

The City Record

Official Publication of the Council of the City of Cleveland



October the Fourth, Two Thousand and Seventeen

Frank G. Jackson
Mayor

Kevin J. Kelley
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward Name

- 1 Terrell H. Pruitt
- 2 Zachary Reed
- 3 Kerry McCormack
- 4 Kenneth L. Johnson
- 5 Phyllis E. Cleveland
- 6 Blaine A. Griffin
- 7 TJ Dow
- 8 Michael D. Polensek
- 9 Kevin Conwell
- 10 Jeffrey D. Johnson
- 11 Dona Brady
- 12 Anthony Brancatelli
- 13 Kevin J. Kelley
- 14 Brian J. Cummins
- 15 Matthew Zone
- 16 Brian Kazy
- 17 Martin J. Keane

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www.clevelandcitycouncil.org

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Kevin J. Kelley

Ward	Name	Residence	
1	Terrell H. Pruitt	16920 Throckley Avenue	44128
2	Zack Reed	3734 East 149th Street	44120
3	Kerry McCormack	1429 West 38th Street	44113
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44105
6	Blaine A. Griffin	11810 Larchmere Boulevard	44120
7	TJ Dow	7715 Decker Avenue	44103
8	Michael D. Polensek	17855 Brian Avenue	44119
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Jeffrey D. Johnson	9024 Parkgate Avenue	44108
11	Dona Brady	1272 West Boulevard	44102
12	Anthony Brancatelli	6924 Ottawa Road	44105
13	Kevin J. Kelley	5904 Parkridge Avenue	44144
14	Brian J. Cummins	3104 Mapledale Avenue	44109
15	Matthew Zone	1228 West 69th Street	44102
16	Brian Kazy	4300 West 143rd Street	44135
17	Martin J. Keane	15907 Colletta Lane	44111

MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff

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

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

Martin J. Flask, Executive Assistant to the Mayor of Special Projects

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

Matt Gray, Executive Assistant to the Mayor, Chief of Sustainability

Natoya J. Walker Minor, Executive Assistant to the Mayor, Chief of Public Affairs

Edward W. Rybka, Executive Assistant to the Mayor, Chief of Regional Development

Duane Deskins, Executive Assistant to the Mayor, Chief of Prevention, Intervention and Opportunity for Youth and Young Adults

Dan Williams, Media Relations Director

OFFICE OF CAPITAL PROJECTS – Matthew L. Spronz, Director

DIVISIONS:

Architecture and Site Development – _____ Manager

Engineering and Construction – Richard J. Switalski, Manager

Real Estate – James DeRosa, Commissioner

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

OFFICE OF QUALITY CONTROL AND PERFORMANCE MANAGEMENT – Sabra

T. Pierce-Scott, Director

DEPT. OF LAW – Barbara A. Langhenry, Director, Gary D. Singletary, Chief Counsel,

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

Victor R. Perez, Chief Assistant Prosecutor, Room 106; Robin Wood, Law Librarian,

Room 100

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

Natasha Brandt, Manager, Internal Audit

DIVISIONS:

Accounts – Lonya Moss Walker, Commissioner, Room 19

Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122

City Treasury – James Hartley, Interim Treasurer, Room 115

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

Information Technology and Services – Kimberly Roy-Wilson,

Commissioner, 205 W. St. Clair Avenue

Purchases and Supplies – Tiffany White, Commissioner, Room 128

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

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

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

DIVISIONS:

Cleveland Public Power – Ivan Henderson, Commissioner

Utilities Fiscal Control – Frank Badalamenti, Chief Financial Officer

Water – Alex Margevicius, Commissioner

Water Pollution Control – Rachid Zoghhaib, Commissioner

DEPT. OF PORT CONTROL – Robert Kennedy, Director, Cleveland Hopkins International

Airport, 5300 Riverside Drive

DIVISIONS:

Burke Lakefront Airport – Khalid Bahhur, Commissioner

Cleveland Hopkins International Airport – 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 – Jeffrey Brown, Commissioner

Park Maintenance and Properties – Richard L. Silva, Commissioner

Parking Facilities – Kim Johnson, Interim Commissioner

Property Management – Tom Nagle, Commissioner

Recreation – Samuel Gissentener, Interim Commissioner

Streets – Frank D. Williams, Interim Commissioner

Traffic Engineering – Robert Mavec, Commissioner

Waste Collection and Disposal – Randall T. Scott, Interim Commissioner

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

DIVISIONS:

Air Quality – David Heame, Interim Commissioner

Environment – Brian Kimball, Commissioner, 75 Erieview Plaza

Health – Persis Sosiak, Commissioner, 75 Erieview Plaza

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

DIVISIONS:

Animal Control Services – Edward Jamison, Chief Animal Control Officer, 2690 West 7th

Street

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

Emergency Medical Service – Nicole Carlton, Acting Commissioner, 1708 South Pointe Drive

Fire – Patrick Kelly, Chief, 1645 Superior Avenue

Police – Calvin D. Williams, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

DEPT. OF COMMUNITY DEVELOPMENT – Michael Cosgrove, Director

DIVISIONS:

Administrative Services – Joy Anderson, Commissioner

Fair Housing and Consumer Affairs Office – John Mahoney, Manager

Neighborhood Development – James Greene, Commissioner

Neighborhood Services – Louise V. Jackson, Commissioner

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

DIVISIONS:

Code Enforcement – Thomas E. Vanover, Commissioner

Construction Permitting – Narid Hussain, Commissioner

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

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

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

COMMUNITY RELATIONS BOARD – Room 11, Grady Stevenson, Interim Director,

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

Chairman, Council Member Brian Cummins, Eugene R. Miller (Board Lawyer), Roosevelt

E. Coats, Jenice Contreras, Kathryn Hall, Yasir Hamdallah, Evangeline Hardaway, John

O. Horton, Gary Johnson, Sr., Daniel McNea, Stephanie Morrison-Hrbek, Roland

Muhammad, Gia Hoa Ryan, Peter Whitt.

CIVIL SERVICE COMMISSION – Room 119, Rev. Gregory E. Jordan, President; Michael

Flickinger, Vice-President; Barry A. Withers, Interim Secretary; Members: Daniel J.

Brennan, India Pierce Lee.

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

J. Kelley; Betsy Hruby, Asst. Sec'y.; Sharon Dumas, Director.

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

Henry Bailey, Kelley Britt, Joan Shaver Washington, Tim Donovan, Elizabeth Kukla,

Secretary.

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS – Room 516,

Joseph F. Denk, Chairman; Howard Bradley, Patrick M. Gallagher, Robert Maschke, Halim

M. Saab, P.E., Alternate Members – D. Cox, P. Frank, E. P. O'Brien, Richard Pace, J.F.

Sullivan.

BOARD OF REVISION OF ASSESSMENTS – Law Director Barbara A. Langhenry,

President; Finance Director Sharon Dumas, Secretary; Council President Kevin J. Kelley.

BOARD OF SIDEWALK APPEALS – Capital Projects Director Matthew Spronz, Law

Director Barbara A. Langhenry; Council Member Kenneth L. Johnson.

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

Public Utilities Director Robert L. Davis; Council President Kevin J. Kelley.

CITY PLANNING COMMISSION – Room 501 – Freddy L. Collier, Jr., Director; Anthony

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

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

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

Genesis O. Brown.

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

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

David Perkowski, Joan Shaver Washington, Keith Sutton.

CLEVELAND BOXING AND WRESTLING COMMISSION – Robert Jones, Chairman;

Clint Martin, Mark Rivera.

MORAL CLAIMS COMMISSION – Law Director Barbara A. Langhenry; Chairman;

Finance Director Sharon Dumas; Council President Kevin J. Kelley; Councilman

Kevin Kelley.

CLEVELAND LANDMARKS COMMISSION – Room 519 – Julie Trott, Chair; Giancarlo

Calicchia, Vice Chair; Laura M. Bala, Freddy L. Collier, Jr., Allan Dreyer, Council

Member Terrell H. Pruitt, Robert Strickland, Donald Petit, Secretary.

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

Downing, Donna Sciarappa, Council President Kevin J. Kelley; Law Director Barbara A.

Langhenry.

CLEVELAND MUNICIPAL COURT

JUSTICE CENTER – 1200 ONTARIO STREET

JUDGE COURTROOM ASSIGNMENTS

Judge Courtroom

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

Judge Pinkey S. Carr – Courtroom 15C

Judge Marilyn B. Cassidy – Courtroom 13A

Judge Janet Rath Colaluca – Courtroom 12B

Judge Michelle Denise Earley – Courtroom 14C

Judge Emanuella Groves – Courtroom 14B

Judge Jimmy L. Jackson, Jr. – Courtroom 12A

Judge Lauren C. Moore – Courtroom 14A

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

Judge Ronald J.H. O'Leary (Housing Court Judge) – Courtroom 13B

Judge Michael R. Sliwinski – Courtroom 13C

Judge Suzan Marie Sweeney – Courtroom 12C

Judge Joseph J. Zone – Courtroom 14D

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

– Chief Bailiff; Dean Jenkins – Chief Probation Officer, Gregory F. Clifford – Chief

Magistrate.

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71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

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WEDNESDAY, OCTOBER 4, 2017

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CITY COUNCIL

MONDAY, OCTOBER 2, 2017

The City Record
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216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL MAY 15, 2017

MONDAY — Alternating

9:30 A.M. — **Health and Human Services Committee:** Cummins (CHAIR), Griffin (VICE-CHAIR), Brady, Cleveland, Conwell, J. Johnson, McCormack.

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

MONDAY

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

TUESDAY

9:30 A.M. — **Development, Planning and Sustainability Committee:** Brancatelli (CHAIR), Cleveland (VICE-CHAIR), Cummins, Dow, McCormack, Pruitt, Zone.

TUESDAY — Alternating

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

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

WEDNESDAY — Alternating

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

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

The following Committees meet at the Call of the Chair:

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

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio
October 2, 2017

The meeting of the Council was called to order at 7:03 p.m. with the President of Council, Kevin J. Kelley, in the Chair.

Council Members present: Dona Brady, Anthony Brancatelli, Phyllis E. Cleveland, Kevin Conwell, Brian J. Cummins, T.J. Dow, Blaine A. Griffin, Jeffrey D. Johnson, Kenneth L. Johnson, Brian Kazy, Kevin J. Kelley, Martin J. Keane, Kerry McCormack, Michael D. Polensek, Terrell H. Pruitt, and Zack Reed.

Also present were: Mayor Frank G. Jackson, Chief of Government Affairs Valarie J. McCall, Chief of Regional Development Edward W. Rybka, Chief of Education Monyka S. Price, Media Relations Director Dan Williams, Chief of Sustainability Matt Gray, Chief of Public Affairs Natoya Walker-Minor, and Directors Langhenry, Dumas, Davis, Kennedy, Spronz, Gordon, McGrath, Coz, Cosgrove, Donald, West, Ebersole, Stevenson, Collier, Withers, Burrows and Pierce Scott.

MOTION

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

MOTION

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

FROM OHIO DIVISION OF LIQUOR CONTROL

File No. 1196-17.
RE: #22348152725. New License Application, C1. Dolgen Midwest LLC, 13020 Miles Avenue (Ward 2). Received.

File No. 1197-17.
RE: #6080888. Transfer of Ownership Application, D5 D6. Moes Bookstore, Inc., 1740 East 17th Street (Ward 3). Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 1198-17 — Frederick R. Nance, Sr.

Res. No. 1199-17 — Gladys Mae Fitch.

Res. No. 1200-17 — Elizabeth Pritchard.

Res. No. 1201-17 — Gwendolyn Gaines.

CONGRATULATIONS RESOLUTIONS

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

Res. No. 1202-17 — Gary Kotlarsic.
Res. No. 1203-17 — Memorial Spiritual Church — 100th Anniversary.

Res. No. 1204-17 — Aldo & Bob Campellone.

Res. No. 1205-17 — Gino Latessa.

Res. No. 1206-17 — Billy Donato.

Res. No. 1207-17 — Julius Ciaccia.

Res. No. 1208-17 — Lorraine Doderer-Cultura.

COMMEMORATION RESOLUTION

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

Res. No. 1209-17 — Paul Angelo Sciria.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 1182-17.
By Council Member McCormack.
An emergency ordinance to change the name of the park known as "Tremont Valley Playfield" to "Clark Field".

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 name of the park known as "Tremont Valley Playfield" is changed to "Clark Field" and the Director of Public Works is authorized and directed to take the necessary action to affect said name change and to post the proper signs at the field.

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

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

Referred to Directors of Public Works, Finance, Law; Committees on Municipal Services and Properties, Finance.

Ord. No. 1187-17.

By Council Member Kelley.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 113.07 relating to payment for interpreters, translators and other auxiliary aids and services provided by Council pursuant to Title VI of the Civil Rights Act of 1964 and Title II of the Americans with Disabilities Act.

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 113.07 to read as follows:

Section 113.07 Payment of Costs for Interpreters, Translators and Auxiliary Aids and Services

When the Clerk deems it necessary so that the Offices of Council and the Office of the Clerk may maintain compliance with Title VI of the Civil Rights Act of 1964 and Title II of the Americans with Disabilities Act, the Clerk may authorize payment of costs to provide qualified interpreters and translators for various languages, qualified sign language, oral or cued speech interpreters, and other auxiliary aids and services, including, but not limited to Braille translation services and computer-aided real-time transcription (CART), and teletypewriters (TTYs). The Director of Finance is authorized to pay such costs from Council's general fund operating budget.

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; Committee on Finance.

Ord. No. 1188-17.

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

An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with the Northeast Ohio Neighborhood Health Services, Inc., or its designee, to provide assistance to partially finance leasehold improvements at the East Side Market and parking lot.

Whereas, under Ordinance No. 843-15, passed September 14, 2015, Council authorized the Director of Public

Works to lease the East Side Market located at the corner of East 105th Street and St. Clair Avenue to Northeast Ohio Neighborhood Health Services, Inc. ("NEON"); and

Whereas, the lease authorizes NEON to make improvements to the leased premises subject to the approval of appropriate City agencies and officials; and

Whereas, under the authority of Ordinance No. 827-12, passed June 4, 2012, Council authorized the Director of Community Development to apply for and accept grant funds from the former Ohio Department of Development for improvements to the leased premises which required a cash match; and

Whereas, the Director of Community Development wishes to provide the match funds to NEON in order to carry out improvements to the leased premises; and

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

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

Section 1. That the Director of Community Development is authorized to enter into a grant agreement with the Northeast Ohio Neighborhood Health Services, Inc., or its designee, to provide assistance to partially finance leasehold improvements at the East Side Market and parking lot.

Section 2. That the agreement and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

Section 3. That the costs of the grant shall not exceed an amount of \$187,000 and shall be paid from Fund No. 10 SF 051, Request No. RQS 8006, RL 2014-60.

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

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

Ord. No. 1189-17.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with KD Tower City LLC, or its designee, to provide financial assistance towards improvements to certain parcels in the Terminal Tower Building located at 50 Public Square and the North Park Garage located on Superior 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, the City has entered into the chain of title for the Property which is more particularly described in the File set forth in this ordinance (the "Real Property") pursuant to the requirements of Section 5709.41 of the Revised Code prior to the passage of this ordinance; and

Whereas, the Real Property is to be developed in accordance with the Cleveland 2020 Citywide Plan, a copy of which is placed in File No. 1189-17-A; 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 KD Tower City LLC, or its designee, ("Redeveloper"), are declared to be a public purpose for purposes of Section 5709.41 of the Revised Code. The Real Property is more fully described as the Terminal Tower Building located at 50 Public Square and the North Park Garage located on Superior Avenue.

Section 2. That one hundred percent (100%) of the Improvements are declared exempt from real property taxation for a period of thirty years; and that in no event shall the exemption period extend beyond 2050. The terms of the agreement are as follows:

DEPARTMENT OF ECONOMIC DEVELOPMENT SUMMARY FOR THE LEGISLATIVE FILE

Project Type: Real Estate
Project Name: Terminal Tower
Project Address: 50 Public Square
Developer: KD Tower City, LLC or Designee
Project Manager: Briana Butler
Ward/Councilperson: 3 - McCormack
City Assistance: Non-school TIF

Project Summary and Discussion

Terminal Tower was built in the 1930's, and KD Tower City LLC, an affiliate of KD Management plans substantial renovation and adaptive reuse, while preserving the historic interior of the building. The developer proposes to convert floors 4

through 14 from office space to approximately 260,000 SF of residential space. When complete, the floors will have 304 units: 156 of which will be 1-bedroom, 88 will be deluxe units, and 61 will be 2-bedroom units. The developer will also renovate some existing office space to attract more tenants to the building. Lastly, the developer will make improvements to the adjacent North Park Garage.

The Department of Economic Development is requesting approval to enter into a non-school Tax Increment Financing agreement with KD Tower City LLC, or its designee, to help the financial feasibility of the project. The developer will make PILOT payments to use for debt service. The renovation is estimated to cost \$101.7 million.

