

The City Record

Official Publication of the Council of the City of Cleveland



October the Nineteenth, 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 – Jomarie Wasik, Director

DIVISIONS:

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

Engineering and Construction – _____, Manager

Real Estate – _____, Commissioner

DEPT. OF LAW – Barbara A. Langhenry, Interim Director, _____, 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 – Lonya Moss Walker, Interim 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 – Bernardo Garcia, Commissioner

Water Pollution Control – Rachid Zoghaib, Commissioner

DEPT. OF PORT CONTROL – Ricky D. Smith, Director, Cleveland Hopkins

International Airport, 5300 Riverside Drive

DIVISIONS:

Burke Lakefront Airport – Khalid Bahhur, Commissioner

Cleveland Hopkins International Airport – Fred Szabo, Commissioner

DEPT. OF PUBLIC WORKS – Michael Cox, Director

OFFICES:

Administration – John Laird, Manager

Special Events and Marketing – Tangee Johnson, Manager

DIVISIONS:

Motor Vehicle Maintenance – Daniel A. Novak, Commissioner

Park Maintenance and Properties – Richard L. Silva, Commissioner

Parking Facilities – 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 – George Baker, Commissioner

Environment – Pamela Cross, 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 – Jesus Rodriguez, Commissioner

Fair Housing and Consumer Affairs Office – _____, Manager

Neighborhood Development – Chris Garland, 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 HUMAN RESOURCES – Deborah Southerington, Director, Room 121

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

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

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

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

Member Brian Cummins, 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 – Interim Law Director Barbara A.

Langhenry, President; Finance Director Sharon Dumas, Secretary; Council President

Martin J. Sweeney.

BOARD OF SIDEWALK APPEALS – Service Director Jomarie Wasik, Interim Law

Director Barbara A. Langhenry; Council Member Eugene R. Miller.

BOARD OF REVIEW – (Municipal Income Tax) – Interim Law Director Barbara A.

Langhenry; 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 – Interim Law Director Barbara A. Langhenry;

Chairman; Finance Director Sharon Dumas; Council President Martin J. Sweeney;

Councilman Kevin Kelley.

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

Whalen, Nancy Cronin, Elvin Vauss.

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

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

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

Keiser, Secretary.

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

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

Barbara A. Langhenry.

CLEVELAND MUNICIPAL COURT

JUSTICE CENTER – 1200 ONTARIO STREET

JUDGE COURTROOM ASSIGNMENTS

Judge Courtroom

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

Judge 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, OCTOBER 19, 2011

No. 5106

CITY COUNCIL

MONDAY, OCTOBER 17, 2011

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 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, 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, October 17, 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, Pruitt, Reed, Sweeney, Westbrook and Zone.

Also present were Mayor Frank G. Jackson, Ken Silliman, Chief of Staff, Darnell Brown, Chief Operating Officer, Valarie J. McCall, Chief of Government Affairs, Chris Warren, Chief of Regional Development, Monyka S. Price, Chief of Education, Maureen Harper, Chief of Communications, Andrea V. Taylor, Press Secretary, Andrew Watterson, Chief of Sustainability, and Interim Law Director Langhenry, Directors Dumas, Withers, Smith, Wasik, Butler, Cox, Rush, Southerington, Nichols, Griffin, Fumich, Lucille Ambroz, Secretary, Civil Service Commission.

Pursuant to Ordinance No. 2926-76, the opening prayer was offered by Pastor Roscoe J. Heath of New Praise Ministries, 436 Euclid Square Mall, located in Euclid, Ohio. Pledge of Allegiance.

MOTION

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

COMMUNICATIONS

File No. 1486-11.
From: Department of Economic Development. Request for Proposal Publication — qualified firms, entrepreneurs, and businesses interested

in providing services of a neighborhood grocery store located at vacant city-owned property at 10505 St. Clair Avenue. (Ward 8). Received.

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 1487-11.

Re: #5928457 — C1 New Application, Midtown Foods, Inc., 3400 Carnegie Avenue. (Ward 5). Received.

File No. 1488-11.

Re: #9820740 — C2, C2X Transfer of Ownership Application, Yash Kush Two, Inc., d.b.a. Rockcliff Market, 5417 Chester Avenue. (Ward 8). Received.

File No. 1489-11.

Re: #9867590 — C1, C2, Transfer of Ownership Application, Zackry Inc., d.b.a. Dairy Mart, 3510 Fulton Road. (Ward 14). Received.

File No. 1490-11.

Re: #3877735 — C1 New Application, Mohammed Hmeidan, d.b.a. Johnnys, 2101 Denison Avenue. (Ward 3). Received.

File No. 1513-11.

Re: #7642426 — D1, D2, D3, D3A, D6 Transfer of Ownership Application SNM, LLC, 1889 West 25th Street, 1st Floor. (Ward 3). Received.

STATEMENT OF WORK ACCEPTANCE

File No. 1491-11.

From Director of Public Utilities — Contract No. 69399 with KBJ Incorporated, for the work of 1201 Lakeside Avenue Renovation Phase I for the Division of Water (Ward 3). Received.

File No. 1497-11.

From Director of Public Works — Contract No. PI20100000000052 with D. R. S. Enterprises for the work of City of Cleveland Cemetery Improvements — Package A. (various wards). Received.

File No. 1498-11.

From Director of Public Works — Contract No. PI20100000000043 with R. J. Platten Contracting for the work of City of Cleveland Cemetery Improvements — Package B. (various wards). Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 1499-11—Joseph M. Meister.

Res. No. 1500-11—Willie Alphonso Crawford, Sr.

Res. No. 1501-11—Tracey Vukovic.
Res. No. 1502-11—Lillie Margaret Mosby.

Res. No. 1503-11—Donald Arthur "D.J." Jones.

Res. No. 1504-11—Evan McCray.

CONGRATULATION RESOLUTIONS

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

Res. No. 1505-11—Councilman Anthony Brancatelli.

Res. No. 1506-11—Dr. Leonard T. King.

Res. No. 1507-11—Robert M. Long.

RECOGNITION RESOLUTIONS

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

Res. No. 1508-11—Andrew Watter-son.

Res. No. 1509-11—202nd Annual Convocation of the Grand Lodge of Ohio & Accepted Masons.

Res. No. 1510-11—Phi Mu Sorority.

Res. No. 1511-11—Delta Tau Delta Fraternity.

Res. No. 1512-11—St. James A.M.E. Church/130th Session of the North Ohio A.M.E. Annual Conference.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 1478-11.

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

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to James R. Watkins to encroach into the public right-of-way of Briggs Road by installing, using, and maintaining back yard improvements to include a concrete parking area and fencing.

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

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

Section 1. That the Director of Capital Projects is authorized to issue a permit, revocable at the will of Council, to James R. Watkins 10121 Jasper Avenue, Cleveland, Ohio 44111 ("Permittee"), to encroach into the public right-of-way of Briggs Road by installing, using, and maintaining back yard improvements to include a concrete parking area and fencing at the following location:

Yard Encroachment Area

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Brooklyn Township Lot No. 5 and bounded and described as follows;

Commencing at a point on the South Line of Jasper Ave. (60 feet wide) distant N. 89° 49' 25" E., 102.30 feet from the Northwest Corner of Sublot No. 254 in The E.R. Cowin Land Company's Boulevard Hill Allotment as shown by the Recorded Plat in Volume 54 of Maps, Page 38 of Cuyahoga County Records, and the Point of Beginning:

Thence N. 89° 49' 25" E., a distance of 21.26 feet to a point;

Thence S. 37° 01' 41" E., a distance of 32.00 feet to a point;

Thence S. 53° 19' 10" W., a distance of 70.96 feet to a point;

Thence N. 36° 40' 37" W., a distance of 7.00 feet to a point on the North Line of Briggs Ave. (50 feet wide) and a Point of Curvature;

Thence Northeast along of a Curve deflecting to the left and having a Radius of 577.28 feet, a Central Angle of 04° 17' 58", an Arc of 43.32 feet and a Chord of 43.31 feet, which bears N. 51° 10' 24" E to a Point of Compound Curvature

Thence continuing along a Compound Curve deflecting to the left, having a Radius of 20.00 feet, a Central Angle of 139° 12' 00", an Arc of 48.39 feet and a Chord of 37.49 feet, which bears N. 20° 34' 35" W to the Point of Beginning; containing 906 Square Feet, and 0.0208 Acres of land. Legal Description approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section.

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

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

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

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

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

Ord. No. 1479-11.

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

An emergency ordinance authorizing the Director of Port Control to exercise the second option to renew Contract No. 68393 with Parking Solutions, Inc. to operate a valet parking service at Cleveland Hopkins International Airport; and to amend Contract No. 68393 to change certain terms of the contract.

Whereas, under the authority of Ordinance No. 132-07, passed June 4, 2007 2010, the Director of Port Control entered into Contract No. 68393 with Parking Solutions, Inc. to operate a valet parking service at Cleveland Hopkins International Airport for a period of two years, with two one-year options to renew, which require addi-

tional legislative authority to exercise; and

Whereas, under Ordinance No. 1259-10, passed November 8, 2010, this Council authorized the first one-year option to renew to be exercised; and

Whereas, Ordinance No. 132-07 requires further legislation before exercising the second option to renew on this contract; and

Whereas, the Department of Port Control and Parking Solutions, Inc. have agreed to make changes to Contract No. 68393 concerning mutually beneficial fee changes; 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 second option to renew Contract No. 68393 for an additional year with Parking Solutions, Inc. to operate a valet parking service at Cleveland Hopkins International Airport.

Section 2. That the Director of Port Control is authorized to enter into an amendment to Contract No. 68393 with Parking Solutions, Inc. to increase the valet parking daily maximum fee from eighteen dollars (\$18.00) to twenty-one dollars (\$21.00); to increase the percentage fee from twenty-five percent (25%) to forty-eight percent (48%) of Gross Revenues realized by Parking Solutions, Inc. from fees, commissions, and credits received or receivable, in connection with the valet parking services; and a percentage fee of twenty-five percent (25%) of Gross Revenues realized by Parking Solutions, Inc. from all fees, commissions, and credits received or receivable in connection with ancillary services.

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

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

Ord. No. 1480-11.

By Council Member Cleveland.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 6117 Central Avenue and adjacent property on Central Avenue to John D. Henderson, Jr., or designee.

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the 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 Revised Code and Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 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 John D. Henderson, Jr., or designee.

Section 2. That the real property to be sold under this ordinance is more fully described as follows:

P. P. No. 118-19-023

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio: And known as being the Easterly 40 feet of Sublot No. 19 in Southern and Chamberlain's Subdivision of part of Original One Hundred Acre Lot Nos. 334 and 335, as shown by the recorded plat of said Subdivision in Volume 11 of Maps, Page 42, Cuyahoga County Records, said part of Sublot No. 19 has a frontage of 40 feet on the Northerly side of Central Avenue, S.E. and extends back between parallel lines 150 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to zoning ordinances, if any.

P. P. No. 118-19-022

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot No. 20 in L.M. Southern and W.S. Chamberlain Subdivision of part of Original One Hundred Acre Lot Nos. 334 and 335 as shown by the recorded plat in Volume 11 of Maps, Page 42 of Cuyahoga County Records and being bounded and described as follows:

Beginning on the Northerly line of Central Avenue S.E. (formerly Garden Street) at the Southwesterly corner of said Sublot No. 20; thence Easterly along said Northerly line of Central Avenue S.E. 34 feet to the Southwesterly corner of land conveyed to L.M. Southern by deed dated May 9, 1895 and recorded in Volume 599 Page 494 of Cuyahoga County Records, thence Northerly along the Westerly line of land so conveyed to L.M. Southern, 150 feet to the Southerly line of a 16 foot alley (now known as Hawthorne Court S.E.); thence West-erly along the Southerly line of Hawthorne Court S.E. 34 feet to the Northwesterly corner of said Sublot No. 20; thence Southerly along the Westerly line of said Sublot No. 20 to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

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 not be 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 by this ordinance 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 declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 1481-11.

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

An emergency ordinance to amend Section 2 of Ordinance No. 1368-10, passed November 15, 2010, relating to selling real property as part of the Land Reutilization Program located on scattered sites in the North Broadway area to FBE, Inc.

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

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

Section 1. That Section 2 of Ordinance No. 1368-10, passed November 15, 2010, is amended to read as follows:

Section 2. That the real property to be sold pursuant to Section 1 of this ordinance is more fully described as follows:

**P.P. N. 132-03-008
(Southerly Portion)**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original 100 Acre Lot Nos. 318 and 319 and is further bounded and described as follows;

Beginning at a 5/8" iron pin found in the westerly line of East 71st Street (45 feet wide) at its intersection with the southerly line a parcel of land conveyed to The City of Cleveland by document recorded in File Number 200502010335 of Cuyahoga County Records (PPN 132-01-016);

Thence South 01° 11' 53" East, along the westerly line of said East 71st Street, 69.98 feet to a 5/8" iron pin set and the Principal Place of Beginning of the parcel of land herein intended to be described;

Course I:

Thence continuing South 01° 11' 53" East, along the westerly line of said East 71st Street, 44.66 feet to a 5/8" iron pin set;

Course II:

Thence South 88° 48' 07" West, 360.95 feet to a 5/8" iron pin set;

Course III:

Thence North 44° 47' 33" East, 64.28 feet to a 5/8" iron pin set;

Course IV:

Thence North 88° 48' 07" East, 314.72 feet to the Principal Place of Beginning and containing 0.3463 Acres (15,087 square feet) of land to be the same more or less, but subject to all legal highways.

