

The City Record

Official Publication of the Council of the City of Cleveland



February the Fourth, Two Thousand and Fifteen

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 Joe Cimperman
- 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
www.clevelandcitycouncil.org

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Kevin J. Kelley

| Ward | Name | Residence | |
|------|----------------------|-------------------------------|-------|
| 1 | Terrell H. Pruitt | 16920 Throckley Avenue | 44128 |
| 2 | Zack Reed | 3734 East 149th Street | 44120 |
| 3 | Joe Cimperman | P.O. Box 91688 | 44101 |
| 4 | Kenneth L. Johnson | 2948 Hampton Road | 44120 |
| 5 | Phyllis E. Cleveland | 2369 East 36th Street | 44105 |
| 6 | Mamie J. Mitchell | 12701 Shaker Boulevard, #712 | 44120 |
| 7 | TJ Dow | 7715 Decker Avenue | 44103 |
| 8 | 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 | 601 Lakeside Avenue, Room 220 | 44114 |
| 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
 Jenita McGowan, 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 – Robert Vilkas, Chief Architect, 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: John Skrtic, Law Librarian,
 Room 100

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

Natasha Brandt, Manager, Internal Audit
DIVISIONS:
 Accounts – Lonya Moss Walker, Commissioner, Room 19
 Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122
 City Treasury – James Hartley, 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 – Sharon Dumas, Interim Director, 1201 Lakeside Avenue

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

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

International Airport, 5300 Riverside Drive
DIVISIONS:
 Burke Lakefront Airport – Khalid Bahhur, Commissioner
 Cleveland Hopkins International Airport – Fred Szabo, Commissioner

DEPT. OF PUBLIC WORKS – Michael Cox, Director

OFFICES:
 Administration – John Laird, Manager
 Special Events and Marketing – Tangee Johnson, Manager
DIVISIONS:
 Motor Vehicle Maintenance – Daniel A. Novak, Commissioner
 Park Maintenance and Properties – Richard L. Silva, Commissioner
 Parking Facilities – Antonette Thompson, Interim Commissioner
 Property Management – Tom Nagle, Commissioner
 Recreation – Samuel Gissentaner, Interim Commissioner
 Streets – Randell T. Scott, Interim Commissioner
 Traffic Engineering – Robert Mavec, Commissioner
 Waste Collection and Disposal – Randell T. Scott, Interim Commissioner

DEPT. OF PUBLIC HEALTH – Toinette Parrilla, Director, 75 Erieview Plaza

DIVISIONS:
 Air Quality – George Baker, Commissioner
 Environment – Chantez Williams, Commissioner, 75 Erieview Plaza
 Health – Myron Bennett, Commissioner, 75 Erieview Plaza

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

DIVISIONS:
 Animal Control Services – John Baird, Chief Dog Warden, 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 – Daryl Rush, 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 – Deborah Southerington, Director, Room 121

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

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

COMMUNITY RELATIONS BOARD – Room 11, Blaine Griffin, Director, Mayor Frank G. Jackson, Chairman Ex-Officio; Rev. Dr. Charles P. Lucas, Jr., Vice-Chairman, Council Member Brian Cummins, 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, Ozell Dobbins, 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; Utilities Director Paul Bender; 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.

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

CLEVELAND LANDMARKS COMMISSION – Room 519 – Jennifer Coleman, Chair; Laura M. Bala, Freddy L. Collier, Jr., Allan Dreyer, Giancarlo Calicchia, Council Member Terrell H. Pruitt, Robert Strickland, Julie Trott, Robert Vilkas, Donald Petit, Interim Secretary.

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

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

Judge Courtroom
 Presiding and Administrative Judge Ronald B. Adrine – Courtroom 15A
 Judge Pinkey S. Carr – Courtroom 12B
 Judge Marilyn B. Cassidy – Courtroom 13A
 Judge Michelle Denise Earley – Courtroom 12C
 Judge Emanuella Groves – Courtroom 14B
 Judge Anita Laster Mays – Courtroom 14C
 Judge Lauren C. Moore – Courtroom 14A
 Judge Charles L. Patton, Jr. – Courtroom 13D
 Judge Raymond L. Pianka (Housing Court Judge) – Courtroom 13B
 Judge Angela R. Stokes – Courtroom 15C
 Judge Pauline H. Tarver – Courtroom 13C
 Judge Ed Wade – Courtroom 12A
 Judge Joseph J. Zone – Courtroom 14D
 Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Gregory A. Sims – Chief Bailiff, Jerome M. Krakowski – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate.

The City Record

71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 102

WEDNESDAY, FEBRUARY 4, 2015

No. 5278

CITY COUNCIL

MONDAY, FEBRUARY 2, 2015

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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:
Dow (CHAIR), Brady, Cleveland,
Kelley, Mitchell.

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

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

FROM OHIO DIVISION OF LIQUOR CONTROL

File No. 127-15.
RE: #5497040. New License Appli-
cation, C2. Manny Quick Stop, Inc.,
3916 East 123rd Street. (Ward 2).
Received.

File No. 128-15.
RE: #8306025. Transfer of Owner-
ship Application, D1 D2 D3 D3A.
Lorain Entertainment, LLC, 11619
Lorain Avenue. (Ward 11).
Received.

