

The City Record

Official Publication of the Council of the City of Cleveland



January the Twenty-Fifth, 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 Mamie J. Mitchell
- 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

The City Record is available online at
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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	Mamie J. Mitchell	12701 Shaker Boulevard, #712	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

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

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
 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

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 – Douglas Divish, Commissioner, 205 W. St. Clair Avenue
 Purchases and Supplies – Tiffany White, Commissioner, Room 128
 Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue
 Taxation – Nassim Lynch, Tax Administrator, 205 W. St. Clair Avenue

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

DIVISIONS:
 Cleveland Public Power – Ivan Henderson, Commissioner
 Utilities Fiscal Control – Frank Badalamenti, Chief Financial Officer
 Water – Alex Margevicius, Commissioner
 Water Pollution Control – Rachid Zoghaib, Commissioner
DEPT. OF PORT CONTROL – Fred Szabo, Interim 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 Gissentaner, Interim Commissioner
 Streets – Frank D. Williams, Interim Commissioner
 Traffic Engineering – Robert Mavec, Commissioner
 Waste Collection and Disposal – Randell T. Scott, Interim Commissioner

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

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

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

DIVISIONS:
 Animal Control Services – 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, Acting Director

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

DEPT. OF BUILDING AND HOUSING – Ronald J.H. O’Leary, 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 – Tracey A. Nichols, Director, Room 210

DEPT. OF AGING – Mary McNamara, 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, 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, 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 Kevin J. Kelley; Betsy Hruby, Asst. Sec’y.; Sharon Dumas, Director.

BOARD OF ZONING APPEALS – Room 516, Carol A. Johnson, Chairman; Members: Mary Haas McGraw, 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 – Charles See, Chair; Lisa Camacho, Daniel Conway, Robert L. Render, Genesis O. Brown.

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

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

MORAL CLAIMS COMMISSION – Law Director 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, Tracy 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 Emanuela Groves – Courtroom 14B
 Judge Jimmy L. Jackson, Jr. – Courtroom 12A
 Judge Lauren C. Moore – Courtroom 14A
 Judge Charles L. Patton, Jr. – Courtroom 13D
 Judge Raymond L. Pianka (Housing Court Judge) – Courtroom 13B
 Judge Michael 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.

The City Record



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Vol. 104

WEDNESDAY, JANUARY 25, 2017

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CITY COUNCIL

MONDAY, JANUARY 23, 2017

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PATRICIA J. BRITT
City Clerk, Clerk of Council
216 City Hall

The following Committees meet at the Call of the Chair:

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

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

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

COMMUNICATIONS

File No. 67-17.

From Timothy L. Tramble, Sr.,
Executive Director, Bell, Burten,
Carr Development, Inc. Notice of
plans to apply to Ohio Housing
Finance Agency for multifamily
funding programs for the develop-
ment known as Colfax Family
Homes, on scattered sites on East
72nd Street, East 79th Street, Colfax
Road, Minnie Street, and Leavitt
Court, in Cleveland, Ohio. Received.

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2015-2017

MONDAY — Alternating

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

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

MONDAY

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

TUESDAY

9:30 A.M. — **Development, Plan-
ning 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, Keane,
Mitchell, Polensek.

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

WEDNESDAY — Alternating

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio
January 23, 2017

The meeting of the Council was
called to order at 7:02 p.m. with the
President of Council, Kevin J. Kel-
ley, in the Chair.

Council Members present: Dona
Brady, Anthony Brancatelli, Phyllis
E. Cleveland, Kevin Conwell, Brian
J. Cummins, TJ Dow, Jeffrey D.
Johnson, Kenneth L. Johnson, Brian
Kazy, Kevin J. Kelley, Martin J.
Keane, Kerry McCormack, Mamie J.
Mitchell, Michael D. Polensek, Zack
Reed, and Matthew Zone.

Also present were: Mayor Frank
G. Jackson, Chief of Government
Affairs Valarie J. McCall, Chief of
Regional Development Edward W.
Rybka, Media Relations Director
Dan Williams, , and Directors
Langhenry, Dumas, Davis, Kennedy,
Spronz, Gordon, McGrath, Cox,
O'Leary, West, Griffin, Collier,
McNamara, Ambroz and Burrows.

MOTION

Pursuant to Ordinance No. 2926-76,
the opening prayer was offered by
Reverend Earl S. Bumgarner, The
City of God Baptist Fellowship,
Cleveland, Ohio (Ward 10). Pledge
of Allegiance.

MOTION

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

OATHS OF OFFICE

File No. 65-17.
Duane Deskins, Chief of Preven-
tion, Intervention and Opportunity
for Youth & Young Adults.
Received.

File No. 66-17.
Matthew Gray, Chief of Sustain-
ability. Received.

PLATS

File No. 68-17.

Dedication Plat for new roads
known as Louise Harris Road, Bohn
Road, Kennard Road, and East 42nd
Street, within CMHA Carver Park at
East 40th Street and Quincy Avenue.
Approved by Committees on Muni-
cipal Services and Properties, and
Development Planning and Sustain-
ability. Without objection, Plat
approved.

FROM OHIO DIVISION OF LIQUOR CONTROL

File No. 83-17.

RE: #9748282. New License Appli-
cation, D5. Raymond V.
Wollschleger, 1468 West 9th St.
(Ward 3). Received.

File No. 84-17.

RE: #85036200005. New License
Application, C1. 7 Star LLC, 3350
East 116th St. (Ward 4). Received.

File No. 85-17.

RE: #0075888. Transfer of Owner-
ship Application, D5 D6. Agoraco
LLC, 5000-5022 Euclid Ave. (Ward
7). Received.

File No. 86-17.

RE: #3006349. Economic Develop-
ment Transfer Application, D5 D6.
Galaxy KTX, Inc., 1593 East 30th St.
(Ward 7). Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 87-17 — Donald Eugene
Smith.

Res. No. 88-17 — Charlie A. Saboor.
Res. No. 89-17 — Phoebe L. Dilla-
man Thompson.

Res. No. 90-17 — Doris Jeanette
Nelson.

Res. No. 91-17 — Deacon George
Stone.

Res. No. 92-17 — Rosa Ruggiero.
Res. No. 93-17 — Judge Raymond
L. Pianka.

CONGRATULATIONS RESOLUTION

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

Res. No. 94-17 — Vincent I. McIntosh.

Res. No. 95-17 — The Very Reverend Tracey Lind.

Res. No. 96-17 — Reverend Joseph A. Bacevice.

Res. No. 100-17 — Dr. Carl Locke.

APPRECIATION RESOLUTION

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

Res. No. 97-17 — Tracey A. Nichols.

RECOGNITION RESOLUTIONS

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

Res. No. 98-17 — After-School All-Stars Cleveland.

Res. No. 99-17 — Pastor Lawrence W. Boone.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 69-17.

By Mayor Jackson.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 123.09 relating to the Mayor's Office of Quality Control and Performance Management.

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 123.09 to read as follows:

Section 123.09 Office of Quality Control and Performance Management

(a) With the concurrence of the Board of Control, as required by Section 77 of the Charter, there is established in the Office of the Mayor, the Office of Quality Control and Performance Management, to be administered and controlled by an Executive Assistant or Special Assistant to the Mayor, to be appointed by the Mayor to be the Director of Quality Control and Performance Management and subject to the Mayor's supervision and control. The Director shall monitor and assess program and service delivery to the citizens of Cleveland by tracking and improving performance of Departments through the incorporation of efficient, effective, and economically sound process improvement methods to ensure high levels of accountability, compliance, and quality control. The Director shall appoint, in accordance with the civil service provisions of the Charter, such assistants and clerical, stenographic and other employees as may be required for the performance of the duties of the Office, and shall be responsible for their supervision.

(b) The Director shall conduct audit and compliance programs to ensure

customer and quality service and efficiency through technology, conduct quality control programs to inspect service requests received from the public through the Mayor's Action Center and the 311 Call Center, and conduct performance improvement programs to recommend and facilitate process improvement models. Activities shall include, but not be limited to, identifying key performance indicators, process improvements, core services and work processes that align directly with customer service, quality service, and efficiency through technology; establish metrics, targets, and benchmarks; evaluate operations, programs, and services; and collect, validate and analyze data.

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. 70-17.

By Council Members K. Johnson and Brancatelli (by departmental request).

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to Burten, Bell and Carr Development, Inc. to encroach into the public rights-of-way of East 75th Street and Colfax Road by installing, using, and maintaining six 6-inch trench drains with steel grate covers.