Section 2. That existing Section 2 of Ordinance No. 1368-10, passed November 15, 2010, is repealed.

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

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

Ord. No. 1482-11.

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

An emergency ordinance authorizing the Director of Economic Development to apply for and accept a grant from the Ohio Department of Development, or its successor or designee, for the rehabilitation of the Victory Building located at 7012 Euclid Avenue; and authorizing a contract with Garson Victory, LLC, or its designee, to implement the project.

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 grant in an amount up to \$3,000,000, from the Ohio Department of Development, or its successor or designee, for the rehabilitation of the Victory Building located at 7012 Euclid Avenue; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

Section 2. That the summary for the grant, File No. 1482-11-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 agreements with Garson Victory, LLC, or its designee, to implement the project.

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

Section 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 ear-

liest period allowed by law.

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

Ord. No. 1485-11.

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

An emergency ordinance authorizing the Director Human Resources to employ one or more professional consultants for services necessary to provide group prescription insurance coverage for City of Cleveland employees, for a period up to sixteen months, with a one-year option to renew, exercisable by the Director of Human Resources.

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 Human Resources is authorized to enter into one or more contracts in order to provide professional consultants for services necessary to provide group prescription insurance coverage, for City of Cleveland employees, for a period up to sixteen months, with a one-year option to renew, exercisable by the Director of Human Resources.

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

Section 2. That the contracts shall be prepared by the Director of Law and shall contain any conditions and provisions that the Director deems necessary to protect and benefit the public interest.

Section 3. That the cost of the contract or contracts authorized shall be paid from funds appropriated in budget years 2012 and 2013 for this purpose, RQN 0402, RL 2011-46.

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

Referred to Directors of Human Resources, Finance, Law; Committees on Employment, Affirmative Action and Training, Finance.

Ord. No. 1492-11.

By Council Members Cimperman, Polensek, Westbrook and Zone.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 195.031, providing for an exemption from the admission tax for qualifying live music venues.

Whereas, live music is at the core of every great American city, offering opportunities for musicians to hone their craft and for audiences to learn about, listen to, and

Whereas, appreciate various forms of music; and

Whereas, a city rich with concert venues of various sizes that support a wide-variety of musicians offers residents and visitors increased opportunities to experience the power and pleasure of live music; and

Whereas, these venues enrich our community and serve as catalysts for economic development; and

Whereas, Cleveland is recognized as a distinctive center for music, from the Rock-and Roll Hall of Fame to the Cleveland Orchestra, where a spirit of innovation continually renews a thriving music industry, both economically and culturally; and

Whereas, the vitality and the culture of Cleveland are greatly enhanced by our ability to attract and keep local live music venues; and

Whereas, to increase Cleveland's standing as a live music destination, we must encourage private investment in live music; and

Whereas, live music venues are part of a business sector that has greater expenses, regulatory requirements, and liabilities than the average business; and

Whereas, providing an admission tax exemption provides a valuable incentive for investors to open and operate well-managed music venues; and

Whereas, this exemption will help create a healthy business environment, leverage Cleveland's competitive advantage in the music industry, and bolster economic development throughout the city;

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 Sections 195.031 to read as follows:

Section 195.031 Tax Exemption for Qualifying Live Music Venues

(a) No tax shall be levied under this chapter to any person paying an admission charge to any premises or location for which the Commissioner has issued a certificate of exemption pursuant to this Section; provided, however, that the admission tax shall be due for any and all admission charges paid prior to the issuance of a certificate of exemption, or paid after the Commissioner has cancelled a certificate of exemption, or paid at any time during which a cancellation of a certificate of exemption could or should have been in effect under any one or more of paragraphs 1 through 6 of Subsection (g) of this Section.

(b) A premises or location is eligible for a certificate of exemption if:

(1) The premises or location has a certificate of occupancy of fewer than seven hundred (700) persons; and

(2) The person conducting or operating the premises or location or any other person authorized by such person hosts or presents live music on at least three (3) separate days per week at the premises or location on a regular schedule. For purposes of this Section, "live music" is defined as an active performance of music by an individual or individuals who, at the time of and during the performance, creates music or engages in an audible form of artistic expression, other than, or in addition to, any pre-record-

ed music, for an audience through the use or manipulation of voice, instruments, or electronic or computerized equipment or formats; and

(3) The person or persons conducting or operating the premises or location or any other authorized person hires one (1) or more musicians to perform the equivalent of sixteen (16) individual performances per week at the premises or location. Repeat performances by the same individual or group shall each be counted. Where performances are by a duo, trio, band, ensemble or other performing group, the number of individual performances shall be determined by multiplying the number of performing group members by the number of performances by the group; and

(4) The premises or location is current with all license and tax requirements.

(c) A premises or location that has obtained more than three (3) violations of law concerning public health, public safety, noise, licensing, taxing or permitting related to the ownership, possession, occupation, operation, use or maintenance of the location or premises in any twelve (12) month period shall be ineligible for a certificate of exemption for a period of one year from the date of the last violation. For purposes of this Section a premises or location has obtained a violation if there is a legally binding final decision, order, citation, or other finding of violation entered by any court, adjudicative body or government agency against any legal owner, operator, manager, or employee of the premises or location, or any other person hosting or presenting live music at the premises or location.

(d) Any person conducting or operating a premises or location seeking a certificate of exemption under this Section, who has not previously been issued a certificate of exemption for the same premises or location, shall present to the Commissioner a copy of the certificate of occupancy required under paragraph (b)(1) of this Section, and shall submit a completed application for the certificate of exemption on forms and in a manner prescribed by the Commissioner. The application shall contain a certification that the conditions set forth in Subsections (b) (2) and (3) of this Section will be satisfied during the period that the certificate of exemption is to be in effect, and a separate certification that the premises or location is not ineligible under Subsection (c) of this Section. The Commissioner shall issue a certificate of exemption for the premises or location, unless the Commissioner finds that the eligibility requirements of Subsections (b) and (c) of this Section cannot be met. A certificate of exemption is non-transferable, shall be valid only with respect to the original applicant, and shall apply only to the premises or location that is the subject of the application.

(e) On a quarterly basis each person to whom a certificate of exemption has been issued shall report, on forms prescribed by the Commissioner, information sufficient to verify that during the corresponding quarter, the premises or location was in compliance with the requirements of this Section, including, but not limited to, the requirements in Subsections (b) (2) and (3) of this Section, and that the premises or location can con-

tinue to meet the requirements. The Director shall establish by rule the information required.

(f) Each person to whom a certificate of exemption has been issued shall immediately notify the Commissioner if a premises or location for which a certificate of exemption has been issued fails to be eligible under Subsection (c) of this Section, or fails to be in compliance with any requirement contained in this Section or any rule or regulation of the Commissioner implementing it, other than those contained in Subsections (b) (2) or 3 of this Section.

(g) The Commissioner shall cancel the certificate of exemption of a location or premises upon a determination by the Commissioner:

(1) That a person secured the certificate of exemption by making a false representation in the application for the certificate; or

(2) That the premises or location is ineligible for a certificate of exemption under Subsection (c) of this Section; or

(3) That the premises or location is not in compliance with any requirement contained in this Section or any rule or regulation of the Commissioner implementing it other than the requirements contained in Subsections (b) (2) or (3) of this Section; or

(4) That, during any quarterly period, the premises or location fails to host or present live music on at least 80% of the number of days that the premises is required to present live music under Subsection (b) (2) during that quarterly period; or

(5) That, during any quarterly period, the premises or location fails to hire musicians to perform at least 80% of the number of individual performances required under Subsection (b) (3) during that quarterly period; or

(6) That the person to whom the certificate of exemption has been issued no longer conducts or operates the premises or location that is the subject of the exemption.

A person whose certificate of exemption has been cancelled may re-apply for a certificate for the same premises or location, but no re-application shall be approved unless the person shows that the premises or location is eligible under the requirements of this Section and all rules and regulations of the Commissioner implementing it at the time of the re-application, and further, that the location or premises has been in compliance with Subsections (b) (2) and (3) of this Section during the 30 day period prior to the re-application. Any person wishing to re-apply shall submit the material required in Subsection (d) of this Section, which material shall be current as of the date of the re-application, and, in addition, shall submit all information required by the Commissioner as established by rule, including all information required to have been reported pursuant to Subsection (e) of this Section during any period of time that any previous certificate of exemption was in effect.

(h) The Commissioner shall not issue a certificate of exemption to any person who is found by the Commissioner to have made a false representation on any application or re-application made under this Section.

(i) Any person to whom a certificate of exemption has been issued shall promptly notify the Commissioner of any change of address. If the Commissioner has cancelled a certificate of exemption, the Commissioner

shall provide notice of the cancellation to the person to whom the certificate of exemption was issued by mailing such notice in writing to the address of the person as last reported to the Commissioner. Any person whose certificate of exemption has been cancelled may contest the cancellation by filing an appeal to the Board of Review in accordance with Section 195.16 of this Chapter.

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

Referred to Directors of Finance, Law; Committees on Legislation, Finance.

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 1477-11.

By Mayor Jackson and Council Member Sweeney.

An emergency ordinance allocating 15% of Cleveland Casino Revenues received by the City for use by Cleveland City Council.

Whereas, under the Ohio Constitution and ORC Chapter 5753, the State levies a tax at the rate of 33% of the casino operator's gross casino revenue and the tax proceeds are distributed, in part, as follows: 1) 51% of the tax is distributed among the 88 counties in proportion to their population at the time of the distribution, and Cleveland will receive 50% of the Cuyahoga County share; and 2) 5% of the tax is distributed to the host city, like Cleveland, where the casino facility that generated such gross casino revenue is located; and

Whereas, for purposes of this ordinance, "Cleveland Casino Revenues" is Cleveland's share of the tax on gross casino revenue levied by the State of Ohio and distributed to Cleveland in accordance with Article XV, Section 6 of the Ohio Constitution and Revised Code Chapter 5753; and

Whereas, the Cleveland Casino Revenues received by the City shall be deposited into the general fund and 15% shall be allocated for use by Cleveland City Council; 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 Cleveland Casino Revenues received by the City shall be deposited into the general fund and fifteen percent (15%) shall be allocated for use by Cleveland City Council.

Section 2. That a copy of the memo distributed at the Finance Committee on October 12, 2011, is placed in File No. 1477-11-A.

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.

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

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

Ord. No. 1483-11.

By Council Member Sweeney (by departmental request).

An emergency ordinance to supplement Ordinance No. 647-11, passed May 16, 2011, by adding new Section 5; and to renumber existing Section 5 to new Section 6, relating to authorizing the purchase, lease, or lease to purchase by requirement contract of various types of vehicles and apparatus for various divisions in the Departments of Public Works and Public Safety, among others.

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

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

Section 1. That Ordinance No. 647-11, passed May 16, 2011 is supplemented by adding new Section 5 to read as follows:

Section 5. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Finance may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 2. That existing Section 5 of Ordinance No. 647-11, passed May 16, 2011 is renumbered to new "Section 6".

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.

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

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

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 1484-11.

By Mayor Jackson and Council Member Sweeney.

An emergency resolution opposing any effort by the State of Ohio to take over the collection of municipal income taxes in Ohio, and urging our State legislators to reject and oppose any amendment to pending bills or introduction of new legislation that proposes to transfer collection and/or control of municipal income taxes to the State of Ohio Department of Taxation.

Whereas, income tax is the largest source of revenue for all municipalities and any disruption or interference with the current collection process will be harmful to the financial operations; and

Whereas, the prospect of State control of municipal income tax collection presents numerous administrative difficulties including, but not limited to: how the State will administer Local tax ordinances; how retention of and access to tax records will

be handled; the timing and frequency of distribution of collected revenues would have a negative impact on cash flow and financial stability of the municipalities; the reporting of tax collections to municipalities; collection of delinquent taxes and tracking those persons not filing taxes; the impact of planned budget and staffing cuts; and the closing of the Ohio Department of Taxation's regional offices will hinder the ability of the Ohio Department of Taxation to undertake and properly perform such significant new responsibilities; and

Whereas, the State of Ohio is infringing on the Home Rule Rights of municipalities to self-govern as stated in Section 7, Article XVII of the Constitution of the State of Ohio; and

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

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

Section 1. That this Council declares its strong opposition to any effort by the State of Ohio to take over the collection of municipal income taxes in Ohio, and urges our State legislators to reject and oppose any amendment to pending bills or introduction of new legislation that proposes to transfer collection and/or control of municipal income taxes to the State of Ohio Department of Taxation.