File No. 129-15.
RE: #24343090005. Transfer of
Ownership Application, D5. E5 Cap-
ital Corp., 4555 State Road. (Ward
13). Received.

File No. 130-15.
RE: #94020860001. Transfer of
Location Application, D1 D2 D3 D3A.
Wards Tavern, LLC, 3551 East 93rd
Street. (Ward 6). Received.

File No. 131-15.
RE: #1550448. Transfer of Owner-
ship Application, D5A D6. Cleveland
Star Restaurant, Ltd., 4181 West
150th Street. (Ward 16). Received.

CONDOLENCE RESOLUTION

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

Res. No. 132-15—Yvonne PurTTY.

CONGRATULATIONS RESOLUTIONS

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

Res. No. 133-15—Lithuania's Inde-
pendence - 97th Anniversary.

Res. No. 134-15—Terence P. Joyce.

Res. No. 135-15—Linda M. Kane.

Res. No. 136-15—Patrick M.
McLaughlin.

Res. No. 137-15—Judge Raymond
L. Pianka.

Res. No. 138-15—Councilman
Matthew Zone.

Res. No. 139-15—Catherine Mary
Mines - 90th Birthday.

RECOGNITION RESOLUTIONS

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

Res. No. 140-15—Vietnamese Com-
munity In Greater Cleveland, Inc. —
Vietnamese Lunar New Year Cele-
bration for 2015.

Res. No. 141-15—Amir El-Hajj
Khalid A. Samad.

APPRECIATION RESOLUTION

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

Res. No. 142-15—Gloria Allen.

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2015-2017

MONDAY — Alternating

9:30 A.M. — **Health and Human
Services Committee:** Cimperman
(CHAIR), Mitchell (VICE-CHAIR),
Brady, Cleveland, Conwell, Cum-
mins, J. Johnson.

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), Cimperman, Cum-
mins, Dow, 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), Cimperman, Kazy, Keane,
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

Monday, February 2, 2015

The meeting of the Council was
called to order at 7:14 p.m. with the
President of Council, Kevin J. Kel-
ley, in the Chair.

Council Members present: Dona
Brady, Anthony Brancatelli, Joe
Cimperman, Phyllis E. Cleveland,
Kevin Conwell, Brian J. Cummins,
TJ Dow, Brian Kazy, Kevin J. Kel-
ley, Kenneth L. Johnson, Martin J.
Keane, Mamie J. Mitchell, Michael
D. Polensek, Terrell H. Pruitt, Zack
Reed and Matthew Zone.

Also present were: Mayor Frank
G. Jackson, Chief of Staff Ken Sil-
liman, Chief Operating Officer Dar-
nell Brown, Chief of Government
Affairs Valarie J. McCall, Chief of
Regional Development Edward W.
Rybka, Chief of Education Monyka
S. Price, Chief of Sustainability Jeni-
ta McGowan, Chief of Public Affairs
Natoya Walker-Minor, and Directors
Langhenry, Dumas, Smith, Spronz,
Parrilla, McGrath, Cox, O'Leary,
Southernington, Nichols, Griffin,
Fumich, Ambroz and Burrows.

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

MOTION

On the motion of Council Member
Ken Johnson, the reading of the
minutes of the last meeting was dis-
pensated with and the journal
approved. Seconded by Council Mem-
ber Cummins.

COMMUNICATION

File No. 126-15.
From Timothy L. Tramble, Exec-
utive Director, Burten, Bell, Carr
Development, Inc. Notice of intent to
apply to Ohio Housing Finance
Agency's multi-family funding pro-
grams for the development of Col-
fax Family Homes, along Colfax
Road between East 69th Street and
East 79th Street, and along Minnie
Street between Kinsman Road and
Hillside Road, in Cleveland, Ohio.
Received.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 110-15.**By Council Member Kelley (by departmental request).****An emergency ordinance to make appropriations and provide current expenses for the daily operation of all municipal departments of the City of Cleveland for the fiscal year from January 1, 2015 until December 31, 2015.**

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

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

Section 1. That to provide for the current expenses for the City of Cleveland for the fiscal year ending December 31, 2015, the following sums be and they are hereby appropriated viz:

The sum of Five Hundred Forty One Million, Seven Hundred Fifty Thousand, One Hundred Thirty Five Dollars (\$541,750,135) from the General Fund;

The sum of Eighty Eight Million, One Hundred Twenty Nine Thousand, Seven Dollars (\$88,129,007) from the Special Revenue Funds;

The sum of Ninety Four Million, Eight Hundred Twenty Nine Thousand, One Hundred Eighty Two Dollars (\$94,829,182) from the Internal Service Funds;

The sum of Seven Hundred Forty Million, Five Hundred Sixty Eight Thousand, Fifty One Dollars (\$740,568,051) from the Enterprise Funds;

The sum of Eleven Million, Three Hundred Fifty Four Thousand, Four Hundred Eighty Three Dollars (\$11,354,483) from the Trust and Agency Funds;

The sum of Sixty Six Million, Seven Hundred Sixty Seven Thousand, Two Hundred Seven Dollars (\$66,767,207) from the Debt Service Fund;

All set forth in the Mayor's Estimate on file with Council and identified in the aggregate amount for each department as follows:

GENERAL FUND

| | | |
|-------------------------------------|----|-----------------|
| Legislative Branch | \$ | 7,146,808 |
| Judicial Branch | | 38,308,737 |
| Executive Branch | | |
| General Government | | 14,606,134 |
| Department of Aging | | 1,111,748 |
| Department of Human Resources | | 2,163,005 |
| Department of Law | | 12,828,086 |
| Department of Finance | | 16,592,095 |
| Department of Public Health | | 6,167,502 |
| Department of Public Safety | | 307,234,482 |
| Department of Public Works | | 66,896,612 |
| Department of Community Development | | 290,808 |
| Department of Building and Housing | | 9,936,724 |
| Department of Economic Development | | 1,692,618 |
| Nondepartmental | | 56,774,776 |
| Total Executive Branch | | 496,294,590 |
| TOTAL GENERAL FUND | | 541,750,135 |
| Special Revenue Funds | | 88,129,007 |
| Internal Service Funds | | 94,829,182 |
| Enterprise Funds | | 740,568,051 |
| Agency Funds | | 11,354,483 |
| Debt Service Funds | | 66,767,207 |
| TOTAL APPROPRIATIONS FOR 2015 | | \$1,543,398,065 |

GENERAL FUND**LEGISLATIVE BRANCH**

| | | | |
|-----------------------------------|----|-----------|-----------|
| Council and Clerk of Council | | \$ | 7,146,808 |
| I. Personnel and Related Expenses | \$ | 5,116,879 | |
| II. Other Expenses | | 2,029,929 | |
| TOTAL LEGISLATIVE BRANCH | | \$ | 7,146,808 |

JUDICIAL BRANCH

| | | | |
|-------------------------------------|----|------------|------------|
| Municipal Court - Judicial Division | | \$ | 22,818,376 |
| I. Personnel and Related Expenses | \$ | 20,118,579 | |
| II. Other Expenses | | 2,699,797 | |
| Municipal Court - Clerk's Division | | \$ | 11,638,255 |
| I. Personnel and Related Expenses | \$ | 9,590,205 | |
| II. Other Expenses | | 2,048,050 | |

| | | |
|------------------------------------|--------------|----------------------|
| Municipal Court - Housing Division | | \$ 3,852,106 |
| I. Personnel and Related Expenses | \$ 3,713,834 | |
| II. Other Expenses | 138,272 | |
| TOTAL JUDICIAL BRANCH | | <u>\$ 38,308,737</u> |

EXECUTIVE BRANCH

GENERAL GOVERNMENT

| | | |
|---|--------------|----------------------|
| Office of the Mayor | | \$ 2,723,981 |
| I. Personnel and Related Expenses | \$ 2,605,479 | |
| II. Other Expenses | 118,502 | |
| Office of Capital Projects | | \$ 5,397,840 |
| I. Personnel and Related Expenses | \$ 4,876,765 | |
| II. Other Expenses | 521,075 | |
| Landmarks Commission | | \$ 204,836 |
| I. Personnel and Related Expenses | \$ 192,797 | |
| II. Other Expenses | 12,039 | |
| Board of Building Standards and Appeals | | \$ 136,395 |
| I. Personnel and Related Expenses | \$ 126,814 | |
| II. Other Expenses | 9,581 | |
| Board of Zoning Appeals | | \$ 229,301 |
| I. Personnel and Related Expenses | \$ 213,377 | |
| II. Other Expenses | 15,924 | |
| Civil Service Commission | | \$ 1,026,363 |
| I. Personnel and Related Expenses | \$ 635,635 | |
| II. Other Expenses | 390,728 | |
| Community Relations Board | | \$ 1,470,241 |
| I. Personnel and Related Expenses | \$ 1,358,170 | |
| II. Other Expenses | 112,071 | |
| City Planning Commission | | \$ 1,657,787 |
| I. Personnel and Related Expenses | \$ 1,547,377 | |
| II. Other Expenses | 110,410 | |
| Boxing and Wrestling Commission | | \$ 6,088 |
| I. Personnel and Related Expenses | \$ 6,088 | |
| Office of Equal Opportunity | | \$ 853,445 |
| I. Personnel and Related Expenses | \$ 834,574 | |
| II. Other Expenses | 18,871 | |
| Office of Budget & Management | | \$ 899,857 |
| I. Personnel and Related Expenses | \$ 865,161 | |
| II. Other Expenses | 34,696 | |
| TOTAL GENERAL GOVERNMENT | | <u>\$ 14,606,134</u> |

DEPARTMENT OF AGING

| | | |
|-----------------------------------|------------|---------------------|
| Department of Aging | | \$ 1,111,748 |
| I. Personnel and Related Expenses | \$ 846,554 | |
| II. Other Expenses | 265,194 | |
| TOTAL DEPARTMENT OF AGING | | <u>\$ 1,111,748</u> |

DEPARTMENT OF HUMAN RESOURCES

| | | |
|-------------------------------------|--------------|---------------------|
| Department of Human Resources | | \$ 2,163,005 |
| I. Personnel and Related Expenses | \$ 1,417,131 | |
| II. Other Expenses | 745,874 | |
| TOTAL DEPARTMENT OF HUMAN RESOURCES | | <u>\$ 2,163,005</u> |

DEPARTMENT OF LAW

| | | | |
|-----------------------------------|----|-----------|-------------------|
| Department of Law | | \$ | 12,828,086 |
| I. Personnel and Related Expenses | \$ | 6,784,766 | |
| II. Other Expenses | | 6,043,320 | |
| TOTAL DEPARTMENT OF LAW | | \$ | <u>12,828,086</u> |