The additional housing proposed with this project will provide much needed supply to an area that is in high demand for people looking to live downtown—where occupancy has soared to nearly 98%. Further, housing located directly above downtown's primary transit hub for RTA provides access anywhere in the city without the need for a car. As young professionals and empty nesters flock to downtown they are sure to be attracted to this project for the possibility of living among the many amenities downtown offers while maintaining the ease of access beyond downtown. The redevelopment is expected to be completed in fourth quarter of 2019.

Developer

KD Tower City LLC is an entity of K&D Management. As Chief Executive Officer of K&D, Douglas Price has been involved in all facets of the real estate industry for over 32 years, and in conjunction with his partner, Karen M. Paganini, has built the largest privately owned and managed portfolio of multi-family properties in Northeast Ohio. The K&D portfolio includes a number of mixed-use properties, with over 2,000,000 SF of commercial and retail space including the Halle Building, Leader Building, and Keith Building. The newest addition to the portfolio is the historic landmark of Terminal Tower, which K&D purchased in 2016.

Proposed City Assistance:

The request to Cleveland City Council is to authorize the Director of Economic Development to enter into a non-school Tax Increment Finance (TIF) agreement with KD Tower City LLC or its designee. The TIF proceeds will be used for debt payments associated with the project. This TIF agreement will be up to 30 years in length.

Under the agreement, parcels acquired and re-conveyed to the developer will be "TIFed" under section 5709.41 of the Ohio Revised Code in consideration for the developer agreeing to make certain improvements to those parcels, and agreeing to make payments in lieu of taxes (PILOT) equal to the taxes that would have been paid for those parcels but for the TIF. A portion of the PILOT will be paid to the Cleveland Municipal School District in the amount the District would have otherwise received but for the TIF.

Economic Impact

- Retain 25 full time equivalent jobs at the project site
- Create an additional 30 full time equivalent jobs at the project site
- Income tax is projected for residents moving into the residential conversion portion of the redevelopment. Over the 30-year term of the TIF, the project is expected to generate approximately \$16 million in income taxes for the City (assumes 50% of the residents work in the City, and a 2% annual growth in income).
- The project will also generate an additional \$5.4 million in property taxes for the schools over the course of the TIF.

City Requirements

- The project is subject to Fannie M. Lewis Cleveland Residential Employment Law
- The project is subject to MBE/FBE/CSB
- The project is subject to a Workforce Development Agreement for all new jobs
- The developer has signed a Community Benefits Agreement

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 thirty 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 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 this ordinance, which agreement or agreements shall contain those terms contained in this ordinance.

Section 6. That under Section 5709.43 of the Revised Code, there is established an identified Urban Redevelopment Tax Increment Equivalent Fund into which shall be deposited service Payments in Lieu of Taxes ("PILOTS") which shall be used for the purposes described in this ordinance, or File, or for other economic development purposes as determined by the Director of Economic Development.

Section 7. 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 8. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it

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

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

Ord. No. 1190-17.

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

An emergency ordinance authorizing the Director of Public Health to accept a grant from the Ohio Environmental Protection Agency for 2017-19 financial assistance for the operation of the Division of Air Quality; authorizing the director to enter into one or more contracts for various services, equipment and supplies, and contracts with various agencies or entities necessary to operate the Division of Air Quality; determining the method of constructing, rehabilitating, renovating, replacing, or otherwise improving air monitoring sites and other similar structures on city-owned and city-leased property; and authorizing the director to enter into one or more contracts to construct the improvement and to design it.

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

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

Section 1. That the Director of Public Health is authorized to accept a grant in the approximate amount of \$2,488,915 for each year, and any other funds that become available during the grant term, from the Ohio Environmental Protection Agency for 2017-19 financial assistance for the operation of the Division of Air Quality in accordance with the purposes set forth in the summary; that the Director of Public Health is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes in the summary for the grant.

Section 2. That the summary for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 1190-17-A, is made a part of this ordinance as if fully rewritten, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$393,000 per year, payable from funds appropriated in 2017, 2018, and 2019 for this purpose, in order to receive the grant from the Ohio Environmental Protection Agency, as a pass-through from the U.S. Environmental Protection Agency, is approved in all respects, and shall not be changed without additional legislative authority.

Section 3. That the Director of Public Health 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 grant period of the necessary items of materials, equipment, services, and supplies needed as described in the file, to be purchased by the Commissioner of Purchases and Supplies upon a unit

basis for the Division of Air Quality, Department of Public Health. 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 grant 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 4. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance.

Section 5. That the Director of Public Health is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items during the term of the grant: various types of monitoring equipment, OEPA-required equipment and their associated parts, and other materials, equipment, supplies, and services needed to implement the grant, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Division of Air Quality, Department of Public Health.

Section 6. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of constructing, rehabilitating, renovating, replacing, or otherwise improving air monitoring sites and other similar structures on City-owned and City-leased property (the "Improvement"), for the Division of Air Quality, Department of Public Health, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement.

Section 7. That the Director of Public Health is authorized to enter into one or more contracts for the making of the Improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

Section 8. That the Director of Public Health is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to implement the grant.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Health from a list of qualified consultants available for employment

as may be determined after a full and complete canvass by the Director of Public Health for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Public Health, and certified by the Director of Finance.

Section 9. 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 Health may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 10. That the Director of Public Health is authorized to enter into one or more contracts with and make payments to one or more various entities or agencies to implement the grant as described in the file.

Section 11. That the Director of Public Health shall have the authority to extend the term of the grant during the grant term.

Section 12. That the Director of Public Health shall deposit the grant accepted under this ordinance into a fund or funds designated by the Director of Finance to implement the program as described in the file and appropriated for that purpose.

Section 13. That the payments and cost of the contracts authorized in this ordinance shall be paid from the fund or funds which are credited the grant proceeds accepted under this ordinance and from the cash match.

Section 14. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Public Health, Finance, Law; Committees on Health and Human Services, Finance.

Ord. No. 1191-17.

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

An emergency ordinance authorizing the Director of Public Health to enter into one or more contracts without competitive bidding with Thermo Scientific Portable Analytical Instruments, Inc. for the purchase of up to five Thermo Scientific Niton five x-ray fluorescence analyzers, for the Division of Environment, Department of Public Health.

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 Thermo Scientific Portable Analytical Instruments, Inc. Therefore the

Director of Public Health is authorized to make one or more written contracts with Thermo Scientific Portable Analytical Instruments, Inc. on the basis of its proposal dated July 21, 2017, for the purchase of up to five Thermo Scientific Niton five x-ray fluorescence analyzers, to be purchased by the Commissioner of Purchases and Supplies, for the Division of Environment, Department of Public Health. The contract or contracts authorized shall be paid from Fund No. 01-5006-6455, RQS 5006, RL 2017-92.

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

Referred to Directors of Public Health, Finance, Law; Committees on Health and Human Services, Finance.

FIRST READING EMERGENCY RESOLUTION REFERRED

Res. No. 1210-17.

By Council Members Cummins and Brady.

An emergency resolution urging the United States Congress and the President to take immediate action in their federal relief efforts to assist the over 3.4 million United States citizens who live in Puerto Rico following the devastation of Hurricane Maria on September 20, 2017; and further calling upon the United States Congress to pass and the President to sign legislation allowing an economic hardship exemption for Puerto Rico from the Merchant Marine Act of 1920, commonly known as the "Jones Act".

On Wednesday September 20, 2017 Hurricane Maria, the worst storm to hit Puerto Rico since 1928, made landfall, taking out the electric and telecommunication grid to over 3.4 million American citizens in Puerto Rico and destroying countless structures in its path; 100% of residential properties were left without electricity and running water; and

Whereas, according to the Associated Press, 1,360 of the island's 1600 cell phone towers were destroyed by Hurricane Maria and 85% of above-ground and underground phone and internet cables were knocked out due to the hurricane, making communication to and from the island to family and friends practically non-existent; and

Whereas, as of October 1, 2017, 55% of the Puerto Rican population still does not have drinking water, 95% are still without electricity, only 14% of cell towers are functioning and 721 of 1,100 gasoline stations are open; and

Whereas, to date Hurricane Maria has killed 16 people in Puerto Rico with the death toll likely to rise as people lack medical care, drinking water, medical supplies and cooling units necessary to keep sick and elderly in stable condition; and

Whereas, last week over 14,000 people were living in shelters, not including the thousands of homeless who have moved in with family; 80% of Puerto Rico's crops have been destroyed amounting to a \$780

million dollar hit to the island's agriculture industry; and

Whereas, Hurricane Maria also breached and destroyed a part of the Guajataca Dam, endangering the lives of 70,000 people living near the dam in San Sebastian and Quebradillas; and

Whereas, the federal government must make an immediate allocation to FEMA for Puerto Rico, rather than waiting for an analysis to allocate funding; further the Army Corps of Engineers should take the lead on the potential breach of the Guajataca Dam and the U.S. Navy should deploy ships to remove individuals who are sick and need immediate health services; and

Whereas, the United States must deploy U.S. military officer, logistics, communication and engineering assets to help remove debris, clear roads, and ensure that areas that have been cut off receive the help needed; U.S. military are needed to help preserve law and order, ensure relief supplies are delivered to those most in need and protect Puerto Ricans from crime and looting; and

Whereas, the federal government must eliminate the formula for Puerto Rico's federal ceiling on Medicaid and replace it with a per capita cap on par with those being proposed in current health reform bills; the Affordable Care Act block grant for Puerto Rico will be depleted this year and unless there is an influx of funds, 900,000 Puerto Ricans who qualified for funding before Hurricane Maria may no longer have access to health care; and

Whereas, the U.S. Department of Homeland Security should take steps to accelerate Puerto Rico's recovery from Hurricane Maria including, making the waiver of the Jones Act a permanent exemption and also exempting Puerto Rico from requirements that local resources match federal funds expended by FEMA; and

Whereas, the Merchant Marine Act of 1920, commonly known as the "Jones Act," requires that all shipping between United States (U.S.) ports be conducted by U.S. built, flagged, crewed and owned vessels; and

Whereas, Puerto Rico, a U.S. territory, is almost entirely reliant on shipping for the receipt of goods, therefore, the requirements of the Jones Act affect the cost of nearly every product Puerto Ricans consume; and

Whereas, according to the U.S. Energy Information Administration, per capita, Puerto Rican energy usage is two-fifths less than that of mainland Americans, yet their cost of electricity, approximately 27 cents per kilo-watt hour, is twice the average cost on the mainland; and

Whereas, a principal reason for high energy costs is Puerto Rico's reliance on expensive petroleum to generate electricity, due in part, to the fact that there are only three Jones Act carriers with a total of six vessels, available on a limited basis, that serve Puerto Rico's bulk cargo needs, such as petroleum and grain; and

Whereas, limited availability of Jones Act qualified bulk cargo carriers has obliged Puerto Rico to import oil and gas from foreign sources; and

Whereas, even before Hurricane Maria, Puerto Rico's economy was in great financial distress with an unemployment rate of 12.6%, which is more than twice the national average, and a poverty rate nearly double that of Mississippi, the poorest state in the Union; an International Monetary Fund report indicates that the Puerto Rican economy has seen virtually no growth since 1996; Puerto Rico's government has accrued a debt in excess of \$73 billion dollars; and

Whereas, there is wide consensus that costs associated with the Jones Act are a drag on the Puerto Rican economy and hinder Puerto Rico's ability to grow its way out of this economic crisis, made even worse by Hurricane Maria; and

Whereas, exemption from the Jones Act is not without precedent for United States territories as the U.S. Virgin Islands are exempt from the Jones Act; and

Whereas, failure to make Puerto Rico's waiver from the Jones Act a permanent exemption will further hinder the growth of Puerto Rico's economy as it struggles to recover from the devastation of Hurricane Maria, would constitute a dereliction of the federal constitutional obligation to promote the general welfare of its citizens-3.4 million of whom inhabit the island of Puerto Rico and represents a concern for all Americans; and

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

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

Section 1. That this Council urges the United States Congress and the President to take immediate action in their federal relief efforts to assist the over 3.4 million United States citizens who live in Puerto Rico following the devastation of Hurricane Maria on September 20, 2017; and further calls upon the United States Congress to pass and the President to sign legislation allowing an economic hardship exemption for Puerto Rico from the Merchant Marine Act of 1920, commonly known as the "Jones Act".

Section 2. That the Clerk of Council is hereby directed to transmit copies of this resolution to the President of the United States and all members of the United States Congress.

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

Referred to Committee on Finance.

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 1192-17.

By Council Member Griffin.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Larchmere

Community Association or with its designated fiscal agent Fairhill Partners for the Larchmere Neighborhood Newsletter Project through the use of Ward 6 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into an agreement effective October 6, 2017 with the Larchmere Community Association or with its designated fiscal agent Fairhill Partners for the Larchmere Neighborhood Newsletter Project for the public purpose of providing a community newspaper promoting community, residential and economic opportunities to residents in Cleveland's Larchmere Neighborhood and the city of Cleveland through the use of Ward 6 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$4,000 and shall be paid from Fund No. 10 SF 188.

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

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

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

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

Ord. No. 1195-17.

By Council Member McCormack.

An emergency ordinance authorizing the issuance of a Mobile Permit to Lennis Gibson of Big Dogs T's and Treats to engage in mobile vending in Ward 3.

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

Whereas, This Council has considered the request of Lennis Gibson of Big Dogs T's and Treats to engage in mobile vending outside of the Central Business district, and has determined that it is in the public interest to allow Lennis Gibson of Big Dogs T's and Treats to engage in mobile vending in Ward 3; and

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

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

Section 1. That this Council consents, as required by, Section 675.08 of the Codified Ordinances to allow to Lennis Gibson of Big Dogs T's and Treats to engage in mobile vending in the public rights of way in Ward 3.

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

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

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

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

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

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 1183-17.

By Council Member K. Johnson.

An emergency resolution objecting to a New C1 Liquor Permit at 11511 Kinsman Road.

Whereas, Council has been notified by the Division of Liquor Control of an application for a New C1 Liquor Permit at Family Dollar Stores of Ohio, Inc., DBA Family Dollar #8938, 11511 Kinsman Road, Cleveland, Ohio 44104, Permit Number 26312750685; and

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

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

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

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

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

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

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, prosperity, safety and welfare pursuant to Section

4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Superintendent of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to a New C1 Liquor Permit at Family Dollar Stores of Ohio, Inc., DBA Family Dollar #8938, 11511 Kinsman Road, Cleveland, Ohio 44104, Permit Number 26312750685, and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 1184-17.

By Council Member Dow.

An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 1930 East 79th Street.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Amira Petroleum, Inc., DBA Tayeh Valero, 1930 East 79th Street, Cleveland, Ohio 44103, Permit Number 0173935 to 79 Street Foods, LLC, 1930 East 79th Street, Cleveland, Ohio 44103, Permit Number 7999899; and

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

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

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

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

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

substantially interferes with public decency, sobriety, peace or good order; and

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from Amira Petroleum, Inc., DBA Tayeh Valero, 1930 East 79th Street, Cleveland, Ohio 44103, Permit Number 0173935 to 79 Street Foods, LLC, 1930 East 79th Street, Cleveland, Ohio 44103, Permit Number 7999899; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 1185-17.

By Council Member Kelley.

An emergency resolution objecting to a New C1 Liquor Permit at 4172 Pearl Road.

Whereas, Council has been notified by the Division of Liquor Control of an application for a New C1 Liquor Permit at Family Dollar Stores of Ohio, Inc., DBA Family Dollar #5796, 4172 Pearl Road, Cleveland, Ohio 44134, Permit Number 26312750640; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C1 Liquor Permit at Family Dollar Stores of Ohio, Inc., DBA Family Dollar #5796, 4172 Pearl Road, Cleveland, Ohio 44134, Permit Number 26312750640, and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 1186-17.

By Council Member Zonc.

An emergency resolution objecting to the transfer of location of a C2 and C2X Liquor Permit to 7310 Lorain Avenue.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of location of a C2 and C2X Liquor Permit from Marwha Corp, DBA Union Supermarket, 7527 Union Avenue, Cleveland, Ohio 44105, Permit Number 5597519 to 7310 Lorain, LLC, 7310 Lorain Avenue, Cleveland, Ohio 44102, Permit Number 2849577; and

Whereas, the granting of this application for a liquor permit to this high crime area, which is already saturated with other liquor

outlets, is contrary to the best interests of the entire community; and

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of location of a C2 and C2X Liquor Permit from Marwha Corp, DBA Union Supermarket, 7527 Union Avenue, Cleveland, Ohio 44105, Permit Number 5597519 to 7310 Lorain, LLC, 7310 Lorain Avenue, Cleveland, Ohio 44102, Permit Number 2849577; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 1193-17.

By Council Member Pruitt.

An emergency resolution objecting to a New C1 Liquor Permit at 14235 Kinsman Road.

Whereas, Council has been notified by the Division of Liquor Control of an application for a New C1

Liquor Permit at Family Dollar Stores of Ohio, Inc., DBA Family Dollar #6821, 14235 Kinsman Road, Cleveland, Ohio 44120, Permit Number 26312750510; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C1 Liquor Permit at Family Dollar Stores of Ohio, Inc., DBA Family Dollar #6821, 14235 Kinsman Road, Cleveland, Ohio 44120, Permit Number 26312750510, and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 1194-17.
By Council Member Pruitt.
An emergency resolution objecting to a New C1 Liquor Permit at 16605 S. Miles Road.