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

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

Section 1. That the Director of Capital Projects is authorized to issue a permit, revocable at the will of Council, to Burten, Bell, Carr Development, Inc., 7201 Kinsman Avenue, Suite 104, Cleveland, Ohio 44104 ("Permittee"), to encroach into the public rights-of-way of East 75th Street and Colfax Road by installing, using, and maintaining six 6-inch trench drains with steel grate covers at the following locations:

East 75th Street encroachment A

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being an encroachment into E. 75th Street as established by Map Volume 10, Page 12 of the Cuyahoga County Records being more fully described as follows:

Beginning at a centerline monument found at the intersection of Colfax Road (50' R/W) with E. 75th Street; Thence southeasterly along the centerline of E. 75th Street, S-03°29'24"-E (bearings referenced to the Ohio Coordinate System, North Zone, NAD83), 23.97 feet to a point;

Thence, S-86°30'36"-W, 14.00 feet to the True Place of Beginning for the encroachment hereinafter described;

Thence, S-03°29'24"-E, 6.00 feet to a point;

Thence, S-86°30'36"-W, 16.00 feet to the westerly line of E. 75th Street;

Thence northwesterly along the westerly line of E. 75th Street, N-03°29'24"-W, 6.00 feet to a point;

Thence, N-86°30'36"-E, 16.00 feet to the True Place of Beginning for the encroachment hereinbefore described and containing 96 Square Feet of land as surveyed by Daniel C. Kalstrom, Professional Surveyor (Reg. No. 6302) in December, 2016.

East 75th Street encroachment B

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being an encroachment into E. 75th Street as established by Map Volume 10, Page 12 of the Cuyahoga County Records being more fully described as follows:

Beginning at a centerline monument found at the intersection of Colfax Road (50' R/W) with E. 75th Street; Thence southeasterly along the centerline of E. 75th Street, S-03°29'24"-E (bearings referenced to the Ohio Coordinate System, North Zone, NAD83), 66.87 feet to a point;

Thence, S-86°30'36"-W, 14.00 feet to the True Place of Beginning for the easement hereinafter described;

Thence, S-03°29'24"-E, 6.00 feet to a point;

Thence, S-86°30'36"-W, 16.00 feet to the westerly line of E. 75th Street;

Thence northwesterly along the westerly line of E. 75th Street, N-03°29'24"-W, 6.00 feet to a point;

Thence, N-86°30'36"-E, 16.00 feet to the True Place of Beginning for the encroachment hereinbefore described and containing 96 Square Feet of land as surveyed by Daniel C. Kalstrom, Professional Surveyor (Reg. No. 6302) in December, 2016.

East 75th Street encroachment C

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being an encroachment into E. 75th Street as established by Map Volume 10, Page 12 of the Cuyahoga County Records being more fully described as follows:

Beginning at a centerline monument found at the intersection of Colfax Road (50' R/W) with E. 75th Street; Thence southeasterly along the centerline of E. 75th Street, S-03°29'24"-E (bearings referenced to the Ohio Coordinate System, North Zone, NAD83), 70.68 feet to a point;

Thence, N-86°30'36"-E, 14.00 feet to the True Place of Beginning for the encroachment hereinafter described;

Thence, N-86°30'36"-E, 16.00 feet to the easterly line of E. 75th Street;

Thence southeasterly along the easterly line of E. 75th Street, S-03°29'24"-E, 6.00 feet to a point;

Thence, S-86°30'36"-W, 16.00 feet to a point;

Thence, N-03°29'24"-W, 6.00 feet to the True Place of Beginning for the encroachment hereinbefore described and containing 96 Square Feet of land as surveyed by Daniel C. Kalstrom, Professional Surveyor (Reg. No. 6302) in December, 2016.

East 75th Street encroachment D

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being an encroachment into E. 75th Street as established by Map Volume 10, Page 12 of the Cuyahoga County Records being more fully described as follows:

Beginning at a centerline monument found at the intersection of Colfax Road (50' R/W) with E. 75th Street;

Thence southeasterly along the centerline of E. 75th Street, S-03°29' 24"-E (bearings referenced to the Ohio Coordinate System, North Zone, NAD83), 103.37 feet to a point;

Thence, N-86°30' 36"-E, 14.00 feet to the True Place of Beginning for the easement hereinafter described;

Thence, N-86°30' 36"-E, 16.00 feet to the easterly line of E. 75th Street;

Thence southeasterly along the easterly line of E. 75th Street, S-03°29' 24"-E, 6.00 feet to a point;

Thence, S-86°30' 36"-W, 16.00 feet to a point;

Thence, N-03°29' 24"-W, 6.00 feet to the True Place of Beginning for the easement hereinafter described and containing 96 Square Feet of land as surveyed by Daniel C. Kalstrom, Professional Surveyor (Reg. No. 6302) in December, 2016.

Colfax Road encroachment E

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being an encroachment into Colfax Road as part of Charles Levitt Subdivision as recorded in Map Volume 5, Page 31 of the Cuyahoga County Records being more fully described as follows:

Beginning at a centerline monument found at the intersection of Colfax Road (50' R/W) with E. 75th Street (E. 75th Street as established by Map Volume 10, Page 12 of the Cuyahoga County Records);

Thence southeasterly along the centerline of Colfax Road, S-57°04' 11"-E (bearings referenced to the Ohio Coordinate System, North Zone, NAD83), 44.76 feet to a point;

Thence, N-32°55' 49"-E, 12.00 feet to the True Place of Beginning for the encroachment hereinafter described;

Thence, N-08°14' 24"-E, 14.31 feet to the northerly line of Colfax Road;

Thence southeasterly along the northerly line of Colfax Road, S-57°04' 11"-E, 6.60 feet to a point;

Thence, S-08°14' 24"-W, 14.31 feet to a point;

Thence, N-57°04' 11"-W, 6.60 feet to the True Place of Beginning for the encroachment hereinafter described and containing 86 Square Feet of land as surveyed by Daniel C. Kalstrom, Professional Surveyor (Reg. No. 6302) in December, 2016.

Colfax Road encroachment F

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being an encroachment into Colfax Road as part of Charles Levitt Subdivision as recorded in Map Volume 5, Page 31 of the Cuyahoga County Records being more fully described as follows:

Beginning at a centerline monument found at the intersection of Colfax Road (50' R/W) with E. 75th Street (E. 75th Street as established by Map Volume 10, Page 12 of the Cuyahoga County Records);

Thence southeasterly along the centerline of Colfax Road, S-57°04' 11"-E (bearings referenced to the Ohio Coordinate System, North Zone, NAD83), 82.27 feet to a point;

Thence, S-32°55' 49"-W, 12.00 feet to the True Place of Beginning for the encroachment hereinafter described;

Thence, S-57°04' 11"-E, 6.00 feet to a point;

Thence, S-32°55' 49"-W, 13.00 feet to the southerly line of Colfax Road;

Thence northwesterly along the southerly line of Colfax Road, N-57°04' 11"-W, 6.00 feet to a point;

Thence, N-32°55' 49"-E, 13.00 feet to the True Place of Beginning for the encroachment hereinafter described and containing 78 Square Feet of land as surveyed by Daniel C. Kalstrom,

Professional Surveyor (Reg. No. 6302) in December, 2016.

Section 2. That the Director of Law shall prepare the permit authorized by this ordinance and shall incorporate such additional provisions as the Director of Law determines necessary to protect and benefit the public interest. The permit shall be issued only when, in the opinion of the Director of Law, the prospective Permittee has properly indemnified the City against any loss that may result from the encroachment(s) permitted.

Section 3. That Permittee may assign the permit only with the prior written consent of the Director of Capital Project. That the encroaching structure(s) permitted by this ordinance shall conform to plans and specifications first approved by the Manager of the City's Division of Engineering and Construction. That Permittee shall obtain all other required permits, including but not limited to Building Permits, before installing the encroachment(s).

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

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

Referred to Directors of Capital Projects, City Planning Commission, Finance, Law; Committees on Municipal Services and Properties, Development Planning and Sustainability.

Ord. No. 71-17.

By Council Members K. Johnson and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Capital Projects to make alterations and modifications in Contract No. PI 2014-045 with J.G. Johnson Construction Co. for the rehabilitation of the Eastside Maintenance Facility, for the Office of Capital Projects.