DEPARTMENT OF FINANCE

| | | | |
|---|----|-----------|-------------------|
| Finance Administration | | \$ | 1,421,156 |
| I. Personnel and Related Expenses | \$ | 1,066,316 | |
| II. Other Expenses | | 354,840 | |
| Division of Accounts | | \$ | 2,064,728 |
| I. Personnel and Related Expenses | \$ | 1,376,094 | |
| II. Other Expenses | | 688,634 | |
| Division of Assessments and Licenses | | \$ | 3,675,246 |
| I. Personnel and Related Expenses | \$ | 2,249,741 | |
| II. Other Expenses | | 1,425,505 | |
| Division of Treasury | | \$ | 755,784 |
| I. Personnel and Related Expenses | \$ | 652,516 | |
| II. Other Expenses | | 103,268 | |
| Division of Purchases and Supplies | | \$ | 694,619 |
| I. Personnel and Related Expenses | \$ | 653,977 | |
| II. Other Expenses | | 40,642 | |
| Bureau of Internal Audit | | \$ | 1,272,711 |
| I. Personnel and Related Expenses | \$ | 639,162 | |
| II. Other Expenses | | 633,549 | |
| Division of Financial Reporting and Control | | \$ | 1,407,860 |
| I. Personnel and Related Expenses | \$ | 1,382,898 | |
| II. Other Expenses | | 24,962 | |
| Information Systems Services | | \$ | 5,299,991 |
| I. Personnel and Related Expenses | \$ | 2,753,567 | |
| II. Other Expenses | | 2,546,424 | |
| TOTAL DEPARTMENT OF FINANCE | | \$ | <u>16,592,095</u> |

DEPARTMENT OF PUBLIC HEALTH

| | | | |
|-----------------------------------|----|-----------|------------------|
| Public Health Administration | | \$ | 1,190,233 |
| I. Personnel and Related Expenses | \$ | 828,878 | |
| II. Other Expenses | | 361,355 | |
| Division of Health | | \$ | 3,488,830 |
| I. Personnel and Related Expenses | \$ | 2,033,664 | |
| II. Other Expenses | | 1,455,166 | |
| Division of Environment | | \$ | 1,081,847 |
| I. Personnel and Related Expenses | \$ | 850,581 | |
| II. Other Expenses | | 231,266 | |
| Division of Air Quality | | \$ | 406,592 |
| I. Personnel and Related Expenses | \$ | 128,077 | |
| II. Other Expenses | | 278,515 | |
| TOTAL DEPARTMENT OF PUBLIC HEALTH | | \$ | <u>6,167,502</u> |

DEPARTMENT OF PUBLIC SAFETY

| | | | |
|-----------------------------------|----|-------------|-------------|
| Public Safety Administration | | \$ | 5,702,948 |
| I. Personnel and Related Expenses | \$ | 4,250,086 | |
| II. Other Expenses | | 1,452,862 | |
| Division of Police | | \$ | 177,430,498 |
| I. Personnel and Related Expenses | \$ | 167,935,020 | |
| II. Other Expenses | | 9,495,478 | |

| | | |
|--|---------------|-----------------------|
| Division of Fire | | \$ 84,597,512 |
| I. Personnel and Related Expenses | \$ 80,622,278 | |
| II. Other Expenses | 3,975,234 | |
| Division of Emergency Medical Services | | \$ 24,652,323 |
| I. Personnel and Related Expenses | \$ 21,933,220 | |
| II. Other Expenses | 2,719,103 | |
| Division of Animal Care and Control | | \$ 1,506,958 |
| I. Personnel and Related Expenses | \$ 1,145,210 | |
| II. Other Expenses | 361,748 | |
| Division of Correction | | \$ 13,344,243 |
| I. Personnel and Related Expenses | \$ 9,817,466 | |
| II. Other Expenses | 3,526,777 | |
| TOTAL DEPARTMENT OF PUBLIC SAFETY | | \$ 307,234,482 |

DEPARTMENT OF PUBLIC WORKS

| | | |
|---|---------------|----------------------|
| Division of Public Works Administration | | \$ 3,208,666 |
| I. Personnel and Related Expenses | \$ 2,945,069 | |
| II. Other Expenses | 263,597 | |
| Division of Recreation | | \$ 12,170,840 |
| I. Personnel and Related Expenses | \$ 8,081,047 | |
| II. Other Expenses | 4,089,793 | |
| Division of Parking Facilities-On Street | | \$ 1,276,525 |
| I. Personnel and Related Expenses | \$ 1,210,050 | |
| II. Other Expenses | 66,475 | |
| Division of Property Management | | \$ 7,763,863 |
| I. Personnel and Related Expenses | \$ 5,640,171 | |
| II. Other Expenses | 2,123,692 | |
| Division of Park Maintenance and Properties | | \$ 14,131,516 |
| I. Personnel and Related Expenses | \$ 8,957,971 | |
| II. Other Expenses | 5,173,545 | |
| Division of Waste Collection and Disposal | | \$ 24,802,512 |
| I. Personnel and Related Expenses | \$ 14,014,570 | |
| II. Other Expenses | 10,787,942 | |
| Division of Traffic Engineering | | \$ 3,542,690 |
| I. Personnel and Related Expenses | \$ 2,723,454 | |
| II. Other Expenses | 819,236 | |
| TOTAL DEPARTMENT OF PUBLIC WORKS | | \$ 66,896,612 |