Whereas, Council has been notified by the Division of Liquor Control of an application for a New C1 Liquor Permit at Family Dollar Stores of Ohio, Inc., DBA Family Dollar #10382, 16605 S. Miles Road, Cleveland, Ohio 44128, Permit Number 26312750335; and

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C1 Liquor Permit at Family Dollar Stores of Ohio, Inc., DBA Family Dollar #10382, 16605 S. Miles Road, Cleveland, Ohio 44128, Permit Number 26312750335, and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 129-17.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at the intersection of Argus Avenue and East 133rd Street to the Northeast Ohio Regional Sewer District, for purposes of accessing its Heights Hilltop interceptor site.

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

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

Ord. No. 815-17.

By Council Member McCormack. An emergency ordinance designating the J. Spang Baking Company Building as a Cleveland Landmark.

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

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

Ord. No. 955-17.

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

An emergency ordinance authorizing the Director of Finance, on behalf of the Community Police Commission, to employ one or more professional consultants to provide the Community Police Commission with organization and operational assistance, to assess and develop a strategic vision and written plan for the commission, and to provide other related services, for a period of one year.

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

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

Ord. No. 960-17.

By Council Member Zone. An emergency ordinance designating the Liberty H. Ware House as a Cleveland Landmark.

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

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

Ord. No. 1067-17.

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

An emergency ordinance authorizing the Director of City Planning to apply for and accept one or more grants from the Northeast Ohio Area Coordinating Agency and the Ohio Department of Transportation for the 2017 Transportation for Livable Communities Initiative; authorizing a tri-party agreement with NOACA and the Ohio Department of Transportation; authorizing agreements with various entities; accepting cash donations; and authorizing the Director to employ one or more professional consultants to implement the grant.

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

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

Ord. No. 1081-17.

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

An emergency ordinance authorizing the Director of Public Safety to enter into an amendment to Contract No. PS 2011-214 with Tyler Technologies, Inc. fka New World Corporation to provide mobile field reporting modules to enhance the new Law Enforcement Record Management System; and to extend the term of the contract until June 30, 2018.

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

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

Ord. No. 1082-17.

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

An emergency ordinance authorizing the Director of Public Safety to lease certain space located in the Justice Center, 1300 Ontario Street, and a portion of the parking garage to Cuyahoga County for the purpose of the County relocating operations from the Marion Building to the Justice Center for a term of one year, with three one-year options to renew, exercisable by the Director of Public Safety.

Approved by Directors of Public Safety, Finance, Law; Passage recommended by Committees on Safety, Finance, when amended, as follows:

1. In the title, strike line 9 in its entirety and insert "all exercisable through additional legislative authority."

2. In Section 2, strike lines 2 and 3 in their entirety and insert "exceed one year, with three-one-year options to renew, all exercisable through additional legislative authority."

Amendments agreed to.

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

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

Ord. No. 1083-17.

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

An emergency ordinance authorizing the Director of Public Safety to employ one or more professional consultants to provide tactical training for personnel of the Division of Emergency Medical Service, Department of Public Safety, for a period up to one year.

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

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

SECOND READING ORDINANCE PASSED

Ord. No. 1065-17.

By Council Member Kazy.

An ordinance changing the use and area districts north of Lorain Avenue between West 137th Street and West 139th Street as identified on the attached map (Map Change No. 2572).

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

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

SECOND READING EMERGENCY RESOLUTION ADOPTED

Res. No. 1068-17.

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

An emergency resolution appointing an assessment equalization board to hear objections to estimated assessments with respect to the formation of The Cleveland Superior Arts Improvement District and the initial comprehensive services plan for public services and collective marketing for the District, and declaring an emergency.

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

1. In Section 2, line 2, strike "October 12, 2017" and insert "October 19, 2017".

Amendment agreed to.

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

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

MOTION

On the motion of Council Member Dow, the absence of Council Member Matthew Zone is hereby authorized. Seconded by Council Member Kazy.

MOTION

The Council Meeting adjourned at 7:33 p.m. to meet on Monday, October 9, 2017, at 7:00 p.m. in the Council Chamber.



Patricia J. Britt
City Clerk, Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

September 27, 2017

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, September 27, 2017 at 10:40 a.m. with Director Langhenry presiding.

Present: Director Langhenry, Acting Directors Wood, Szabo, K. Johnson, Director Gordon, Acting Director Eckart, Directors Cosgrove, West, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Absent: Mayor Jackson and Director Dumas.

Others: Tiffany White Johnson, Commissioner, Purchases & Supplies.

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

Michael Curry, Director, Office of Equal Opportunity.

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

Resolution No. 486-17.

By Director Dumas.

Resolved, by the Board of Control of the City of Cleveland that the bid of Premier Window Cleaning LLC, for an estimated quantity of window washing services, all items, for the various divisions of City government, for a period of one year beginning with the date of execution of a contract, with two one-year options to renew received on July 20, 2017, under the authority of Section 181.101(a) 2, of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to \$109,742.00, is affirmed and approved as the lowest and best bid, and the Director of Finance is requested to enter into a requirement contract for the labor and materials necessary for the specified items.

The requirement contract shall further provide that the Contractor shall furnish all 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 subcontractors by Rockport Construction & Materials Inc. for the above mentioned service is approved:

<u>Subcontractors</u>	<u>Work Percentage</u>
Field Day Cleaning (CSB)	\$22,138.00 20.2%

Yeas: Director Langhenry, Acting Directors Wood, Szabo, K. Johnson, Director Gordon, Acting Director Eckart, Directors Cosgrove, West, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

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

Resolution No. 487-17.

By Director Davis.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 414-17, passed by the Council of the City of Cleveland on May 8, 2017, Ernst & Young U.S. LLP is selected from a list of firms determined after a full and complete canvass by the Director of Public Utilities as the firm to be employed by contract to provide managing services and professional services necessary to manage and administer the Oracle Customer Care & Billing System, including the necessary support, maintenance, monitoring, upgrades, enhancements, and related services to support the billing system, for a period of three years with two options to renew for an additional one-year term, for the Division of Water, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities is authorized to enter into a contract with Ernst & Young U.S. LLP, based upon its proposal dated June 12, 2017, which contract shall be prepared by the Director of Law, shall provide for furnishing of the services described in the proposal for an aggregate fee of \$4,744,600.00, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following subconsultant by Ernst & Young, LLP for the above-mentioned services is approved:

<u>SUBCONSULTANT</u>	<u>WORK PERCENTAGE</u>
Om Consulting Group, LLC (CSB)	\$811,200.00 17.1%

Yeas: Director Langhenry, Acting Directors Wood, Szabo, K. Johnson, Director Gordon, Acting Director Eckart, Directors Cosgrove, West, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

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

Resolution No. 488-17.

By Director Davis.

Whereas, under the authority of Ordinance No. 1340-13, passed by the Council of the City of Cleveland on November 11, 2013, and Resolutions Nos. 017-15, 079-15, 323-15 and 380-16, respectively adopted by this Board of Control on January 21, 2015, March 18, 2015, August 26, 2015, and August 24, 2016, the City, through its Director of Public Utilities, entered into City Contract No. RC2015-23 with Energy Mechanical Corp. for labor and materials to provide maintenance, repair, enhancement and/or replacement of heating, ventilation and air conditioning systems, bid items 1.01-1.06, 1.08 and 1.09, for a period of two years, with two one-year options to renew, for the various divisions of the Department of Public Utilities; and

Whereas, by its September 15, 2017 letter, Energy Mechanical Corp. requested the City's consent for one additional subcontractor; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following additional subcontractor by Energy Mechanical Corp. under RC2015-23 for the above-mentioned requirements is approved:

<u>Subcontractors</u>	<u>Work Percentage</u>
Patriot Industrial Technologies, LTD (non-certified)	\$20,000.00 0.000%

Yeas: Director Langhenry, Acting Directors Wood, Szabo, K. Johnson, Director Gordon, Acting Director Eckart, Directors Cosgrove, West, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 489-17.

By Director Kennedy.

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of Ordinance No. 1324-14, passed by the Council of the City of Cleveland on October 27, 2014, Cuyahoga Community College District, through its Corporate College division ("Consultant"), is selected upon the 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 several departments of the City to provide professional services necessary to provide training, development services and certification in Lean Six Sigma, for the various divisions of the Department of Port Control, for a period of one year or upon completion of services, whichever occurs first.

Be it further resolved that the Director of Port Control is authorized to enter into a written contract with Cuyahoga Community College District for the above-mentioned services, based upon its proposal dated August 30, 2017, which contract shall be prepared by the Director of Law, shall provide that the compensation to Cuyahoga Community College

District, for the services authorized shall not exceed \$15,625.00, and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Director Langhenry, Acting Directors Wood, Szabo, K. Johnson, Director Gordon, Acting Director Eckart, Directors Cosgrove, West, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 490-17.

By Director Kennedy.

Resolved, by the Board of Control of the City of Cleveland that the bid of Concord Road Equipment Mfg., Inc. for an estimated quantity of heavy-duty equipment, snow removal equipment, snow removal vehicles, multi-purpose trucks and operators when required, item 4, for a period of two years starting upon the execution of a contract, with two one-year options to renew, received on July 19, 2017 under the authority of Ordinance No. 848-15, as amended by Ordinance No. 1338-15, passed July 22, 2015 and December 7, 2015, respectively, which on the basis of the estimated quantity would amount to \$763,791.00, 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 specified item.

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

Yeas: Director Langhenry, Acting Directors Wood, Szabo, K. Johnson, Director Gordon, Acting Director Eckart, Directors Cosgrove, West, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 491-17.

By Director Kennedy.

Resolved, by the Board of Control of the City of Cleveland that the bid of M-B Companies, Inc. for an estimated quantity of heavy-duty equipment, snow removal equipment, snow removal vehicles, multi-purpose trucks and operators when required, items 2 and 3, for a period of two years starting upon the execution of a contract, with two one-year options to renew, received on July 19, 2017 under the authority of Ordinance No. 848-15, as amended by Ordinance No. 1338-15, passed July 22, 2015 and December 7, 2015, respectively, which on the basis of the estimated quantity would amount to \$3,195,018.00, 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 specified item.

The requirement contract shall further provide that the Contractor shall furnish all of the City's requirements for the goods and/or services, whether more or less than the estimated quantity, as may be

ordered under delivery orders separately certified to the contract.

Yeas: Director Langhenry, Acting Directors Wood, Szabo, K. Johnson, Director Gordon, Acting Director Eckart, Directors Cosgrove, West, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 492-17.

By Director Kennedy.

Resolved, by the Board of Control of the City of Cleveland that the bid of Wausau Equipment Company, Inc. for an estimated quantity of heavy-duty equipment, snow removal equipment, snow removal vehicles, multi-purpose trucks and operators when required, item 1, for a period of two years starting upon the execution of a contract, with two one-year options to renew, received on July 19, 2017 under the authority of Ordinance No. 848-15, as amended by Ordinance No. 1338-15, passed July 22, 2015 and December 7, 2015, respectively, which on the basis of the estimated quantity would amount to \$2,112,100.00, 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 specified item.

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

Yeas: Director Langhenry, Acting Directors Wood, Szabo, K. Johnson, Director Gordon, Acting Director Eckart, Directors Cosgrove, West, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 493-17.

By Director Spronz.

Whereas, under the authority of Ordinance No. 523-15, passed by the Council of the City of Cleveland on June 1, 2015, and Board of Control Resolution No. 316-15, adopted August 12, 2015, the City, through its Director of Capital Projects, entered into Contract No. PS2015-210 with Michael Baker International, Inc. ("Engineer") for professional engineering consulting services necessary for the Pavement Management Program (the "Project"); and

Whereas, the City requires additional engineering services necessary to provide a one-third (1/3) portion of the pavement condition surveys for determining resurfacing cycles and capital improvements with the option of the full City inventory; and

Whereas, the Engineer has proposed by its September 26, 2017 letter to perform the above-mentioned additional services for an amount not to exceed \$196,336; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Capital Projects is authorized to enter into a first modification to Contract No. PS2015-210

with Michael Baker International, Inc., in accordance with its proposal dated September 26, 2017, for the additional engineering services necessary to provide a one-third (1/3) portion of the pavement condition surveys for determining resurfacing cycles and capital improvements and integrating the pavement management data into the City's GIS and Cityworks program with two (2) one-year options to provide Year 2 and Year 3 survey, missing segments survey and color coded ward maps. The approval of the amendment will increase the contract by a not to exceed amount of \$196,336, thereby increasing the total compensation under the contract to \$796,099.

Yeas: Director Langhenry, Acting Directors Wood, Szabo, K. Johnson, Director Gordon, Acting Director Eckart, Directors Cosgrove, West, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 494-17.

By Director Cox.

Whereas, the City of Cleveland owns and operates certain real property commonly known as the Willard Park Surface Lot under the supervision and direction of the Director of Public Works; and

Whereas, NOW Valet Service, Inc. has proposed to offer valet parking services to the general public for the St. Vincent Charity Medical Gala to be held at Cleveland Huntington Convention Center by using the Willard Park Surface Lot; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that, under Section 183.04 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Works is authorized to enter into a concession agreement with NOW Valet Service, Inc. to use Willard Park Surface Lot to operate a valet parking service for a concession fee of \$450.00 plus \$5.00 per vehicle parked for the St. Vincent Charity Medical Gala at the Cleveland Huntington Convention Center on October 13, 2017, from 5:00 p.m. to 11:00 p.m.

The concession agreement shall be prepared by the Director of Law and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit public interest.

Yeas: Director Langhenry, Acting Directors Wood, Szabo, K. Johnson, Director Gordon, Acting Director Eckart, Directors Cosgrove, West, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 495-17.

By Director Cosgrove.

Whereas, Board of Control Resolution No. 231-17, adopted May 3, 2017, authorized the sale and development of Permanent Parcel Nos. 131-21-046 and 131-21-047 to Most Reverend Daniel E. Thomas, Apostolic Administrator of the Diocese of Cleveland for church parking, as part of the City Land Reutilization

Program established under Ordinance No. 2076-76, passed by the Cleveland City Council on October 25, 1976; and

Whereas, in the fourth paragraph, Resolution No. 231-17 incorrectly identified the proposed purchaser of the parcel to be sold as "Most Reverend Daniel E. Thomas, Apostolic Administrator of the Diocese of Cleveland"; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 231-17, adopted by this Board May 3, 2017, authorizing the sale and development of Permanent Parcel Nos. 131-21-046 and 131-21-047 to Most Reverend Daniel E. Thomas, Apostolic Administrator of the Diocese of Cleveland for church parking, is amended by substituting "Most Reverend Nelson J. Perez" for "Most Reverend Daniel E. Thomas, Apostolic Administrator of the Diocese of Cleveland", where appearing in the resolution.

Be it further resolved that all other provisions of Resolution No. 231-17 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Director Langhenry, Acting Directors Wood, Szabo, K. Johnson, Director Gordon, Acting Director Eckart, Directors Cosgrove, West, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 496-17.

By Director Cosgrove.

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. 108-26-119 located at 10527 Englewood Avenue; and

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

Whereas, Alex Riedel and Destin Henderson have proposed to the City to purchase and develop the parcel for a yard expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland with Alex Riedel and

Destin Henderson for the sale and development of Permanent Parcel No. 108-26-119 located at 10527 Englewood Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$200.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Director Langhenry, Acting Directors Wood, Szabo, K. Johnson, Director Gordon, Acting Director Eckart, Directors Cosgrove, West, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 497-17.

By Director Cosgrove.

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. 138-12-018 located at 4117 East 136th Street; and

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

Whereas, Lisa Parks and Vernon Parks 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 1 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

2. The proposed 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 the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Lisa Parks and Vernon Parks for the sale and development of Permanent Parcel No. 138-12-018 located at 4117 East 136th 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 the sale of the parcel shall be \$200.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Director Langhenry, Acting Directors Wood, Szabo, K. Johnson, Director Gordon, Acting Director Eckart, Directors Cosgrove, West, Interim Director Ebersole, Director

McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 498-17.

By Director Cosgrove.

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. 104-19-091 located at 5912 Whittier Avenue; and

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

Whereas, Henry Lee Cross, Jr. 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 7 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Henry Lee Cross, Jr. for the sale and development of Permanent Parcel No. 104-19-091 located at 5912 Whittier Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$200.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Director Langhenry, Acting Directors Wood, Szabo, K. Johnson, Director Gordon, Acting Director Eckart, Directors Cosgrove, West, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 499-17.

By Director Cosgrove.

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. 107-20-013 located on Crawford Road; and

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

Whereas, James C. Head and Marva Head 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 7 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

2. The proposed 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 the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with James C. Head and Marva Head for the sale and development of Permanent Parcel No. 107-20-013 located on Crawford Road, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$200.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Director Langhenry, Acting Directors Wood, Szabo, K. Johnson, Director Gordon, Acting Director Eckart, Directors Cosgrove, West, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

Application blanks must be properly filled out on the official form prescribed by the Civil Service Commission and filed at the office of the commission not later than the final closing date 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. There-after, eligible lists will be

established which will consist of the names of those candidates who have been successful in all parts of the examination.

