

The City Record

Official Publication of the Council of the City of Cleveland



January the Eighteenth, Two Thousand and Twelve

Frank G. Jackson
Mayor

Martin J. Sweeney
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward Name

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

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www.clevelandcitycouncil.org

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

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

City Clerk, Clerk of Council – Patricia J. Britt, 216 City Hall, 664–2840
First Assistant Clerk – Sandra Franklin

MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff
Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer
Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs
Chris Warren, Executive Assistant to the Mayor, Chief of Regional Development
Monyka S. Price, Executive Assistant to the Mayor, Chief of Education
Maureen Harper, Executive Assistant to the Mayor, Chief of Communications
Andrea V. Taylor, Executive Assistant to the Mayor, Press Secretary
Andrew Watterson, Executive Assistant to the Mayor, Chief of Sustainability
Natoya J. Walker Minor, Chief of Public Affairs – Interim Director of Equal Opportunity.

OFFICE OF CAPITAL PROJECTS – Jonmarie Wasik, Director

DIVISIONS:

Architecture and Site Development – Robert Vilkas, Chief Architect, Manager
Engineering and Construction – _____, Manager
Real Estate – _____, Commissioner

DEPT. OF LAW – Barbara A. Langhenry, Interim Director, _____, Chief Counsel,
Richard F. Horvath, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel,
Room 106; Michael Ruffing, Law Librarian, Room 100

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

Frank Badalamenti, Manager, Internal Audit

DIVISIONS:

Accounts – Lonya Moss Walker, Interim Commissioner, Room 19
Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122
City Treasury – _____, Treasurer, Room 115
Financial Reporting and Control – James Gentile, Controller, Room 18
Information Technology and Services – Douglas Divish, Commissioner, 205 W. St. Clair Avenue
Purchases and Supplies – James E. Hardy, Commissioner, Room 128
Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue
Taxation – Nassim Lynch, Tax Administrator, 205 W. St. Clair Avenue

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

DIVISIONS:

Cleveland Public Power – Ivan Henderson, Commissioner
Street Lighting Bureau – _____, Acting Chief
Utilities Fiscal Control – Dennis Nichols, Commissioner
Water – _____, Commissioner
Water Pollution Control – Rachid Zoghaib, Commissioner

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

DIVISIONS:

Burke Lakefront Airport – Khalid Bahhur, Commissioner
Cleveland Hopkins International Airport – Fred Szabo, Commissioner

DEPT. OF PUBLIC WORKS – Michael Cox, Director

OFFICES:

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

DIVISIONS:

Motor Vehicle Maintenance – Daniel A. Novak, Commissioner
Park Maintenance and Properties – Richard L. Silva, Commissioner
Parking Facilities – Leigh Stevens, Commissioner
Property Management – Tom Nagle, Commissioner
Recreation – Kim Johnson, Commissioner
Streets – _____, Commissioner
Traffic Engineering – Robert Mavec, Commissioner
Waste Collection and Disposal – Ron Owens, Commissioner

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

Erieview Plaza

DIVISIONS:

Air Quality – George Baker, Commissioner
Environment – Pamela Cross, Commissioner, Mural Building, 75 Erieview Plaza
Health – Karen K. Butler, Commissioner, Mural Building, 75 Erieview Plaza

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

DIVISIONS:

Dog Pound – John Baird, Chief Dog Warden, 2690 West 7th Street
Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.
Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive
Fire – Paul A. Stubbs, Chief, 1645 Superior Avenue
Police – Michael C. McGrath, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director

DIVISIONS:

Administrative Services – Jesus Rodriguez, Commissioner
Fair Housing and Consumer Affairs Office – _____, Manager
Neighborhood Development – Chris Garland, Commissioner
Neighborhood Services – Louise V. Jackson, Commissioner

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

DIVISIONS:

Code Enforcement – Tyrone L. Johnson, Commissioner
Construction Permitting – Timothy R. Wolosz, Commissioner

DEPT. OF HUMAN RESOURCES – Deborah Southerington, Director, Room 121

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

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

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

G. Jackson, Chairman Ex-Officio; Rev. Dr. Charles P. Lucas, Jr., Vice-Chairman, Council Member Brian Cummins, Council Member Eugene R. Miller, Jeff Marks, (Board Lawyer), Roosevelt E. Coats, Jenice Contreras, Kathryn Hall, Yasir Hamdallah, Evangeline Hardaway, John O. Horton, Annie Key, Stephanie Morrison-Hrbek, Roland Muhammad, Gia Hoa Ryan, Ted C. Wammes, Peter Whitt.

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

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

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

BOARD OF ZONING APPEALS – Room 516, Carol A. Johnson, Chairman; Members: Mary Haas McGraw, Ozell Dobbins, Joan Shaver Washington, Tim Donovan, Jan Huber, Secretary.