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

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

Section 1. That the Director of Capital Projects is authorized to make the following alterations and modifications in Contract No. PI 2014-045 with J.G. Johnson Construction Co. for the rehabilitation of the Eastside Maintenance Facility, for the Office of Capital Projects:

Remediation of an undocumented underground storage vault/tank at the construction site, and costs associated with additional professional services necessary to remediate and comply with OEPA standards and regulations

Additional Subsidiary Amount	\$479,073.74
Original Contract Amount	\$ 5,266,310.00
Additional Subsidiary Amount	<u>+ 479,073.74</u>
New Contract Amount	\$ 5,745,383.74

which alteration has been recommended in writing by the Director of Capital Projects, countersigned by the Mayor, and consented to by the surety on the contract. The price to be paid for the alterations and modifications to the contract has been agreed upon in writing and signed by the Director of Capital Projects and the contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$479,073.74 to be paid from Fund Nos. 20 SF 517, 20 SF 524, 20 SF 532, 20 SF 539, 20 SF 545, 20 SF 551, 20 SF 553, 20 SF 559, 20 SF 562, 20 SF 566, and 20 SF 573, RQS 0103, RL 2017-1.

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 Capital Projects, Finance, Law; Committees on Municipal Services and Properties, Finance.

Ord. No. 72-17.
By Council Members Brancatelli and Kelley (by departmental request).
An emergency ordinance to amend Section 1 of Ordinance No. 1414-16, passed December 5, 2016, relating to a Tax Increment Financing Agreement with Intesa Holdings, LLC and Intesa Garage, LLC or their designees.

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. 1414-16, passed December 5, 2016, is amended to read as follows:

Section 1. That the improvements to be constructed by **Intesa Holdings, LLC and Intesa Garage, LLC or their designees**, ("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 follows:

5. The land referred to in this Commitment is described as follows:

Parcel No. 1 (PPN's: 120-29-012, 013, 014, 041 through 045)

(Retained Parcel)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of

Sublots Nos. 19 through 24, both inclusive, and Sublots Nos. 26 and 27 in the James S. Stevens Subdivision of a part of Original 100 Acre Lots Nos. 395 and 396 as shown by the recorded plat in Volume 27 of Maps, Page 23 of Cuyahoga County Records, and a part of Sublot No. 11 in Andrew Cozad's Allotment of a part of Original 100 Acre Lots Nos. 395, 396, 403 and 404 as shown by the recorded plat in Volume 7 of Maps, Page 21 of Cuyahoga County Records and part of Sublots Nos. 25 and 26 and all of Sublots Nos. 20 through 24, both inclusive, in the Marcus E Cozad and Sarah L Cozad Reallotment of a part of Original 100 Acre Lots Nos. 395, 396, 403 and 404 as shown by the recorded plat in Volume 9 of Maps, Page 28 of Cuyahoga County Records, and a part of East 116th Street, 32 feet in width (formerly Nantucket Avenue) and part of Mayfield Road S.E., 60 feet in width, together forming a parcel of land bounded and described as follows:

Beginning at the intersection of the center line of said East 116th Street and Mayfield Road S.E.;

Thence North 0° 12' 19" West along the center line of East 116th Street, 150.07 feet to its intersection with the southwesterly prolongation of the southeasterly line of Sublot No. 25 in the aforementioned James S. Stevens Subdivision;

thence North 89° 47' 26" East along said prolongation and along the southeasterly line of Sublot No. 25,

96.11 feet to the southeast corner thereof;

thence North 0° 12' 19" West along the easterly line of said Sublot No. 25, 35.02 feet to the northeast corner thereof;

thence South 89° 47' 26" West along the northwesterly line of said Sublot No. 25 and along its prolongation southwesterly, 96.11 feet to the center line of aforementioned East 116th Street;

thence North 0° 12' 19" West along the center line of East 116th Street, 194.88 feet to an angle therein;

thence North 46° 17' 58" West along the center line of East 116th Street, 28.94 feet to its intersection with a line drawn parallel to and distant 330.00 feet southeasterly by rectangular measurement from the southeasterly line of Euclid Avenue, 80 feet in width;

thence North 43° 48' 02" East along said parallel line, 115.91 feet to the southeasterly line of land conveyed to Euclid 115 Corp. by deed dated March 1, 1957 and recorded in Volume 9303, Page 222 of Cuyahoga County Records;

thence South 46° 18' 28" East along the southwesterly line of land so conveyed to Euclid 116 Corp., 221.76 feet to a southwesterly corner thereof;

thence North 89° 47' 24" East along the southerly line of land so conveyed to Euclid 116 Corp., 74.48 feet to its intersection with the center line of East 117th Street, 50 feet in width,

thence South 0° 12' 46" East along the center line of said East 117th Street, 329.64 feet to the center line of aforementioned Mayfield Road S.E.;

thence South 89° 47' 26" West along the center line of Mayfield Road S.E., 294.00 feet to the place of beginning, containing 113,594 square feet of land (2.6078 Acres) according to a survey made in 1977 by Garrett & Associates, Inc. Registered Engineers and Surveyors, be the same more or less, but subject to all legal highways and future widening of existing Mayfield Road S.E. up to 12 feet on the northwesterly side thereof

Excepting therefrom the following parcels:

Exception No. 1

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Parcel "B" and Parcel "C" in the Lot Split and Consolidation Plat for McCullough Center, LLC of part of Original 100 Acre Lots Nos. 395 and 396 as shown by the recorded plat in Volume 375 of Maps, Page 58 of Cuyahoga County Records, as appears by said plat.

Exception No. 2

That 12 foot wide portion of Mayfield Road S.E. as shown in the Dedication Map of Mayfield Road S.E. Widening as recorded in Volume 227 of Maps, Page 87 of Cuyahoga County Records.

Parcel No. 2: (PPN: 120-29-040)

(Disposition Parcel No. 114)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot Number 25 in the James S. Stevens Subdivision of part of Original 100 Acre Lots Numbers 395 and 396 as shown by the recorded plat in Volume 27 of Maps, Page 23 of Cuyahoga County Records and part of East 116th Street, (32 feet wide) as proposed to be vacated and together forming a parcel of land bounded and described as follows:

Beginning at a point on the centerline of said East 116th Street at its intersection with the northerly line of Mayfield Road S.E., (60 feet wide),

thence North 0 degrees 12 minutes 42 seconds West, along said centerline of East 116th Street, 120.07 feet to its intersection with the westerly prolongation of the southerly line of

said Sublot Number 25, and the principal place of beginning of the parcel of land herein intended to be described;

thence continuing along said centerline of East 116th Street, North 0 degrees 12 minutes 42 seconds West, 35.02 feet to its intersection with the westerly prolongation of the northerly line of said Sublot Number 25,

thence North 89 degrees 47 minutes 26 seconds East, along said westerly prolongation of the northerly line of Sublot Number 25, and along said northerly line 96.11 feet to the northeasterly corner thereof,

thence South 0 degrees 12 minutes 42 seconds East, along the easterly line of said Sublot No 25, 35.02 feet to the southeasterly corner thereof,

thence South 89 degrees 47 minutes 26 seconds West, along the southerly line of said Sublot Number 25, and its westerly prolongation, 96.11 feet to the principal place of beginning, and containing 3,366 square feet of land according to a survey dated March, 1977 by the City of Cleveland, Department of Public Service, Division of Engineering and Construction, Plats and Surveys, be the same more or less, but subject to all legal highways

Parcel No. 3: (PPN's: 120-29-018 and 046)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Parcel "C" in the Lot Split and Consolidation Plat for McCullough Center, LLC of part of Original 100 Acre Lots Nos. 395 and 396 as shown by the recorded plat in Volume 375 of Maps, Page 58 of Cuyahoga County Records, as appears by said plat.

Parcel 4 (PPN: 120-30-119)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 396, and being further bounded and described according to a plan of survey made by P. Zwick Associates, Inc., Consulting Engineers & Surveyors, dated January 24, 1978, as follows:

Beginning on the Northerly right of way line of Mayfield Road (60 feet wide) at its intersection with the Easterly right of way line of East 117th Street (50 feet wide);

thence North 89 deg. 51' 23" East, along the said Northerly right of way line of Mayfield Road, 39.49 feet to a point, said point being 15 feet by rectangular measurement from the centerline of most Westerly near track formerly of The New York Central Railroad Company;

thence North 0 deg. 09' 39" East along a line parallel with and 15 feet by rectangular measurement from the centerline of said Westerly near track, 551.63 feet to a point on the Southeasterly prolongation of the Northeasterly right of way line of said East 117th Street;

thence North 46 deg. 06' 05" West along said Southeasterly prolongation of the Northeasterly right of way line of East 117th Street, 56.73 feet to an angle point in said Easterly right of way line of East 117th Street;

thence date South along said Easterly right of way line of East 117th Street, 591.06 feet to the place of beginning, containing 22,972 square feet or 0.5274 of an acre of land.