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

ROBERT BENNETT,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, OCTOBER 16, 2017

9:30 A.M.

Calendar No. 17-275: 2462 West 7th Street (Ward 3)

Tim Ridgeley, owner, proposes to construct an addition to an existing single family dwelling in a B1 Two Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 357.09(b)(2)(B) which states that in a One family district or in a two family district no interior side yard shall be less than five (5) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard in no case shall be less than one fourth (1/4) the height of the main building on the premises. Building height is unknown. The overhang dimension, gutter board/gutter location is unknown.

2. Section 357.09(b)(2)(A) which states that no building shall be erected less than ten feet from a main building on an adjoining lot. Distance to main building on adjoining lot is unknown. (Filed September 11, 2017)

Calendar No. 17-276: 3326 West 97th Street (Ward 11)

Milagros J. Orozco Cruz, owner, proposes to install a 6' high fence with gate in the front yard of a parcel located in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of Section 358.05(a)(2) which states that fences in actual front yards shall not exceed four (4) feet in height; the appellant is proposing a 6 foot tall fence/gate. (Filed September 11, 2017)

Calendar No. 17-277: 4607 Clinton Avenue (Ward 3)

Clinton Suites, LLC., owner, proposes to erect a 68 square foot addition to a single family residence located in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of Section 357.08 of the Cleveland Codified Ordinances which states that the depth of the required rear yard shall not be less than 20 feet and a 14 foot rear yard is proposed. (Filed September 11, 2017)

Calendar No. 17-278: 1929 East 61st Street (Ward 7)

Dave's Supermarket proposes to construct a 55,521 square foot supermarket on land owned by the City of Cleveland and located in Midtown Mixed Use District 4 (MMUD4). The applicant appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 344.04 which states that a Retail store located in the MMUD4 requires City Planning Commission approval.
2. Section 344.05(A)(1)(b) which states that a 30' maximum building front yard setback is allowed and the appellant is proposing 42' on East 61st Street.
3. Section 344.05(b)(1)(a) which states that the minimum front yard required for parking is 30' and the appellant is proposing 3' on East 61st Street.
4. Section 344.05(b)(3) which states that a 6' wide landscape strip is required where parking abuts street.
5. Section 344.09(b)(1) which states that only ornamental fences up to five (5) feet in height with twenty five percent 25% maximum opacity are permitted in the required building and parking setback area. Alternatively a masonry wall up to three (3) feet in height may be provided in lieu of an ornamental fence in the required building and parking setback area. (Filed September 12, 2017)

Calendar No. 17-279: 3508 West 118th Street (Ward 11)

Diana Robles, owner, proposes to install a modular ramp within the front yard of a parcel located in an A1 One-Family Residential District. The owner appeals for relief from the strict application of Section 355.04(b)(7) of the Cleveland Codified Ordinances which states that wheelchair ramps are permitted if set back a minimum of five feet from any public right of way, a minimum of three feet from any other property line, to be removed when no longer in use, and meeting slope requirements and all other requirements of the Ohio building code, and as determined by collaboration between the City Planning Commission office and the Department of Building and Housing: shall be designed to minimize the length of the ramp and located in a side yard or rear yard unless such placement is determined to be infeasible, thereby necessitating location in a front yard. (Filed September 13, 2017)

Calendar No. 17-280: 15101 Lorain Avenue (Ward 17)

Asplin William E. Inc., owner, proposes to establish use as Motor Vehicle Sales Facility in a C2 Local Retail Business District and a Pedestrian Retail Overlay District (PRO). The owner appeals for relief from the strict application of the following Sections of the Cleveland Codified Ordinances:

1. Section 343.01(b) of the Cleveland Codified Ordinances which states that Motor Vehicle Sales facility is not a permitted use in Local retail business district but first permitted in General Retail Business District per 343.11(b)(2)(I)(4).
2. Section 343.23 which states that City Planning approval of application is required. (Filed September 14, 2017)

Calendar No. 17-281: 2325 Scranton Road (Ward 3)

Gina Lopez and Scott Heiman, owners, propose to erect a 25' x 62' four story single family residence with attached garage in a C2 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the maximum gross floor area shall not be less than 50 percent of lot size or in this case 1,925 square feet are permitted and the appellant is proposing 3,867 square feet.
2. Section 357.04(a) which states that the required front yard setback is 16.5 feet and the appellant is proposing 8' - 7".
3. Section 357.09(b)(2) which states that no building shall be less than 10' from main building on an adjoining lot and the appellant is proposing 8' - 11" and 3' - 11".
4. Section 357.09(b)(2)(B) which states that the required interior side yard is 11.85 and the appellant is proposing 3' - 11'. Nor shall the total width of the Interior side yards be less than 10 and the appellant is proposing 7' - 10"
5. Section 358.03 which states that fencing running parallel to driveway shall be 2' - 6" in height and shall be 75 percent open; the appellant is proposing 4' high ornamental fence with 4' - 6" solid masonry piers within 15' of drive and side walk. (Filed September 15, 2017)

Calendar No. 17-299: 1326 West 104th Street (Ward 15)

TJRJ, LLC., owner, proposes to erect a 20' x 26' two story frame single family residence with detached garage and wooden deck in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of Section 357.09(b)(2)(B) the Cleveland Codified Ordinances which states that the required Interior Side yard shall not be less than 7' where the appellant has proposed 4' for dwelling and rear open wooden deck. (Filed October 2, 2017)

POSTPONED FROM SEPTEMBER 11, 2017

Calendar No. 17-241: 3207 West 65th Street (Ward 3)

Aaromet Metal Recycling LLC, owner, proposes to use property for storage of automobile pending wrecking or dismantling in a B1 General Industry District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 345.04 (a)(4) which states that in a General Industry District, the storage of motor vehicles, pending wrecking or dismantling is permitted in area with a minimum area of fifty thousand (50,000) square feet providing such premises is enclosed within a minimum seven (7) foot high solid masonry wall slightly solid, non-transparent, well maintained substantial fence. The use is proposed on a lot that is only 30,855 square feet and does not have a minimum 7 foot tall fence that completely encloses premises.
2. Section 327.02 which states that a site plan drawn to a measurable

scale showing dimensions and features of property is required. The parking, paving and driveway requirements cannot be determined without proper site plan. (Filed August 8, 2017 - No Testimony)

First postponement made at the request of the Councilman to allow for time for further review.

POSTPONED FROM OCTOBER 2, 2017

Calendar No. 17-267: 2189 Professor Avenue (Ward 3)

Two Docx Ltd, owner, proposes to establish use as a piercing studio and jewelry store in a C1 General Retail Business District. The owner appeals for relief from the strict application of Section 347.12(b) of the Cleveland Codified Ordinances which states that no such use shall be established within one thousand (1,000) feet of a residential district or day care center, kindergarten, elementary or secondary school, public library, church, playground, public or nonprofit recreation center or community center. (Filed August 29, 2017 - No Testimony)

First postponement made at the request of the appellant to allow for time for a community meeting to be held.

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, OCTOBER 2, 2017

At the meeting of the Board of Zoning Appeals on Monday, October 2, 2017 the following appeals were scheduled for hearing before the Board and;

The following appeals were **APPROVED:**

Calendar No. 17-151: 1625 Rockwell Avenue (aka 1425-1555 Rockwell Avenue)

H5 Cleveland LLC, owner, proposes to display a 5,440 square foot billboard/wall mural in a C3 Semi-Industry District and in the Central Business District.

Calendar No. 17-240: 2831 Franklin Boulevard

Kevin Wojton, owner, proposes to change use of a 14,000 square foot, four story building to a rock climbing, crossfit, yoga and other physical fitness establishment in a D2 Local Retail Business District.

Calendar No. 17-256: 3501 Walton Avenue

Jesus Laboy Trustee, owner, and Cleveland (Fulton) DG, LLC., prospective purchaser, propose to build a Dollar General store on a parcel that is split zoned between B1 Two-Family Residential and C1 General Retail Business; said parcel is also located in an Urban Form Overlay (UFO) District.

Calendar No. 17-265: 4016 Bridge Avenue

Vincent Coleman, owner, proposes to erect a 16' x 10' - 6" two story frame rear living room and bedroom addition to the existing single family residence in a B1 Two-Family Residential District.

Calendar No. 17-266: 1341 West 67th Street

Scott Francis, owner, proposes to erect a 16' x 10' - 6" two story frame rear addition to existing single family residence in a B1 Two-Family Residential District.

Calendar No. 17-284: 1795 West 52nd Street

JMJ North Coast, owner, proposes to erect a 33' x 42' - 4" second story addition with an attached 13' x 20' porte cochere in a B1 Two-Family Residential District.

The following appeals were **DENIED:**

None.

The following appeals were **WITHDRAWN:**

None.

The following appeals were **DISMISSED:**

None.

The following cases were **POSTPONED:**

Calendar No. 17-267: Two Docx LTD 2189 Professor Avenue. Postponed to October 16, 2017.

Calendar No. 17-222: David Medlen 2201 Saratoga Avenue. Postponed to November 6, 2017.

The following cases were heard by the Board of Zoning Appeals on Monday, September 25, 2017 and the decisions were adopted and approved on Monday, October 2, 2017:

The following appeals were **APPROVED:**

Calendar No. 17-225: 2123 West 7th Street

Briana Gonzalez and Eric L. Shida, owners, propose to erect a 520 square foot addition to a single family residence on a 2,500 square foot lot in a B1 Multi-Family Residential District.

Calendar No. 17-255: 4525 West 146th Street

Paul Smelko, owner, proposes to construct a new 12' x 23' front porch in a B1 Two Family Residential District.

Calendar No. 17-258: 1205 Auburn Avenue

Carolyn Cahlik, owner, proposes to erect a new 20' x 24' one story garage in a B1 Two Family Residential District.

Calendar No. 17-261: 4600 Detroit Avenue

Cleveland Metropolitan School District proposes to construct a new high school in a C2 Local Retail Business District and a Pedestrian Retail Overlay District.

Secretary

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

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY of CLEVELAND BIDS**For All Departments**

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

FRIDAY, OCTOBER 20, 2017

File No. 148-17 — Pap, HPV and EMB Testing Services, for the Division of Health, Department of Public Health, 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 9, 2017 AT 10:00 A.M. CITY OF CLEVELAND MCCAFFERTY HEALTH CENTER, 4242 LORAIN AVENUE, CLEVELAND, OHIO 44114.

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

September 27, 2017 and October 4, 2017

FRIDAY, OCTOBER 27, 2017

File No. 149-17 — Labor and Materials for Maintenance/Replacement of Uninterruptible Power Supply Systems, Appurtenances and Specialized Batteries, for various Divisions, Department of Public Utilities, as authorized by Ordinance No. 704-16, passed by the Council of the City of Cleveland, July 13, 2016.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, MONDAY, OCTOBER 9, 2017 AT 10:00 A.M. CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

September 27, 2017 and October 4, 2017

FRIDAY, NOVEMBER 3, 2017

File No. 147-17 — Morgan Improvements - A, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1406-15, passed by the Council of the City of Cleveland, November 3, 2017.

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

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, OCTOBER 5, 2017 AT 10:00 A.M. GARRETT MORGAN WATER WORKS PLANT, 1245 WEST 45TH STREET CLEVELAND, OH 44113.

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

September 27, 2017 and October 4, 2017

FRIDAY, OCTOBER 20, 2017

File No. 151-17 — 2017-2019 Citywide Electrical Items, Materials, Parts and Equipment (Re-Bid), for various Divisions, Department of Finance, as authorized by Ordinance No. 1072-17, passed by the Council of the City of Cleveland, September 25, 2017.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, OCTOBER 12, 2017 AT 3:00 P.M. CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, IN ROOM 18.

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

File No. 152-17 — Labor and Materials Necessary to Repair and Maintain Decorative and Special Lighting on Bridges Item 5 (Re-Bid), for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1277-16, passed by the Council of the City of Cleveland, November 28, 2016.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, OCTOBER 13, 2017 AT 10:00 A.M. CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, CONFERENCE ROOM A.

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

October 4, 2017 and October 11, 2017

FRIDAY, OCTOBER 27, 2017

File No. 150-17 — Various Recreation Center Improvements Thurgood Marshall Recreation Center Bid package #2 Architectural and Mechanical Improvements for the Division of Architecture and Site Development, Office of Capital Projects, as authorized by Ordinance No. 732-14, passed by the Council of the City of Cleveland, June 9, 2014.

THERE WILL BE A **NON-REFUNDABLE FEE** FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR MONEY ORDER (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS. ALL PLANS AND SPECIFICATIONS MUST BE PURCHASED DIRECTLY FROM THE DIVISION OF PURCHASES AND SUPPLIES.)

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, OCTOBER 12, 2017 AT 10:00 A.M. CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114 IN ROOM 517A.

THERE WILL BE A **MANDATORY** SITE VISIT THURSDAY, OCTOBER 12, 2017 FROM 2-3 P.M. AND MONDAY, OCTOBER 16, 2017 FROM 2-3 P.M. LOCATED AT THURGOOD MARSHALL RECREATION CENTER, 8611 HOUGH AVENUE, CLEVELAND, OHIO 44106.

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

October 4, 2017 and October 11, 2017

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 1058-17.
By Council Members Cummins, Brady, McCormack, Zone, J. Johnson, and Griffin.

An emergency resolution supporting immigrant youth, including those protected by DACA and supporting a federal law that would continue the DACA program and allow a path to citizenship for Dreamers; opposing the withholding of federal funding as a way to pressure local municipalities to enforce federal immigration policies; denouncing anti-immigrant bills that promote racial profiling, discrimination and harassment of immigrant communities; and committing to working with the Jackson administration to establish strong policies to protect vulnerable communities, especially immigrant communities.

Whereas, nearly 800,000 young people who came to the United States as children have come forward, passed background checks, and received permission to live and work in America through the Deferred Action for Childhood Arrivals (DACA) program; with DACA, they have advanced their education, started small businesses, and more fully established themselves as integral members of our society; and

Whereas, despite his statements that he will protect Dreamers, the President has rescinded DACA effective about March 2018, calling upon Congress to provide legislation to manage Dreamers; as such, the fate of nearly 800,000 Dreamers is unknown; and

Whereas, the President has recently threatened to shut down the federal government in order to coerce Congress to provide funds to build a border wall; moreover, the Trump administration continues to threaten to withhold federal funding from municipalities to pressure municipalities to enforce federal immigration law; and

Whereas, Immigration and Customs Enforcement (ICE) has renewed its effort to contract with local sheriffs in an attempt to circumvent case law and facilitate deportations; and

Whereas, the expansion of deportation and of local enforcement of federal immigration laws could make everyone less safe because when local law enforcement voluntarily cooperates with or works on behalf of ICE, significant gaps in trust and cooperation grow between immigrant communities and local police; some of these practices could expose the city to liability for violations of individuals' constitutional rights; and

Whereas, undue collaboration between local law enforcement and ICE will cause fear and insecurity among immigrants and make immigrants less likely to report crimes, act as witnesses in criminal investigations and prosecutions, and provide intelligence to law enforcement; and

Whereas, the cooperation of the City's immigrant communities is essential to prevent and solve

crimes and maintain public order, safety and security; further, community policing depends on trust between all communities and facilitating deportations will harm the City's efforts at community policing; and

Whereas, in May, 2017, the state of Texas passed SB 4, an anti-immigrant bill that promotes racial profiling, discrimination and harassment of immigrant communities; and

Whereas, elected officials across Texas have stood up against SB 4 because it harms their ability to keep their communities safe and because it stands in direct conflict to American values of respecting and keeping safe all residents; and

Whereas, this Council understands that government has a responsibility to ensure that every individual and every family living in this country has the chance to succeed and therefore denounces any anti-immigrant bill, like Texas' SB 4; and

Whereas, this Council believes that countries whose Temporary Protected Status (TPS) designation is set to expire be granted TPS extensions so that eligible nationals from these countries may continue to receive work and travel authorization; and

Whereas, the City of Cleveland values its ethnic, racial, linguistic, and socio-economic diversity as a source of strength and this Council is committed to ensuring that all our city's residents live and pursue their livelihoods in peace and prosperity; and

Whereas, this Council is committed to working with the mayor to establish strong policies to protect vulnerable communities, especially immigrant communities, including and to the extent legally possible: limiting the co-optation of local police by ICE; strong privacy protections limiting the sharing of confidential personal information with federal agencies; adoption of clear and transparent protocols for the certification of U-Visas; vigorous opposition to any government registry based on religion or national origin; further this Council is committed to maintaining community stakeholder engagement around implementation of policies that preserve and protect our diverse and inclusive city; and

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

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

Section 1. That this Council supports immigrant youth, including those protected by DACA and supports a federal law that would continue the DACA program and allow a path to citizenship for Dreamers; opposes the withholding of federal funding as a way to pressure local municipalities to enforce federal immigration policies; denounces anti-immigrant bills that promote racial profiling, discrimination and harassment of immigrant communities; and commits to working with the Jackson administration to establish strong policies to protect vulnerable communities, especially immigrant communities.