Section 2. That the Clerk of Council is authorized and directed to send a certified copy of this resolution to each member of the Ohio General Assembly and Ohio Governor John Kasich.

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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 1493-11.

By Council Member Cimperman.

An emergency resolution objecting to the transfer of ownership of a D2, D2X, D3, D3A, and D6 Liquor Permit to 618 Prospect Avenue, 2nd floor only.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a D2, D2X, D3, D3A and D6 Liquor Permit from View Cleveland, LLC, Lauren Helbling Trustee in Bankruptcy, 618 Prospect Avenue, 2nd floor only, Cleveland, Ohio 44115, Permanent Number 9271909 to DMA Level C, LLC, 618 Prospect Avenue, 2nd floor only, Cleveland, Ohio 44115, Permanent Number 2215582; 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 D2, D2X, D3, D3A and D6 Liquor Permit from View Cleveland, LLC, Lauren Helbling Trustee in Bankruptcy, 618 Prospect Avenue, 2nd floor only, Cleveland, Ohio 44115, Permanent Number 9271909 to DMA Level C, LLC, 618 Prospect Avenue, 2nd floor only, Cleveland, Ohio 44115, Permanent Number 2215582; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 1494-11.

By Council Member Cimperman.

An emergency resolution objecting to the transfer of ownership of a D2, D2X, D3, D3A and D6 Liquor Permit to 850 Euclid Avenue, Suite 120.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a D2, D2X, D3, D3A and D6 Liquor Permit from Cleveland Bev-

erage, LLC, 850 Euclid Avenue, Suite 120, Cleveland, Ohio 44114, Permanent Number 1543280 to Bishoff Management, LLC, 850 Euclid Avenue, Suite 120, Cleveland, Ohio 44114, Permanent Number 0720570; 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 City; 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 D2, D2X, D3, D3A and D6 Liquor Permit from Cleveland Beverage, LLC, 850 Euclid Avenue, Suite 120, Cleveland, Ohio 44114, Permanent Number 1543280 to Bishoff Management, LLC, 850 Euclid Avenue, Suite 120, Cleveland, Ohio 44114, Permanent Number 0720570; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 1495-11.
By Council Member Cleveland.
An emergency resolution objecting to a New C1 Liquor Permit at 3400 Carnegie Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 Liquor Permit at Midtown Foods, Inc., 3400 Carnegie Avenue, Cleveland, Ohio 44115, Permanent Number 5928457; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C1 Liquor Permit at Midtown Foods, Inc., 3400 Carnegie Avenue, Cleveland, Ohio 44115, Permanent Number 5928457; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 1496-11.
By Council Member Sweeney.
An emergency resolution withdrawing objection to the renewal of a C1 Liquor Permit at 13939 Lorain Avenue and repealing Resolution No. 1153-11, objecting to said renewal.

Whereas, this Council objected to a C1 Liquor Permit to 13939 Lorain Avenue by Resolution No. 1153-11 adopted by the Council on August 17, 2011; 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 Liquor Permit to AJD Gas, LLC, DBA Liberty Gas USA, 13939 Lorain Avenue, Cleveland, Ohio 44111, Permanent Number 0003708 be and the same is hereby withdrawn and Resolution No. 1153-11, 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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

SECOND READING EMERGENCY ORDINANCE PASSED

Ord. No. 1125-11.

By Council Member Polensek.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 807 East 156th Street to Matthew Adkins and Tenesha Thomas.

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

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

MOTION

The Council Meeting adjourned at 8:00 p.m. to meet on Monday, October 24, 2011 at 7:00 p.m. in the Council Chambers.



Patricia J. Britt
 City Clerk, Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

October 12, 2011

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, October 12, 2011, at 10:51 a.m. with Interim Director Langhenry presiding.

Present: Interim Director Langhenry, Directors Dumas, Withers, R. Smith, Cox, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Absent: Mayor Jackson and Director Butler.

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

Jim Hardy, Commissioner, Purchases & Supplies.

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

Resolution No. 481-11.

By Director Withers.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on September 8, 2011 for Diving and Underwater Inspection Services, for the Division of Water, Department of Public Utilities, under the authority of Ordinance No. 359-11, passed May 9, 2011, are rejected.

Yeas: Interim Director Langhenry, Directors Dumas, Withers, R. Smith, Cox, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 482-11.

By Director Smith.

Whereas, under the authority of Ordinance Nos. 2380-02, 468-04, 1853-06 and 1329-08, passed by the Council of the City of Cleveland on December 16, 2002, April 26, 2004, December 11, 2006 and October 20, 2008, respectively, and Board of Control Resolution No. 325-10, adopted August 4, 2010, the City through its Director of Port Control, entered into Contract No. PS2010*251 with Ehrenkrantz Eckstut & Kuhn Architects, P.C. ("Consultant"), to provide professional services necessary to prepare planning studies, for a period of two years, with two options to renew for additional two year periods, for the various divisions of the Department of Port Control; and

Whereas, under Board of Control Resolution No. 453-11, adopted September 14, 2011, the City, through its Director of Port Control, entered into a first modification to City Contract No. PS2010*251, revising the scope of work and increasing the compensation from an amount not to exceed \$700,000.00 to an amount not to exceed \$746,000.00; and

Whereas, the City has determined it necessary to further revise the scope of work to include additional professional services necessary to prepare drawings and other materials for the City's TIGER Grant application; and

Whereas, the Consultant has proposed by its letter dated September 30, 2011 to perform the additional work necessary for an amount of \$91,435.00; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Port Control is authorized to enter into a second modification to City Contract No. PS2010*251 between the City of Cleveland and Ehrenkrantz Eckstut & Kuhn Architects, P.C. for additional professional services necessary to prepare drawings and other materials for the City's TIGER Grant application as set forth in Consultant's letter dated September 30, 2011. The amount to be paid for all services shall be increased by \$91,435.00 from \$746,000.00 to a total amount not to exceed \$837,435.00.

Be it further resolved that the amounts attributed to the following subconsultants approved in Board of Control Resolution No. 325-10, adopted August 4, 2010, are amended as follows:

<u>Subconsultant</u>	<u>Percentage</u>	<u>Amount</u>
Van Auken Architects, LLC	31.24% CSB/FBE/LPE	\$261,658.00
Ralph C. Tyler, P.E., P.S., Inc.	1.02% CSB/MBE	\$ 8,595.00

Be it further resolved that all other terms of Resolution No. 325-10 not expressly amended by this resolution shall remain unchanged and in full force and effect.

Yeas: Interim Director Langhenry, Directors Dumas, Withers, R. Smith, Cox, Flask, Rush, Southerington, Nichols, Fumich and Rybka.
Nays: None.
Absent: Mayor Jackson and Director Butler.

Resolution No. 483-11.

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of Ordinance Nos. 930-95, 469-98 and 327-2000, passed June 19, 1995, May 18, 1998 and June 12, 2000, respectively, the firm of C & S Engineers, Inc. ("Consultant") is selected upon nomination of the Director of Port Control from a list of qualified persons or firms determined after a full and complete canvass by the Director of Port Control as the firm of consultants available to be employed by contract to supplement the regularly employed staff of the several departments of the City to provide design and construction management services for the 2011-2012 continuation of Phase II of the Residential Sound Insulation Program, for the Department of Port Control.

Be it further resolved that the Director of Port Control is authorized to enter into a written contract with C & S Engineers, Inc. for the above-mentioned services, based upon its proposal dated May 6, 2011, which contract shall be prepared by the Director of Law, shall provide that the compensation to C & S Engineers, Inc. for the services authorized shall not exceed \$2,156,192.00, and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control of the City of Cleveland that employment of the following subconsultants by C & S Engineers, Inc., is approved:

<u>Subcontractor</u>	<u>DBE%</u>	<u>Amount</u>
H2L1 Engineering, Inc.	5.33% DBE	\$115,000.00
R. Engineering Team, LLC	10.43% DBE	\$225,000.00
HMMH, Inc.	2.78% Non DBE	\$ 60,022.00
Steven McQuillin & Associates	2.94% Non-DBE	\$ 63,453.00

Yeas: Interim Director Langhenry, Directors Dumas, Withers, R. Smith, Cox, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

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

Resolution No. 484-11.

By Director Smith.

Resolved, by the Board of Control of the City of Cleveland that the bid of Your Building Maint., Inc., for the necessary items of janitorial maintenance and cleaning supplies, all items, for the various divisions of the Department of Port Control, for a period of two years beginning with the date of execution of a contract, received on August 18, 2011, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$84,480.00, is affirmed and approved as the lowest and best bid, and the Director of Port Control is requested to enter into a requirement contract for the goods and/or services necessary, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$5,000.00.

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

Yeas: Interim Director Langhenry, Directors Dumas, Withers, R. Smith, Cox, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

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

Resolution No. 485-11.

By Director Smith.

Resolved, by the Board of Control of the City of Cleveland that the bid of Aaron Landscaping, Inc., for labor and materials necessary to maintain or replace exterior landscaping and other site landscaping, all items, for the various divisions of the Department of Port Control, for a period of two years, beginning with the date of execution of a contract, received on August 24, 2011, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity

would amount to \$231,214.00, is affirmed and approved as the lowest and best bid, and the Director of Port Control is requested to enter into a requirement contract for the labor and materials necessary, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$30,000.00.

The requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for such labor and materials, 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 subcontractor by Aaron Landscaping, Inc. is approved:

<u>Subcontractor</u>	<u>CSB/MBE/FBE</u>	<u>%</u>	<u>Amount</u>
Jands Group	23.78% CSB/MBE		\$55,000.00

Yeas: Interim Director Langhenry, Directors Dumas, Withers, R. Smith, Cox, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

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

Resolution No. 486-11.

By Director Smith.

Resolved, by the Board of Control of the City of Cleveland that the bid of ADB Airfield Solutions, LLC, for the necessary items of electrical parts and equipment, Items 1, 2, 4 and 6, for the various divisions of the Department of Port Control, for a period of two years beginning with the date of execution of a contract, with two one-year options to renew, received on August 18, 2011, under the authority of Ordinance No. 323-11, passed by the Council of the City of Cleveland on May 2, 2011, which on the basis of the estimated quantity would amount to \$545,000.00, is affirmed and approved as the lowest and best bid, and the Director of Port Control is requested to enter into a requirement contract for the goods and/or services necessary, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$30,000.00.

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

Yeas: Interim Director Langhenry, Directors Dumas, Withers, R. Smith, Cox, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

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

Resolution No. 487-11.

By Director Smith.

Resolved, by the Board of Control of the City of Cleveland that the bid of Genesis Lamp Corporation, for the necessary items of electrical parts and equipment, Items 3, 5 and

7, for the various divisions of the Department of Port Control, for a period of two years beginning with the date of execution of a contract, with two one-year options to renew, received on August 18, 2011, under the authority of Ordinance No. 323-11, passed by the Council of the City of Cleveland on May 2, 2011, which on the basis of the estimated quantity would amount to \$210,000.00, is affirmed and approved as the lowest and best bid, and the Director of Port Control is requested to enter into a requirement contract for the goods and/or services necessary, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$15,000.00.

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

Yeas: Interim Director Langhenry, Directors Dumas, Withers, R. Smith, Cox, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 488-11.

By Director Smith.

Resolved, by the Board of Control of the City of Cleveland that the bid of Consolidated Electric Distribution, Inc. d/b/a Leader Electric Supply Co., for the necessary items of electrical parts and equipment, Item 8, for the various divisions of the Department of Port Control, for a period of two years beginning with the date of execution of a contract, with two one-year options to renew, received on August 18, 2011, under the authority of Ordinance No. 323-11, passed by the Council of the City of Cleveland on May 2, 2011, which on the basis of the estimated quantity would amount to \$49,000.00, is affirmed and approved as the lowest and best bid, and the Director of Port Control is requested to enter into a requirement contract for the goods and/or services necessary, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$3,000.00.

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

Yeas: Interim Director Langhenry, Directors Dumas, Withers, R. Smith, Cox, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 489-11.

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. 115-01-029 located at 824 East 143rd Street in Ward 10; 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, Shirley Seawright, abutting/adjacent landowner, have 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 10 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 Shirley Seawright for the sale and development of Permanent Parcel No. 115-01-029 located at 824 East 143rd 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 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: Interim Director Langhenry, Directors Dumas, Withers, R. Smith, Cox, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 490-11.