Parcel No. 5 (PPN's: 120-29-008, 010, 011 and 034 through 039)

Situated in the City of Cleveland, County of Cuyahoga and State, of Ohio, and known as being a part of Sublots Nos. 10, 18, 30 and 31 and all of Sublots Nos. 11, 12, 13, 14, 15, 16, 17, 28 and 29 in The James S. Stevens Subdivision of a part of Original 100 Acre Lots Nos. 395 and 396 as shown by the recorded plat in Volume 27 of Maps, Page 23 of Cuyahoga County Records, and part of Sublots Nos. 26, 27, 28 and 29 in Andrew Cozad's Allotment of a part of Original 100 Acre Lots Nos. 395, 396, 403 and 404 as shown by the recorded plat in Volume 7 of Maps, Page 21 of Cuyahoga County Records, part of East 116th Street, 32 feet in width (formerly Nantucket Avenue) and a part of existing Mayfield Road S.E., 60 feet in width, together forming a parcel of land bounded and described as follows:

Beginning in the center line of said Mayfield Road S.E. at its intersection with the center line of said East 116th Street;

thence South 89° 47' 26" West along the center line of Mayfield Road S.E., 407.27 feet to its intersection with a line drawn parallel to and distant 330.00 feet southeasterly by rectangular measurement from the Southeasterly line of Euclid Avenue, 80 feet in width;

thence North 43° 48' 02" East along said parallel line, 572.22 feet to its intersection with a northeasterly line of aforementioned East 116th Street;

thence South 46° 17' 58" East along said northeasterly line of East 116th Street, 35.72 feet to an angle point;

thence South 0° 12' 19" East along a northeasterly line of East 116th Street, 6.20 feet to its intersection with a line drawn parallel to and distant 370.00 feet southeasterly by rectangular measurement from the southeasterly line of aforementioned Euclid Avenue;

thence South 43° 48' 02" West along said last mentioned parallel line, 23.03 feet to the center line of said East 116th Street;

thence South 0° 12' 19" East along the center line of East 116th Street, 364.01 feet to the place of beginning, containing 86,119 square feet of land (1.9770 Acres) according to a Survey made in 1977 by Garrett & Associates, Inc., Registered Engineers and Surveyors, be the same more or less, but subject to all legal highways and future widening of existing Mayfield Road S.E. up to 12 feet on the northwesterly side thereof.

Excepting therefrom that 12 foot wide portion of Mayfield Road S.E. as shown in the Dedication map of Mayfield Road S.E. Widening as recorded in Volume 227 of Maps, Page 87 of Cuyahoga County Records.

Section 2. That existing Section 1 of Ordinance No. 1414-16, 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.

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

Ord. No. 73-17.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to enter into contract with the Cuyahoga County Public Defender Commission for legal services necessary to defend indigents charged with violation of ordinances of the City of Cleveland that may result in incarceration, for the Cleveland Municipal Court for a period of one year.

Whereas, in *Argersinger v. Hamlin* and *Scott v. Illinois*, the United States Supreme Court held that no indigent criminal defendant may be sentenced to a term of imprisonment unless he or she has been afforded the right to assistance of counsel in their defense; and

Whereas, the Cleveland Municipal Court, through the City of Cleveland, is obligated to provide counsel for an indigent person charged with violation of City ordinances with the possibility of a sentence including incarceration; and

Whereas, under Section 120.14 of the Revised Code, a county public defender commission may contract with any municipal corporation within the County served by the county public defender to provide legal representation on behalf of the municipal corporation; and

Whereas, the Cleveland Municipal Court, the district of which encompasses Bratenahl and the City of Cleveland, recommends that the Cuyahoga County Public Defender Commission should provide indigent defense; 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 Finance, on behalf of the Cleveland Municipal Court, is authorized to enter into contract with the Cuyahoga County Public Defender Commission for legal services necessary to defend indigents charged with violation of ordinances of the City of Cleveland, provided the violation may result in incarceration, for a period of one year beginning January 1, 2017, at an estimated cost of \$1,922,185.

Section 2. That two percent (2%) of any payment received by the City and/or Cleveland Municipal Court from the financing of defense counsel for indigent persons shall be utilized by participants in a court exchange program between Cleveland Municipal Court and the Cleveland Municipal School District.

Section 3. That the costs of the contract shall be paid from Fund No. 01-0115-6320, RQS 0115, RL 2017-3.

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 Finance, Law; Committee on Finance.

Ord. No. 74-17.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to enter into one or more contracts with Court Community Service for professional services necessary to place criminal defendants in community service, and for placement in the Cleveland Work Crew Program, both as referred by the Court, for the Cleveland Municipal Court, each for a period of one year.

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

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

Section 1. That the Director of Finance, on behalf of the Cleveland Municipal Court, is authorized to enter into one or more contracts with Court Community Service for professional services necessary to arrange community service for persons the Court refers for a period of one year, commencing January 1, 2017. The cost of the contract shall not exceed \$281,000.

Section 2. That the Director of Finance, on behalf of the Cleveland Municipal Court, is authorized to enter into one or more contracts with Court Community Service for professional services necessary to arrange community service for persons the Court refers in the Cleveland Work Crew Program for a period of one year, commencing January 1, 2017. The cost of the contract shall not exceed \$162,500.

Section 3. The cost of the contracts shall be paid from Fund No. 01-0115-6320, RQS 0115, RL 2017-2.

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 Finance, Law; Committee on Finance.

Ord. No. 75-17.

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

An emergency ordinance authorizing the Director of Public Safety to enter into one or more requirement contracts with the Department of Mental Health and Addiction Services for pharmaceutical supplies, services and equipment, for the Division of Correction, Department of Public Safety, for a period not to exceed one year, with an option to renew for one additional year, exercisable by the Director of Public Safety.

Whereas, the Ohio Department of Mental Health and Addiction Services ("OhioMHAS") provides certain goods and services to state, county, and municipal agencies when providing such goods and services will benefit the public by conserving public resources; and

Whereas, the Division of Correction, Department of Public Safety desires to participate in the purchasing program through OhioMHAS; and

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

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

Section 1. That, under Section 108(b) of the Charter, the Director of Public Safety is authorized to make one or more written requirement contracts with the OhioMHAS, for the requirements for a period not to exceed one year, with an option to renew for one additional year, exercisable by the Director of Public Safety, of the necessary items of pharmaceutical supplies, services and equipment, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Division of Correction, Department of Public Safety.

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 by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 6001, RL 2017-4)

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

Referred to Directors of Public Safety, Finance, Law; Committees on Safety, Finance.

Ord. No. 76-17.

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 additional licenses and to add the remainder of the police districts to implement the new Law Enforcement Record Management System; and to extend the term of the contract until December 31, 2017.

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

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

Section 1. That the Director of Public Safety is authorized to enter into an amendment to Contract No. PS 2011-214 with Tyler Technologies, Inc. fka New World Corporation to provide additional software licenses for mobile field reporting under the Law Enforcement Record Management System ("LERMS"), to implement and provide other services needed to add the remainder of the police districts, to implement the LERMS' Mobile Field Reporting upgrade under the new Record Management System, and to extend the term of the contract until December 31, 2017. All other terms and conditions contained in the contract shall remain the same.

Section 2. That the amendment shall be prepared by the Director of Law.

Section 3. That the costs of the contract amendment shall not exceed xxx and shall be paid from Fund No. 10 SF 027, Request No. RQS 6001, RL 2017-5.

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 Public Safety, Finance, Law; Committees on Safety, Finance.

Ord. No. 77-17.

By Council Member Kelley.

An emergency ordinance authorizing the Clerk of Council to enter into an agreement with thunder:tech for the professional services necessary to provide website hosting, support and maintenance, and map location pinning for Cleveland City Council.

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

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

Section 1. That the Clerk of Council is authorized to enter into an agreement with thunder:tech for the professional services necessary to provide website hosting, support and maintenance, and map location pinning for Cleveland City Council, for a one year term beginning January 1, 2017, with three one-year options to renew at the Clerk's discretion.

Section 2. That the cost of all services under this agreement shall not exceed \$13,000.00 and shall be certified from fund 11-006 and/or 21-006.

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.

Referred to Committee on Finance.

FIRST READING EMERGENCY RESOLUTIONS REFERRED

Res. No. 78-17.

By Council Member Zone.

An emergency resolution declaring the month of March 2017 as Problem Gambling Awareness Month.