DEPARTMENT OF COMMUNITY DEVELOPMENT

| | | |
|--|------------|-------------------|
| Division of Consumer Affairs | | \$ 290,808 |
| I. Personnel and Related Expenses | \$ 275,866 | |
| II. Other Expenses | 14,942 | |
| TOTAL DEPARTMENT OF COMMUNITY DEVELOPMENT | | \$ 290,808 |

DEPARTMENT OF BUILDING AND HOUSING

| | | |
|---|--------------|---------------------|
| Building and Housing Director's Office | | \$ 2,216,685 |
| I. Personnel and Related Expenses | \$ 1,751,274 | |
| II. Other Expenses | 465,411 | |
| Division of Code Enforcement | | \$ 6,152,600 |
| I. Personnel and Related Expenses | \$ 5,959,770 | |
| II. Other Expenses | 192,830 | |
| Division of Construction Permitting | | \$ 1,567,439 |
| I. Personnel and Related Expenses | \$ 1,541,796 | |
| II. Other Expenses | 25,643 | |
| TOTAL DEPARTMENT OF BUILDING AND HOUSING | | \$ 9,936,724 |

| DEPARTMENT OF ECONOMIC DEVELOPMENT | | |
|---|---------------|-----------------------|
| Economic Development | | \$ 1,692,618 |
| I. Personnel and Related Expenses | \$ 1,671,505 | |
| II. Other Expenses | 21,113 | |
| TOTAL DEPARTMENT OF ECONOMIC DEVELOPMENT | | <u>\$ 1,692,618</u> |
| NONDEPARTMENTAL | | |
| County Auditor Deductions | | \$ 1,080,000 |
| II. Other Expenses | \$ 1,080,000 | |
| Other Administrative | | \$ 21,520,776 |
| II. Other Expenses | \$ 21,520,776 | |
| Transfers to Other Funds | | \$ 34,174,000 |
| II. Other Expenses | \$ 34,174,000 | |
| TOTAL NONDEPARTMENTAL | | <u>\$ 56,774,776</u> |
| TOTAL EXECUTIVE BRANCH | | <u>\$ 496,294,590</u> |
| TOTAL GENERAL FUND | | <u>\$ 541,750,135</u> |
| SPECIAL REVENUE FUND | | |
| Restricted Income Tax Fund | | \$ 37,600,521 |
| I. Capital | \$ 37,600,521 | |
| II. Debt Service | | |
| Street Construction, Maintenance & Repair Fund | | \$ 27,154,898 |
| I. Personnel and Related Expenses | \$ 14,713,141 | |
| II. Other Expenses | 12,441,757 | |
| Schools Recreation & Cultural Activities Fund | | \$ 1,175,000 |
| II. Other Expenses | \$ 1,175,000 | |
| Division of Public Auditorium & Stadium-Stadium | | \$ 22,198,588 |
| II. Other Expenses | \$ 22,198,588 | |
| TOTAL SPECIAL REVENUE FUNDS | | <u>\$ 88,129,007</u> |
| INTERNAL SERVICE FUND | | |
| Sinking Fund Commission | | \$ 764,102 |
| I. Personnel and Related Expenses | \$ 258,932 | |
| II. Other Expenses | 505,170 | |
| Information Systems Services-Telephone Exchange | | \$ 7,204,256 |
| I. Personnel and Related Expenses | \$ 1,414,394 | |
| II. Other Expenses | 5,789,862 | |
| Division of Motor Vehicle Maintenance | | \$ 17,256,826 |
| I. Personnel and Related Expenses | \$ 5,371,175 | |
| II. Other Expenses | 11,885,651 | |
| Division of Printing and Reproduction | | \$ 2,444,031 |
| I. Personnel and Related Expenses | \$ 840,843 | |
| II. Other Expenses | 1,603,188 | |
| City Storeroom and Central Warehouse | | \$ 588,825 |
| I. Personnel and Related Expenses | \$ 124,113 | |
| II. Other Expenses | 464,712 | |
| Health Self Insurance | | \$ 53,745,142 |
| II. Other Expenses | \$ 53,745,142 | |
| Prescription Self Insurance | | \$ 12,826,000 |
| II. Other Expenses | \$ 12,826,000 | |
| TOTAL INTERNAL SERVICE FUNDS | | <u>\$ 94,829,182</u> |

ENTERPRISE FUNDS

DEPARTMENT OF PUBLIC UTILITIES

| | | | |
|--------------------------------------|----|-------------|-------------|
| Utilities Administration | | \$ | 5,420,357 |
| I. Personnel and Related Expenses | \$ | 4,365,172 | |
| II. Other Expenses | | 1,055,185 | |
| Radio | | \$ | 3,439,076 |
| I. Personnel and Related Expenses | \$ | 588,589 | |
| II. Other Expenses | | 2,850,487 | |
| Division of Fiscal Control | | \$ | 5,918,522 |
| I. Personnel and Related Expenses | \$ | 5,206,053 | |
| II. Other Expenses | | 712,469 | |
| Division of Water | | \$ | 329,941,591 |
| I. Personnel and Related Expenses | \$ | 84,239,422 | |
| II. Other Expenses | | 245,702,169 | |
| Division of Water Pollution Control | | \$ | 26,541,771 |
| I. Personnel and Related Expenses | \$ | 12,119,346 | |
| II. Other Expenses | | 14,422,425 | |
| Division of Cleveland Public Power | | \$ | 201,973,097 |
| I. Personnel and Related Expenses | \$ | 26,011,644 | |
| II. Other Expenses | | 175,961,453 | |
| TOTAL DEPARTMENT OF PUBLIC UTILITIES | | \$ | 573,234,414 |