Section 2. That the Clerk of Council is hereby directed to transmit copies of this resolution to the President of the United States, all members of Congress and all members of the Ohio House and Senate.

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

Adopted September 25, 2017.
Effective September 27, 2017.

Res. No. 1165-17.
By Council Member K. Johnson.
An emergency resolution withdrawing objection to a New C2 Liquor Permit at 3350 East 116th Street and repealing Resolution No. 1157-17, objecting to said permit.

Whereas, this Council objected to a New C2 Liquor Permit at 7 Star LLC, DBA Kinsman Convenience & Gas, 3350 East 116th Street, Cleveland, Ohio 44120, Permit Number 85036200005 by Resolution No. 1157-17 adopted by the Council on September 18, 2017; and

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

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

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

Section 1. That objection to a New C2 Liquor Permit at 7 Star LLC, DBA Kinsman Convenience & Gas, 3350 East 116th Street, Cleveland, Ohio 44120, Permit Number 85036200005, be and the same is hereby withdrawn and Resolution No. 1157-17, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted September 25, 2017.
Effective September 27, 2017.

Res. No. 1166-17.
By Council Member Brancatelli.
An emergency resolution objecting to a New C1 Liquor Permit at 8003 Broadway Avenue.

Whereas, Council has been notified by the Division of Liquor Control of an application for a New C1 Liquor Permit at Family Dollar Stores of Ohio, Inc., DBA Family Dollar #10417, 8003 Broadway Avenue, Cleveland, Ohio 44105, Permit Number 26312750340; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C1 Liquor Permit at Family Dollar Stores of Ohio, Inc., DBA Family Dollar #10417, 8003 Broadway Avenue, Cleveland, Ohio 44105, Permit Number 26312750340, and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 25, 2017.
Effective September 27, 2017.

Res. No. 1167-17.
By Council Member Kelley.
An emergency resolution objecting to a New C1 Liquor Permit at 2152 Brookpark Road.

Whereas, Council has been notified by the Division of Liquor Control of an application for a New C1 Liquor Permit at Family Dollar Stores of Ohio, Inc., DBA Family Dollar #8343, 2152 Brookpark Road, Cleveland, Ohio 44134, Permit Number 26312750630; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C1 Liquor Permit at Family Dollar Stores of Ohio, Inc., DBA Family Dollar #8343, 2152 Brookpark Road, Cleveland, Ohio 44134, Permit Number 26312750630, and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 25, 2017.
Effective September 27, 2017.

Ord. No. 870-17.**By Council Member Cummins.****An ordinance changing the Use, Height and Area Districts South of I-90 and North of Clark Avenue between West 41st Street and Fulton Road as identified on the attached map (Map Change No. 2569).**

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

Section 1. That the Use District of lands bounded and described as follows:

Beginning at the intersection of Clark Avenue and Fulton Road;

Thence westerly along the centerline of Clark Avenue to its intersection with the southerly prolongation of the westerly line of a parcel of land conveyed to Hidayah Ayyad & Nathmi Iwais by deed dated April 28, 2010 and also known as Cuyahoga County PPN 007-20-030;

Thence northerly along said westerly line to its intersection with the northerly line thereof;

Thence easterly along said northerly line to its intersection with the westerly line of subplot 418 in the H. Stone Subdivision as recorded in the Cuyahoga County Map Records Book 1 Page 41;

Thence northerly along said westerly line to its intersection with the centerline of Walton Avenue;

Thence easterly along said centerline to its intersection with the southerly prolongation of the westerly line of a parcel of land conveyed to Nhu Q. Duong by deed dated January 7th, 2004 and also known as Cuyahoga County PPN 007-20-055;

Thence northerly along said westerly line to its intersection with the southerly line of a parcel of land conveyed to Clearline Homes, LLC by deed dated January 18, 2014 and also known as Cuyahoga County PPN 007-20-016;

Thence westerly along said southerly line to its intersection with the westerly line thereof;

Thence northerly along said westerly line and its prolongation to its intersection with the centerline of Erin Avenue;

Thence easterly along said centerline to its intersection with the intersection with the centerline of Fulton Ave;

Thence southerly along said centerline to the place of origin;

And;

Beginning at the intersection of Clark Avenue and West 38th Street;

Thence northerly along the centerline of West 38th Street to its intersection with the westerly prolongation of a parcel of land conveyed to Sarwat Masud by deed dated March 31, 2016 and also known as Cuyahoga County PPN 007-20-037;

Thence easterly along said northerly line and its prolongation to its intersection with the easterly line of a parcel of land conveyed to Mohammad Riaz by deed dated January 15, 2008 and also known as Cuyahoga County PPN 007-20-035;

Thence southerly along said easterly line to its intersection with the centerline of Clark Avenue;

Thence westerly along said centerline to the place of origin;

And as identified on the attached map shall be changed to a 'Limited Retail' District, a 'G' Area District and a '2' Height District;

Section 2. That the Use District of lands bounded and described as follows:

Beginning at the intersection of Clark Avenue and the southerly prolongation of the easterly line of a parcel of land conveyed to Mohammad Riaz by deed dated January 15, 2008 and also known as Cuyahoga County PPN 007-20-035;

Thence northerly along said easterly line to its intersection with the southerly line of a parcel of land conveyed to William Hilderbrant by deed dated April 29, 2016 and also known as Cuyahoga County PPN 007-20-043;

Thence easterly along said southerly line and its prolongation to its intersection with the easterly line of a parcel of land conveyed to William Hilderbrant by deed dated November 1, 2000 and also known as Cuyahoga County PPN 007-20-045;

Thence northerly along said easterly line and its prolongation to its intersection with the centerline of Walton Avenue;

Thence easterly along said centerline to its intersection with the northerly prolongation of the easterly line of a parcel of land conveyed to the Hildebrandt Building, LLC by deed dated October 14, 2015 and also known as Cuyahoga County PPN 007-20-046;

Thence southerly along said line to its intersection with the southerly line thereof;

Thence westerly along said southerly line and its prolongation to its intersection with the westerly line of a parcel of land conveyed to Hidayah Ayyad & Nathmi Iwais by deed dated April 28, 2010 and also known as Cuyahoga County PPN 007-20-030;

Thence southerly along said westerly line and its prolongation to its intersection with the centerline of Clark Avenue;

Thence westerly along said centerline to the place of origin;

And as identified on the attached map shall be changed to a 'Semi-Industry' District, a 'G' Area District and a '2' Height District;

Section 3. That the Use District of lands bounded and described as follows:

Beginning at the intersection of Walton Avenue and the northerly prolongation of the westerly line of a parcel of land conveyed to Patrick G. McKenna by deed dated January 6, 1998 and also known as Cuyahoga County PPN 007-20-047;

Thence southerly along said westerly line to its intersection with the southerly line thereof;

Thence easterly along said southerly line and its prolongation to its intersection with the westerly line of subplot 418 in the H. Stone Subdivision as recorded in the Cuyahoga County Map Records Book 1 Page 41;

Thence northerly along said westerly line to its intersection with the centerline of Walton Avenue;

Thence easterly along said centerline to its intersection with the southerly prolongation of the westerly line of a parcel of land conveyed to Nhu Q. Duong by deed dated January 7th, 2004 and also known as Cuyahoga County PPN 007-20-055;

Thence northerly along said westerly line to its intersection with the southerly line of a parcel of land conveyed to Clearline Homes, LLC by deed dated January 18, 2014 and also known as Cuyahoga County PPN 007-20-016;

Thence westerly along said southerly line to its intersection with the westerly line thereof;

Thence northerly along said westerly line and its prolongation to its intersection with the centerline of Erin Avenue;

Thence westerly along said centerline to its intersection with the northerly prolongation of the westerly line of a parcel of land conveyed to Angelina Carro by deed January 1, 1975 and also known as Cuyahoga County PPN 007-20-088;

Thence southerly along said westerly line and its prolongation to its intersection with the centerline of Walton Avenue;

Thence westerly along said centerline to the place of origin;

And;

Beginning at the intersection of Seymour Avenue and Fulton Road;

Thence northerly along the centerline of Fulton Road to its intersection with the centerline of Wade Avenue;

Thence westerly along said centerline to its intersection with the northerly prolongation of the westerly line of a parcel of land conveyed to Anibal Estremera by deed March 1, 2000 and also known as Cuyahoga County PPN 007-18-036;

Thence southerly along said westerly line and its prolongation to its intersection with the centerline of Seymour Avenue;

Thence easterly along said centerline to the place of origin;
And as identified on the attached map shall be changed to a 'Multi-Family' District, a 'G' Area District and a '2' Height District;

Section 4. That the Use District of lands bounded and described as follows:

Beginning at the intersection of Seymour Avenue and Fulton Road;

Thence westerly along the centerline of Seymour Avenue to its intersection with the northerly prolongation of the westerly line of a parcel of land conveyed to Caribe Development LLC by deed April 19, 2012 and also known as Cuyahoga County PPN 007-20-007;

Thence southerly along said westerly line and prolongation to its intersection with the centerline of Erin Ave;

Thence westerly along said centerline to the place of origin;

And as identified on the attached map shall be changed to a 'Local Retail' District, a 'G' Area District and a '2' Height District;

Section 5. That the Use District of lands bounded and described as follows:

Beginning at the intersection of West 38th Street and Seymour Avenue;

Thence northerly along the centerline of West 38th Street to its intersection with the centerline of Train Avenue;

Thence northeasterly along said centerline and its prolongation to its intersection with the centerline of I-90;

Thence easterly along said centerline to its intersection with the northerly prolongation of the westerly line of a parcel of land conveyed to Caribe Development LLC by deed April 19, 2012 and also known as Cuyahoga County PPN 007-20-007;

Thence southerly along said westerly line and prolongation to its intersection with the centerline of Seymour Avenue;

Thence westerly along said centerline to the place of origin;

And;

Beginning at the intersection of West 41st Street and Clark Avenue;

Thence northerly along the centerline of West 41st Street to its intersection with the westerly prolongation of the northerly line of St. Mary's Cemetery;

Thence easterly along said northerly line and its prolongation to its intersection with the westerly line of a parcel of land conveyed to Lois J. Palazzo by deed January 1, 1975 and also known as Cuyahoga County PPN 007-17-022;

Thence southerly along said westerly line and its prolongation to its intersection with the northerly line of St. Mary's Cemetery;

Thence easterly along said northerly line to its intersection with the centerline of West 38th Street;

Thence southerly along said centerline to its intersection with the centerline of Clark Avenue;

Thence westerly along said centerline to the place of origin;

And as identified on the attached map shall be changed to a 'Open Space Recreation' District, a 'B' Area District and a '1' Height District;

Section 6. That the Use District of lands bounded and described as follows:

Beginning at the intersection of West 38th Street and the easterly prolongation of the northerly line of St. Mary's Cemetery;

Thence westerly along said northerly line to its intersection with the westerly line of a parcel of land conveyed to Lois J. Palazzo by deed February 23, 2016 and also known as Cuyahoga County PPN 007-17-023;

Thence northerly along said westerly line and its prolongation to its intersection with the southerly line of a parcel of land conveyed to Maria Feliciano by deed December 22, 2016 and also known as Cuyahoga County PPN 007-17-015;

Thence westerly along said southerly line to its intersection with the westerly line thereof;

Thence northerly along westerly line and its prolongation to its intersection with the westerly prolongation of the southerly line of a parcel of land conveyed to Anthony R. Bonelli by deed March 5, 1997 and also known as Cuyahoga County PPN 007-17-010;

Thence easterly along said prolongation and line to its intersection with the westerly line thereof;

Thence northerly along said westerly line and its prolongation to its intersection with the northerly line of a parcel of land conveyed to Rafael Torres by deed September 12, 2016 and also known as Cuyahoga County PPN 007-17-004;

Thence easterly along said northerly line to its intersection with the centerline of West 38th Street;

Thence southerly along said centerline to its intersection with the centerline of Seymour Avenue;

Thence easterly along said centerline to its intersection with the northerly prolongation of the westerly line of a parcel of land conveyed to Caribe Development LLC by deed April 19, 2012 and also known as Cuyahoga County PPN 007-20-007;

Thence southerly along said westerly line and prolongation to its intersection with the centerline of Erin Avenue;

Thence easterly along said centerline to its intersection with the northerly prolongation of the westerly line of a parcel of land conveyed to Angelina Carro by deed January 1, 1975 and also known as Cuyahoga County PPN 007-20-088;

Thence southerly along said westerly line and its prolongation to its intersection with the centerline of Walton Avenue;

Thence westerly along said centerline to its intersection with the northerly prolongation of the easterly line of a parcel of land conveyed to William Hilderbrant by deed dated November 1, 2000 and also known as Cuyahoga County PPN 007-20-045;

Thence southerly along easterly line to its intersection with the southerly line thereof;

Thence westerly along said southerly line to its intersection with the centerline of West 38th Street;

Thence northerly along said centerline to the place of origin;

And as identified on the attached map shall be changed to a 'Two Family' District, a 'D' Area District and a '1' Height District;

Section 7. That the street frontages described as follows:

The north side of Clark Avenue between Fulton Road and West 38th Street;

And;

The south side of Clark Avenue between Fulton Road and West 41st Street;

And as identified on the attached map shall be established as 'Urban Form Overlay' Districts;

Section 8. That the change of zoning of lands described in Sections 1 - 7 shall be identified as Map Change No. 2569, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

Section 9. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

audits, and all other costs necessary for the acquisition and sale of the properties.

Section 3. That this Council finds that the conveyances constitute a public purpose.

Section 4. That the conveyance shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland.

Section 5. That 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 September 25, 2017.

Effective September 27, 2017.

Ord. No. 936-17.
By Council Members McCormack, Brancatelli and Kelley (by departmental request).

An emergency ordinance approving the addition of certain property to the Northeast Ohio Advanced Energy District; accepting a petition and plan from a lessee in the District identifying a special energy improvement project, and approving the petition and plan as owner of property in the District; declaring it necessary to conduct the special energy improvement project; providing for the assessment of the cost and expense of such special energy improvement project; and authorizing the Director of Economic Development to enter into a Cooperative Agreement and a Special Assessment Agreement to implement the project; and declaring an emergency.

Whereas, this Council adopted Resolution No. 1078-10 and passed Ordinance No. 1551-13, adopting a petition and authorizing the City of Cleveland to establish and participate in the Northeast Ohio Advanced Energy District (the "District") through the adoption of a petition designating a parcel within the City for the implementation of an eligible special improvement project; and

Whereas, the District is a special improvement district formed under Chapter 1710 of the Ohio Revised Code (the "Revised Code") and is authorized to levy assessment to pay costs for developing and implementing plans for public improvements and public services that benefit the special improvement district, including special energy improvement projects as defined within Chapter 1710 of the Revised Code; and

Whereas, Chapter 1710 of the Revised Code authorizes the District to levy an assessment in support of a special energy improvement project including a solar photovoltaic project, a solar thermal energy project, a geothermal energy project, a customer-generated energy project, or an energy efficiency improvement, defined as including energy efficiency technologies, products, and activities that reduce and support the reduction of energy consumption, allow for the reduction in demand, or support the production of clean, renewable energy; and

Whereas, Chapter 1710 of the Revised Code authorizes property owners to petition the District to add their property to the District and request the imposition of a special assessment on their property to support a special energy improvement project; and

Whereas, Cumberland TCC, LLC ("Cumberland") is the lessee under a Lease between the City, as lessor, and Cumberland, as lessee, dated July 20, 2015 (the "Lease") of Permanent Parcel No. 101-03-028, located at 900 East 9th Street (the "Property"), which constitutes one hundred percent of the property proposed to be added to the District, Cumberland is authorized as lessee to act on behalf of the City to pay real property taxes and special assessments with respect to the Property, and Cumberland has proposed to conduct a special energy improvement project and has submitted a petition (the "Cumberland Project Petition") to the District requesting that the Property be added to the District and that a special assessment be placed upon the Property to secure revenue bonds to be issued by the Cleveland-Cuyahoga County Port Authority to fund the special energy improvements for the development project further described in the plans and specifications (the "Cumberland Project Plan") attached to the Cumberland Project Petition; and

Whereas, the City has provided within the Cumberland Project Petition a certificate consenting to the inclusion of the property in multiple special assessment districts in accordance with Section 1710.02 of the Revised Code; and

Whereas, the District has reviewed and approved the Cumberland Project Petition and the Cumberland Project Plan and submitted it to the City and this Council in accordance with Section 1710.06(B) of the Revised Code; and

Whereas, the District has reviewed the Cumberland Plan and determined that the proposed special energy improvement project described in the Cumberland Plan is intended to result in the construction and installation of solar photovoltaic improvements and energy efficiency improvements consisting of energy efficiency technologies, products, and activities that reduce and support the reduction of energy consumption, allow for the reduction in demand, or support the production of clean, renewable energy; and

Whereas, under Section 1710.06(B) of the Revised Code, the Cumberland Project Petition and the Cumberland Project Plan are to be approved or disapproved by ordinance of this Council within sixty days of filing of the Cumberland Project Petition with the City; and

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

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

Section 1. That the Cumberland Project Petition and the Cumberland Project Plan referred to in the preambles of this Ordinance and on file in File No. 936-17-A approved, and the Director of the Department of Economic Development is directed to execute the Cumberland Project Petition on behalf of the City. A

final copy of the Petition will be placed in the file after its adoption by the District.