Whereas, the National Council on Problem Gambling and the Cuyahoga Problem Gambling Coalition has designated March 2017 as Problem Gambling Awareness Month; and

Whereas, problem gambling is a public health issue affecting millions of Americans of all ages, races and ethnic backgrounds; and

Whereas, problem gambling has a significant societal and economic cost for individuals, families, businesses and communities; and

Whereas, problem gambling is treatable and treatment is effective in minimizing this harm to both individuals and society as a whole; and

Whereas, numerous individuals, professionals and organizations have dedicated their efforts to educating the public about problem gambling and the availability and effectiveness of treatment; and

Whereas, the National Council on Problem Gambling and the Cuyahoga Problem Gambling Coalition invite all residents of Cleveland to participate in Problem Gambling Awareness Month; and

Whereas, this Council encourages all citizens to support the National Council on Problem Gambling and the Cuyahoga Problem Gambling Coalition in their efforts to Have the Conversation with friends, family, patients and clients about gambling addiction; 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 declares the month of March 2017 Problem Gambling Awareness Month.

Section 2. That the Clerk of Council is directed to transmit copies of this resolution to the National Council on Problem Gambling and the Cuyahoga Problem Gambling Coalition.

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.

Res. No. 79-17.

By Council Member Conwell.

An emergency resolution supporting the proposal of Famicos Foundation to the City of Cleveland Land Bank to acquire 24 Land Bank parcels for the use of low-income housing tax credits.

Whereas, each year the Ohio Housing Finance Agency allocates housing credits for affordable housing developments throughout Ohio using a competitive proposal process; and

Whereas, Famicos Foundation is proposing to develop up to 40 single-family housing units in the Cleveland East submarket as defined by the Ohio Housing Finance Agency, in Cleveland, Ohio; and

Whereas, the development will include the construction of new lease-purchase housing and the elimination of blight within the area bounded by Superior Avenue, East 105th Street, Ashbury Avenue and the Cleveland/East Cleveland border; and

Whereas, all of the homes are proposed to be built on blighted and vacant lots; and

Whereas, OHFA requires site control of 35% of the lots; and

Whereas, 100% of these homes will be affordable to families with incomes at or below 60% of the area median income and no housing units will be market rate; and

Whereas, the Famicos Foundation proposal will benefit the citizens of the 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 the proposal of Famicos Foundation to the City of Cleveland Land Bank to acquire 24 Land Bank parcels for the use of low-income housing tax credits.

Section 2. That the Clerk of Council is directed to transmit a copy of this resolution to the Executive Director of the Famicos Foundation.

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 RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 80-17.

By Council Member K. Johnson.

An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit at 3344 East 116th Street and repealing Resolution No. 983-16 objecting to said renewal.

Whereas, this Council objected to the renewal of a C2 and C2X Liquor Permit to 3344 East 116th, Inc., DBA Kinsman Supermarket, 3344 East 116th Street, Cleveland, Ohio 44120, Permanent Number 89166090005 by Resolution No. 983-16, adopted by the Council on August 10, 2016; 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 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 objection to the renewal of a C2 and C2X Liquor Permit to 3344 East 116th, Inc., DBA Kinsman Supermarket, 3344 East 116th Street, Cleveland, Ohio 44120, Permanent Number 89166090005, be and the same is hereby withdrawn and Resolution No. 983-16, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

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

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

Res. No. 81-17.

By Council Member Dow.

An emergency resolution objecting to the transfer of ownership of a D1, D2 and D6 Liquor Permit to 3709 Payne Avenue, 1st floor and basement.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a D1, D2 and D6 Liquor Permit from Soo Jung, Inc., DBA Seoul Hot Pot, 3709 Payne Avenue, 1st floor and basement, Cleveland, Ohio 44114, Permanent Number 8377674 to Soon Cheol Moh, DBA Hansol, 3709 Payne Avenue, 1st floor and basement, Cleveland, Ohio 44114, Permanent Number 8377690; 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 D1, D2 and D6 Liquor Permit from Soo Jung, Inc., DBA Seoul Hot Pot, 3709 Payne Avenue, 1st floor and basement, Cleveland, Ohio 44114, Permanent Number 8377674 to Soon Cheol Moh, DBA Hansol, 3709 Payne Avenue, 1st floor and basement, Cleveland, Ohio 44114, Permanent Number 8377690; 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. 82-17.

By Council Member Brancatelli.

An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit at 6506 Fleet Avenue and repealing Resolution No. 965-16 objecting to said renewal.

Whereas, this Council objected to the renewal of a C1 and C2 Liquor Permit to Amer Alahmad, Managing Member, 6506 Fleet Avenue, LLC, 6506 Fleet Avenue, Cleveland, Ohio 44105, Permanent Number 7638470 by Resolution No. 965-16, adopted by the Council on August 10, 2016; 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 the renewal of a C1 and C2 Liquor Permit to Amer Alahmad, Managing Member, 6506 Fleet Avenue, LLC, 6506 Fleet Avenue, Cleveland, Ohio 44105, Permanent Number 7638470, be and the same is hereby withdrawn and Resolution No. 965-16, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

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

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

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 1027-16.

By Council Members K. Johnson and Brancatelli (by departmental request).

An emergency ordinance authorizing the Director of Capital Projects to issue one or more permits to Mobilitie, LLC to encroach into the public right-of-way at various locations in the City of Cleveland by

installing, using, and maintaining telecommunications infrastructure, including but not limited to, fiber optic cable, duct banks, vaults and nodes to be attached to Cleveland Public Power utility poles (by separate permission of pole owner).

Approved by Directors of Capital Projects, City Planning Commission, Finance, Law; Passage recommended by Committees on Municipal Services and Properties, Development Planning and Sustainability, when amended, as follows:

1. In Section 4, line 3, after "public interest", strike the period and insert "including, but not limited to, the requirement that the Permittee comply with all terms and conditions of Chapter 510, Use of Public Right-of-Way by Service Providers, of which division (d) of Section 510.06 requires the filing of a Graffiti Mitigation Plan with the Office of Capital Projects."

Amendment 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. 1413-16.

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 HH Cleveland Huntington LP, or their designee, to provide financial assistance toward the revitalization of the Huntington Building which is located on the corner of East 9th Street and Euclid Avenue into a mixed-use redevelopment in conjunction with the 925 Euclid Avenue project; to provide for payments to the Cleveland City School District; and to declare certain improvements to real property to be a public purpose.

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

1. In the second whereas clause, strike lines 4 and 5 in their entirety and insert: "and comprising Permanent Parcel Nos. 101-36-013, 101-36-002, 101-36-001, and A.P.N. 101-36-002 ("Real Property"); and".

Amendment 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. 1443-16.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by Euclid Avenue Garage, LLC and Samal Euclid LLC, or their designees, located at 515 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; and authorizing an agreement with Euclid Avenue Garage, LLC and Samal Euclid LLC, or their designees.

Approved by Directors of Economic Development, City Planning Commission, Finance, Law; Passage recommended by Committees on Municipal Services and Properties, 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. 1444-16.

By Council Member Brancatelli (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 337.251 relating to limited lodging in residence districts, effective February 1, 2017.

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. 19-17.

By Council Member Kelley (by departmental request).

An emergency ordinance to amend Section 8 of Ordinance No. 323-15, passed March 30, 2015, as amended, relating to compensation for various classifications.

Approved by Directors of Human Resources, Finance, Law; Passage recommended by Committee on Finance.

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

Ord. No. 29-17.

By Council Member Kelley.

An emergency ordinance authorizing the Clerk of Council to enter into an agreement with Western Reserve Land Conservancy d/b/a Thriving Communities Institute to provide professional services regarding the Vacant and Abandoned Property Action Council (VAPAC), reforestation, demolition funding, rehabilitation, code enforcement, green-space, and property information.

Approved by Committee on 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. 1359-16.

By Council Member Zone.

An ordinance changing the Use, Area and Height Districts of parcels bounded by West 65th Street, Breakwater Avenue, West 58th Street and Herman Avenue to Semi-Industry, Townhouse and Open Space Recreation as described and as shown on the attached map (Map Change No. 2551).

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. 35-17.

By Council Member Zone, Kelley, Brady, Brancatelli, Cleveland, Conwell, Cummins, Dow, J. Johnson, K. Johnson, Kazy, Keane, McCormack, Mitchell, Polensek, Pruitt, and Reed.

An emergency resolution joining the Cuyahoga County Board of Alcohol, Drug Addiction and Mental Health Services in declaring the hundreds of opioid overdose deaths in Cuyahoga County a public health emergency, and requesting additional funding from the state and federal governments to address the issue.

Approved by Committee on Finance.

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

THIRD READING EMERGENCY ORDINANCE PASSED

Ord. No. 808-16.

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

An emergency ordinance determining the method of making the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving the Marion Motley Park to implement a motor-cross sports and mountain bike program, including but not limited to site improvements and appurtenances; authorizing the Director of Public Works or Capital Projects, as appropriate, to enter into one or more contracts to make the improvement and authorizing standard and requirement contracts; authorizing one or more management agreements for the maintenance, operation, and management services of the program, for a period of five years with five one-year options to renew, exercisable by the Director of Public Works.