DEPARTMENT OF PORT CONTROL

| | | | |
|---|----|-------------|-------------|
| Divisions of Cleveland Hopkins & Burke Lakefront Airports - Operations | | \$ | 152,700,000 |
| I. Personnel and Related Expenses | \$ | 32,591,430 | |
| II. Other Expenses | | 120,108,570 | |
| TOTAL DEPARTMENT OF PORT CONTROL | | \$ | 152,700,000 |

DEPARTMENT OF PUBLIC WORKS

| | | | |
|--|----|-----------|-------------|
| Division of Cemeteries | | \$ | 1,716,308 |
| I. Personnel and Related Expenses | \$ | 1,259,553 | |
| II. Other Expenses | | 456,755 | |
| Golf Course Fund | | \$ | 50,649 |
| I. Personnel and Related Expenses | \$ | 7,649 | |
| II. Other Expenses | | 43,000 | |
| Division of Parking Facilities-Off Street Parking | | \$ | 8,883,171 |
| I. Personnel and Related Expenses | \$ | 1,348,644 | |
| II. Other Expenses | | 7,534,527 | |
| Division of Public Auditorium | | \$ | 2,585,392 |
| I. Personnel and Related Expenses | \$ | 1,304,231 | |
| II. Other Expenses | | 1,281,161 | |
| Division of Public Auditorium & Stadium- West Side Market | | \$ | 1,358,117 |
| I. Personnel and Related Expenses | \$ | 443,987 | |
| II. Other Expenses | | 914,130 | |
| Division of Property Management - East Side Market | | \$ | 40,000 |
| II. Other Expenses | \$ | 40,000 | |
| TOTAL DEPARTMENT OF PUBLIC WORKS | | \$ | 14,633,637 |
| TOTAL ENTERPRISE FUNDS | | \$ | 740,568,051 |

AGENCY FUND

| | | |
|-----------------------------------|--------------|---------------|
| Central Collection Agency | | \$ 11,354,483 |
| I. Personnel and Related Expenses | \$ 7,341,413 | |
| II. Other Expenses | 4,013,070 | |
| TOTAL AGENCY FUND | | \$ 11,354,483 |

DEBT SERVICE FUND

| | | |
|--------------------------|---------------|---------------|
| Sinking Fund Commission | | \$ 66,767,207 |
| III Debt Service | \$ 66,767,207 | |
| TOTAL DEBT SERVICE FUNDS | | \$ 66,767,207 |

Section 2. That the appropriations herein made are based upon the detail of expenditures set forth in the Mayor's Estimate, but are appropriated to the several departments, offices, and purposes in the aggregate for I. - Personnel and Related Expenses; and II. - Other Expenses and are not severally and individually appropriated in said detail. Any unencumbered balance in an appropriation fund at the close of the year 2014 is hereby appropriated to such fund for the payment of unpaid obligations lawfully incurred in 2015 or prior years. The Mayor's Estimate, File No. 110-15-A, as modified by the schedule published pursuant to Section 39 of the Charter shall within the sums appropriated in Section 1 hereof, constitute the expenditure budget for the year 2015 and shall be subject to the control of the Mayor, provided, however, that no transfer from I. - Personnel and Related Expenses, or II. - Other Expenses within any department or office, or from one department or office to another shall be made except as provided in Section 41 of the Charter.

Section 3. That the Commissioner of Accounts is authorized to draw warrants upon the City Treasury for the amount appropriated in this ordinance, whenever claims are presented properly approved by the head of the department or by the chief of a commission for which indebtedness was incurred.

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

Referred to Directors of Finance, Law; Committee on Finance.

Ord. No. 111-15.

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

An emergency ordinance to amend Section 543.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1030-14, passed November 24, 2014, relating to sewerage service rates.

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 rates, rules, and regulations of the Division of Water Pollution Control, Department of Public Utilities, for sewerage services, fixed by the Board of Control by Resolution No. _____, adopted _____, are approved.

Section 2. That Section 543.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1030-14, passed November 24, 2014, is amended to read as follows:

Section 543.02 Sewerage Service Rates Within Cleveland

(a) *Regular and Homestead Rates.*

Sewer Rate Schedule

Regular Rates

| | |
|----------------|---------|
| Minimum Charge | \$12.53 |
| 1st MCF | \$12.53 |

Homestead Rates

| | |
|----------------|--------|
| Minimum Charge | \$7.43 |
| 1st MCF | \$7.43 |

(b) *Special Homestead Rate.* Homesteads that are single family residential property owned and occupied by a person sixty-five (65) years of age or older whose total annual income does not exceed the limits listed below or homesteads that are single family residential property owned and occupied by a person permanently and totally disabled whose total annual income does not exceed the limits listed below may be eligible for the special homestead rate. The Director of Public Utilities shall prescribe the application form for the homestead rates and have final approval of all applications.