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS – Room 516, J. F. Denk, Chairman; _____, Arthur Saunders, Alternate Members – D. Cox, P. Frank, E. P. O'Brien, Richard Pace, J.S. Sullivan.

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

BOARD OF SIDEWALK APPEALS – Service Director Jonmarie Wasik, Interim Law Director Barbara A. Langhenry; Council Member Eugene R. Miller.

BOARD OF REVIEW – (Municipal Income Tax) – Interim Law Director Barbara A. Langhenry; Utilities Director Barry A. Withers; Council President Martin J. Sweeney.

CITY PLANNING COMMISSION – Room 501 – Robert N. Brown, Director; Anthony J. Coyne, Chairman; David H. Bowen, Lillian Kuri, Lawrence A. Lumpkin, Gloria Jean Pinkney, Norman Krumholz, Council Member Phyllis E. Cleveland.

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

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

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

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

POLICE REVIEW BOARD – Thomas Jones, Board Chair Person; Vernon Collier, Vermel Whalen, Nancy Cronin, Elvin Vauss.

CLEVELAND LANDMARKS COMMISSION – Room 519 – Jennifer Coleman, Chair; Laura M. Bala, Council Member Anthony Brancatelli, Robert N. Brown, Thomas Coffey, Allan Dreyer, William Mason, Michael Rastatter, Jr., John Torres, N. Kurt Wiebusch, Robert Keiser, Secretary.

AUDIT COMMITTEE – Yvette M. Itu, Chairman; Debra Janik, Bracy Lewis, Diane Downing, Donna Sciarappa, Council President Martin J. Sweeney; Interim Law Director Barbara A. Langhenry.

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

Judge Courtroom

Presiding and Administrative Judge Ronald B. Adrine – Courtroom 15A
Judge Pinkey S. Carr – Courtroom 12A
Judge Marilyn B. Cassidy – Courtroom 12B
Judge Michelle Denise Earley – Courtroom 12C
Judge Emanuella Groves – Courtroom 14B
Judge Anita Laster Mays – Courtroom 14C
Judge Lauren C. Moore – Courtroom 14A
Judge Charles L. Patton, Jr. – Courtroom 13D
Judge Raymond L. Pianka (Housing Court Judge) – Courtroom 13B
Judge Michael John Ryan – Courtroom 13A
Judge Angela R. Stokes – Courtroom 15C
Judge Pauline H. Tarver – Courtroom 13C
Judge Joseph J. Zone – Courtroom 14D

Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Paul J. Mizerak – Bailiff, Jerome M. Krakowski – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate, Victor Perez – City Prosecutor

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Vol. 99

WEDNESDAY, JANUARY 18, 2012

No. 5119

CITY COUNCIL

MONDAY, JANUARY 16, 2012

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

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2010-2013

MONDAY — Alternating

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

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

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

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

MONDAY

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

TUESDAY

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

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

WEDNESDAY — Alternating

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

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

WEDNESDAY — Alternating

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

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

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

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

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

January 11, 2012

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, January 11, 2012 at 10:43 a.m. with Interim Director Langhenry presiding.

Present: Interim Director Langhenry, Directors Dumas, Withers, Acting Director Dangerfield, Directors Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.
Absent: Mayor Jackson and Director Flask.

Others: Jomarie Wasik, Director, Mayor's Office of Capital Projects. Natoya Walker-Minor, Interim Director, Office of Equal Opportunity.

Jim Hardy, Commissioner, Division of Purchases & Supplies.

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

Resolution No. 10-12.

By Director Smith.
Be it resolved by the Board of Control of the City of Cleveland that, the under the authority of Ordinance 499-10, as amended by Ordinance Nos. 1624-10 and 1435-11, passed by the Council of the City of Cleveland on June 7, 2010, December

6, 2010 and October 31, 2011, respectively, the firm of Inland Waters of Ohio, Inc. ("Consultant") is selected upon nomination of the Director of Port Control from a list of qualified persons or firms determined after a full and complete canvass by the Director of Port Control as the firm of consultants available to be employed by contract to supplement the regularly employed staff of the several departments of the City to provide professional services necessary to dispose of hazardous, non-hazardous and universal wastes, including inspection, waste characterization, loading and shipment in compliance with local, state and federal environmental requirements ("Services"), for a period of one year, with two one-year options to renew, for the various divisions of the Department of Port Control; and

Be it further resolved that the Director of Port Control is authorized to enter into a written contract with Inland Waters of Ohio, Inc. for the above-mentioned Services, based upon its proposal dated October 19, 2011, which contract shall be prepared by the Director of Law, shall provide that the compensation to Inland Waters of Ohio, Inc. for the Services authorized shall not exceed \$60,000.00 and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control of the City of Cleveland that employment of the following subconsultants by Inland Waters of Ohio, Inc. is approved:

Subcontractor	CSB/MBE/FBE %	Amount
Precision Analytical, Inc.	7.0% CSB/MBE	\$4,200.00
Samsel Supply Company	3.0% CSB/FBE	\$1,800.00

Yeas: Interim Director Langhenry, Directors Dumas, Withers, Acting Director Dangerfield, Directors Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

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

Resolution No. 11-12.