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. 125-31-026 located at 6819 Temple Ave. 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, Hope Williams, 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 12 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 Hope Williams for the sale and development of Permanent Parcel No. 125-31-026 located at 6819 Temple Ave., 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: Interim Director Langhenry, Directors Dumas, Withers, R. Smith, Cox, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 491-11.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 007-07-109 located at 3609 Chatham Avenue in Ward 15; 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, Wilson & Eulialia Reyes, abutting/adjacent landowners, have 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 15 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 purchasers 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 Wilson & Eulialia Reyes for the sale and development of Permanent Parcel No. 007-07-109 located at 3609 Chatham Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for 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: Interim Director Langhenry, Directors Dumas, Withers, R. Smith, Cox, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 492-11.

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. 005-23-132 (Northerly part) located at 2062 West 98th St. in Ward 16; 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, Robert A. & Gay V. Puchmajer, abutting/adjacent landowners, have 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 16 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 purchasers of the parcel are 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 Robert A. & Gay V. Puchmajer for the sale and development of Permanent Parcel No. 005-23-132 (Northerly part) located at 2062 West 98th St., 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: Interim Director Langhenry, Directors Dumas, Withers, R. Smith,

Cox, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

Resolution No. 493-11.

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. 005-23-132 (Southerly part) located at 2062 West 98th St. in Ward 16; 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, Cudell Improvement, Inc., 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 16 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 Cudell Improvement, Inc. for the sale and development of Permanent Parcel No. 005-23-132 (Southerly part) located at 2062 West 98th St., 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: Interim Director Langhenry, Directors Dumas, Withers, R. Smith, Cox, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

Application blanks and information, regarding minimum entrance qualifications, scope of examination, and suggested reference materials may be obtained at the office of the

Civil Service Commission, Room 119, City Hall, East 6th Street, and Lakeside Avenue.

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

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

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

ROBERT BENNETT,
President

CIVIL SERVICE NOTICE

**ANNOUNCEMENTS — 2011
10/28/11 — 11/3/11**

Announ- cement No.	Exam Method	Classi- fication	Exam Type
94	EE	Administrative Manager	N/C
95	EE	Building Stationary Engineer	Open
96	EE	Business Process Analyst	N/C
97	EE	Chief Architect	N/C
98	EE	Deputy Commissioner of Environment	N/C
99	EE	Information Tech Systems Security Officer	Open
100	WR	Machinist	Open
101	EE	Manager of General Maintenance	N/C
102	EE	Misdemeanor Investigator	N/C
103	EE	Public Health Nurse III	N/C
104	EE	Recreation Center Mgr	N/C
105	WR	Recreation Instructor I	Open
106	EE	Systems Analyst	Open
54a	WR	Asst School Building Custodian	Open
55a	WR	School Building Custodian	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. 94**

**ADMINISTRATIVE MANAGER
(NON COMP)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a **NON-COMPETITIVE** 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 \$24,974.46 - \$86,764.70 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. **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, OCTOBER 28, 2011 UNTIL 4:30 P.M. ON THURSDAY, NOVEMBER 3, 2011.**

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, NOVEMBER 3, 2011.

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

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's eligibility 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, is responsible for planning, managing, coordinating, and administering all activities and personnel of such staff positions as administration, citizen participation, research, and finance, and supervises such personnel as are assigned to specific functions in the performance of the necessary duties. 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. A Bachelor's Degree is required. Four years of full time paid management or administrative experience is required. (Substitution: Two years of experience may substitute for each year of college education lacking. A valid State of Ohio Driver's License is required.

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

NOTE: Any applicant who resigns or is dismissed from employment with

the City of Cleveland will have his/her name removed from the eligible list.

AN EQUAL OPPORTUNITY EMPLOYER

**APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 95**

BUILDING STATIONARY ENGINEER (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 \$10.14 - \$19.66 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. **APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATION WILL BE AVAILABLE FROM 8:30 A.M. ON FRIDAY, OCTOBER 28, 2011 UNTIL 4:30 P.M. ON THURSDAY, NOVEMBER 3, 2011.**

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, NOVEMBER 3, 2011.

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

EXAMINATION INFORMATION

TYPE: EXPERIENCE EXAMINATION

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

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

DUTIES OF THE POSITION

Under supervision, maintains boiler room and engine room equipment in a public building. Maintains and repairs mechanical and other equipment. Operates power plant and engine room equipment in a public building. Performs related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF

THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or GED is required. Two years of full time paid experience in building maintenance as a Third Class Stationary Engineer is required. A valid State of Ohio Third Class Stationary Engineer's License is required. A valid State of Ohio Driver's License is required. A valid Universal Refrigeration License is required. Should have basic computer skills.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination. Any applicant who can provide proof of unemployment, public assistance, or indigence is exempt from the filing fee. 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. Applications may not be accepted if copies are not submitted with application at time of filing.

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 96

BUSINESS PROCESS ANALYST (NON-COMP)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a Non-Competitive 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 \$55,000.00 - \$95,000.00 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. 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, OCTOBER 28, 2011 UNTIL POSITION IS FILLED.

NOTE: APPLICATIONS WILL BE TAKEN 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 eligibility 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

Oversees business process and workflow analysis by completing and managing process improvement activities within a function that will have a significant impact on cost, service, and forecast accuracy. Manages the scope of improvements and resource requirements. Escalates issues regarding service and timelines. Creates performance metrics for programs. Facilitates communication across many functional groups to ensure collaboration and efficiency. Supports and advises on standardization and streamlining of processes wherever possible and appropriate in line with best management practices to ensure accuracy and completeness of the process and procedural and technical documentation. Assists in the roll-out of key business initiatives by meeting with stakeholders as well as reviewing and documenting business and functional requirements. Also manages the periodic review of planning parameters to balance customer service, product, employee, and financial objectives. Identifies issues/inconsistencies that impact the quality and integrity of services delivered, makes recommendations to correct issues, and manages the solutions to the issues. Ensures that all business and service requirements are fully defined and measured. Collaborates with managers/supervisors on internal measurements of performance. Facilitates ongoing performance review meetings with management teams to review metrics in regards to success. Creates and/or revises processes and associated documentation including process flows/modeling, procedural guides, SIPOC models, RACIs, schematics, templates, diagrams, and charts. Assists in preparation for system deployments including pre-requisite process and policy changes, change management, data preparation, and user training. Continuously reviews forecasts to understand how trends and/or projections will affect future business needs. Recommends new policies and/or policy changes as needed to maintain clear expectations amongst stakeholders. Collects and analyzes data to identify root cause of problems. Delivers presentations and training courses including measurement, analysis, improvement, and control. Performs cost and benefit analyses. Assists business office personnel and program/financial managers with the review and evaluation of end-to-end business processes/systems and in the development of associated process improvement rec-

ommendations. Develops ad-hoc reports and analyses in response to business unit requests. 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 a GED is required. A Bachelor's Degree in Business specializing in operations management, business administration, or quantitative analysis, Finance, or Business-related field from an accredited four-year college or university is required. Three years of full time paid experience in one or more of the following: Business analytics (use of data, statistical and quantitative analysis, explanatory and predictive modeling, and fact-based management to drive decision making and analytical problem solving), business requirements analysis and solution design, and business process analysis and redesign. As part of the three years, must have documented experience with project management methodologies, process improvement tools (e.g., Lean, Six Sigma) or statistics as well as experience in the implementation of business process mapping and charting software and documentation management process as well as business requirements definition and management in support of IT initiatives. (Substitution: One year of experience may substitute for each year of college education lacking.) A valid State of Ohio Driver's License is required. Experience utilizing an enterprise reporting tool (e.g., Business Objects or Cognos) to extract and analyze data from corporate information systems is preferred.

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

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 97

CHIEF ARCHITECT (NON-COMP)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a NON-COMPETITIVE 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 \$23,647.11 - \$98,838.00 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATION WILL BE AVAILABLE FROM 8:30 A.M. ON FRIDAY, OCTOBER 28, 2011 UNTIL POSITION IS FILLED.

NOTE: APPLICATIONS WILL BE ACCEPTED 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 eligibility will be determined based on Education and Experience found in resume.

TYPE: 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, perform architectural services required in the construction, alteration, and addition to buildings. Plans, supervises, and directs assigned personnel. 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:

ARCHITECTURE - A High School Diploma or GED is required. A Bachelor's Degree in Architecture from an accredited four year college or university is required. Five years of full time paid experience as a registered Architect is required. Must be a registered Architect in the State of Ohio. A valid State of Ohio Driver's License is required.

BUILDING AND HOUSING - A High School Diploma or GED is required. A Bachelor's Degree in Architecture or Engineering from an accredited four year college or university is required. Five years of full time paid experience as a registered Architect or Engineer is required. Experience as a Plans Examiner is preferred. Must be

a Registered Architect or Engineer and an interim or full-fledged Plans Examiner. A valid State of Ohio Driver's License is required.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications may not be accepted if copies are not submitted with application at time of filing.

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 98

DEPUTY COMMISSIONER OF ENVIRONMENT (NON COMP)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a NON-COMPETITIVE 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 \$26,273.96 - \$80,090.83 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATION WILL BE AVAILABLE FROM 8:30 A.M. ON FRIDAY, OCTOBER 28, 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 eligibility 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 direction of the Commissioner of Environment, provides daily management and supervision to divisional staff including district supervisors and program managers. Evaluates potential and current employees. Develops and implements training materials. Ensures that all work conforms to divisional policies and procedures. Generates and analyzes statis-

tical inspection data. Assists in the development of enforcement initiatives. Assists in the preparation of the annual budget funds, personnel, materials, and time. Provides professional advice to general public, contractors, and business operators. Prepares required activity and enforcement reports. 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. A Bachelor's Degree in Engineering, Environmental Science, Public Administration, or a closely related field from a four (4) year accredited college or university is required, a Master's Degree is preferred. Five (5) years of full time paid progressively responsible environmental construction or technical management experience is required, two years of which must be in a supervisory position. A valid State of Ohio Driver's License is required. A State of Ohio Registered Sanitarian Certificate is preferred. Must have excellent computer skills. Must be able to lift and carry at least 50 pounds.

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications may not be accepted if copies are not submitted with application at time of filing.

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 99

INFORMATION TECHNICIAN SYSTEMS SECURITY OFFICER (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 \$30,215.00 - \$78,448.32 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. APPLICATIONS WILL BE AVAILABLE FOR PICK UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATION WILL BE

AVAILABLE FROM 8:30 A.M. ON FRIDAY, OCTOBER 28, 2011 UNTIL 4:30 P.M. ON THURSDAY, NOVEMBER 3, 2011.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, NOVEMBER 3, 2011.

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

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's eligibility 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

Designs, develops, and implements security changes and enhancements to the Information Technology (IT) computing environments citywide. Is responsible for determining appropriate security measures and creating policies and procedures that monitor and control access to system resources and data. Oversees the establishment, implementation, and adherence to policies and procedures that guide and support the provision of information security services. Conducts risk assessments and risk analyses to help the organization develop security standards and procedures that support strategic, tactical, and operation objectives on a cost-effective basis. Makes recommendations on appropriate personnel as well as physical and technical security controls. Manages the information security incident reporting program and participates in resolving problems with security violations. Is responsible for the content and delivery of information security seminars and training classes. Coordinates the communication of information security awareness to all members of the organization. Certifies that IT systems meet predetermined security requirements citywide. Conducts security audits. Assesses and reviews security plans, policies and procedures of all City departments/divisions and related entities. Develops and implements a year-round inservice training program. 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 Computer Science, Information Technology, Engineering, Accounting, or related field from an accredited four year college or university is required. Two years of full time paid experience with the configuration, monitoring, or security of network, internet, or email applications in a Windows, Netware, and/or Unix environment is required. (Substitution: One year of experience in Information Technology may substitute for each year of college education lacking.) A valid State of Ohio Driver's License is required. Must be able to lift and carry a minimum of 30 pounds. Must possess excellent interpersonal and written communication skills. The following areas of experience are highly desired: Encryption, firewalls, Intrusion Detection Systems, Intrusion Prevention Systems, Virtual Private Networks, Web filtering, IT forensic analysis, and the principles and use of identification, authentication, and authorization; Knowledge of security hardware and software products that comply with current industry standards; Hands-on experience with major security platforms for certification authority, security management products, and tools; Monitoring network and systems management processes and operational procedures; Web hosting; Microsoft Exchange Server. Certification as an Information Systems and Security Professional of Information Systems Auditor is highly desired.

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

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 100

MACHINIST (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 \$15.83 - \$21.86 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON FRIDAY, OCTOBER 28, 2011 UNTIL 4:30 P.M. ON THURSDAY, NOVEMBER 3, 2011.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY NOVEMBER 3, 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, operates lathes, shapers, drill presses, and other machine tools. Assembles, installs, and repairs machinery of all kinds. 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. One year of full time paid experience in a machine shop is required. Must be able to operate various hand, power, and machine shop tools. Must be able to work in confined spaces. A valid State of Ohio Driver's License is required. Must be able to lift and carry a minimum of 50 pounds.

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

filing fee. A copy of such proof must be included with the application.

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications may not be accepted if copies are not submitted with application at time of filing.