Income Limits:

| Year | Total Annual Income |
|------|---------------------|
| 2014 | \$31,500 |
| 2015 | \$32,000 |

(c) Fixed Charge Based Upon Meter Size

| | 2015 | 2016 | 2017 | 2018 | 2019 |
|--------------|----------|----------|----------|----------|----------|
| 1/2" to 1" | \$12.00 | \$12.00 | \$15.00 | \$15.00 | \$18.00 |
| 1 1/2" to 2" | \$30.00 | \$30.00 | \$40.00 | \$40.00 | \$55.00 |
| 3" to 4" | \$99.00 | \$99.00 | \$115.00 | \$115.00 | \$140.00 |
| 6" | \$198.00 | \$198.00 | \$225.00 | \$225.00 | \$260.00 |
| 8" | \$300.00 | \$300.00 | \$325.00 | \$325.00 | \$370.00 |
| 12" | \$450.00 | \$450.00 | \$500.00 | \$500.00 | \$550.00 |
| Homestead | \$7.20 | \$7.20 | \$9.00 | \$9.00 | \$10.80 |

(d) The sewerage service charges within the City shall be increased to meet the funding requirements of the Ohio Water Development Authority.

(e) Nothing contained in this section shall be held to authorize or require the payment of any sewer rental charge by any tax-supported department of the City.

(f) Except for 2015 rates, which shall be effective on April 1, 2015, all rates shall be effective on January 1 of each year.

Section 3. That Section 543.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1030-14, passed November 24, 2014, is repealed.

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 Utilities, Finance, Law; Committees on Utilities, Finance.

**Ord. No. 112-15.
By Council Members K. Johnson and Brancatelli (by departmental request).**

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to Sherwin-Williams Company to encroach into the public right-of-way of Canal Road by installing, using, and maintaining a fiber-optic communications duct bank.

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 Sherwin-Williams Company, 101 Prospect Avenue W., Cleveland Ohio 44115 ("Permittee"), to encroach into the public right-of-way beneath Canal Road by installing, using, and maintaining a fiber-optic communications duct bank, at the following location:

LEGAL DESCRIPTION OF A ONE-FOOT WIDE UNDERGROUND CONDUIT ENCROACHMENT, CANAL ROAD, CITY OF CLEVELAND

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Original Two Acre Lot Numbers 79, 208 and 209, and further bounded and described as follows:

Beginning on the northerly line of Canal Road (48 feet wide) at the southeasterly corner of land conveyed to the United States of America by deed dated January 31st, 1996 and recorded in Volume 96-01994, Page 28 (correction deeds recorded in Volume 96-03593, Page 55 dated April 15th, 1996 and Volume 96-09311, Page 8 dated August 8th, 1996) of Cuyahoga County Deed Records, said southeasterly corner also being the southwest-erly corner of Parcel "A" in a Lot Split and Consolidation for Tower City Avenue, LLC, as shown by the plat recorded in Volume 364 Page 76 of Cuyahoga County Map Records;

Thence along said northerly line of Canal Road (48 feet wide) by the following three (3) courses and distances:

Thence North 77° 29' 00" East, a distance of 213.83 feet to an angle point therein;

Thence South 89° 41' 10" East, a distance of 308.98 feet to an angle point therein;

Thence South 84° 03' 05" East, a distance of 294.03 feet to a point;

Thence South 5° 56' 55" West, a distance of 20.99 feet to the center of an existing AT&T manhole and the principal point of beginning of the easement herein intended to be described;

Thence along the centerline of the easement by the following 4 (four) courses and distances, the limits of said easement being 0.50 feet by rectangular measurement on either side;

Course No. 1 - Thence North 50° 56' 55" East, a distance of 20.13 feet to a point curve;

Course No. 2 - Thence along the arc of a curve deflecting to the right, 4.71 feet, said curve having a radius of 6.00 feet, a delta angle of 45° 00' 00", and a chord which bears North 73° 26' 55" East, a distance of 4.59 feet to a point of tangency which is 4.86 feet by rectangular measurement from said northerly line of Canal Road;

Course No. 3 - Thence South 84° 03' 05" East, parallel to and 4.86 feet by rectangular measurement from said northerly line of Canal Road, a distance of 112.10 feet to a point of curve;

Course No. 4 - Thence along the arc of a curve deflecting to the left, 7.85 feet, said curve having a radius of 5.00 feet, a delta angle of 90° 00' 00", and a chord which bears North 50° 56' 55" East, a distance of 7.07 feet to its point of termination on said northerly line of Canal Road.

Legal Description approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section.

Section 2. That Permittee may assign the permit only with the prior written consent of the Director of Capital Projects. That the encroaching structure(s) permitted by this ordinance shall conform to plans and specifications first approved by the

Manager of Engineering and Construction. That Permittee shall obtain all other required permits, including but not limited to Building Permits, before installing the encroachment(s).

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

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

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

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

**Ord. No. 117-15.
By Council Members K. Johnson and Kelley (by departmental request).**

An emergency ordinance authorizing the purchase by one or more requirement contracts of rock salt, for the Division of Streets, Department of Public Works, 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 Public Works is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio,

1976, for the requirements for the period of one year of the necessary items of rock salt, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Streets, Department of Public Works. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 7016, RL 2015-8)

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

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

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

Ord. No. 118-15.