Read third time in full. Passed. Yeas 9. Nays 7.

Those voting yea: Council Members Brady, Brancatelli, Cleveland, Conwell, K. Johnson, Kelley, McCormack, Mitchell, and Zone.

Those voting nay: Council Members Cummins, Dow, J. Johnson, Kazy, Keane, Polensek, and Reed.

MOTION

On the motion of Council Member Brady, the absence of Council Member Terrell H. Pruitt is hereby authorized. Seconded by Council Member Polensek.

MOTION

The Council Meeting adjourned at 8:18 p.m. to meet on Monday, January 30, 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

January 18, 2017

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, January 18, 2017 at 10:40 a.m. with Director Langhenry presiding.

Present: Director Langhenry, Acting Director Flask, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors Nichols, and McNamara, O'Leary.

Absent: Mayor Jackson, Directors Dumas, Davis, and West.

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

Melissa Burrows, Director, Office of Equal Opportunity.

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

Resolution No. 22-17.

By Director Kennedy.

Whereas, Board of Control Resolution No. 4-17, adopted January 4, 2017 pursuant to Article 8 of the Agreement and Lease between the City of Cleveland and the Original Scheduled Airlines and the Additional Scheduled Airlines, set the Rentals and Landing Fee Rates for the one-year period commencing January 1, 2017; and

Whereas, Resolution No. 4-17 incorrectly stated that it adopted the 2017 Annual Budget; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 4-17, adopted January 4, 2017, is amended by deleting "2017 Annual Budget and" immediately following "Additional Scheduled Airlines" and inserting "based on the 2017 Annual Budget," immediately following "Landing Fee Rates".

Be it further resolved that all other terms of Resolution No. 4-17 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Director Langhenry, Acting Director Flask, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors Nichols, and McNamara, O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Davis, and West.

Resolution No. 23-17.

By Interim Director Szabo.

Resolved, by the Board of Control of the City of Cleveland that the bid of B. P. Britches, Inc. d/b/a Christopher's, for an estimated quantity of employee uniforms and related items, Bid Items 1(A) through (X), 2(B), 3(A) through (H), 4(A) through (P), 5(A) through (C) and 6 for the various divisions of the Department of Port Control, for a period of two years starting upon the latter of the execution of a contract or the day following the expiration of the currently effective contract, with two one-year options to renew, received November 10, 2016,

under the authority of Section 181.101(a)(25) of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to \$81,455.00 is affirmed and approved as the lowest and best bid, and the Director of Port Control is requested to enter into a requirement contract for the goods and/or services specified.

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 Director Flask, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors Nichols, and McNamara, O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Davis, and West.

Resolution No. 24-17.

By Interim Director Szabo.

Resolved, by the Board of Control of the City of Cleveland that the bid of Schwarz Uniform Corporation, for an estimated quantity of employee uniforms and related items, Bid Items 2(A), (C), (D), (E) and (F), for the various divisions of the Department of Port Control, for a period of two years starting upon the latter of the execution of a contract or the day following the expiration of the currently effective contract, with two one-year options to renew, received November 10, 2016, under the authority of Section 181.101(a)(25) of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to \$16,750.00 is affirmed and approved as the lowest and best bid, and the Director of Port Control is requested to enter into a requirement contract for the goods and/or services specified.

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 Director Flask, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors Nichols, and McNamara, O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Davis, and West.

Resolution No. 25-17.

By Director McGrath.

Whereas, under the authority of Section 135.06, Codified Ordinances of Cleveland, Ohio, 1976, and Board of Control Resolution No. 005-17, adopted January 4, 2017, the Director of Public Safety was authorized to enter into a contract with Globe Manufacturing Company, LLC for the purchase of Turnout Clothing, all items, in the estimated contract amount of \$1,119,487.50, for the Division of Fire, Department of Public Safety; and

Whereas, Resolution No. 005-17 inadvertently stated that Globe Manufacturing Company, LLC was the lowest and best bidder for all items, rather than "Alternate Bid Option 1, all items (GXGEL)"; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 005-17, adopted by this Board on January 4, 2017, approving the bid of Globe Manufacturing Company, LLC as the lowest and best for "all items" of Turnout Clothing is amended by inserting "Alternate Bid Option 1," immediately following "Turnout Clothing," and inserting "(GXGEL)" immediately following "all items".

Be it further resolved that all other terms of Resolution No. 005-17 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Director Langhenry, Acting Director Flask, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors Nichols, and McNamara, O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Davis, and West.

Resolution No. 26-17.

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Industrial Energy Systems, Inc., for an estimated quantity of labor and materials for the capital maintenance and repair of city facilities-roofing, all items, for the Division of Property Management, Department of Public Works, for a period of one year, beginning with the date of execution of a contract, with one one-year renewal option, received on May 25, 2016 under the authority of Section 131.67 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$59,250.00 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a requirement contract for the goods and/or services specified.

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

Be it further resolved, that the employment of the following subcontractor by Industrial Energy Systems, Inc. for the above-mentioned requirement contract is approved:

Subcontractor	Subcontract Amount	Percentage
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The Lakewood Supply Company		TBD TBD
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Yeas: Director Langhenry, Acting Director Flask, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors Nichols, and McNamara, O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Davis, and West.

Resolution No. 27-17.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 121-32-050 located at 11021 Mt. Carmel 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, the Cuyahoga County Land Reutilization Corporation has proposed to the City to acquire the parcel to correct an error in property transfer; and

Whereas, the following conditions exist:

1. The member of Council from Ward 6 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 the Cuyahoga County Land Reutilization Corporation for the sale and development of Permanent Parcel No. 121-32-050 located at 11021 Mt. Carmel 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 \$1.00, 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 Director Flask, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors Nichols, and McNamara, O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Davis, and West.

Resolution No. 28-17.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel Nos. 120-07-086, 120-07-088, 120-08-019 and 120-08-078 located on East 100th Street and East 111th 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, Famicos Foundation has proposed to the City to purchase and develop the parcels for new housing construction; and

Whereas, the following conditions exist:

1. The member of Council from Ward 9 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 parcels is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of 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 Famicos Foundation for the sale and development of Permanent Parcel Nos. 120-07-086, 120-07-088, 120-08-019 and 120-08-078 located on East 100th Street and East 111th 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 parcels shall be \$200.00 each, which amount is determined to be not less than the fair market value of the parcels for uses according to the Program.

Yeas: Director Langhenry, Acting Director Flask, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors Nichols, and McNamara, O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Davis, and West.

Resolution No. 29-17.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 002-34-108 located on West 47th 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, North Coast Shuffle Board Club LLC has proposed to the City to purchase and develop the parcel for shared public parking; and

Whereas, the following conditions exist:

1. The member of Council from Ward 3 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 North Coast Shuffle Board Club LLC for the sale and development of Permanent Parcel No. 002-34-108 located on West 47th 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 Director Flask, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors Nichols, and McNamara, O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Davis, and West.

Resolution No. 30-17.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 111-14-006 located at 571 East 128th 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, Monica Brentson has proposed to the City to purchase and develop the parcel for green space; and

Whereas, the following conditions exist:

1. The member of Council from Ward 10 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 Monica Brentson for the sale and development of Permanent Parcel No. 111-14-006 located at 571 East 128th 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 Director Flask, Directors Cox, Gor-

don, McGrath, Acting Director Cosgrove, Directors Nichols, and McNamara, O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Davis, and West.

Resolution No. 31-17.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 016-12-174 located at 3332 West 46th 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, Elba Del Valle and Jaime Del Valle 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 14 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 Elba Del Valle and Jaime Del Valle for the sale and development of Permanent Parcel No. 016-12-174 located at 3332 West 46th 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 Director Flask, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors Nichols, and McNamara, O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Davis, and West.

Resolution No. 32-17.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 006-05-094 located at 7411 Dudley 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, Hissam Jawhary 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 15 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 Hissam Jawhary for the sale and development of Permanent Parcel No. 006-05-094 located at 7411 Dudley 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 Director Flask, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors Nichols, and McNamara, O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Davis, and West.

Resolution No. 33-17.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 110-29-042 located at 12417 Superior 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, Superior-FDBTS, LLC has proposed to the City to purchase and develop the parcel as a commercial parking lot; and

Whereas, the following conditions exist:

1. The member of Council from Ward 9 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 Superior-FDBTS, LLC for the sale and development of Permanent Parcel No. 110-29-042 located at 12417 Superior 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 \$14,400.00, 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 Director Flask, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors Nichols, and McNamara, O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Davis, and West.