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 101

MANAGER OF GENERAL MAINTENANCE (NON-COMPETITIVE)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a NON-COMPETITIVE 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 \$23,647.11 - \$75,806.04 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. APPLICATIONS WILL BE AVAILABLE FOR PICK UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATION WILL BE AVAILABLE FROM 8:30 A.M. ON FRIDAY, OCTOBER 28, 2011 UNTIL 4:30 P.M. ON THURSDAY, NOVEMBER 3, 2011.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, NOVEMBER 3, 2011.

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

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's eligibility 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 general direction, plans and schedules major water treatment and pumping facilities maintenance projects. Supervises the work performed by project workers. Reviews major maintenance project plans and speci-

fications. Assigns personnel to projects. Maintains records related to maintenance projects. Inspects project work to ensure compliance with specifications. Estimates construction and material costs. 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. Two years of full time paid management experience in facility maintenance is required. Skilled trade experience is preferred. Should be familiar with computers, Microsoft Office Suites and Ellipse Work Management System is preferred. A valid State of Ohio Driver's License is required. Must own or have access to a properly insured vehicle. Must be able to lift and carry 75 pounds with the use of equipment or the help of others.

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications may not be accepted if copies are not submitted with application at time of filing.

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 102

MISDEMEANOR INVESTIGATOR (NON-COMP)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a NON-COMPETITIVE examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$20,800.00 - \$46,152.31 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. 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, OCTOBER 28, 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 eligibility will be determined based on Education and Experience found in Resume.

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

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

DUTIES OF THE POSITION

Under supervision, processes citizen complaints. Interviews complainants and witnesses. Creates computerized case files. Researches criminal histories and prosecutor complaint histories and reviews police reports. Notifies citizens regarding decisions and dispositions. Types and mails correspondence. Prepares and assists in the preparation of reports and relevant forms. Performs any follow up on cases. Staffs satellite offices when necessary. Serves as mediation officer as needed. Maintains records, reports, and supplies. Performs other job-related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

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

A High School Diploma or GED is required, an Associate's Degree in Criminal Justice, Sociology, or Psychology from an accredited college or university is preferred. One year of full time paid experience in customer relations, community-based programs, or a government setting is required. A valid State of Ohio Driver's License is required. Must be computer proficient.

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications may not be accepted if copies are not submitted with application at time of filing.

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 103

PUBLIC HEALTH NURSE III (NON-COMPETITIVE)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a NON-COMPETITIVE

examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$18.80 - \$24.49 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. 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, OCTOBER 28, 2011 UNTIL 4:30 P.M. ON THURSDAY, NOVEMBER 3, 2011.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M ON THURSDAY, NOVEMBER 3, 2011.

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

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's eligibility 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 the supervision of the Assistant Director of Nursing, renders professional nursing services in the clinics or in the field by collecting data, making nursing judgments and planning, implementing and evaluating nursing interventions for a caseload of clients. Directs activities of Public Health Nurse II and I. Performs related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

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

A High School Diploma or G.E.D. is required. An Associate's Degree in Nursing or a Diploma from an Accredited Nursing program is required, a Bachelor's Degree is preferred. One year of full time paid experience as either a Registered Nurse or a Licensed Practical Nurse is required,

experience in community health nursing is preferred. A valid State of Ohio Driver's License is required.

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications may not be accepted if copies are not submitted with application at time of filing.

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 104

RECREATION CENTER MANAGER (NON-COMPETITIVE)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a NON-COMPETITIVE examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$32,500.00 - \$69,660.19 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. 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, OCTOBER 28, 2011 UNTIL 4:30 P.M. ON THURSDAY, NOVEMBER 3, 2011.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, NOVEMBER 3, 2011.

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

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's eligibility 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, performs recreation program and activity planning, supervision, and implementation at a City recreation facility. Organizes programs and activities. Supervises the activities per-

formed by recreation staff. Recruits and trains recreation staff and volunteers. Promotes program activities and program participation within the community. Prepares operational and other reports. Operates and supervises facility maintenance. Coordinates maintenance with Property Management. Assigns tasks to employees and schedules recreation programs and activities of a recreation center. Coordinates facility's programs and activities with those of other recreation facilities. Orients, trains, and evaluates employees under immediate supervision. Prepares facility's budget and monitors expenditures. 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. Three years of full time paid experience in recreation programs is required. (Substitution: A Bachelor's Degree from a four-year accredited college or university may be substituted for the experience.) A valid State of Ohio Driver's License is required. Must complete the Pool and Spa Management Course and acquire CPR Certification and First Aid Certification within one year of appointment. The following are preferred: previous experience in recreation programming, supervising, training, organizing, promoting, and/or coordinating; previous experience managing a recreation facility, in program development, in the utilization of recruitment techniques; demonstrated progressive responsibility in a professional setting.

NOTE: All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications may not be accepted if copies are not submitted with application at time of filing.

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 105

RECREATION INSTRUCTOR 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 \$10.00 - \$16.94 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATION WILL BE AVAILABLE FROM 8:30 A.M. ON FRIDAY, OCTOBER 28, 2011 UNTIL 4:30 P.M. ON THURSDAY, NOVEMBER 3, 2011.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, NOVEMBER 3, 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, has charge of the organization and direction of recreational activities of a playground or recreation center. 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 valid State of Ohio Driver's License is required. (SPORTS) - Experience in planning, developing, recruiting, implementing, and instructing youth/adults in various sports and other related programs is required (volunteer experience will be considered). (ARTS) - Experience in planning, developing, recruiting, implementing, and instructing youth/adults in various visual art classes is required. (CAMP) - Experience in planning, developing, recruiting, implementing, and instructing youth/adults in various organized programs, outdoor programs required. (COMPUTER) - Experience in planning, developing, recruiting, implementing, and instructing youth/adults in various activities and other programs is required. Must be able to instruct computer programs (i.e.: Windows XP Pro and the Internet).

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. Applications may not be accepted if copies are not submitted with application at time of filing.

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

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 106

SYSTEMS ANALYST (OPEN)

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

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$20,800.00 - \$60,010.77 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON FRIDAY, OCTOBER 28, 2011 UNTIL 4:30 P.M. ON THURSDAY, NOVEMBER 3, 2011.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, NOVEMBER 3, 2011.

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

EXAMINATION INFORMATION

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

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

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

DUTIES OF THE POSITION

Under supervision, performs computer systems design, implementation, management, and/or control tasks. Assists in, or performs, special project work as assigned. Troubleshoots computer system problems and provides other technical assistance 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) - A High School Diploma or GED is required. An Associate's Degree in Computer Science or closely related field from an accredited college, university, or vocational school is required. Two years of relevant full time paid experience in the set-up and configuration of personal computers in a networking environment (Novell and/or Microsoft NT) is required. (Substitution: Two years of experience may substitute for each year of college education lacking.) A valid State of Ohio Driver's License is required. (B) Water (Control Systems) - A High School Diploma or GED is required. An Associate's Degree in Computer Science or closely related field from an accredited college, university or vocational school is required. One year of relevant full time paid experience in the design/set-up, configuration, and maintenance of process computer control systems is required. (Substitution: One year of related experience may substitute for each year of college education lacking.) A valid State of Ohio Driver's License is required. Instrumentation Society of Automation (ISA) certification is preferred.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination. Any applicant who can provide proof of unemployment, public assistance, or indigence is exempt from the filing fee. 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. Applications may not be accepted if copies are not submitted with application at time of filing.

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

AN EQUAL OPPORTUNITY EMPLOYER

**APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 54A**

**ASSISTANT SCHOOL BUILDING
CUSTODIAN CLEVELAND BOARD
OF EDUCATION (OPEN)**

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

SALARY

The prevailing salary range for this position as established by the Cleveland Board of Education is \$16.91 to \$19.46 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. **APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON FRIDAY, OCTOBER 28, 2011 UNTIL 4:30 P.M. ON THURSDAY, NOVEMBER 3, 2011.**

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, NOVEMBER 3, 2011.

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

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

DUTIES OF THE POSITION

Under supervision of the custodian, performs unskilled and semi-skilled maintenance tasks related to the care and operation of school facilities; monitors heating, ventilation and air conditioning systems to provide temperatures appropriate to the season and ensures economical use of fuel, water and electricity; operates boiler, pumps and related equipment under the supervision of the custodian

**MINIMUM QUALIFICATIONS FOR
ENTRANCE TO THIS EXAMINATION
AS ESTABLISHED BY THE
CLEVELAND BOARD OF EDUCATION
ARE AS FOLLOWS:**

High School Diploma or G.E.D. is required. Must have a good work record and good attendance/punctuality. Vocational Custodial Service Training is preferred. Must hold a current High Pressure Boiler Operator's License or Steam Engineers License from the State of Ohio. A valid State of Ohio Driver's License is required.

VETERANS CREDIT: Additional points are given to a passing grade on an Open competitive examination in compliance with the Rules of the Cleveland Board of Education.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLAR) filing fee. However, employees of the Cleveland Board of Education 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.

AN EQUAL OPPORTUNITY EMPLOYER

**APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 55A**

**SCHOOL BUILDING CUSTODIAN
CLEVELAND BOARD OF EDUCATION
(OPEN)**

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

SALARY

The prevailing salary range for this position as established by the Cleveland Board of Education is \$24.29 - \$27.85 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. **APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON FRIDAY, OCTOBER 28, 2011 UNTIL 4:30 P.M. ON THURSDAY, NOVEMBER 3, 2011.**

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, NOVEMBER 3, 2011.

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

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION

DUTIES OF THE POSITION

Performs all necessary tasks personally or with the aid of such employees as are provided. Is responsible for the proper care, operation, heating, cleaning, maintenance, and repair of any school building in the Cleveland City School District to which he/she is assigned. Supervises and instructs other employees in the proper performance of their duties and to control all assigned school property. Operates, maintains, and makes repairs to boilers, fans, motors, and other equipment to be found in a school building. Cleans and maintains buildings, lawn, shrubbery, walks, and play-

grounds in a neat and approved manner. Supervises, instructs, and assists other employees in performing duties efficiently and economically. Performs other job-related duties as required.

**MINIMUM QUALIFICATIONS FOR
ENTRANCE TO THIS EXAMINATION
AS ESTABLISHED BY THE
CLEVELAND BOARD OF EDUCATION
ARE AS FOLLOWS:**

A High School Diploma or GED is required. A third-class stationary engineer's license issued by the State of Ohio is required. A valid State of Ohio Driver's License is required.

VETERANS CREDIT: Additional points are given to a passing grade on an Open competitive examination in compliance with the Rules of the Cleveland Board of Education.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLAR) filing fee. However, employees of the Cleveland Board of Education 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.

AN EQUAL OPPORTUNITY EMPLOYER

**ROBERT BENNETT,
President**

October 19 2011

**SCHEDULE OF THE BOARD
OF ZONING APPEALS**

MONDAY, OCTOBER 31, 2011

9:30 A.M.

Calendar No. 11-180: 15222 Waterloo Road (Ward 11) Samira Abuauan, owner, appeals for a use, occupancy permit, for a gas station located on an irregular shaped corner parcel in a C2 Local Retail Business District and subject to the provisions under Sections 349.07 (a) and (b), accessory off-street parking spaces, driveways and maneuvering areas shall be properly graded with hard surface for drainage and shall be provided with wheel or bumper guards; and a permit is required for signage in accordance with Section 350.04 of the Cleveland Codified Ordinances.

Calendar No. 11-184: 6310 Brookpark Road (Ward 13) Lewis and Jeremy Mitchell, owners, and Greg Deimling, tenant, appeal to establish use as a tattoo parlor in an existing one-story structure located on a 60' x 250' lot in Semi-Industry and General Retail Districts; subject to the limitations under Section 347.12(b) no such use

shall be within 1,000 feet of a residential district or church and the proposed use for tattooing is within 1,000 feet of a residence district to the south on Velma Avenue and 1,000 feet of Calvary Chapel at 6770 Brookpark Road. ("The calculation and application of distance requirements of separation of uses shall consider uses and districts across the city's boundary if the city and bordering jurisdiction have entered into an agreement whereby each will consider uses and districts across the common boundary." Cleveland Zoning Code Section 331.04) The proposed use for tattooing is within 1,000 feet of adult entertainment use located at 5141 Pearl Road contrary to Section 347.12(c) that prohibits such use to be established within 1,000 feet of an adult use as defined in Section 347.07 of the Cleveland Codified Ordinances.

Calendar No. 11-185: 2721 East 90th Street (Ward 6)

Miceli-Lograsso Development Company, owner, appeals for addition to an existing food processing plant located on acreage in a C1 General Retail Business District, for which an existing, legally permitted, non-conforming use of building or land may be continued but no enlargement or expansion shall be permitted except as a variance under the terms of Chapter 329 and no substitution or other change in the non-conforming use except by special permit issued if the Board of Zoning Appeals finds after public hearing that such substitution or 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 any other characteristic of the new use as compared with the previous use as stated in the Cleveland Zoning Code under Section 359.01.