Section 2. That under Chapter 1710 of the Revised Code and the Cumberland Project Petition, this Council consents to the addition of the Property to the District and this Council consents to the inclusion of the Property in multiple special assessment districts in accordance with Section 1710.02 of the Revised Code.

Section 3. That it is determined and declared necessary and conducive to the public health, convenience, and welfare of the City to conduct the special energy improvements as defined in the Cumberland Project Plan for a 15-year period commencing after passage of the Ordinance to proceed in this manner.

Section 4. That it is determined that the Property will be specifically benefited by the above described special energy improvements and shall be assessed to pay for the costs of the special energy improvements, calculated based on a Cooperative Agreement between the City, the Cleveland-Cuyahoga County Port Authority, the District, and Cumberland (the "Cooperative Agreement").

Section 5. That the Cumberland Project Plan placed in the above-mentioned file is approved at an estimated total cost of \$12,291,500.

Section 6. That the entire cost of the Cumberland Project Plan in the District be specially assessed as defined in the above-mentioned Cooperative Agreement. The cost of the Cumberland Project Plan shall include the cost of printing, serving, and publishing notices, resolutions, and ordinances, the costs incurred in connection with the preparation, levy, and collection of the special assessments, expenses of legal services, the cost of all labor and materials and all other necessary expenditures allowed by law.

Section 7. That the special assessments to be levied shall be paid when levied as described in the above-mentioned Cooperative Agreement. All special assessments and installments which have not been paid shall be certified by the Clerk of Council to the County Fiscal Officer on or before the second Monday in September each year to be placed by him on the tax duplicate and collected the same as other taxes, as provided by law.

Section 8. That no notes or bonds of the City of Cleveland shall be issued in anticipation of the levy or collection of the special assessments.

Section 9. That the Commissioner of Assessments and Licenses is authorized to prepare and file in the Office of the Clerk of Council an estimated list of special assessments under the provisions of this Ordinance showing the amount of the special assessments against each lot or parcel of land to be assessed. Such estimated list of special assessments shall be based on the estimated cost of the Cumberland Project Plan which is now on file in the Office of the Clerk of Council. When the estimated special assessments have been filed, the Clerk of Council shall cause notice of the adoption of this Ordinance and the filing of the estimated special assessments to be served in the manner provided by law on the owners of all lots and parcels to be assessed.

Section 10. That the Director of Economic Development is authorized, on behalf of the City, to negotiate and enter into the Cooperative Agreement; a Special Assessment Agreement by and among the City, the County Treasurer of Cuyahoga County, the Cleveland-Cuyahoga County Port Authority, the District, and Cumberland; and any other documents required to effectuate the assistance authorized by the Ordinance, with the Cleveland-Cuyahoga County Port Authority, the District, or Cumberland to provide for the calculation, imposition, and payment of the special assessments.

Section 11. That any such agreements shall be prepared by the Director of Law.

Section 12. That the Director of Economic Development is authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and the fees are appropriated to cover costs incurred in the preparation of the loan application, closing, and servicing of the special assessment. The fees shall be deposited to and expended from 17 SF 305, Loan Fees Fund.

Section 13. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were passed in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meeting open to the public in compliance with the law.

Section 14. 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 September 25, 2017.
Effective September 27, 2017.

Ord. No. 938-17.
By Council Members Brancatelli and Kelley (by departmental request).
An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Nova Tube and Steel LLC, and/or its designee, to provide for tax abatement for certain real property improvements for the development of a tube mill manufacturing facility in the Cuyahoga Valley Industrial Center located at I-77 and Pershing Avenue in the Cleveland Area Enterprise Zone.

Whereas, by letter dated June 21, 2017, the City provided the Cleveland Metropolitan School District ("CMSD") with a notice of proposed tax exemptions required by the Revised Code; and

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

Whereas, under Ordinance No. 1568-14, passed December 8, 2014, this Council changed the maximum term of

tax abatements from ten to fifteen years, as now allowed under Ohio law; and

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

Whereas, Nova Tube and Steel LLC, and/or its designee (the "Enterprise") has proposed to develop a tube mill manufacturing facility in the Cuyahoga Valley Industrial Center located at I-77 and Pershing Avenue in the Cleveland Area Enterprise Zone; and

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

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

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

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

Section 2. That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with the Enterprise to provide for a ten-year, sixty percent (60%) tax abatement for certain real property improvements commencing the first year for which the real property improvements would first be taxable were that property not exempted from taxation; the abatement shall be subject to annual review of the Tax Incentive Review Council.

Section 3. That the terms of the tax abatement shall be in accordance with the terms in the Summary contained in File No.938-17-A. These terms shall not be amended, nor shall the tax abatement be assignable or transferable to any entity, without the prior legislative authorization by Cleveland City Council.

Section 4. That the Director of Economic Development is authorized to charge and accept fees in an amount not to exceed the maximum allowable under Chapter 5709 of the Revised Code and the funds are appropriated for the purposes listed in Chapter 5709 of the Revised Code. The fees shall be deposited to and expended from Fund No. 17 SF 305.

Section 5. That the contract and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

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

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

Passed September 25, 2017.
Effective September 27, 2017.

Ord. No. 993-17.
By Council Members Brady, Brancatelli and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with the Detroit Shoreway Community Development Organization, or its designee, to provide economic development assistance to partially finance the redevelopment of the Variety Theatre.

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

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

Section 1. That the Director of Economic Development is authorized to enter into a grant agreement with the Detroit Shoreway Community Development Organization, or its designee, to provide economic development assistance to partially finance the redevelopment of the Variety Theatre.

Section 2. That the agreement and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

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

Section 4. That the costs of the grant shall not exceed an amount of \$1,000,000 and shall be paid from Fund Nos. 17 SF 652 , 17 SF 015, and any and all funds approved by the Director of Finance, Request No. RQS 9501, RLA 2017-39.

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 September 25, 2017.
Effective September 27, 2017.

Ord. No. 1059-17.
By Council Member Cummins.
An emergency ordinance to amend Chapter 106 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1015-16, passed December 5, 2016, relating to Democracy Day.

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 Chapter 106 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1015-16, passed December 5, 2016, is amended to read as follows:

Section 106.01 Democracy Day; Public Hearing

Beginning in the year 2017, the Mayor and City Council shall designate one day in the second week of May following the November federal elections as "Democracy Day: A Call for a U.S. Constitutional Amendment." On this day, the Mayor and City Council shall sponsor a Public Hearing in a public space within the City. The City shall publicize the Public Hearing on its website and through area media at least one (1) month in advance of the Hearing. The Public Hearing will examine the impact on the City of political contributions of corporations, unions, Political Action Committees, and Super-PACS. The Mayor and at least one (1) City Councilperson shall submit testimony at the public hearing. In addition, all citizens of Cleveland will be permitted to submit oral testimony for a period of at least five (5) minutes per citizen. The public hearing shall be held during an evening or weekend time. The City shall record the minutes of the hearing and make them available to the public no later than three months after the Hearing by posting them on Council's or the City's website.

Section 106.02 Letter

Within one (1) week following the Public Hearing, the Clerk shall send a letter to the leaders of the Ohio House and Senate, and Cleveland's U.S. Congressional Representatives, and both Ohio U.S. Senators stating that a Public Hearing was held to support an amendment to the U.S. Constitution declaring:

(a) Only human beings, not corporations, are legal persons with Constitutional rights;

(b) Money is not equivalent to speech, and, therefore, regulating political contributions and spending is not equivalent to limiting political speech.

Section 106.03 Further Hearings

The biennial Public Hearings will continue for a period of ten (10) years through May 2027 or until a constitutional amendment reflecting the principles set forth in section 106.02 is ratified by three-quarters (3/4) of state legislatures.

Section 2. That existing Chapter 106 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1015-16, passed December 5, 2016, is repealed.

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

Passed September 25, 2017.
Effective September 27, 2017.

Ord. No. 1069-17.
By Council Member Kelley (by departmental request).

An emergency ordinance to amend Section 171.40 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 667-17, passed June 5, 2017, relating to the use of City credit cards.

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 171.40 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 667-17, passed June 5, 2017, is amended to read as follows:

Section 171.40 Use of City Credit Cards

(a) *Authorization.*
(1) A credit card held by the Clerk of Council may be used to pay the following work-related expenses of the Clerk, member of Council, and Council staff:

A. Transportation expenses while traveling on City business;

B. Lodging expenses while traveling on City business;

C. Food expenses while traveling on City business;

D. Food expenses as authorized by ordinance of Council; and

E. Registration, tuition or enrollment expenses for meetings, seminars, conferences, or retreats in connection with the performance of official duties.

(2) A credit card held by the Law Department Docket Clerk or any Law Department attorney may be used to pay the following work-related expenses:

A. Filing fees required by any court, board or tribunal;

B. Any other cost assessed by a court, board or tribunal other than judgments or settlements.

(3) A credit card held by the Port Control Director, or his or her designee, may be used to pay the following work-related expenses:

A. Emergency commodity purchases in which a credit card is the only method of payment acceptable to the vendor.

(4) A credit card held by the

Finance Director, or his or her designee, may be used to pay the following work-related expenses:

A. Transportation expenses while traveling on City business;

B. Lodging expenses while traveling on City business;

C. Food expenses while traveling on City business;

D. Food expenses as authorized by ordinance of Council; and

E. Registration, tuition or enrollment expenses for meetings, seminars, conferences, or retreats and other similar events in connection with City business.

(5) A credit card held by the Commissioner of Purchases and Supplies, or his or her designee, may be used to pay the following work-related expenses: business licenses, registrations, subscriptions, and other ordinary and necessary expenses of the City in which a credit card is the only method of payment acceptable to the vendor.

(6) A credit card held by the Chief Financial Officer of the Department of Public Utilities, or his or her designee, may be used to pay the following work-related expenses: business licenses, registrations, subscriptions, and other ordinary and necessary expenses of the City in which a credit card is the only method of payment acceptable to the vendor.

(7) A credit card held by the Judge of the Cleveland Housing Court, or his or her designee, may be used to pay the following work-related expenses:

A. Transportation expenses while traveling on Court business;

B. Lodging expenses while traveling on Court business;

C. Food expenses while traveling on Court business;

D. Food expenses as authorized by the Judge of the Cleveland Housing Court; and

E. Registration, tuition or enrollment expenses for meetings, seminars, conferences, retreats in connection with the performance of official duties.

Use of a City credit card for uses other than those listed in division (a) of this section shall be considered an unauthorized use.

Use of a City credit card in a manner inconsistent with any restriction or control placed on the card by the Director of Finance shall be considered an unauthorized use.

(b) No late charges or finance charges shall be allowed as an allowable expense on a City credit card unless authorized by the Director of Finance.

(c) Any debt incurred as a result of the use of a credit card under this section shall be paid from moneys appropriated in the budget to specific appropriation line items of the appointing authority for work-related expenses listed in division (a) of this section.

(d) Use of any credit card under division (a) of this section shall be limited to the amount appropriated in a specific appropriation line item for the permitted use or uses designated in division (a) and not otherwise encumbered.

(e) If the card is issued in the name of a specific officer or employee, that officer or employee is liable in person and upon any official bond of the officer or employee to reimburse the City Treasury for the

amount charged to the City beyond the authorized amount or the amount of unauthorized use. If the card is issued to the office of an appointing authority, the appointing authority is liable in person and upon any official bond of the appointing authority for the amount charged to the City beyond the authorized amount or for the amount of unauthorized use.

(f) Any time a City credit card authorized for use under this section is used for more than the amount appropriated and not otherwise unencumbered or is used for an unauthorized use, the City Treasury shall be reimbursed for any amount spent beyond the appropriated, otherwise unencumbered amount, or for the amount of unauthorized use, in the following manner:

(1) If the card is issued in the name of a specific officer or employee, that officer or employee is liable in person and upon any official bond of the officer or employee for reimbursing the City Treasury for any amount charged on the card beyond the appropriated, otherwise unencumbered amount or for the amount of the unauthorized use.

(2) If the card is issued in the name of the office of the appointing authority, the appointing authority is liable in person and upon any official bond of the appointing authority for reimbursement for any amount charged on the card beyond the appropriated, otherwise unencumbered amount or for the amount of the unauthorized use.

(g) Whenever any officer or employee who is authorized to use a City credit card or the office of any other county appointing authority suspects the loss, theft, or possibility of unauthorized use of the card, the officer or employee shall notify the Director of Finance and either the officer's or employee's appointing authority immediately and in writing.

(h) If the Director of Finance determines there has been a credit card expenditure beyond the appropriated, otherwise unencumbered or the authorized amount or if the Director of Finance determines that there has been unauthorized use of a credit card, and if the Director of Finance determines that the City Treasury should be reimbursed for credit card expenditures beyond the appropriated, otherwise unencumbered or the authorized amount, or for the amount of the unauthorized use, the Director of Finance shall give written notice to the officer or employee or appointing authority of liability to the City Treasury in accordance with this section. If, within thirty (30) days after issuance of the written notice, the City Treasury is not reimbursed for the amount shown on the written notice, the Director of Law shall recover that amount from the officer or employee or appointing authority who is liable under this section by civil action in any court of appropriate jurisdiction.

(i) Use of a City credit card for any use other than those permitted under division (a) of this section is a violation of RC 2913.21.

(j) The Director of Finance may revoke credit card privileges and reclaim the credit cards as the Director deems necessary.

Section 2. That existing Section 171.40 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 667-17, passed June 5, 2017, is repealed.

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

Passed September 25, 2017.
Effective September 27, 2017.

Ord. No. 1070-17.
By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Director of Finance to lease certain space located at 3631 Perkins Avenue from MidCity, Ltd. for the public purpose of providing executive office space for the Cleveland Community Police Commission, for a term of two years, with one option to renew for an additional one year period, exercisable by the Director of Finance.

Whereas, the City of Cleveland requires certain space located at 3631 Perkins Avenue for the public purpose of providing executive office space for the Cleveland Community Police Commission (the "Commission"); and

Whereas, MidCity, Ltd. ("MidCity") has proposed to lease the space to the City of Cleveland; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Finance is authorized to lease from MidCity, certain space more fully described as Unit 3A2 located at 3631 Perkins Avenue.

Section 2. That the term of the lease authorized by this ordinance shall not exceed a term of two years, with one option to renew for an additional one year period, exercisable by the Director of Finance.

Section 3. That the rent for the lease authorized by this ordinance shall not exceed \$11,400 annually, excluding utilities and trash removal.

Section 4. That the lease may authorize the City to make improvements to the leased premises under terms to be determined by the parties to be consistent with the public purpose or purpose of providing executive office space for the Cleveland Community Police Commission.

Section 5. That the lease may provide for the City's payment of appropriate utility and other operating costs of the leased premises.

Section 6. That the costs of the lease shall be paid from funds approved by the Director of Finance.

Section 7. That the lease shall be prepared by the Director of Law and shall contain any terms and conditions as are required to protect the interests of the City.

Section 8. That the Director of Finance, the Director of Law, and other appropriate City officials are authorized to execute any other documents and certificates, and take any other actions which may be necessary or appropriate to effect the lease authorized by this ordinance.

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

Passed September 25, 2017.
Effective September 27, 2017.

Ord. No. 1071-17.
By Council Member Kelley (by departmental request).

An emergency ordinance authorizing payment of membership dues of the City of Cleveland in the Northeast Ohio Areawide Coordinating Agency for 2018.

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

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

Section 1. That the Director of Finance is authorized to cause payment of membership dues of the City of Cleveland to be made to the Northeast Ohio Areawide Coordinating Agency for 2018.

Section 2. That the payment for the dues shall be paid from funds appropriated in budget year 2017 for this purpose.

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

Passed September 25, 2017.
Effective September 27, 2017.

Ord. No. 1072-17.
By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter into various written standard purchase and requirement contracts for the purchase of various electrical and plumbing materials and related equipment, supplies, and services, including labor if necessary, for the various divisions of City government, for a period up to two years, with one option to renew for an additional year, exercisable by the Director of Finance.

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

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

Section 1. That the Director of Finance is authorized to make one or more written standard purchase

contracts and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of requirements to be determined by the director, for the purchase of various electrical and plumbing materials and related equipment, supplies, and services, including labor if necessary, for a period of up to two years, with one option to renew for an additional year, exercisable by the Director of Finance, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of City government. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines.

Section 2. That 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 3. That the costs of the requirement contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance.

Section 4. That the cost of the standard contracts authorized shall be paid from Fund No. 01-1505-6480, Request No. RQN 1505, RL 2017-33.

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 September 25, 2017.

Effective September 27, 2017.

Ord. No. 1073-17.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of unarmed, uniformed security guard services, for the various divisions of City government, for a period of two years, with an option to renew for a one-year period, exercisable by the Director of Finance.