By Director Smith.
Be it resolved by the Board of Control of the City of Cleveland that, the under the authority of Ordinance 499-10, as amended by Ordinance Nos. 1624-10 and 1435-11, passed by the Council of the City of Cleveland on June 7, 2010, December 6, 2010 and October 31, 2011, respec-

tively, the firm of Chemtron Corporation ("Consultant") is selected upon nomination of the Director of Port Control from a list of qualified persons or firms determined after a full and complete canvass by the Director of Port Control as the firm of consultants available to be employed by contract to supplement the regularly employed staff of the several departments of the City to provide professional services necessary to dispose of hazardous, non-hazardous and universal wastes, including inspection, waste characterization, loading and shipment in compliance with local, state and federal environmental requirements ("Services"), for a period of one year, with two one-year options to renew, for the various divisions of the Department of Port Control; and

Be it further resolved that the Director of Port Control is authorized to enter into a written contract with Chemtron Corporation for the above-mentioned Services, based upon its proposal dated October 21, 2011, which contract shall be prepared by the Director of Law, shall provide that the compensation to Chemtron Corporation for the Services authorized shall not exceed \$60,000.00 and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control of the City of Cleveland that employment of the following subconsultants by Chemtron Corporation is approved:

<u>Subcontractor</u>	<u>CSB/MBE/FBE%</u>	<u>Amount</u>
Precision Analytical, Inc.	5.0% CSB/MBE	\$3,000.00
Jubilee Excavation	5.0% CSB/FBE	\$3,000.00

Yeas: Interim Director Langhenry, Directors Dumas, Withers, Acting Director Dangerfield, Directors Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

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

Resolution No. 12-12.

By Director Smith.
Be it resolved by the Board of Control of the City of Cleveland that, under the authority of Ordinance No. 499-10, as amended by Ordinance No. 1624-10 and 1435-11, passed by the Council of the City of Cleveland on June 7, 2010, December 6, 2010 and October 31, 2011, respectively, the firm of Michael Baker Jr., Inc. ("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 the several departments of the City to provide professional services necessary to comply with local, state and federal environmental requirements necessary to maintain operating status at Cleveland Hopkins International Airport, Burke Lakefront Airport and the Division of Harbors, for a period of one year, with two one-year options to renew, for the

Department of Port Control; and

Be it further resolved that the Director of Port Control is authorized to enter into a written contract with Michael Baker Jr., Inc. for the above-mentioned services, based upon its proposal dated November 3, 2011, which contract shall be prepared by the Director of Law, shall provide that the compensation to Michael Baker Jr., Inc. for the services authorized shall not exceed \$300,000.00 and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control that the employment of the following subconsultants by Michael Baker Jr., Inc. is approved:

<u>Subconsultant</u>	<u>Percentage</u>	<u>Amount</u>
Solar Testing Laboratories, Inc.	15% CSB	\$45,000.00
Conservation Science, LLC	5% Non CSB/MBE/FBE	\$15,000.00
GSP/OH, Inc.	17% Non CSB/MBE/FBE	\$50,000.00
Inland Waters of Ohio, Inc.	23% Non CSB/MBE/FBE	\$70,000.00

Yeas: Interim Director Langhenry, Directors Dumas, Withers, Acting Director Dangerfield, Directors Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

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

Resolution No. 13-12.

By Director Smith.
Be it resolved that the approval of the employment of the following subcontractor by Marous Brothers Construction, Inc., under City Contract No. PI2011*046 for the public improvement of constructing a maintenance yard wash-out pit and the installation of an oil water separator at Cleveland Hopkins International Airport for the Department of Port Control, authorized by Ordinance No. 904-09, passed by the Council of the City of Cleveland on November 9, 2009, and Board of Control Resolution No. 176-11, adopted April 27, 2011, is rescinded.

<u>Subcontractor</u>	<u>CSB/MBE/FBE%</u>	<u>Amount</u>
Bradley Construction Co., Inc.	17.21% CSB/MBE	\$66,500.00

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Marous Brothers Construction, Inc., under City Contract No. PI2011*046 for the public improvement of constructing a maintenance yard wash-out pit and the installation of an oil water separator at Cleveland Hopkins International Airport, authorized by Ordinance No. 904-09, passed by the Council of the City of Cleveland on November 9, 2009 and Board of Control Resolution No. 176-11, adopted April 27, 2011, is approved.

<u>Subcontractor</u>	<u>CSB/MBE/FBE%</u>	<u>Amount</u>
Service Station Equipment Co.	18.43% CSB/LPE	\$71,216.00

Yeas: Interim Director Langhenry, Directors Dumas, Withers, Acting Director Dangerfield, Directors Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

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

Resolution No. 14-12.