Calendar No. 11-186: 2726 East 90th Street (Ward 6)

Miceli-Lograsso Development Company, owner, appeals to construct two (2) buildings proposed to be on acreage located in General Retail and General Industry Districts between East 90th Street and Everts Avenue; subject to Section 359.01 the proposed project requires the Board of Zoning Appeals approval, if the Board finds after public hearing that the expansion 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 any other characteristic of the new use as compared with the previous use.

Calendar No. 11-187: 2335 Green Road (Ward 10)

Gloria Robinson, owner, appeals to erect a 16' x 20' one-story frame, detached accessory garage on a 107.15' x 460' lot located in an A1 One-Family District and a setback of 131 feet is proposed contrary to

230 feet that is required to meet the provisions under Section 337.23(a) for accessory buildings to be located on the rear half of the lot.

Calendar No. 11-188: 17138 Lorain Avenue (Ward 19)

Kathleen McBride Plum, owner, and KeyBank National Association, tenant, appeal to replace an existing parking lot on a 92.18' x 148.04' lot in a C2 Local Retail Business District; and under Sections 352.08-12 a six (6) foot wide landscaping frontage strip providing a minimum of fifty percent (50%) year round opacity is required where the parking lot abuts Rocky River Drive and Ferndale Avenue and an eight (8) foot wide landscaped transition strip providing a minimum of seventy-five percent (75%) year round opacity is required where the parking lot abuts the residential district on Ferndale Avenue; and the restrictions under Section 357.05(b) provide that in the rear third of the lot, no parking spaces are permitted in a triangle formed by a point starting at the established setback building line of Ferndale Avenue and proceeding at a forty-five degree angle to the side property line on Ferndale; and the limitations under Sections 357.07(a)(13)(14) prohibit parking within an established ten (10) foot setback along Rocky River Drive, and Section 349.07(b) in the Cleveland Codified Ordinances requires that access and maintenance of off-street parking spaces have bumper guards located so that no part of a parked vehicle extends beyond such parking space.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, OCTOBER 17, 2011

At the meeting of the Board of Zoning Appeals on Monday, October 17, 2011, the following appeals were heard by the Board.

The following appeals were **APPROVED:**

Calendar No. 11-170: 11607 Euclid Avenue

Maximum Accessible Housing of Ohio appealed to construct a four (4) story apartment building in a D2 Local Retail Business District.

Calendar No. 11-172: 12645 Lorain Avenue

The Salvation Army appealed to erect a double faced projecting sign on a one-story building in a C2 General Retail Business District.

Calendar No. 11-174: 1306 West 112th Street

Valerie Totire appealed to erect a wooden, open platform front porch to a two family dwelling in a B1 Two-Family District.

Calendar No. 11-123: 9025 Lorain Avenue

The 9019-9025 Lorain Avenue LLC appealed to rebuild and re-establish use of a motor vehicle service garage in a Local Retail Business District; subject to conditions.

Calendar No. 11-141: 3829 Lorain Avenue

Ellen Mueller, owner, and Alfonso Lugo, tenant, appealed to establish use for piercing and tattooing in a D3 Local Retail Business District.

The following appeal was **DENIED:**

Calendar No. 11-175: 17722 Grove-wood Avenue

Brenda Armstrong-Gary appealed to use as a Type A day care the first floor of a two family dwelling in a C1 Multi-Family District.

The following appeals were **DISMISSED:**

None.

The following appeals were **POSTPONED:**

Calendar No. 11-173: 12307 St. Clair Avenue postponed to November 7, 2011.

Calendar No. 11-32: 961 Jefferson Avenue postponed to October 31, 2011.

The following appeals heard by the Board on October 10, 2011 were adopted and approved on October 17, 2011.

The following appeals were **APPROVED:**

Calendar No. 11-165: 2039-59 West 11th Place

Nathan Dent Development, LLC, owner, and Jessie Grant, prospective purchaser, appealed to construct four (4) townhouses on consolidated parcels in a C1 Multi-Family District.

Calendar No. 11-166: 7920-8014 Golden Avenue

Fairfax Renaissance Development Corporation and Cuyahoga Metropolitan Housing Authority appealed to construct six (6) two-story townhouses and four (4) one-story flats in a C1 Multi-Family District.

Calendar No. 11-167: 8113 Central Avenue

Fairfax Renaissance Development Corporation and Cuyahoga Metropolitan Housing Authority appealed to construct nine (9) two-story townhouses and six (6) one-story flats in a C1 Multi-Family District.

Calendar No. 11-168: 8205-35 Central Avenue

Fairfax Renaissance Development Corporation and Cuyahoga Metropolitan Housing Authority appealed to construct nine (9) two-story townhouses and six (6) one-story flats in a C1 Multi-Family District.

Calendar No. 11-169: 8001-8105 Central Avenue

Fairfax Renaissance Development Corporation and Cuyahoga Metropolitan Housing Authority appealed to construct nine (9) two-story townhouses and six (6) one-story flats in a C1 Multi-Family District.

The following appeal dismissed by the Board on October 10, 2011 was reinstated on October 17, 2011:

Calendar No. 11-148: 1222 Prospect Avenue

RTN Limited Partners, owner, and David Parker, prospective tenant,

appealed to establish use as a bar with live entertainment in an E5 General Retail Business District.

The following appeal heard by the Board on August 29, 2011 was adopted and approved subject to conditions:

Calendar No. 11-98: 4201 Jennings Road

Angelo Martin appealed to use property for outdoor storage of used construction materials in a Residence Industry District; subject to conditions.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of
October 12, 2011

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

* * *

Docket A-72-11.

RE: Appeal of Jacqueline Beatrice Parries, Owner of the R-2 Residential — Non-transient; Apartments (Shared Egress) Two Story Frame Property located on the premises known as 7917 Linwood Avenue from a NOTICE OF VIOLATION — UNAUTHORIZED/ILLEGAL USE, dated February 18, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant ninety (90) days in which to present a plan to the City and obtain permits for any proposed improvements with time to be allotted by the City for those improvements; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Gallagher.

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

* * *

Docket A-86-11.

RE: Appeal of Marietta Allen, Owner of the One Dwelling Unit Single-Family Residence Two & One-half Story Frame Property located on the premises known as 11923 Mt. Overlook Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated November 11, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant thirty (30) days in which

to obtain permits and six (6) months in which to complete abatement of the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

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

* * *

Docket A-87-11.

RE: Appeal of James A. Davis, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property located on the premises known as 10615 Hulda Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated January 26, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to require the Appellant to obtain permits within thirty (30) days and to grant the Appellant six (6) months in which to abate the violations with additional time upon approval of the Board of Building Standards and Building Appeals; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Maschke.

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

* * *

Docket A-91-11.

RE: Appeal of Kystyna Beserman, Owner of the One Dwelling Unit Single-Family Residence Two & One-half Story Frame Property located on the premises known as 6810 Camden Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated March 11, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant thirty (30) days in which to dispose of the property or present a plan to the Department of Building and Housing for continual use of the property; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

* * *

Docket A-93-11.

RE: Appeal of Adam R. Koriateg, Owner of the One Dwelling Unit Single-Family Residence One & One-half Story Frame Property located on the premises known as 6813 Forman Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated March 1, 2011 of the Director of the Department of

Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant sixty (60) days in which to complete abatement of the violations with the yard work to be done within two (2) weeks as quickly as possible; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Gallagher.

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

* * *

Docket A-94-11.

RE: Appeal of Keith K. Duffield, Owner of the MXD Mixed Uses — Multiple Uses In One Building Two Story Wood Frame/Siding/Masonry Veneer Property located on the premises known as 4364 Pearl Road from a CONDEMNATION ORDER — MAIN STRUCTURE, dated July 10, 2009 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant six (6) months in which to complete abatement of the violations, noting satisfactory progress, but that HVAC and plumbing permits have to be obtained, and that the existing permits will be extended as required for six (6) months; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

* * *

Docket A-95-11.

RE: Appeal of Bolivar Garage LLC, Owner of the S-1 Storage — Moderate Hazard (Combustibles) Property located on the premises known as 1124 Bolivar Avenue from a NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE, dated January 10, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant thirty (30) days in which to complete abatement of the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

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

* * *

Docket A-96-11.

RE: Appeal of Lawrence Calloway, Owner of the Residential

Property located on the premises known as 15618 School Avenue from a LIMITATION ON THE PERMITS, dated March 29, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-96-11 has been WITHDRAWN at the request of the appellant.

* * *

Docket A-97-11.

RE: Appeal of Lamont Ellis, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property located on the premises known as 971 East 130th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated July 30, 2009 of the Director of the Department of Public Safety, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant thirty (30) days in which to obtain permits and six (6) months in which to complete abatement of the violations, the property is to remain secured and the grounds debris-free during that period of time; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Bradley.

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

* * *

Docket A-98-11.

RE: Appeal of Vicktoria Kotov, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property located on the premises known as 3688 East 118th Street from a NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE, dated February 22, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-98-11 has been WITHDRAWN at the request of the appellant.

* * *

Docket A-99-11.

RE: Appeal of Brandon Gregg, Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property located on the premises known as 767 East 90th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated September 3, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-99-11 has been WITHDRAWN at the request of the appellant.

Docket A-101-11.

RE: Appeal of 9019-9025 Lorain Avenue LLC, Owner of the S-2 Storage — Low Hazard (Non-Combustibles) One Story Masonry Property located on the premises known as 9019 Lorain Road from a NOTICE OF VIOLATION — INTERIOR MAINTENANCE, dated March 23, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY the Appellant's appeal request due to improper procedure and to REMAND the property to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Gallagher.

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

* * *

Docket A-102-11.

RE: Appeal of Catherine Surratt, Owner of the One Dwelling Units Single-Family Residence One & One-half Story Frame Property located on the premises known as 4660 East 174th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated February 4, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant thirty (30) days in which to complete abatement of the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

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

* * *

Docket A-103-11.

RE: Appeal of Larry Craig, Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property located on the premises known as 8901 Easton Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated January 28, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant thirty (30) days in which to obtain permits, secure the property and upgrade the grounds and maintain them, and to complete rehabilitation of the property within six (6) months; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Maschke.

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

Docket A-104-11.

RE: Appeal of Larry Craig, Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property located on the premises known as 3370 East 125th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated June 1, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to dismiss Docket A-104-11, noting that the Appellant does not own the property. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Maschke.

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

* * *

Docket A-105-11.

RE: Appeal of Larry Craig, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property located on the premises known as 11618 Havel Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated March 24, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant thirty (30) days in which to obtain permits and four (4) months for completion of the work, noting that the grounds are to be groomed, cleaned, and the property properly secured, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

* * *

Docket A-118-11.

RE: Appeal of Raseem Palker, Owner of the One Dwelling Unit Single-Family Residence Two & One-half Story Frame Property located on the premises known as 505 East 126th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated September 10, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

No action.

* * *

Docket A-194-11.

RE: Appeal of Magda Matos, Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property located on the premises known as 3004 Woodbridge Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated May 17, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of

Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant six (6) months in which to complete abatement of all the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

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

* * *

Docket A-211-11.

RE: Appeal of David M. Dotson, Owner of the Property located on the premises known as 1846 East 93rd Street from an ADJUDICATION ORDER, dated April 1, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY the appeal and grant the Appellant thirty (30) days in which to present a plan to the Department of Building and Housing for rehabilitation required to remove the Condemnation Order. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

* * *

Docket A-219-11.

RE: Appeal of Brian Decker, Owner of the One Dwelling Unit Single-Family residence Two Story Frame Property located on the premises known as 3454 Doris Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated June 6, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant thirty (30) days in which to abate the garage and exterior violations; with reasonable additional time to be granted by the Board if required; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

* * *

Docket A-235-11.

RE: Appeal of Cleveland Bricks, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property located on the premises known as 1019 Pelton Ct. from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated June 6, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant thirty (30) days in which to obtain permits and nine (9) months in which to complete the construction by abating the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

* * *

Docket A-266-11.

RE: Appeal of Larry Craig, Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property located on the premises known as 12505 Forest Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated March 30, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant thirty (30) days in which to obtain all the required permits and ninety (90) days in which to complete abatement of the violations, and to immediately remove the satellite dishes; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

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

* * *

Docket A-267-11.

RE: Appeal of Larry Craig, Owner of the One Dwelling Unit Single-Family Residence Two & One/half Story Wood Frame/Siding/Masonry Veneer Property located on the premises known as 14632 Wemple Road from a 30 DAY CONDEMNATION ORDER — MAIN STRUCTURE, dated June 13, 2008 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant sixty (60) days in which to complete abatement of the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Bradley.

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

* * *

Docket A-294-11.