Resolution No. 34-17.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 133-16-053 located at 7630 Worley 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, Benjamin Rosolowski has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 12 has 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 Benjamin Rosolowski for the sale and development of Permanent Parcel No. 133-16-053 located at 7630 Worley

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 Director Flask, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors Nichols, and McNamara, O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Davis, and West.

Resolution No. 35-17.

By Acting Director Cosgrove.

Whereas, Board of Control Resolution No. 52-16, adopted February 3, 2016, authorized the sale and development of Permanent Parcel Nos. 132-06-042, 132-06-068, 132-06-072, 132-07-078, 132-14-020, 132-14-025, 132-14-058, 132-14-059, 132-14-081, 132-14-082, 132-14-095 and 132-15-125 to Cleveland Housing Network, Inc. for affordable housing, as part of the City's Land Reutilization Program established under Ordinance No. 2076-76, passed by the Cleveland City Council on October 25, 1976; and

Whereas, Cleveland Housing Network, Inc. has requested additional parcels the City acquired under its Land Reutilization Program be included in this project; and,

Whereas, all conditions of Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 existing for the parcels authorized for sale in Resolution No. 52-16, adopted February 3, 2016, exist for the requested additional parcels; and

Whereas, Cleveland Housing Network, Inc. has designated Slavic Village Green Homes I L.P. as the proposed purchaser of the parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 52-16, adopted by this Board February 3, 2016, authorizing the sale and development of Permanent Parcel Nos. 132-06-042, 132-06-068, 132-06-072, 132-07-078, 132-14-020, 132-14-025, 132-14-058, 132-14-059, 132-14-081, 132-14-082, 132-14-095 and 132-15-125 to Cleveland Housing Network, Inc. for affordable housing, is amended by adding Permanent Parcel Nos. 132-06-036, 132-06-051, 132-07-076, 132-13-023, 132-13-024, 132-13-045, 132-13-047, 132-13-075, 132-14-072, 132-14-085, 132-14-099, 132-14-100, 132-15-076, and 132-15-085 to the list of parcels authorized for sale, and is further amended by substituting "Slavic Village Green Homes I L.P." for "Cleveland Housing Network, Inc." where appearing in the resolution.

Be it further resolved that all other provisions of Resolution No. 52-16 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Director Langhenry, Acting Director Flask, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors Nichols, and McNamara, O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Davis, and West.

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, FEBRUARY 6, 2017

9:30 A.M.

Calendar No. 16-323: 2010 Lorain Avenue (Ward 3)

St. Ignatius High School, owner, proposes to install artificial turf sports practice fields and construct a storage building in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of Section 337.02(f)(3)(B) of the Cleveland Codified Ordinances which states that in a Two-Family District recreation building, parish houses and grounds for games and sports are permitted if located not less than thirty feet from any adjoining premises in a Residence District and if approved by the Board of Zoning Appeals after public notice and public hearing. (Filed December 21, 2016)

Calendar No. 16-324: 1769 West 38th Street (Ward 3)

13016 Larchmere Properties, owner, proposes to change use to a private school and exhibition space 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 337.03(b) which states that in a Two-Family District a private school must be 30 feet away from adjoin premises in a residential district, and requires the approval of the Board of Zoning

Appeals to determine if adequate yard spaces and other safeguards are provided to preserve the character of the neighborhood, and if such building and use is appropriately located and designed and will meet a community need with our adversely affecting the neighborhood.

2. Section 349.04(c)(e) which states that 12 total parking spaces are required and no legally conforming parking spaces provided. (Filed December 21, 2017)

Calendar No. 17-001: 2074 East 36th Street (Ward 5)

CCC Capital, owner, proposes to erect a 5 foot tall fence located in a D4 General Retail Business District. The owner appeals for relief from the strict application of Section 358.05(a)(2) of the Cleveland Codified Ordinances which states that in a General Retail Business District, fences in actual front yards may not exceed four (4) feet in height and the proposed fence and gates are five (5) feet in height. (Filed January 4, 2016)

Calendar No. 17-002: 3433 Carnegie Avenue (Ward 5)

CCC Capital, owner, proposes to erect a 5 foot tall fence located in a D4 General Retail Business District. The owner appeals for relief from the strict application of Section 358.05(a)(2) of the Cleveland Codified Ordinances which states that in a General Retail Business District, fences in actual front yards may not exceed four (4) feet in height and the proposed fence and gates are five (5) feet in height. (Filed January 4, 2016)

Calendar No. 17-004: 4201-4207 Clinton Avenue (Ward 3)

Fourteen Sixtyeight, LLC. owner, proposes to erect new porches to a nonconforming multi-family building and a new 2,285 square foot detached garage building 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 337.23(a)(6)(A) which states that the floor area of a private garage erected as an accessory building shall not exceed six hundred fifty (650) square feet unless the lot area exceeds four thousand eight hundred (4,800) square feet in which event the floor area may be increased in the ratio of one (1) square foot for each twelve (12) square feet of additional lot area. For a 13,520 square foot lot, the floor space of an accessory garage is limited to 1,376 square feet and a 2,285 square foot garage is proposed.

2. Section 357.13(b)(4) which states that an open porch projecting into a front yard is limited to six feet and an eight foot projecting porch is proposed. (Filed January 5, 2017)

Calendar No. 17-010: 1282 East 125th Street (Ward 9)

Mountainside Realty Ventures LLC., owner, proposes to change use from daycare to retail store and add addition and rear parking lot in a C2 Local Retail Business District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 343.18(C) which states that in Retail Business Districts, driveways must be at least 15 feet from property line. Driveway to the rear, off Superior Avenue, is less than 15 feet to property line.

2. Section 352.07(b)(2) which states that when a change of use occurs to a property that is non-conforming in landscaping, Board of Zoning Appeals determination on the continuation of the non-conformity is required. Property is non-conforming in that a six foot wide landscaped frontage strip is required where the parking lots abuts the street. (Filed January 11, 2017)

Calendar No. 16-326: 3129 West 25th Street (Ward 14)

Donald G. Ksiezzyk, owners, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from a Notice of Violation Number V16038805 issued on November 21, 2016 by the Cleveland Department of Building and Housing for failure to comply with Section 327.02(B) of the Cleveland Codified Ordinances which states that no building shall be erected, altered or enlarged until a permit has been issued by the Commissioner of Building and Housing and Section 327.03(C) which states that there shall be no change or substitution of the use until a Certificate of Occupancy has been issued. (Filed December 16, 2016).

THE FOLLOWING 3 CASES WERE POSTPONED FROM JANUARY 9, 2017

Calendar No. 16-270: Appeal from Assessments and License suspension of vendor Permit LUVU16-00195 (Ward 3)

Thomas McCarthy appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) and Section 675.10 of the Cleveland Codified Ordinances from the decision of the Division of Assessments and Licenses to suspend the vendor permit #LUVU16-00195 in Zone 3 from October 7 through December 31, 2016 due to violations of Vendors Rules and Regulations. (Filed October 17, 2016 - No Testimony)

Calendar No. 16-277: Appeal from Assessments and License suspension of vendor Permit LUVU16-00208 (Ward 3)

Art Wiskoff Jr. appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) and Section 675.10 of the Cleveland Codified Ordinances from the decision of the Division of Assessments and Licenses to suspend the vendor permit #LUVU16-00208 in Zone 3 from October 17 through December 31, 2016 due to violations of Vendors Rules and Regulations. (Filed October 21, 2016 - No Testimony)

Calendar No. 16-278: Appeal from Assessments and License suspension of vendor Permit LUVU16-00209 (Ward 3)

Brian DiSanto appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and

Section 329.02(d) and Section 675.10 of the Cleveland Codified Ordinances from the decision of the Division of Assessments and Licenses to suspend the vendor permit #LUVU16-00208 in Zone 3 from October 17 through December 31, 2016 due to violations of Vendors Rules and Regulations. (Filed October 21, 2016 - No Testimony)

Second postponement made at the request of the attorney for the appellant due to a scheduling conflict. First postponement made at the request of the City for further review.

Note: Annual meeting of the Board of Zoning Appeals will be held at the end of this hearing.

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, JANUARY 23, 2017

At the meeting of the Board of Zoning Appeals on Monday, January 23, 2017 the following appeals were scheduled for hearing before the Board and;

The following appeals were **APPROVED:**

Calendar No. 16-315: 2044 Random Road

Bluewater Capital Partners, owner, proposes to erect a five story, 26 dwelling unit building with 2,400 square foot retail space on first floor, and an accessory 52 space parking garage in a B2 Semi-Industry District.