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

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

Section 1. That the Director of Finance is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for

the term of two years, with one option to renew for a one-year period, exercisable by the Director of Finance, for the necessary items of unarmed, uniformed security guard services in the approximate amount as purchased during the preceding term, purchased by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of City government. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies under a delivery order against the contract or contracts certified by the Director of Finance. (RQN 1505, RL 2017-34)

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 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 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 September 25, 2017.

Effective September 27, 2017.

Ord. No. 1074-17.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the purchase by one or more contracts to demolish blighted and nuisance outdoor payphones and sidewalk restoration services, including storage and disposal of scrap materials, for the Division of Assessment and Licenses, Department of Finance, for a period of two years, with two one-year options to renew, exercisable by the Director of Finance.

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

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

Section 1. That the Director of Finance is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: demolition of blighted and nuisance outdoor payphones and sidewalk

restoration services, including storage and disposal of scrap materials to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Division of Assessment and Licenses, Department of Finance, for a period of two years, with two one-year options to renew, exercisable by the Director of Finance.

Section 2. 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 3. That the cost of the contract or contracts authorized shall be paid from Fund Nos. 20 SF 568, 20 SF 574, and 20 SF 579, Request No. RQS 1503, RL 2017-88.

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 September 25, 2017.

Effective September 27, 2017.

Ord. No. 1164-17.

By Council Member McCormack.

An emergency ordinance consenting and approving the issuance of a permit for the 40th Annual "Walk of Hope", on Saturday, October 7, 2017, sponsored by the Catholic Charities Disability Services and Ministries.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the 40th Annual "Walk for Hope," sponsored by the Catholic Charities Disability Services and Ministries, on Saturday, October 7, 2017; leave St. Augustine Church at 2486 West 14th Street, head north to West 14th and Kenilworth Avenue; turn right, go east on Kenilworth to West 11th Street (towards Lincoln Park); turn right onto West 11th to Starkweather Avenue; turn right onto Starkweather and go to West 14th Street; turn right onto West 14th and go to Kenilworth Avenue; turn right onto Kenilworth and go to West 11th Street; turn left onto West 11th and walk to University Road; turn right onto University and go to West 10th Street; CHECKPOINT at West 10th by Fat Cats, 2061 West 10th Street; turn right onto West 10th and walk to stop sign; veer left onto Professor Avenue staying on the right hand side of the street; CHECKPOINT at Professor and College Avenue in front of St. John Cantius Church, 906 College Avenue; head to Jefferson Avenue; turn right onto Jefferson and walk to Starkweather

Avenue; turn right onto Starkweather, CHECKPOINT at Starkweather and West 11th Street by Merrick House, 1050 Starkweather Avenue; at West 14th Street, cross to the west side of West 14th; turn right and return to St Augustine Church; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

Section 2. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force

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

Passed September 25, 2017.
Effective September 27, 2017.

COUNCIL COMMITTEE MEETINGS

**Monday, October 2, 2017
9:30 a.m.**

Municipal Services and Properties Committee: Present: K. Johnson, Chair; Dow, Vice Chair; Brancatelli, Cummins, Kazy. *Authorized Absence:* J. Johnson, Reed.

2:00 p.m.

Finance Committee: Present: Kelley, Chair; Cleveland, Vice Chair; Brady, Brancatelli, Conwell, Griffin, Keane, Pruitt, Zone.

2:30 p.m.

Operations Committee: Pruitt (chair), Griffin, Keane, Kelley, Zone.

3:00 p.m.

Operations Committee: Present: Pruitt, Chair; Griffin, Keane, Kelley, Zone.

**Tuesday, October 3, 2017
9:30 a.m.**

Development, Planning and Sustainability (Zoning) Committee: Present: Brancatelli, Chair; Cummins, Dow, McCormack, Pruitt. *Authorized Absence:* Cleveland, Vice Chair; Zone. *Pro tempore:* Kazy.

**Wednesday, October 4, 2017
10:00 a.m.**

Transportation Committee: Present: Keane, Chair; Dow, Vice Chair; Conwell, K. Johnson, Kazy. *Authorized Absence:* J. Johnson, Reed.

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O—Ordinance; R—Resolution; F—File
Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
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- Decorative and Special Lighting on Bridges (Re-bid) — Department of Public Utilities — Division of Cleveland Public Power — per Ord. 1277-16 — bid due October 20, 2017 (advertised 10/4/2017 and 10/11/2017)..... 1699
- Maintenance/Replacement of Uninterruptible Power Supply Systems, Appurtenances and Specialized Batteries — Department of Public Utilities — per Ord. 704-16 — bid due October 27, 2017 (advertised 9/27/2017 and 10/4/2017) 1698
- Morgan Improvements — A — Department of Public Utilities — Division of Water — per Ord. 1406-15 — bid due November 3, 2017 (advertised 9/27/2017 and 10/4/2017) 1698
- Pap, HPV and EMB Testing Services — Department of Public Health — Division of Health — per C.O. Sec. 181.101 — bid due October 20, 2017 (advertised 9/27/2017 and 10/4/2017)..... 1698
- Thurgood Marshall Recreation Center Architectural and Mechanical Improvements — Office of Capital Projects — Division of Architecture and Site Improvement — per Ord. 732-14 — bid due October 27, 2017 (advertised 10/4/2017 and 10/11/2017) 1699

City Planning Commission

- Authorizing the Director of City Planning to apply for and accept one or more grants from the Northeast Ohio Area Coordinating Agency and the Ohio Department of Transportation for the 2017 Transportation for Livable Communities Initiative; authorizing a tri party agreement with NOACA and the Ohio Department of Transportation; authorizing agreements with various entities; accepting cash donations; and authorizing the Director to employ one or more professional consultants to implement the grant. (O 1067-17)1692
- Changing the use and area districts north of Lorain Avenue between West 137th Street and West 139th Street as identified on the attached map (Map Change No. 2572). (O 1065-17)1693
- Changing the Use, Height and Area Districts South of I 90 and North of Clark Avenue between West 41st Street and Fulton Road as identified on the attached map (Map Change No. 2569). (O 870-17)1701
- Designating the J. Spang Baking Company Building as a Cleveland Landmark. (O 815-17)1692
- Designating the Liberty H. Ware House as a Cleveland Landmark. (O 960-17)1692

Codified Ordinances

- To amend Chapter 106 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1015-16, passed December 5, 2016, relating to Democracy Day. (O 1059-17)1706
- To amend Section 171.40 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 667-17, passed June 5, 2017, relating to the use of City credit cards. (O 1069-17)1706
- To supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 113.07 relating to payment for interpreters, translators and other auxiliary aids and services provided by Council pursuant to Title VI of the Civil Rights Act of 1964 and Title II of the Americans with Disabilities Act. (O 1187-17)1686

Commemoration

- Commemoration Resolution for Paul Angelo Sciria. (R 1209-17)1685

Community Development

- Authorizing the Director of Community Development to enter into a grant agreement with the Northeast Ohio Neighborhood Health Services, Inc., or its designee, to provide assistance to partially finance leasehold improvements at the East Side Market and parking lot. (O 1188-17)1686
- Authorizing the Director of the Department of Community Development to enter into agreement with Larchmere Community Association or with its designated fiscal agent Fairhill Partners for the Larchmere Neighborhood Newsletter Project through the use of Ward 6 Casino Revenue Funds. (O 1192-17)1689

Condolences

Condolence Resolution for Elizabeth Pritcherd. (R 1200-17)1685
 Condolence Resolution for Frederick R. Nance, Sr. (R 1198-17)1685
 Condolence Resolution for Gladys Mae Fitch. (R 1199-17)1685
 Condolence Resolution for Gwendolyn Gaines. (R 1201-17)1685

Congratulations

Congratulations Resolution for Aldo & Bob Campellone. (R 1204-17)1685
 Congratulations Resolution for Billy Donato. (R 1206-17)1685
 Congratulations Resolution for Gary Kotlarsic. (R 1202-17)1685
 Congratulations Resolution for Gino Latessa. (R 1205-17)1685
 Congratulations Resolution for Julius Ciaccia. (R 1207-17)1685
 Congratulations Resolution for Lorraine Dodero Cultura. (R 1208-17)1685
 Congratulations Resolution for Memorial Spirtual Church 100th Anniversary. (R 1203-17)1685

Contracts

Authorizing the Director of Finance to enter into various written standard purchase and requirement contracts for the purchase of various electrical and plumbing materials and related equipment, supplies, and services, including labor if necessary, for the various divisions of City government, for a period up to two years, with one option to renew for an additional year, exercisable by the Director of Finance. (O 1072-17)1707
 Authorizing the Director of Finance, on behalf of the Community Police Commission, to employ one or more professional consultants to provide the Community Police Commission with organization and operational assistance, to assess and develop a strategic vision and written plan for the commission, and to provide other related services, for a period of one year. (O 955-17)1692
 Authorizing the Director of Public Health to enter into one or more contracts without competitive bidding with Thermo Scientific Portable Analytical Instruments, Inc. for the purchase of up to five Thermo Scientific Niton five x ray fluorescence analyzers, for the Division of Environment, Department of Public Health. (O 1191-17)1688
 Authorizing the Director of Public Safety to enter into an amendment to Contract No. PS 2011 214 with Tyler Technologies, Inc. fka New World Corporation to provide mobile field reporting modules to enhance the new Law Enforcement Record Management System; and to extend the term of the contract until June 30, 2018. (O 1081-17)1692
 Authorizing the purchase by one or more contracts to demolish blighted and nuisance outdoor payphones and sidewalk restoration services, including storage and disposal of scrap materials, for the Division of Assessment and Licenses, Department of Finance, for a period of two years, with two one year options to renew, exercisable by the Director of Finance. (O 1074-17)1708
 Authorizing the purchase by one or more requirement contracts of unarmed, uniformed security guard services, for the various divisions of City government, for a period of two years, with an option to renew for a one year period, exercisable by the Director of Finance. (O 1073-17)1708

Cooperative Agreement

Approving the addition of certain property to the Northeast Ohio Advanced Energy District; accepting a petition and plan from a lessee in the District identifying a special energy improvement project, and approving the petition and plan as owner of property in the District; declaring it necessary to conduct the special energy improvement project; providing for the assessment of the cost and expense of such special energy improvement project; and authorizing the Director of Economic Development to enter into a Cooperative Agreement and a Special Assessment Agreement to implement the project; and declaring an emergency. (O 936-17)1704

Democracy Day

To amend Chapter 106 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1015-16, passed December 5, 2016, relating to Democracy Day. (O 1059-17)1706

Detroit Shoreway Community Development Organization

Authorizing the Director of Economic Development to enter into a grant agreement with the Detroit Shoreway Community Development Organization, or its designee, to provide economic development assistance to partially finance the redevelopment of the Variety Theatre. (O 993-17)1705

Division of Air Quality

Authorizing the Director of Public Health to accept a grant from the Ohio Environmental Protection Agency for 2017-19 financial assistance for the operation of the Division of Air Quality; authorizing the director to enter into one or more contracts for various services, equipment and supplies, and contracts with various agencies or entities necessary to

operate the Division of Air Quality; determining the method of constructing, rehabilitating, renovating, replacing, or otherwise improving air monitoring sites and other similar structures on city owned and city leased property; and authorizing the director to enter into one or more contracts to construct the improvement and to design it. (O 1190-17)1687

Dues

Authorizing payment of membership dues of the City of Cleveland in the Northeast Ohio Areawide Coordinating Agency for 2018. (O 1071-17)1707

East Side Market

Authorizing the Director of Community Development to enter into a grant agreement with the Northeast Ohio Neighborhood Health Services, Inc., or its designee, to provide assistance to partially finance leasehold improvements at the East Side Market and parking lot. (O 1188-17)1686

Economic Development Department

Approving the addition of certain property to the Northeast Ohio Advanced Energy District; accepting a petition and plan from a lessee in the District identifying a special energy improvement project, and approving the petition and plan as owner of property in the District; declaring it necessary to conduct the special energy improvement project; providing for the assessment of the cost and expense of such special energy improvement project; and authorizing the Director of Economic Development to enter into a Cooperative Agreement and a Special Assessment Agreement to implement the project; and declaring an emergency. (O 936-17)1704

Authorizing the Commissioner of Purchases and Supplies to acquire and re convey properties presently owned by CAC Project 2014 Limited Liability Company, or its designee, located at 1118-1148 Euclid Avenue, for the purpose of entering into the chain of title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code. (O 935-17)1703

Authorizing the Director of Economic Development to enter into a grant agreement with the Detroit Shoreway Community Development Organization, or its designee, to provide economic development assistance to partially finance the redevelopment of the Variety Theatre. (O 993-17)1705

Authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with KD Tower City LLC, or its designee, to provide financial assistance towards improvements to certain parcels in the Terminal Tower Building located at 50 Public Square and the North Park Garage located on Superior Avenue; to provide for payments to the Cleveland City School District; and to declare certain improvements to real property to be a public purpose. (O 1189-17)1686

Authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Nova Tube and Steel LLC, and/or its designee, to provide for tax abatement for certain real property improvements for the development of a tube mill manufacturing facility in the Cuyahoga Valley Industrial Center located at I 77 and Pershing Avenue in the Cleveland Area Enterprise Zone. (O 938-17)1705

Emergency Medical Service Division (EMS Division)

Authorizing the Director of Public Safety to employ one or more professional consultants to provide tactical training for personnel of the Division of Emergency Medical Service, Department of Public Safety, for a period up to one year. (O 1083-17)1693

Enterprise Zone Agreement

Authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Nova Tube and Steel LLC, and/or its designee, to provide for tax abatement for certain real property improvements for the development of a tube mill manufacturing facility in the Cuyahoga Valley Industrial Center located at I 77 and Pershing Avenue in the Cleveland Area Enterprise Zone. (O 938-17)1705

Finance Department

Authorizing payment of membership dues of the City of Cleveland in the Northeast Ohio Areawide Coordinating Agency for 2018. (O 1071-17)1707

Authorizing the Director of Finance to enter into various written standard purchase and requirement contracts for the purchase of various electrical and plumbing materials and related equipment, supplies, and services, including labor if necessary, for the various divisions of City government, for a period up to two years, with one option to renew for an additional year, exercisable by the Director of Finance. (O 1072-17)1707

Authorizing the Director of Finance to lease certain space located at 3631 Perkins Avenue from MidCity, Ltd. for the public purpose of providing executive office space for the Cleveland Community Police Commission, for a term of two years, with one option to renew for an additional one year period, exercisable by the Director of Finance. (O 1070-17)1707

Authorizing the Director of Finance, on behalf of the Community Police Commission, to employ one or more professional consultants to provide the Community Police Commission with organization and operational assistance, to assess and develop a strategic vision and written plan for the commission, and to provide other related services, for a period of one year. (O 955-17)1692

Authorizing the purchase by one or more contracts to demolish blighted and nuisance outdoor payphones and sidewalk restoration services, including storage and disposal of scrap materials, for the Division of Assessment and Licenses, Department of Finance, for a period of two years, with two one year options to renew, exercisable by the Director of Finance. (O 1074-17)1708

Authorizing the purchase by one or more requirement contracts of unarmed, uniformed security guard services, for the various divisions of City government, for a period of two years, with an option to renew for a one year period, exercisable by the Director of Finance. (O 1073-17)1708

To amend Section 171.40 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 667-17, passed June 5, 2017, relating to the use of City credit cards. (O 1069-17)1706

To supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 113.07 relating to payment for interpreters, translators and other auxiliary aids and services provided by Council pursuant to Title VI of the Civil Rights Act of 1964 and Title II of the Americans with Disabilities Act. (O 1187-17)1686

Grant Agreement

Authorizing the Director of Community Development to enter into a grant agreement with the Northeast Ohio Neighborhood Health Services, Inc., or its designee, to provide assistance to partially finance leasehold improvements at the East Side Market and parking lot. (O 1188-17)1686

Authorizing the Director of Economic Development to enter into a grant agreement with the Detroit Shoreway Community Development Organization, or its designee, to provide economic development assistance to partially finance the redevelopment of the Variety Theatre. (O 993-17)1705

Grants

Authorizing the Director of City Planning to apply for and accept one or more grants from the Northeast Ohio Area Coordinating Agency and the Ohio Department of Transportation for the 2017 Transportation for Livable Communities Initiative; authorizing a tri party agreement with NOACA and the Ohio Department of Transportation; authorizing agreements with various entities; accepting cash donations; and authorizing the Director to employ one or more professional consultants to implement the grant. (O 1067-17)1692

Authorizing the Director of Public Health to accept a grant from the Ohio Environmental Protection Agency for 2017-19 financial assistance for the operation of the Division of Air Quality; authorizing the director to enter into one or more contracts for various services, equipment and supplies, and contracts with various agencies or entities necessary to operate the Division of Air Quality; determining the method of constructing, rehabilitating, renovating, replacing, or otherwise improving air monitoring sites and other similar structures on city owned and city leased property; and authorizing the director to enter into one or more contracts to construct the improvement and to design it. (O 1190-17)1687