RE: Appeal of MRN, Limited, Owner of the Property located on the premises known as 334 Euclid Avenue from an ADJUDICATION ORDER (proposal to erect (4) 3 X 17' - 10" and (4) 3' X 6' - 4" double faced vinyl banner), dated August 31, 2011 of the Director of

the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time, based upon testimony presented by the Department of Building and Housing to accept the NFPA 701-2004 compliance for the material being tested, and to permit the banner to be constructed in accordance to that standard. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

* * *

Docket A-305-11.

RE: Appeal of Mike D'Amico, Owner of the Property located on the premises known as 2546 Lorain Avenue from an ADJUDICATION ORDER (proposal to erect 7' X 7' double faced non-illuminated projecting sign), dated September 6, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the projection variance requested of 11 inches to permit the sign to be fully viewed from both sides, based upon concurrence of the City and the existing building obstruction. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

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

* * *

Docket A-321-11.

RE: Appeal of Garden Valley Housing Partnership II, L.P. C/O Ralph A. Falbo, Inc., Owner of the Property located on the premises known as 7230 Kinsman Road from an ADJUDICATION ORDER (emergency power for elevator), dated September 30, 2011 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance and permit the generator to remain as it is, that the platform size remains as it is currently, that proper signage be posted in the elevator for 4,000 pounds capacity and to permit the connection of the elevator to the generator. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Bradley.

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

* * *

APPROVAL OF RESOLUTIONS FROM SEPTEMBER 14, 2011:

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

- A-3-11 — Windy F. Siegfried
- A-34-11 — Claude Villette
- A-41-11 — Jermaine Jackson
- A-45-11 — Dennis Casey
- A-57-11 — Felicia Fox
- A-59-11 — Bruce M. Robertson
- A-61-11 — Nayra Perez
- A-62-11 — Dolores E. Lee
- A-63-11 — Cleveland Restoration Group
- A-74-11 — Cleveland Restoration Group
- A-120-11 — Desarea Strong
- A-130-11 — Martin D'Amico
- A-278-11 — U.S.A. Parking Systems

Yeas: Messrs. Denk, Bradley, Maschke. Nays: None. Not Voting: Messrs. Gallagher, Saab.

* * *

APPROVAL OF MINUTES FROM SEPTEMBER 14, 2011:

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

September 14, 2011

Yeas: Messrs. Denk, Bradley, Maschke. Nays: None. Not Voting: Messrs. Gallagher, Saab.

* * *

APPROVAL OF RESOLUTIONS FROM SEPTEMBER 28, 2011:

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

- A-466-10 — Pauline Curiale (Amended)
- A-33-11 — Dorothy Marlow
- A-55-11 — Terence Coffey
- A-58-11 — Lance A. Williams
- A-60-11 — Afefa Sadik
- A-64-11 — Hampton Way Partners LLC
- A-68-11 — Robert C. Jones
- A-69-11 — Mike Bugarcic
- A-70-11 — Mark Girgis
- A-71-11 — Sheike Shabazz
- A-73-11 — Irving J. Maldonado
- A-82-11 — Sean Driskel & Mike Hart
- A-84-11 — ACFB Incorporated
- A-85-11 — Katherine D. Harrison
- A-231-11 — Absolute Exteriors, Inc.
- A-257-11 — Acorn Development, LLC
- A-274-11 — Kayoko Irie
- A-286-11 — Cleveland Museum of Natural History

Yeas: Messrs. Denk, Gallagher, Saab, Maschke. Nays: None. Not Voting: Mr. Bradley.

* * *

APPROVAL OF MINUTES FROM SEPTEMBER 28, 2011:

Separate motions were entered by Mr. Gallagher and seconded by Mr. Maschke for Approval and Adoption

of the Minutes as presented by the Secretary, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

September 28, 2011

Yeas: Messrs. Denk, Gallagher, Saab, Maschke. Nays: None. Not Voting: Mr. Bradley.

* * *

JOSEPH F. DENK
Chairman

**PUBLIC NOTICE
REQUEST FOR PROPOSAL
DEPARTMENT OF
ECONOMIC DEVELOPMENT**

Request for Proposals from qualified firms/entrepreneurs/businesses interested in providing services of a neighborhood grocery store including but not limited to fresh produce & vegetables, meats, cheeses, bread, and prepared foods located at the vacant 1.78 acre City-owned property 10505 St. Clair Avenue, Cleveland, OH 44115. Proposals are due by 5:00 p.m. Eastern Standard Time, Friday, December 16, 2011. For more information and to see the Request for Proposals, go to http://www.city.cleveland.oh.us/CityofCleveland/Home/Government/CityAgencies/Finance/RFP?_piref34_136352_34_121844_121844_---ora_navig = a ction%3Ddetails%26rfpId%3D3617 or call (216) 664-3720.

October 19, 2011, October 26, 2011, November 2, 2011, November 9, 2011, November 16, 2011, November 23, 2011, November 30, 2011, December 7, 2011 and December 14, 2011

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."

THURSDAY, NOVEMBER 10, 2011

File No. 176-11 — Year 2012-A Cleaning and Cement Mortar Lining of Distribution Mains, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 814-11, passed by the Council of the City of Cleveland, July 20, 2011.

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, OCTOBER 27, 2011 AT 10:00 A.M. THE CARL B. STOKES, PUBLIC UTILITIES BUILDING, 4TH FLOOR ATRIUM CONFERENCE, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114

File No. 180-11 — Cab and Chassis w/Cable Pulling Unit and Related Equipment, for the Division of Motor Vehicle Maintenance, Department of Public Works, as authorized by Ordinance Nos. 1849-08 and 1602-10, passed by the Council of the City of Cleveland, January 26, 2009 and December 6, 2010, respectively.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, OCTOBER 28, 2011 AT 10:00 A.M. THE MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

File No. 183-11 — Field Force Equipment, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 885-10, passed by the Council of the City of Cleveland, September 27, 2010.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, OCTOBER 27, 2011 AT 10:00 A.M. THE JUSTICE CENTER, 1300 ONTARIO STREET, ROOM 731, CLEVELAND, OHIO 44113.

File No. 184-11 — Labor and Materials Necessary to Remove Existing Walk-Off Carpeting and Install, for the Various Divisions of Port Control, Department of Port Control, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** MONDAY, OCTOBER 31, 2011 AT 10:00 A.M. THE DEPARTMENT OF PORT CONTROL, CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135-3193.

October 19, 2011 and October 26, 2011

FRIDAY, NOVEMBER 11, 2011

File No. 177-11 — Year 2012-B Cleaning and Cement Mortar Lining of Distribution Mains, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 814-11, passed by the Council of the City of Cleveland, July 20, 2011.

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, OCTOBER 27, 2011 AT 10:00 A.M. THE CARL B. STOKES, PUBLIC UTILITIES BUILDING, 4TH FLOOR ATRIUM CONFERENCE, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114

October 19, 2011 and October 26, 2011

THURSDAY, NOVEMBER 17, 2011

File No. 178-11 — Repairing and Maintaining Runways, Taxiways, Ramps, Roads and Other Concrete Surfaces, for the Various Divisions of Port Control, Department of Port Control, as authorized by Ordinance No. 1119-11, pending.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, OCTOBER 28, 2011 AT 10:00 A.M. THE DEPARTMENT OF PORT CONTROL, CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135-3193.

File No. 179-11 — Purchase of LED Holiday Decorative Lighting, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, OCTOBER 28, 2011 AT 2:30 P.M. THE TOM L. JOHNSON BUILDING, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

File No. 181-11 — Replacement of Carpeting Cleveland Public Power, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinances No. N/A passed City Council N/A.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, OCTOBER 28, 2011 AT 11:30 A.M. THE TOM L. JOHNSON BUILDING, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

File No. 182-11 — Stop Cock Boxes, 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** FRIDAY, OCTOBER 28, 2011 AT 10:30 A.M. THE DISTRIBUTION AND MAINTENANCE, 4600 HARVARD AVENUE, PIPE REPAIR CONFERENCE ROOM, CLEVELAND, OHIO 44105.

October 19, 2011 and October 26, 2011

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 1455-11.

By Council Member K. Johnson.
An emergency resolution withdrawing objection to the transfer of stock of a C2 and C2X Liquor Permit at 2892 East 116th Street and repealing Resolution No. 970-11, objecting to said transfer.

Whereas, this Council objected to the transfer of stock of a C2 and C2X Liquor Permit to Fuel Expo, Inc., DBA Buckeye Supermarket, 2892 East 116th Street, Cleveland, Ohio 44120, Permanent No. 2957678, by Resolution No. 970-11 adopted by the Council on July 20, 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 C2 and C2X Liquor Permit to Fuel Expo, Inc., DBA Buckeye Supermarket, 2892 East 116th Street, Cleveland, Ohio 44120, Permanent No. 2957678, be and the same is hereby withdrawn and Resolution No. 970-11, 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 October 10, 2011.
Effective October 14, 2011.

Res. No. 1456-11.

By Council Member Kelley.
An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit at 5741 Memphis Avenue and repealing Resolution No. 982-11, objecting to said renewal.

Whereas, this Council objected to a C1 and C2 Liquor Permit to 5741 Memphis Avenue by Resolution No. 982-11 adopted by the Council on July 20, 2011; 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 Jaigurudev, Inc., 5741 Memphis Avenue, Cleveland, Ohio 44144, Permanent Number 4219893 be and the same is hereby withdrawn and Resolution No. 982-11, 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 October 10, 2011.
Effective October 14, 2011.

Ord. No. 530-11.

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

An emergency ordinance authorizing the Director of Public Utilities to enter into an amendment to Contract No. 69504 with Woolpert, Inc. to provide additional improvements to the Division of Water's Geographic Information System, for the Department of Public Utilities, for a period up to two years.

Whereas, under Ordinance No. 1657-08, passed December 8, 2008, this Council authorized the Director of Public Utilities to employ one or more professional consultants, software developers, or vendors to implement improvements to the Division of Water's IT Master Plan and Geographic Information System, and other related services for a period of two years; and

Whereas, under Contract No. 69504, Woolpert, Inc. has been implementing improvements to the Geographic Information System, and additional services are necessary; and

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

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

Section 1. That the Director of Public Utilities is authorized to enter into an amendment to Contract No. 69505 with Woolpert, Inc. to implement improvements to the Division of Water's Geographic Information System, for a period up to two years.

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.

Passed October 10, 2011.

Effective October 14, 2011.

Ord. No. 1100-11.

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

An emergency ordinance authorizing the Director of Public Utilities to enter into one or more requirement contracts without competitive bidding with HSQ Technology for materials, equipment, supplies, services, software, software integration, labor, and training necessary to refurbish the supervisory control and data acquisition system manufactured by HSQ Technology, including maintenance, for the Division of Water, Department of Public Utilities, for a period not to exceed 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 this Council determines that the within commodities are non-competitive and cannot be secured from any source other than HSQ Technology. Therefore, the Director of Public Utilities is authorized to make one or more written requirement contracts with HSQ Technology, for the requirements for a period not to exceed two years of the necessary items for: materials, equipment, supplies, services, software, software integration, labor, and training necessary to refurbish the supervisory control and data acquisition system ("SCADA") manufactured by HSQ Technology, including maintenance, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Division of Water, Department of Public Utilities, for a period not to exceed two years.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a delivery order against the contract or contracts certified by the Director of Finance. (RQN 2002, RL 2011-35)

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 October 10, 2011.

Effective October 14, 2011.

Ord. No. 1101-11.

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

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with

MUDA Construction, Inc. for the lease of office space at Burke Lakefront Airport for general office-related activities, for the Department of Port Control, for a period of two years, with two one-year options to renew, the first of which is exercisable through additional legislative authority.

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

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

Section 1. That the Director of Port Control is authorized to enter into a Lease Agreement ("Lease") with MUDA Construction, Inc. ("Lessee") for use and occupancy of approximately 324 square feet of office space located in Room 149 of the passenger terminal building at Burke Lakefront Airport ("Leased Premises") for general office-related activities which is no longer needed for public use for the term of the lease. The term of the lease shall be for a two year period, commencing on the effective date of the Lease, with two one-year options to renew. The first of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew may be exercisable at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council. For use of the Leased Premises, Lessee shall pay the City the annual rate of \$4,212.00, payable in monthly installments of \$351.00 which is equal to \$13.00 per square foot. Such rent shall be paid in monthly installments due on the first day of each month during the term of the Lease.

Section 2. That the Lease authorized 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 October 10, 2011.

Effective October 14, 2011.

Ord. No. 1113-11.

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 Cuyahoga County for the 2009 Law Enforcement Terrorism Protection Program; authorizing one or more requirement contracts for the purchase of materials, equipment, supplies, and services; authorizing one or more contracts with FingerPrint USA for professional services necessary to manage the program; and to amend Contract No. 69633 with Cogent, Inc. to provide additional AFIS equipment.

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

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

Section 1. That the Director of Public Safety is authorized to apply for and accept a grant in the approximate amount of \$630,558.76, and any other funds that may become available during the grant term, from Cuyahoga County to conduct the 2009 Law Enforcement Terrorism Protection Program ("LETTP"); 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 grant agreement and award letter for the grant contained in the file described below.