By Director Smith.
Resolved, by the Board of Control of the City of Cleveland that the bid of Clariant Corporation, for the necessary items of FAA approved deicing chemicals, items 2(a) and 2(b), for the various divisions of the Department of Port Control, for a period of one year beginning with the date of execution of a contract, with one one-year option to renew, received on December 28, 2011, under the authority of Ordinance No. 597-11, passed June 6, 2011, which on the basis of the estimated quantity would amount to \$1,798,350.00, is affirmed and approved as the lowest and best bid, and the Director of Port Control is requested to enter into a requirement contract for the goods and services necessary, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$90,000.00.

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

Yeas: Interim Director Langhenry, Directors Dumas, Withers, Acting Director Dangerfield, Directors Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

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

Resolution No. 15-12.

By Director Wasik.
Be it resolved by the Board of Control of the City of Cleveland, that the bid of the Barbicas Construction Company, Inc. for the public improvement of Lakeshore Resurfacing Project, all items, for the Office of Capital Projects, received on December 14, 2011, under the authority of Ordinance Nos. 703-11, passed by Cleveland City Council on June 6, 2011, upon a unit price basis for the improvement, in the aggregate amount of \$2,435,940.05, is affirmed and approved as the lowest responsible bid, and the Director of Capital Projects is authorized to enter into contract for the improvement with the bidder.

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

Perk Company, Inc
8100 Grand Avenue
Suite 300
Cleveland, Ohio 44104
(CSB) — \$566,888.00 — 23.27%

Trafftech, Inc.
1754 East 47th Street
Cleveland, Ohio 44103
(CSB) — \$165,000.00 — 6.77%

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

Resolution No. 16-12.

By Director Cox.
Whereas, under the authority of Ordinances Nos. 808-09, 617-10 and 306-10 respectively, passed June 8, 2009, May 10, 2010, and June 11, 2010 and Board of Control Resolution No. 383-11, adopted August 10, 2011, the City through its Director of Public Works, entered into Contract No. PI2011-54 with Alabasi Construction, Inc. for the public improvement of the Gateway East and Gateway North Parking Garage Improvements for the Department of Public Works; and

Whereas, Alabasi Construction, Inc. wishes to amend the participation amounts of certain previously approved subcontractors for the project and to have KMB Electric replaced by Green Integrated Services, Inc.; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the approval of the employment of subcontractors to Alabasi Construction, Inc. in Resolution No. 383-11, adopted August 10, 2011, is amended in its entirety to approve only the following subcontractors to Alabasi Construction Inc.:

Green Integrated Services Inc.	7.72% MBE \$ 32,200.00
Taylor Mitchell, LLC	6.08% FBE \$ 25,350.00
Farone Plumbing and Heating	0.00% Other \$ 11,000.00
Kates Construction	0.00% Other \$ 15,000.00
Door Pro	0.00% Other \$130,000.00
Mason Steel	0.00% Other \$110,000.00
Fabrication Group	0.00% Other \$260,000.00

Be it further resolved that all other provisions of Resolution No. 383-11 not expressly amended above shall remain unchanged and in full force and effect.

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

Resolution No. 17-12.

By Director Smith.
Resolved by the Board of Control of the City of Cleveland that all bids received for FAA approved deicing chemicals, item 1, for the Department of Port Control received on December 28, 2011, under the author-

ity of Ordinance No. 597-11 passed June 6, 2011, be and the same are rejected.

Yeas: Interim Director Langhenry, Directors Dumas, Withers, Acting Director Dangerfield, Directors Cox, Butler, Rush, Southerington, Nichols, Fumich and Rybka.

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

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

ROBERT BENNETT,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, JANUARY 30, 2012

9:30 A.M.

Calendar No. 11-241: 11918 Miles Avenue (Ward 2)

The Cleveland Board of Education, owner, appeals to construct a three-story 63,347 square-foot educational facility for grades PK-8, proposed to be on consolidated parcels in C1 General Retail Business and B1 Two-Family Districts; subject to the Board of Zoning Appeals approval and the limitations under Section 337.03, a distance of 30 feet is required and the proposed school use is 17 feet from a Two-Family residence district at the rear southeast corner of the lot; the off-street parking requirement is 91 spaces and 81 are provided, contrary to the provisions under Section 349.04(c) in the Cleveland Codified Ordinances.

Calendar No. 12-1: 13501 Terminal Avenue (Ward 18)

The Cleveland Board of Education, owner, appeals for an addition to an existing public school building

located on a 691.48' x 250' site between Terminal and Harold Avenues in an A1 One-Family District; subject to the provisions under Section 359.01(a) an addition to existing nonconforming buildings and uses requires Board of Zoning Appeals approval and pursuant to Section 337.02(f)(3)A, the use of premises for a public or private school must be located at least 30 feet from any adjoining premises in a residence district; and a minimum 6 foot width of frontage landscaping (50% year-round opaque) is required along Harold Avenue, according to Section 352.10-11 in the Cleveland Codified Ordinances.