Calendar No. 16-317: 1810 West 54th Street

Cleveland Metropolitan School District, owner, proposes to construct a new Pre-K through 8th grade school in B1 Two-Family Residential District.

Calendar No. 16-318: 12523 Woodside Avenue

FOB Real Estate LLC., owner, proposes to erect a 30' x 103' three story addition which will add 3,088 square feet to an existing school in a One-Family Residential District.

Calendar No. 16-320: 3600 West Park Road

Conor Boylan, owner, proposes to establish use as restaurant with outdoor patio in a B1 Local Retail Business.

The following appeals were **DENIED:**

Calendar No. 16-292: 3011 Vine Court

Carol Vang appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of the City of Cleveland Landmarks Commission.

Calendar No. 16-319: 3844 West 39th Street

Naaji Simpson, owner, proposes to establish use as a "Type A" daycare in a B1 Two-Family Residential District.

The following appeal was **WITHDRAWN:**

Calendar No. 16-316: 797 East 105th Street

Eugene Cavin, owner, proposes to establish use as a coffee shop in a C2 Local Retail Business District.

The following appeals were **DISMISSED:**

None.

The following case was **POSTPONED:**

Calendar No. 17-09: FOB Real Estate LLC
12707 Woodside Avenue. Postponed to February 21, 2017.

The following cases were heard by the Board of Zoning Appeals on Tuesday, January 17, 2017 and the decisions are adopted and approved on Monday, January 23, 2017:

The following appeals were **APPROVED:**

Calendar No. 16-279: 10818 Bernard Avenue

Ramdath Sarran, owner, proposes to erect approximately 60 linear feet of 6 foot high fence and 43 linear feet of 4 foot height fence in a B1 Two-Family Residential District.

Calendar No. 16-310: 3870 West 25th Street

Bassell Lahoud, owner, proposes to establish use as a Motor Vehicle Service Garage in a C2 Local Retail Business District.

Calendar No. 16-313: 4383 West 155th Street

John Lobin, owner, proposes to erect 14' x 20' addition to existing 20' x 20' accessory garage in an A1 One Family Residential District.

The following case was heard by the Board of Zoning Appeals on Monday, November 7, 2016 and the decision was adopted and approved on Monday, January 23, 2017:

The following appeal was **APPROVED:**

Calendar No. 16-262: 2220 West 93rd Street

Friends of Breakthrough Schools, owner, proposes to demolish a parking lot and build a gymnasium in a B1 Two-Family Residential District.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

REQUEST FOR PROPOSALS

This Request for Proposals (RFP) is an invitation to vendors to offer proposals for the salvaging of vehicles for the City of Cleveland, Department of Public Safety, Division of Police.

Submission deadline is Friday, February 10, 2017, by 3:00 pm. There will be an optional pre-proposal conference on Friday, January 27, 2017, at 2:00 pm, at Cleveland City Hall, in Room 230, 601 Lakeside Avenue, Cleveland, Ohio.

To get the RFP and for more information, contact Sgt. Keith Larson, 216-623-5066, klarson@city.cleveland.oh.us.

January 18, 2017, January 25, 2017,
February 1, 2017, February 8, 2017.

NOTICE OF PUBLIC HEARING

Notice of Public Hearing By the Council Committee On Development, Planning and Sustainability

Mercedes Cotner
Committee Room 217
City Hall, Cleveland, Ohio
On Tuesday, January 31, 2017
9:30 a.m.

Notice is hereby given to all interested property owners that the Council Committee on Development, Planning and Sustainability will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Tuesday, January 31, 2017, at 9:30 a.m., to consider the following ordinances now pending in the Council:

Ord. No. 1446-16.

By Council Member Mitchell.
An ordinance establishing a Planned Unit Development (PUD) for the Legacy Pointe at St. Luke's housing development between E. 110th Street and E. 115th Street north of MLK Jr. Drive and south of Woodland Ave and designating Britt Oval as an Open Space Recreation district as shown on the attached map (Map Change No. 2552).

Anthony Brancatelli, Chair
Committee on Development,
Planning and Sustainability

January 18, 2017 and January 25, 2017

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, 2017

File No. 4-17 — Repairing or Replacing Roofs or Roof Systems, for various Divisions of the Department of Port Control, as authorized by Ordinance No. 1196-16, passed by the Council of the City of Cleveland, November 21, 2016. THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, JANUARY 27, 2017 AT 10:00 A.M. CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OH 44135.

January 18, 2017 and January 25, 2017

FRIDAY, FEBRUARY 10, 2017

File No. 7-17 — Sodium Hypochlorite Solution, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of Cleveland, Ohio, 1976. THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, JANUARY 27, 2017 AT 9:30 A.M. THE CARL B. STOKES UTILITIES BUILDING, 4TH FLOOR SOUTH CONFERENCE ROOM, 1201 LAKESIDE AVENUE, CLEVELAND, OH 44114.

January 18, 2017 and January 25, 2017

WEDNESDAY, FEBRUARY 15, 2017

File No. 5-17 — New City of Cleveland Kennel, for the Division of Architecture and Site Development, Department of Capital Projects, as authorized by Ordinance No. 246-15, passed by the Council of the City of Cleveland, April 13, 2015. THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, JANUARY 26, 2017 AT 2:00 P.M. CLEVELAND CITY HALL, ROOM 514, 601 LAKESIDE AVENUE, CLEVELAND, OH 44114.

January 18, 2017 and January 25, 2017

THURSDAY, FEBRUARY 16, 2017

File No. 6-17 — Fire Station Number One Mechanical and General Improvement, for the Division of Architecture and Site Development, Department of Capital Projects, as authorized by Ordinance No. 734-14, 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).

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, JANUARY 26, 2017 AT 10:00 A.M. CLEVELAND CITY HALL, ROOM 517A, 601 LAKESIDE AVENUE, CLEVELAND, OH 44114.

January 18, 2017 and January 25, 2017

FRIDAY, FEBRUARY 17, 2017

File No. 8-17 — Phase 2 AMR Deployment, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 655-16, passed by the Council of the City of Cleveland, July 13, 2016.

THERE WILL BE A **NO FEE** FOR PLANS AND SPECIFICATIONS. THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, JANUARY 26, 2017 AT 10:00 A.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, MAIN AUDITORIUM, 1201 LAKESIDE AVENUE, CLEVELAND, OH 44114.

January 18, 2017 and January 25, 2017

WEDNESDAY, FEBRUARY 15, 2017

File No. 9-17 — Labor and Materials for Fencing Repair and Installation, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 333-16, passed by the Council of the City of Cleveland, April 25, 2016. THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, FEBRUARY 3, 2017 AT 10:00 A.M. CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135-3193.

File No. 10-17 — Rigging Services, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 328-15, passed by the Council of the City of Cleveland, April 20, 2015.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, FEBRUARY 3, 2017 AT 10:00 A.M. CLEVELAND PUBLIC POWER'S TOM L. JOHNSON BUILDING, 1300 LAKESIDE

AVENUE, CONFERENCE ROOM
A, CLEVELAND, OHIO 44114.

**COUNCIL COMMITTEE
MEETINGS**

2:00 p.m.

Finance Committee: Present: Kelley,
Chair; Cleveland, Vice Chair; Brady,
Brancatelli, Conwell, Keane, Mitchell,
Zone. *Authorized Absence:* Pruitt.

January 25, 2017 and February 1, 2017

**Monday January 23, 2017
9:30 a.m.**

**Wednesday January 25, 2017
10:00 a.m.**

**ADOPTED RESOLUTIONS
AND ORDINANCES**

NONE

**Municipal Services and Properties
Committee:** Present: K. Johnson,
Chair; Dow, Vice Chair; Brancatelli,
J. Johnson, Kazy, Reed. *Authorized
Absence:* Cummins.

Transportation Committee: Pre-
sent: Keane, Chair; Dow, Vice Chair;
Conwell, J. Johnson, K. Johnson,
Kazy, Reed.

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O—Ordinance; R—Resolution; F—File
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Authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with HH Cleveland Huntington LP, or their designee, to provide financial assistance toward the revitalization of the Huntington Building which is located on the corner of East 9th Street and Euclid Avenue into a mixed-use redevelopment in conjunction with the 925 Euclid Avenue project; to provide for payments to the Cleveland City School District; and to declare certain improvements to real property to be a public purpose. (O 1413-16) 74
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Authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to enter into one or more contracts with Court Community Service for professional services necessary to place criminal defendants in community service, and for placement in the Cleveland Work Crew Program, both as referred by the Court, for the Cleveland Municipal Court, each for a period of one year. (O 74-17) 71

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