Section 2. That the grant agreement and award letter for the grant, File No. 1113-11-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the Director of Public Safety is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the necessary items of materials, equipment, supplies, and services needed to implement the program as described in the file. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control shall determine. Alternate bids for a period less than the grant term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 4. That the costs of the contract or contracts authorized by this ordinance shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director.

Section 5. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements with other governmental agencies. The Director of Public Safety may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 6. That the Director of Public Safety is authorized to enter into one or more contracts with FingerPrint USA for professional services necessary to manage the program during the grant term.

Section 7. That the Director of Public Safety is authorized to enter into an amendment to Contract No. 69633 with Cogent, Inc. to extend the term of the contract to run coterminous with this grant term to provide additional AFIS equipment.

Section 8. That the Director of Public Safety shall have the authority to extend the term of the grant if the extension does not involve an increase in the dollar amount of the grant specified above.

Section 9. That the cost of the contract or contracts, or contract amendment or amendments shall be paid from the fund or funds which are credited the grant proceeds accepted under this ordinance.

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

Passed October 10, 2011.
Effective October 14, 2011.

Ord. No. 1119-11.
By Council Members Keane, Cleveland and Sweeney (by departmental request).

An emergency ordinance determining the method of making the public improvement of repairing and maintaining runways, taxiways, ramps, roads, and other concrete surfaces for the various divisions of the Department of Port Control, and authorizing the Director of Port Control to enter into one or more public improvement requirement contracts for the making of the improvement, for a period of two years, with two one-year options to renew, the first of which is exercisable through additional legislative authority.

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

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

Section 1. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of repairing and maintaining runways, taxiways, ramps, roads, and other concrete surfaces for the various divisions of the Department of Port Control, by one or more public improvement requirement contracts duly let to the lowest responsible bidder or bidders on a unit basis for the improvement.

Section 2. That the Director of Port Control is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period of two years, with two one-year options to renew, for the making of the above public improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement for a period not to exceed the specified term, purchased by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of the Department of Port Control. The first of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew may be exercisable at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the

Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

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

Section 4. That the costs of the contract or contracts or other expenditures shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a delivery order against the contract or contracts certified by the Director of Finance. (RQN 3001, RL 2011-43)

Section 5. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Port Control may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 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 October 10, 2011.
Effective October 14, 2011.

Ord. No. 1215-11.
By Council Members Kelley and Sweeney (by departmental request).

An emergency ordinance to amend Sections 1 and 4 of Ordinance No. 558-11, passed July 20, 2011, relating to authorizing the Director of Public Utilities to purchase various wattage-equivalent LED streetlights, including any materials necessary to retrofit or replace existing outdoor streetlights, to be installed on a limited number of poles for a pilot program for up to two years, for the Division of Cleveland Public Power.

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 Sections 1 and 4 of Ordinance No. 558-11, passed July 20, 2011, are amended to read as follows:

Section 1. That notwithstanding and as an exception to the Charter and Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Utilities is authorized to make one or more written contracts with not more than the seven (7) lowest and best bidders for each or all of the following items eligible for federal funding and not more than the seven (7) lowest and best bidders for each or all of such items not eligible for federal funding: equal

quantities of LED equivalent 150-watt streetlights, LED equivalent 250-watt streetlights, and LED equivalent 400-watt streetlights, including any materials necessary to retrofit or replace existing outdoor streetlights, to implement a pilot program for up to two years on a limited number of poles to evaluate the performance, photometry, aesthetic ambiance, and energy and cost savings of LED streetlights, for the Division of Cleveland Public Power, Department of Public Utilities.

Section 4. That the cost of the contract or contracts authorized shall not exceed \$200,000 for federally funded items which shall be paid from Fund No. 20 SF 670, Request No. RQS 2004, RL 2011-27, and \$300,000 for non-federally funded items which shall be paid from Fund No. 58 SF 001, Request No. RQS 2004, RL 2011-177.

Section 2. That existing Sections 1 and 4 of Ordinance No. 558-11, passed July 20, 2011, are repealed.

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

Passed October 10, 2011.
Effective October 14, 2011.

Ord. No. 1216-11.
By Council Members Kelley and Sweeney (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary to test, inspect, maintain, repair, enhance or replace building protection services, including, but not limited to, heating, ventilation, and air conditioning systems or components, security systems or components, and fire protection system or components, rental of equipment, and installation if necessary, for the Divisions of Water, Water Pollution Control, and Cleveland Public Power, Department of Public Utilities, for a period of two years.

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

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

Section 1. That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of labor and materials necessary to test, inspect, maintain, repair, enhance or replace building protection services, including, but not limited to heating, ventilation, and air conditioning systems or components, security systems or components, and fire protection system or components, rental of equipment, and installation if necessary, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Divisions of Water,

Water Pollution Control, and Cleveland Public Power, Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RQN 2002, RL 2011-36)

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

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

Passed October 10, 2011.
Effective October 14, 2011.

Ord. No. 1219-11.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with Optima 777, LLC, as the designee of Sage Hospitality, or its designee, to provide for the acquisition, some demolition, and complete renovation of the former Crown Plaza Hotel located at 777 St. Clair Avenue; to provide for payments to the Cleveland City School District; and to declare certain improvements to real property to be a public purpose.

Whereas, under Section 5709.41 of the Revised Code, improvements to real property may be declared to be a public purpose where fee title to the real property was, at one time, held by the City of Cleveland and the real property is then leased or conveyed by the City; and

Whereas, under the authority of Ordinance No. 458-11, passed May 9, 2011, and prior to the adoption of this ordinance, the City approved both the acquisition and conveyance of fee title to certain real property, which is more particularly described in the documents set forth in the file described in this ordinance (the "Real Property"); and

Whereas, under Section 5709.41 of the Revised Code, the improvements declared to be a public purpose may

be exempt from real property taxation; and

Whereas, under Section 5709.41 of the Revised Code, the owners of the improvements may be required to make annual service payments in lieu of taxes that would have been paid had the improvement not been exempt; and

Whereas, under Section 5709.41 of the Revised Code, the exemption may exceed 75% of the improvements for up to 30 years when a portion of the service payments so collected are distributed to the Cleveland City School District ("District") in an amount equal to the amount the District would have received had the improvement not been exempt; and

Whereas, the District has been notified of the intent to enter into the agreement authorized by this ordinance in compliance with Sections 5709.41(C)(4) and 5709.83 of the Revised Code; 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 improvements to be constructed by Optima 777, LLC, as the designee of Sage Hospitality, or its designee ("Redeveloper"), as more fully described in File No. 1219-11-A ("Improvements") on the Real Property, are declared to be a public purpose for purposes of Section 5709.41 of the Revised Code.

Section 2. That one hundred percent (100%) of the Improvements are declared exempt from real property taxation for a period of 30 years; and that in no event shall the exemption period extend beyond 30 years.

Section 3. That, under Section 5709.41 of the Revised Code, Redeveloper (or the owners of the Improvements) shall make service payments for a period of 30 years in lieu of the exempt taxes to the Cuyahoga County Treasurer; the payments shall be charged and collected in the same manner, and shall be in an amount not less than the taxes that would have been paid had the Improvements not been exempt from taxation.

Section 4. That a portion of the service payments collected under Section 3 of this ordinance shall be distributed by the Cuyahoga County Treasurer to the Treasurer of the District in the amount of the taxes that would have been payable to the District had the Improvement not been exempt from taxation.

Section 5. That the Director of Economic Development is authorized to enter into an agreement or agreements with Redeveloper to provide for the exemption and service payments described in this ordinance, including agreements securing the payments described in Section 3 of this ordinance, which agreement or agreements shall contain those terms contained the file mentioned above.

Section 6. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in open meetings of this Council, and any of its committees that resulted in formal action were in meetings open to the public in compliance with the law.

Section 7. 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.

Passed October 10, 2011.
Effective October 14, 2011.

Ord. No. 1292-11.

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

An emergency ordinance authorizing the Director of Public Utilities to enter into an agreement with Rock Ohio Caesars, LLC and USA Parking Systems to allow them to reline the sewer on High Avenue, and to accept the improvement as a gift to the City.

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

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

Section 1. That the Director of Public Utilities is authorized to enter into an agreement with Rock Ohio Caesars, LLC and USA Parking Systems to allow them to reline the sewer on High Avenue, and to accept the improvement, as a gift to the City. The agreement shall be prepared by the Director of Law.

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 October 10, 2011.
Effective October 14, 2011.

Ord. No. 1293-11.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of various types of valves, actuators, and appurtenances, and labor and materials necessary to maintain and repair various types of valves, actuators, and appurtenances, for the Division of Water, Department of Public Utilities, for a period up to two years.

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

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

Section 1. That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period up to two years of the necessary items of various types of valves, actuators, and appurtenances, and labor and materials necessary to maintain various types of valves, actuators, and appurtenances, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Water, Department of Public Utilities. Bids shall be taken in a manner that permits an award to be

made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. RQN 2002, RL 2011-41

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

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

Passed October 10, 2011.
Effective October 14, 2011.

Ord. No. 1342-11.
By Council Members J. Johnson, Miller, Cleveland and Sweeney (by departmental request).

An emergency ordinance to vacate a portion of East 23rd Street, East 25th Street, East 25th Place and Payne Court.

Whereas, under Resolution No. 862-09, adopted August 5, 2009, this Council declared its intention to vacate a portion of East 23rd Street, East 25th Street, East 25th Place and Payne Court N.E.; 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 September 20, 2011, at a special meeting, the Board of Revision of Assessments met and 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, State of Ohio

and part of original 10 acre lots 79 thru 84;

East 23rd Street

All that portion of East 23rd Street (60 feet wide) extending southerly from the south right of way line of Payne Avenue N.E. (80 feet wide) to the north right of way line of Chester Avenue N.E. (86 feet wide).

East 25th Street

All that portion of East 25th Street (60 feet wide) extending southerly from the south right of way line of Payne Avenue N.E. (80 feet wide) to its terminus with the vacated portion of East 25th Street (60 feet wide) as shown in volume 247 page 41 of Cuyahoga County Records.

East 25th Place

All that remaining portion of East 25th Place (14 feet wide) extending southerly from the southerly portion of East 25th Place (14 feet wide) as vacated in City of Cleveland Ordinance 862-06, Passed June 12, 2006 to its terminus with the vacated portion of East 25th Place (14 feet wide) as shown in volume 247 page 41 of Cuyahoga County Records.

Payne Court N.E.

All that remaining portion of Payne Court N.E. (14 feet wide) extending easterly from the east right of way line of East 22nd Street (60 feet wide) to the west limited access line of the InnerBelt Freeway.

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, Dominion East Ohio Gas, AT&T, Cleveland Thermal, the Department of Water and the Illuminating Company (CEI). 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, Dominion East Ohio Gas, AT&T, Cleveland Thermal, the Department of Water, Illuminating Company (CEI) 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 Fiscal Officer 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.

Passed October 10, 2011.
Effective October 14, 2011.

Ord. No. 1454-11.
By Council Members Cimperman and Mitchell.

An emergency ordinance authorizing the Clerk of Council to dispense beer and wine at the Federation of

India Community Foundation event in Cleveland City Hall on October 21, 2011.

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 Clerk of Council is hereby authorized to dispense beer and wine at the Federation of India Community Foundation event in Cleveland City Hall on October 21, 2011.

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 October 10, 2011.
Effective October 14, 2011.

COUNCIL COMMITTEE MEETINGS

**Monday, October 17, 2011
9:30 a.m.**

Public Service Committee: Present: Miller, Chair; Cummins, Vice Chair; Dow, K. Johnson, Keane, Polensek, Pruitt, Sweeney. *Authorized Absence:* Cleveland.

2:00 p.m.

Finance Committee: Present: Sweeney, Chair; Kelley, Vice Chair; Brady, Brancatelli, Cleveland, Keane, Miller, Polensek, Pruitt, Westbrook. *Authorized Absence:* Mitchell.

**Tuesday, October 18, 2011
9:30 a.m.**

Community and Economic Development Committee: Present: Brancatelli, Chair; Dow, Vice Chair; Cummins, J. Johnson, Miller, Pruitt, Westbrook, Zone. *Authorized Absence:* Cimperman.

1:30 p.m.

Sustainability Sub-Committee: Present: Zone, Chair; Westbrook, Vice Chair; Cummins, J. Johnson, Mitchell.

**Wednesday, October 19, 2011
10:00 a.m.**

Public Safety Committee: Present: Conwell, Chair; Polensek, Vice Chair; Brady, Cleveland, Cummins, Dow, Miller, Mitchell. *Authorized Absence:* Zone.

1:30 p.m.

Public Utilities Committee: Present: Kelley, Chair; Brady, Vice Chair; Cummins, Dow, Miller, Polensek, Pruitt, Westbrook. *Authorized Absence:* Conwell.

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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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