Health Department

Authorizing the Director of Public Health to accept a grant from the Ohio Environmental Protection Agency for 2017-19 financial assistance for the operation of the Division of Air Quality; authorizing the director to enter into one or more contracts for various services, equipment and supplies, and contracts with various agencies or entities necessary to operate the Division of Air Quality; determining the method of constructing, rehabilitating, renovating, replacing, or otherwise improving air monitoring sites and other similar structures on city owned and city leased property; and authorizing the director to enter into one or more contracts to construct the improvement and to design it. (O 1190-17)1687

Authorizing the Director of Public Health to enter into one or more contracts without competitive bidding with Thermo Scientific Portable Analytical Instruments, Inc. for the purchase of up to five Thermo Scientific Niton five x ray fluorescence analyzers, for the Division of Environment, Department of Public Health. (O 1191-17)1688

Justice Center

Authorizing the Director of Public Safety to lease certain space located in the Justice Center, 1300 Ontario Street, and a portion of the parking garage to Cuyahoga County for the purpose of the County relocating operations from the Marion Building to the Justice Center for a term of one year, with three one year options to renew, exercisable by the Director of Public Safety. (O 1082-17)1692

Landmark Commission

Designating the J. Spang Baking Company Building as a Cleveland Landmark. (O 815-17)1692

Designating the Liberty H. Ware House as a Cleveland Landmark. (O 960-17)1692

Leases

Approving the addition of certain property to the Northeast Ohio Advanced Energy District; accepting a petition and plan from a lessee in the District identifying a special energy improvement project, and approving the petition and plan as owner of property in the District; declaring it necessary to conduct the special energy improvement project; providing for the assessment of the cost and expense of such special energy improvement project; and authorizing the Director of Economic Development to enter into a Cooperative Agreement and a Special Assessment Agreement to implement the project; and declaring an emergency. (O 936-17)1704

Authorizing the Director of Finance to lease certain space located at 3631 Perkins Avenue from MidCity, Ltd. for the public purpose of providing executive office space for the Cleveland Community Police Commission, for a term of two years, with one option to renew for an additional one year period, exercisable by the Director of Finance. (O 1070-17)1707

Authorizing the Director of Public Safety to lease certain space located in the Justice Center, 1300 Ontario Street, and a portion of the parking garage to Cuyahoga County for the purpose of the County relocating operations from the Marion Building to the Justice Center for a term of one year, with three one year options to renew, exercisable by the Director of Public Safety. (O 1082-17)1692

Liquor Permits

#22348152725. New License Application, C1. Dolgen Midwest LLC, 13020 Miles Ave. (Ward 2). (F 1196-17)1685

#6080888. Transfer of Ownership Application, D5 D6. Moes Bookstore, Inc., 1740 East-17th St., (Ward 3). (F 1197-17)1685

Objecting to a New C1 Liquor Permit at 11511 Kinsman Road. (R 1183-17)1690

Objecting to a New C1 Liquor Permit at 14235 Kinsman Road. (R 1193-17)1691

Objecting to a New C1 Liquor Permit at 16605 S. Miles Road. (R 1194-17)1692

Objecting to a New C1 Liquor Permit at 2152 Brookpark Road. (R 1167-17)1700

Objecting to a New C1 Liquor Permit at 4172 Pearl Road. (R 1185-17)1690

Objecting to a New C1 Liquor Permit at 8003 Broadway Avenue. (R 1166-17)1700

Objecting to the transfer of location of a C2 and C2X Liquor Permit to 7310 Lorain Avenue. (R 1186-17)1691

Objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 1930 East 79th Street. (R 1184-17)1690

Withdrawing objection to a New C2 Liquor Permit at 3350 East 116th Street and repealing Resolution No. 1157-17, objecting to said permit. (R 1165-17)1700

Merchant Marine Act of 1920 (The ‘Jones Act’)

Urging the United States Congress and the President to take immediate action in their federal relief efforts to assist the over 3.4 million United States citizens who live in Puerto Rico following the devastation of Hurricane Maria on September 20, 2017; and further calling upon the United States Congress to pass and the President to sign legislation allowing an economic hardship exemption for Puerto Rico from the Merchant Marine Act of 1920, commonly known as the “Jones Act”. (R 1210-17)1688

Name Change

To change the name of the park known as “Tremont Valley Playfield” to “Clark Field”. (O 1182-17)1685

Northeast Ohio Advanced Energy District

Approving the addition of certain property to the Northeast Ohio Advanced Energy District; accepting a petition and plan from a lessee in the District identifying a special energy improvement project, and approving the petition and plan as owner of property in the District; declaring it necessary to conduct the special energy improvement project; providing for the assessment of the cost and expense of such special energy improvement project; and authorizing the Director of Economic Development to enter into a Cooperative Agreement and a Special Assessment Agreement to implement the project; and declaring an emergency. (O 936-17)1704

Northeast Ohio Areawide Coordinating Agency (NOACA)

Authorizing payment of membership dues of the City of Cleveland in the Northeast Ohio Areawide Coordinating Agency for 2018. (O 1071-17)1707

Authorizing the Director of City Planning to apply for and accept one or more grants from the Northeast Ohio Area Coordinating Agency and the Ohio Department of Transportation for the 2017 Transportation for Livable Communities Initiative; authorizing a tri party agreement with NOACA and the Ohio Department of Transportation; authorizing agreements with various entities; accepting cash donations; and authorizing the Director to employ one or more professional consultants to implement the grant. (O 1067-17)1692

Northeast Ohio Regional Sewer District (N.E.O.R.S.D)

Authorizing the Commissioner of Purchases and Supplies to sell City owned property no longer needed for public use located at the intersection of Argus Avenue and East 133rd Street to the Northeast Ohio Regional Sewer District, for purposes of accessing its Heights Hilltop interceptor site. (O 129-17)1692

Ohio Environmental Protection Agency (Ohio EPA)

Authorizing the Director of Public Health to accept a grant from the Ohio Environmental Protection Agency for 2017-19 financial assistance for the operation of the Division of Air Quality; authorizing the director to enter into one or more contracts for various services, equipment and supplies, and contracts with various agencies or entities necessary to operate the Division of Air Quality; determining the method of constructing, rehabilitating, renovating, replacing, or otherwise improving air monitoring sites and other similar structures on city owned and city leased property; and authorizing the director to enter into one or more contracts to construct the improvement and to design it. (O 1190-17)1687

Peddlers

Authorizing the issuance of a Mobile Permit to Lennis Gibson of Big Dogs T's and Treats to engage in mobile vending in Ward 3. (O 1195-17)1689

Permits

Authorizing the issuance of a Mobile Permit to Lennis Gibson of Big Dogs T's and Treats to engage in mobile vending in Ward 3. (O 1195-17)1689
Consenting and approving the issuance of a permit for the 40th Annual "Walk of Hope", on Saturday, October 7, 2017, sponsored by the Catholic Charities Disability Services and Ministries. (O 1164-17)1708

Professional Services

Authorizing the Director of Finance, on behalf of the Community Police Commission, to employ one or more professional consultants to provide the Community Police Commission with organization and operational assistance, to assess and develop a strategic vision and written plan for the commission, and to provide other related services, for a period of one year. (O 955-17)1692
Authorizing the Director of Public Safety to employ one or more professional consultants to provide tactical training for personnel of the Division of Emergency Medical Service, Department of Public Safety, for a period up to one year. (O 1083-17)1693

Public Works

To change the name of the park known as "Tremont Valley Playfield" to "Clark Field". (O 1182-17)1685

Purchases and Supplies Division

Authorizing the Commissioner of Purchases and Supplies to acquire and re convey properties presently owned by CAC Project 2014 Limited Liability Company, or its designee, located at 1118-1148 Euclid Avenue, for the purpose of entering into the chain of title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code. (O 935-17)1703
Authorizing the Commissioner of Purchases and Supplies to sell City owned property no longer needed for public use located at the intersection of Argus Avenue and East 133rd Street to the Northeast Ohio Regional Sewer District, for purposes of accessing its Heights Hilltop interceptor site. (O 129-17)1692

Resolution of Support

Appointing an assessment equalization board to hear objections to estimated assessments with respect to the formation of The Cleveland Superior Arts Improvement District and the initial comprehensive services plan for public services and collective marketing for the District, and declaring an emergency. (R 1068-17)1693
Supporting immigrant youth, including those protected by DACA and supporting a federal law that would continue the DACA program and allow a path to citizenship for Dreamers; opposing the withholding of federal funding as a way to pressure local municipalities to enforce federal immigration policies; denouncing anti-immigrant bills that promote racial profiling, discrimination and harassment of immigrant communities; and committing to working with the Jackson administration to establish strong policies to protect vulnerable communities, especially immigrant communities. (R 1058-17)1699
Urging the United States Congress and the President to take immediate action in their federal relief efforts to assist the over 3.4 million United States citizens who live in Puerto Rico following the devastation of Hurricane Maria on September 20, 2017; and further calling upon the United States Congress to pass and the President to sign legislation allowing an economic hardship exemption for Puerto Rico from the Merchant Marine Act of 1920, commonly known as the "Jones Act". (R 1210-17)1688

Resolutions - Miscellaneous

Appointing an assessment equalization board to hear objections to estimated assessments with respect to the formation of The Cleveland Superior Arts Improvement District and the initial comprehensive services plan for public services and collective marketing for the District, and declaring an emergency. (R 1068-17)1693

Safety Department

Authorizing the Director of Public Safety to employ one or more professional consultants to provide tactical training for personnel of the Division of Emergency Medical Service, Department of Public Safety, for a period up to one year. (O 1083-17)1693

Authorizing the Director of Public Safety to enter into an amendment to Contract No. PS 2011 214 with Tyler Technologies, Inc. fka New World Corporation to provide mobile field reporting modules to enhance the new Law Enforcement Record Management System; and to extend the term of the contract until June 30, 2018. (O 1081-17)1692

Authorizing the Director of Public Safety to lease certain space located in the Justice Center, 1300 Ontario Street, and a portion of the parking garage to Cuyahoga County for the purpose of the County relocating operations from the Marion Building to the Justice Center for a term of one year, with three one year options to renew, exercisable by the Director of Public Safety. (O 1082-17)1692

Senate Bills

Supporting immigrant youth, including those protected by DACA and supporting a federal law that would continue the DACA program and allow a path to citizenship for Dreamers; opposing the withholding of federal funding as a way to pressure local municipalities to enforce federal immigration policies; denouncing anti-immigrant bills that promote racial profiling, discrimination and harassment of immigrant communities; and committing to working with the Jackson administration to establish strong policies to protect vulnerable communities, especially immigrant communities. (R 1058-17)1699

Tax Abatement

Authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Nova Tube and Steel LLC, and/or its designee, to provide for tax abatement for certain real property improvements for the development of a tube mill manufacturing facility in the Cuyahoga Valley Industrial Center located at I 77 and Pershing Avenue in the Cleveland Area Enterprise Zone. (O 938-17)1705

Tax Increment Financing (TIF)

Authorizing the Commissioner of Purchases and Supplies to acquire and re convey properties presently owned by CAC Project 2014 Limited Liability Company, or its designee, located at 1118-1148 Euclid Avenue, for the purpose of entering into the chain of title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code. (O 935-17)1703

Authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with KD Tower City LLC, or its designee, to provide financial assistance towards improvements to certain parcels in the Terminal Tower Building located at 50 Public Square and the North Park Garage located on Superior Avenue; to provide for payments to the Cleveland City School District; and to declare certain improvements to real property to be a public purpose. (O 1189-17)1686

Walk- A-Thons

Consenting and approving the issuance of a permit for the 40th Annual "Walk of Hope", on Saturday, October 7, 2017, sponsored by the Catholic Charities Disability Services and Ministries. (O 1164-17)1708

Ward 01

Objecting to a New C1 Liquor Permit at 14235 Kinsman Road. (R 1193-17)1691
Objecting to a New C1 Liquor Permit at 16605 S. Miles Road. (R 1194-17)1692

Ward 02

#22348152725. New License Application, C1. Dolgen Midwest LLC, 13020 Miles Ave. (Ward 2). (F 1196-17)1685
Condolence Resolution for Elizabeth Pritchard. (R 1200-17)1685
Condolence Resolution for Gladys Mae Fitch. (R 1199-17)1685
Condolence Resolution for Gwendolyn Gaines. (R 1201-17)1685

Ward 03

#6080888. Transfer of Ownership Application, D5 D6. Moes Bookstore, Inc.,-1740 East-17th St. (Ward 3). (F 1197-17)1685

Authorizing the Commissioner of Purchases and Supplies to acquire and re convey properties presently owned by CAC Project 2014 Limited Liability Company, or its designee, located at 1118-1148 Euclid Avenue, for the purpose of entering into the chain of title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code. (O 935-17)1703

Authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with KD Tower City LLC, or its designee, to provide financial assistance towards improvements to certain parcels in the Terminal Tower Building located at 50 Public Square and the North Park Garage located on Superior Avenue; to provide for payments to the Cleveland City School District; and to declare certain improvements to real property to be a public purpose. (O 1189-17)1686

Authorizing the issuance of a Mobile Permit to Lennis Gibson of Big Dogs T's and Treats to engage in mobile vending in Ward 3. (O 1195-17)1689

Consenting and approving the issuance of a permit for the 40th Annual "Walk of Hope", on Saturday, October 7, 2017, sponsored by the Catholic Charities Disability Services and Ministries. (O 1164-17)1708

Designating the J. Spang Baking Company Building as a Cleveland Landmark. (O 815-17)1692

To change the name of the park known as "Tremont Valley Playfield" to "Clark Field". (O 1182-17)1685

Ward 04

Objecting to a New C1 Liquor Permit at 11511 Kinsman Road. (R 1183-17)1690

Withdrawing objection to a New C2 Liquor Permit at 3350 East 116th Street and repealing Resolution No. 1157-17, objecting to said permit. (R 1165-17)1700

Ward 06

Authorizing the Director of the Department of Community Development to enter into agreement with Larchmere Community Association or with its designated fiscal agent Fairhill Partners for the Larchmere Neighborhood Newsletter Project through the use of Ward 6 Casino Revenue Funds. (O 1192-17)1689

Ward 07

Appointing an assessment equalization board to hear objections to estimated assessments with respect to the formation of The Cleveland Superior Arts Improvement District and the initial comprehensive services plan for public services and collective marketing for the District, and declaring an emergency. (R 1068-17)1693

Objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 1930 East 79th Street. (R 1184-17)1690

Ward 08

Authorizing the Commissioner of Purchases and Supplies to sell City owned property no longer needed for public use located at the intersection of Argus Avenue and East 133rd Street to the Northeast Ohio Regional Sewer District, for purposes of accessing its Heights Hilltop interceptor site. (O 129-17)1692

Condolence Resolution for Frederick R. Nance, Sr. (R 1198-17)1685

Congratulations Resolution for Memorial Spiritual Church - 100th Anniversary. (R 1203-17)1685

Ward 11

Authorizing the Director of Economic Development to enter into a grant agreement with the Detroit Shoreway Community Development Organization, or its designee, to provide economic development assistance to partially finance the redevelopment of the Variety Theatre. (O 993-17)1705

Ward 12

Authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Nova Tube and Steel LLC, and/or its designee, to provide for tax abatement for certain real property improvements for the development of a tube mill manufacturing facility in the Cuyahoga Valley Industrial Center located at I 77 and Pershing Avenue in the Cleveland Area Enterprise Zone. (O 938-17)1705

Congratulations Resolution for Gary Kotlarsic. (R 1202-17)1685

Objecting to a New C1 Liquor Permit at 8003 Broadway Avenue. (R 1166-17)1700

Ward 13

Objecting to a New C1 Liquor Permit at 2152 Brookpark Road. (R 1167-17)1700

Objecting to a New C1 Liquor Permit at 4172 Pearl Road. (R 1185-17)1690

Ward 14

Changing the Use, Height and Area Districts South of I 90 and North of Clark Avenue between West 41st Street and Fulton Road as identified on the attached map (Map Change No. 2569). (O 870-17)1701

Ward 15

Commemoration Resolution for Paul Angelo Sciria. (R 1209-17)1685
Congratulations Resolution for Aldo & Bob Campellone. (R 1204-17)1685
Congratulations Resolution for Billy Donato. (R 1206-17)1685
Congratulations Resolution for Gino Latessa. (R 1205-17)1685
Congratulations Resolution for Julius Ciaccia. (R 1207-17)1685
Congratulations Resolution for Lorraine Dodero Cultura. (R 1208-17)1685
Designating the Liberty H. Ware House as a Cleveland Landmark. (O 960-17)1692
Objecting to the transfer of location of a C2 and C2X Liquor Permit to 7310 Lorain Avenue. (R 1186-17)1691

Ward 16

Changing the use and area districts north of Lorain Avenue between West 137th Street and West 139th Street as identified on the attached map (Map Change No. 2572). (O 1065-17)1693

Zoning

Changing the use and area districts north of Lorain Avenue between West 137th Street and West 139th Street as identified on the attached map (Map Change No. 2572). (O 1065-17)1693
Changing the Use, Height and Area Districts South of I 90 and North of Clark Avenue between West 41st Street and Fulton Road as identified on the attached map (Map Change No. 2569). (O 870-17)1701