Director of the Department of Community Development to enter into agreement with the Cleveland Restoration Society for the Heritage Home Program through the use of Wards 2, 3, 4, 5, 6, 7, 8, 10, 11, 13, 15 and 17 Casino Revenue Funds.

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

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

Section 1. That the Title and Sections 1 and 2 of Ordinance No. 1476-18, passed December 3, 2018 are hereby amended to read as follows:

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with the Cleveland Restoration Society for the Heritage Home Program through the use of Wards 2, 3, 4, 5, 6, 7, 8, 10, 11, 13, 15 and 17 Casino Revenue Funds.

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into agreement effective July 1, 2018 with the Cleveland Restoration Society for the Heritage Home Program for the public purpose of providing housing rehabilitation services to residents residing in the city of Cleveland through the use of Wards 2, 3, 4, 5, 6, 7, 8, 10, 11, 13, 15 and 17 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$85,500 and shall be paid from Fund No. 10 SF 188.

Section 2. That the Title and Sections 1 and 2 of Ordinance No. 1476-18, passed December 3, 2018 are 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 January 14, 2019.
Effective January 15, 2019.

COUNCIL COMMITTEE MEETINGS

**Tuesday, January 22, 2019
9:30 a.m.**

Development, Planning and Sustainability Committee: Present: Brancatelli, Chair; Bishop, Hairston, B. Jones, Keane, McCormack. *Authorized Absence:* Cleveland, Vice Chair.

**Wednesday, January 23, 2019
10:00 a.m.**

Transportation Committee: Present: Cleveland, Chair; Keane, Vice Chair; Bishop, Conwell, Santana. *Authorized Absence:* Johnson, J. Jones.

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O—Ordinance; R—Resolution; F—File
 Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
 Bold type in sections indicates amendments

Agreements

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