Calendar No. 12-2: 11801 Worthington Avenue (Ward 17)

The Cleveland Board of Education, owner, appeals for an addition to an existing public school building located on an acreage parcel between Worthington and Brooklawn Avenues in an A1 One-Family District; subject to the provisions under Section 359.01(a) an addition to existing nonconforming buildings and uses requires Board of Zoning Appeals approval and pursuant to Section 337.02(f)(3)A, the use of premises for a public or private school must be located at least 30 feet from any adjoining premises in a residence district; and a minimum 6 foot width of frontage landscaping (50% year-round opaque) is required along Harold Avenue, according to Section 352.10-11 in the Cleveland Codified Ordinances.

Calendar No. 12-3: 9601 Talbot Avenue (Ward 7)

Barbara White, owner, appeals to erect a 3'-6" x 50' wooden wheelchair ramp within the front yard area of a 34.47' x 84.69' lot in a B1 Two-Family District; subject to the limitations under Section 329.04(c)(1) the proposed ramp is not a permitted encroachment and contrary to Section 357.05(a) a distance of 6 feet is provided and an accessory use shall not be less than 10 feet from a side street line according to the provisions in the Cleveland Codified Ordinances.

Calendar No. 12-6: 2991 East 73rd Street (Ward 5)

Joyce Fox, owner, appeals to erect a 30 linear foot handicap ramp on a 40' x 70' corner lot in a B1 Two-Family District; requesting 4 feet for an aggregate width of side yards contrary to 10 feet that is required under Section 357.09 in the Cleveland Codified Ordinances.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

TUESDAY, JANUARY 17, 2012

At the meeting of the Board of Zoning Appeals on Tuesday, January 17, 2012, the following appeals were heard by the Board.

The following appeal was **APPROVED:**

Calendar No. 11-220: 9000 Aetna Road 9000 Aetna LLC and Eric Collins appealed to use for storage of construction equipment and supplies

and an accessory parking area an acreage parcel in a B3 General Industry District.

Calendar No. 11-225: 2200 West 28th Street

Cleveland Metropolitan School District appealed to construct a two-story, 63, 530 square foot PK-8 elementary school on acreage located between West 28th and West 29th Streets in a B1 Two-Family District.

The following appeals were **DISMISSED:**

None.

The following appeals were **WITHDRAWN:**

None.

The following appeals were **POSTPONED:**

Calendar No. 10-259: 4300 Bradley Road postponed to April 2, 2012.

Calendar No. 10-260: 4300 Bradley Road postponed to April 2, 2012.

Calendar No. 10-194: 4300 Bradley Road postponed to April 2, 2012.

The following appeals heard by the Board on January 9, 2012 were adopted and approved on January 17, 2012.

The following appeals were **APPROVED:**

Calendar No. 11-224: 8101 Hough Avenue
M.A.S.H. Ministries appealed for an area variance only to establish use as a church in a C2 Multi-Family District.

Calendar No. 11-235: 16419 St. Clair Avenue
Recycle Midwest, Inc. appealed to establish use as a recycling plant in a C2 Semi-Industry District; subject to condition.

Calendar No. 11-236: 12617 Edmonton Road
Regina Vaughn appealed to install a wheelchair lift within the front yard setback in a B1 Two-Family District.

Calendar No. 11-176: 3860 West 140th Street
Yuleter Deleon appealed to establish use as a motor vehicle minor repair garage on a corner property in a C1 Local Retail Business District; subject to conditions.

The following appeal was **DENIED:**

Calendar No. 11-234: 12728 Bellaire Road
ABC Taxi Company, LLC appealed to establish use for taxicab services on consolidated lots in C1 Local Retail Business and B1 Two-Family Districts.

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, FEBRUARY 8, 2012

File No. 4-12 - Landscape Materials & Supplies, for the Various Divisions of City Government, Department of Finance, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** WEDNESDAY, FEBRUARY 1, 2012 AT 10:30 A.M. THE CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

File No. 6-12 - Purchase of Federal Aviation Administration Approved Deicing Chemicals (Re-

bid), for the Various Divisions of Port Control, Department of Port Control, as authorized by Ordinance No. 597-11, passed by the Council of the City of Cleveland, June 6, 2011. THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, JANUARY 27, 2012 AT 10:00 A.M. THE DEPARTMENT OF PORT CONTROL, CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135-3193.

January 18, 2012 and January 25, 2012

FRIDAY, FEBRUARY 10, 2012

File No. 5-12 - Browns Stadium 2012 Capital Project, for the Division of Architecture and Site Development, Department of Public Works, as authorized by Ordinance No. 9-12, passed by the Council of the City of Cleveland, pending.

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

THERE WILL BE A **MANDATORY PRE-BID MEETING** FRIDAY, JANUARY 27, 2012 AT 10:00 A.M. THE CLEVELAND BROWNS STADIUM, 100 ALFRED LERNER WAY, MEET AT THE LOADING DOCK ENTRANCE, CLEVELAND, OHIO 44114.

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

January 18, 2012 and January 25, 2012

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 11-12.

By Mayor Jackson and Council Members Kelley, Sweeney, Polensek, Cleveland, Brancatelli, Keane, Mitchell, Westbrook and Brady.

An emergency resolution urging Ohio United States Senators and Ohio United States Representatives to introduce and support legislation which enacts the provisions of the U.S. Conference of Mayors' Resolution No. 43 regarding the United States Environmental Protection Agency's enforcement policies of the Clean Water Act.

Whereas, due to the growing need to clean up America's waterways, The Clean Water Act ("CWA") was enacted in 1972 as the principal law governing pollution of surface waters in the United States; and

Whereas, this legislation, among other things, outlined ambitious goals to improve water quality; and

Whereas, 40 years later, our cities and our nation have made great progress in cleaning up our waterways, and Ohio members of the U.S. Conference of Mayors ("Conference of Mayors") acknowledge that more needs to be done; and

Whereas, the United States Environmental Protection Agency ("USEPA") is the regulatory agency of the CWA and works to assure compliance with the CWA; and

Whereas, however, USEPA's current enforcement policies have resulted in various stages of vigorous enforcement actions that result in consent decrees creating billions of dollars in long-term liabilities to our cities; and

Whereas, these liabilities now translate into customer utility rates that are burdensome for poor households, and impose greater costs on our middle class families who have already experienced real wage decline over the past decade; and

Whereas, additionally, the USEPA continues to, or plans to, issue other water and wastewater/stormwater mandates that will force Ohio cities into yet more long-term borrowing that is unaffordable in light of substantially reduced local government revenue shortfalls and reductions in state and federal financial assistance; and

Whereas, at its June 2011 meeting, the Conference of Mayors adopted Resolution 43 to highlight these problems and also to offer a set of very practical solutions that still meets the goals and objectives of the CWA, but changes the policies guiding the USEPA's enforcement actions ("Resolution 43"); and

Whereas, over 20 Ohio cities, sewer districts, and professional associations, which represent millions of Ohio residents, have already adopted resolutions endorsing Resolution 43 and have urged their Congressional legislature to introduce and support legislation to enact the provisions of Resolution 43; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, and safety in that this Council supports Resolution 43 and strongly urges our Ohio United States Senators and Ohio United States Representatives to introduce and support legislation which enacts the provisions of Resolution No. 43 to identify alternatives to the current enforcement policies of the USEPA while still meeting the goals and objectives of the CWA; now, therefore,

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

Section 1. That this Council urges the Ohio United States Senators and Ohio United States Representatives to introduce and support legislation which enacts the provisions of the Conference of Mayors' Resolution 43 regarding the USEPA's enforcement policies of the CWA. A copy of Resolution 43 has been placed in File No. 11-12-A.

Section 2. That the Clerk of Council is directed to transmit copies of this resolution and file to Ohio United States Senators Sherrod Brown and Rob Portman and to all Ohio United States Representatives.

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

Adopted January 9, 2012.
Effective January 11, 2012.

Res. No. 16-12.

By Council Member Zane.

An emergency resolution supporting the application from Detroit Shoreway Community Development Organization to the Northcoast Brownfield Coalition's Community Assessment Initiative for 1265 West 65th Street in Ward 15.

Whereas, the Northcoast Brownfield Coalition makes funds available in Cuyahoga County for environmental assessment and remediation through its Community Assessment Initiative program; and

Whereas, Detroit Shoreway Community Development Organization is submitting a Community Assessment Initiative Application to the Northcoast Brownfield Coalition for Phase II of the "Robin Industries" building located at 1265 West 65th Street; and

Whereas, 1265 West 65th Street is an approximately 1.12 acre property identified as Permanent Parcel Number 002-10-001 in Ward 15 in the City of Cleveland; and

Whereas, a private developer will purchase the property to redevelop it into a mixed-use studio, office and residential building; and

Whereas, Detroit Shoreway Community Development Organization has identified the property as a priority site for the neighborhood and is fully supportive of the developer's redevelopment plan; and

Whereas, the City is committed to working with Detroit Shoreway Community Development Organization to pursue the remediation and redevelopment of the property; and

Whereas, the Northcoast Brownfield Coalition Community Assessment Initiative grant is vital to making the 1265 West 65th Street redevelopment project economically feasible; 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 hereby supports the application from Detroit Shoreway Community Development Organization to the Northcoast Brownfield Coalition's Community Assessment Initiative for 1265 West 65th Street in Ward 15.

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 January 9, 2012.
Effective January 11, 2012.

Res. No. 17-12.

By Council Member Cimperman.

An emergency resolution withdrawing objection to the transfer of liquor license of a D5 and D6 Liquor Permit at 1313 West 6th Street and repealing Resolution No. 1529-11, objecting to said transfer.

Whereas, this Council objected to the transfer of liquor license of a D5 and D6 Liquor Permit to MGFG, LLC, DBA Enigma, 1313 West 6th Street, Cleveland, Ohio 44113, Permanent No.

5378773, adopted by the Council on October 24, 2011; and

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

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

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

Section 1. That objection to a D5 and D6 Liquor Permit to MGFG, LLC, DBA Enigma, 1313 West 6th Street, Cleveland, Ohio 44113, Permanent No. 5378773 be and the same is hereby withdrawn and Resolution No. 1529-11, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted January 9, 2012.
Effective January 11, 2012.

Res. No. 18-12.

By Council Member Polensek.

An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit at 18506 St. Clair Avenue and repealing Resolution No. 986-11, objecting to said renewal.

Whereas, this Council objected to a C1 and C2 Liquor Permit at 18506 St. Clair Avenue, by Resolution No. 986-11 adopted by the Council on July 20, 2011; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal based upon a cooperation agreement between Councilmember Michael D. Polensek and Applicant Ranjit Singh, President of D B Ohio Enterprise, Inc.; and

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

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

Section 1. That objection to a C1 and C2 Liquor Permit to D B Ohio Enterprise, Inc., DBA Convenient Food Mart, 18506 St. Clair Avenue, Cleveland, Ohio 44110, Permanent Number 18795700005 be and the same is hereby withdrawn and Resolution No. 986-11, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted January 9, 2012.
Effective January 11, 2012.

Res. No. 19-12.**By Council Member Polensek.**

An emergency resolution withdrawing objection to the renewal and issuance of a C1 and C2 Liquor Permit at 15222 Waterloo Road and repealing Resolution Nos. 1168-11 and 263-11, objecting to said renewal and permit.

Whereas, this Council objected to a C1 and C2 Liquor Permit at 15222 Waterloo Road by Resolution No. 1168-11 adopted by the Council on August 17, 2011 and Resolution No. 263-11 adopted by the Council on February 28, 2011; and

Whereas, this Council wishes to withdraw its objections to the above renewal and permit based upon a cooperation agreement by and between Councilmember Michael D. Polensek and said applicant in cooperation agreement; and

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

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

Section 1. That objection to a C1 and C2 Liquor Permit to Waterloo Gas & Go, 15222 Waterloo Road, Cleveland, Ohio 44110, Permanent Number 9427085 be and the same is hereby withdrawn and Resolution Nos. 1168-11 and 263-11, containing such objections, be and the same is hereby repealed and that this Council consents to the immediate renewal and issuance of 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 January 9, 2012.

Effective January 11, 2012.

Res. No. 20-12.**By Council Member Zone.**

An emergency resolution withdrawing objection to the renewal of a D5 Liquor Permit at 6422 Storer Avenue, 1st floor and basement, and repealing Resolution No. 997-11, objecting to said renewal.

Whereas, this Council objected to a D5 Liquor Permit at 6422 Storer Avenue, 1st floor and basement, by Resolution No. 997-11 adopted by the Council on July 20, 2011; and

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

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

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

Section 1. That objection to a D5 Liquor Permit to Ms. Debbie, LLC, DBA Victory Lap Café, 6422 Storer Avenue, 1st floor and basement, Cleveland, Ohio 44102, Permanent Number 6052915 be and the same is hereby withdrawn and Resolution No. 997-11, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted January 9, 2012.

Effective January 11, 2012.

Ord. No. 1715-11.**By Council Members Miller and Sweeney (by departmental request).**

An emergency ordinance authorizing the purchase by one or more requirement contracts of recycled or virgin asphalt concrete, for the Division of Streets, Department of Public Works and the various divisions of the Department of Public Utilities.

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

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

Section 1. That the Director of Public Works is authorized to 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 one year or two years for the necessary items of recycled or virgin asphalt concrete in the approximate amount as purchased during the preceding term, purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Streets, Department of Public Works and the various divisions of the Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Works is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Works by comparing the bids received for both terms.

Section 2. That the cost of the contract or contracts shall be charged against the proper appropriation account and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract certified by the Director of Finance. (RQN 4006, RL 2011-59)

Section 3. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Works 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 January 9, 2012.

Effective January 11, 2012.

Ord. No. 13-12.**By Council Member Reed.**

An emergency ordinance to amend Section 1 of Ordinance No. 1309-11, passed December 5, 2011, relating to a change to the Use, Area and Height Districts of land located on the south side of Miles Avenue between E. 116th Street and E. 128th Street. (Map Change No. 2379, Sheet Number 10).

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 1 of Ordinance No. 1309-11, passed December 5, 2011, is amended to read as follows:

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

Beginning in the centerline of E. 116th Street at its intersection with the centerline of Miles Avenue;

Thence easterly along said centerline of Miles Avenue to its intersection with the southerly prolongation of the centerline of E. 119th Street;

Thence northerly along said southerly prolongation and said centerline of E. 119th Street to its intersection with the westerly prolongation of the centerline of Minor Avenue;

Thence easterly along said centerline of Minor Avenue and along its easterly prolongation to its intersection with the westerly line of Sublot Number 62 in the J.M. Hoyt and Son Subdivision shown on the recorded plat in Volume 11, Page 8 of Cuyahoga County Map Records;

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

Thence easterly along said centerline of Miles Avenue to its intersection with the northerly prolongation of the centerline of E. 128th Street;

Thence southerly along said northerly prolongation of said centerline of E. 128th Street to its intersection with the easterly prolongation of the northerly line of Sublot Number 68 in the Miles-Corlett No. 2 Subdivision shown on the recorded plat in Volume 46, Page 5 of Cuyahoga County Map Records;

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

Thence southerly along said westerly line to its intersection with the northerly line of Sublot Number 61 in the Kennedy & Christy Subdivision shown on the recorded plat in Volume 44, Page 27 of Cuyahoga County Map Records;

Thence westerly along said northerly line and along its westerly prolongation through the inter-

section of E. 126th Street to its intersection with the easterly line of Sublot Number 61 in the Miles-Corlett Subdivision shown on the recorded plat in Volume 44, Page 26 of Cuyahoga County Map Records;

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

Thence westerly along said northerly line and continuing along its westerly prolongation through the centerline of E. 124th Street to its intersection with the centerline of Martin Luther King Junior Drive (formerly E. 122nd Street);

Thence northerly along said centerline of Martin Luther King Jr. Drive to its intersection with the easterly prolongation of the centerline of Robertson Avenue;

Thence westerly along said easterly prolongation and said centerline to its intersection with the centerline of East 119th Street;

Thence northerly along said centerline and along its northerly prolongation to its intersection with the centerline of Miles Avenue;

Thence westerly along said centerline of Miles Avenue to its intersection with the centerline of E. 116th Street and the principal place of beginning;

and as shaded on the attached map is changed to a Two Family Residential District, a 'B' Area District and a '1' Height District.

Section 2. That existing Section 1 of Ordinance No. 1309-11, passed December 5, 2011, 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 January 9, 2012.
Effective January 11, 2012.

Ord. No. 14-12.
By Council Member Dow.
An emergency ordinance authorizing the Director of the Department of Community Development to enter into an agreement with the Burten, Bell, Carr Development, Inc., for the Holiday Food Gift Program through the use of Ward 7 Neighborhood Capital Funds.

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

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

Section 1. That the Director of the Department of Community Development be authorized to enter into an agreement effective November 1, 2011 with the Burten, Bell, Carr Development, Inc., for the Holiday Food Gift Card Program for the public purpose of providing food gift cards to low-to-moderate income residents residing in the city of Cleveland through the use of Ward 7 Neighborhood Capital Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$21,000 and shall be paid from Fund No. 10 SF 177.

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.

Passed January 9, 2012.
Effective January 11, 2012.

Ord. No. 15-12.
By Council Member Pruitt.
An emergency ordinance authorizing the Director of the City Planning Commission to enter into an agreement with the Mt. Pleasant NOW Development Corporation for the Transportation for Livable Communities Initiative for the proposed Mt. Pleasant Arts and Culture Entertainment District through the use of Ward 1 Neighborhood Capital Funds.

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

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

Section 1. That the Director of the Department of the City Planning Commission be authorized to enter into an agreement with the Mt. Pleasant NOW Development Corporation for the Transportation for Livable

Communities Initiative for the proposed Mt. Pleasant Arts and Culture Entertainment District for the public purpose of improving traffic patterns that will enhance linkages for pedestrians, vehicles, bicycles and public transportation from Kinsman Road south to Union Avenue, and E. 142nd Street west to E. 138th Street to promote the redevelopment in this neighborhood corridor that is in the city of Cleveland through the use of Ward 1 Neighborhood Capital Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$18,750 and shall be paid from Fund No. 10 SF 177.

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.

Passed January 9, 2012.
Effective January 11, 2012.

COUNCIL COMMITTEE MEETINGS

Tuesday, January 17, 2012
9:30 a.m.

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

Wednesday, January 18, 2012
10:00 a.m.

Aviation and Transportation Committee: Present: Keane, Chair; Pruitt, Vice Chair; Cummins, J. Johnson, Kelley, Mitchell. *Authorized Absence:* K. Johnson.

1:00 p.m.

City Planning (Zoning) Committee: Present: Cleveland, Chair; Westbrook, Vice Chair; Brady, Dow, Keane. *Authorized Absence:* Conwell, Zone.

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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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