By Council Members Cimperman, K. Johnson and Kelley (by department request).

An emergency ordinance determining the method of making the public improvement of constructing improvements to the Jefferson Green Infrastructure Project; and authorizing the Director of Capital Projects to enter into one or more public improvement contracts and other contracts necessary for the making and implementation of the improvement.

Whereas, under the authority of Ordinance No. 727-13, passed May 20, 2013, this Council authorized the Director of Public Utilities, or appropriate director, to apply for and accept grants, gifts, and gifts of equipment and services from public and private entities to facilitate sustainability program-related projects; and

Whereas, under that ordinance, funds are being secured from the Ohio Environmental Protection Agency to partially fund this project; 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 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of constructing improvements to the Jefferson Green Infrastructure Project, for the Department of Capital Projects, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement.

Section 2. That the Director of Capital Projects is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

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

Section 4. That the Director of Capital Projects is authorized to enter into an agreement with the Cleveland Metropolitan School District, or other public or private entity or entities, for implementation of this ordinance.

Section 5. That the cost of the improvement and other expenditures authorized shall be paid from Fund Nos. 20 SF 563 and from the fund or funds to which are credited grant proceeds or gifts accepted under Ordinance No. 727-13, passed May 20, 2013 and appropriated for this purpose, Request No. RQS 0103, RL 2015-19.

Section 6. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 119-15.

By Council Member Brancatelli.

An emergency ordinance declaring a moratorium on the review and issuance of land filling permits in the City of Cleveland unless authorization is given by Council.

Whereas, the issuance of land filling permits is governed by Chapter 561 of the Codified Ordinances; and

Whereas, Chapter 561 authorizes the Mayor's Office of Capital Projects to issue permits to fill land; however, the chapter's very broad criteria fails to provide community safeguards, limitations on the amount of fill or to require inspections of the filling process or the type of fill;

Whereas, Chapter 561 does not require coordination with other relevant city departments, often leaving city departments unaware of matters a department should be monitoring and regulating; and

Whereas, this Council believes the filling permit process must contain rigorous yet reasonable regulations

that will allow for better control by the city of both the land fill permitting process and filling process itself; and

Whereas, this Council will convene appropriate city departments in order to draft reasonable regulations within a new permitting procedure for filling of land in order to create a clear and efficient process that is in the best interests of public health, safety and property; and

Whereas, this ordinance constitutes an emergency measure for the immediate preservation of the public peace, property, health, safety, or welfare in that a moratorium on the review and issuance of land fill permits in the City is necessary to enable this Council to consider improved regulations for a land fill permitting process; now, therefore,

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

Section 1. That, for the reasons stated in the preamble, this Council declares a moratorium on the review and issuance of land filling permits for a period commencing on the effective date of this ordinance and ending on either the effective date of an ordinance creating new regulations for the land fill permitting process or August 2, 2015, whichever date occurs first, unless authorization for a specific permit is given by Council via separate legislation within the moratorium period.

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

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

Ord. No. 120-15.

By Council Member Conwell.

An emergency ordinance to name the un-named park roadway known as the Ansel Road ramp from Martin Luther King Jr. Drive to Ansel Road the name of St. Casimir Way.

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

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

Section 1. That, notwithstanding and as an exception to the Codified Ordinances of Cleveland, Ohio, 1976, the un-named park roadway known as the Ansel Road ramp from Martin Luther King Jr. Drive to Ansel Road be named "St. Casimir Way."

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

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

Ord. No. 122-15.

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

An emergency ordinance authorizing the procurement by one or more requirement contracts of the rental of large capacity trucks with operators, for the Division of Streets, Department of Public Works, for a period of one year with two one year options to renew, exercisable by the Director of Public Works.

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

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

Section 1. That the Director of Public Works is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the term of one year with two one-year options to renew, exercisable by the Director of Public Works, for the necessary items of the rental of large capacity trucks with operators in the approximate amount as procured during the preceding term, procured by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Streets, Department of Public Works. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 7016, RL 2015-7)

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

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

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

Ord. No. 123-15.

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

An emergency ordinance giving final consent of the City of Cleveland to the State of Ohio for the rehabilitation of Woodland Avenue from West

of East 89th Street to East 116th Street (Martin Luther King Jr. Drive); and causing payment to the State of Ohio for the City's share of the improvement.

Whereas, under Ordinance No. 850-13, passed August 14, 2013 this Council authorized the City of Cleveland to cooperate with the Director of Transportation for the rehabilitation of Woodland Avenue from west of East 89th Street to East 116th Street (Martin Luther King Jr. Drive) in the City of Cleveland, PID 95555 (the "Improvement"); and

Whereas, the City shall cooperate with the Ohio Director of Transportation in the above described project by assuming and contributing one hundred percent (100%) of the entire cost and expense of the Improvement, less the amount of federal funds allocated by the Federal Highway Administration, U.S. Department of Transportation; and

Whereas, the share of the City's cost of the Improvement is now estimated to be \$816,662, but may be adjusted when the percentages of actual costs are determined; and

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

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

Section 1. That this Council requests the Ohio Director of Transportation to proceed with the Improvement.

Section 2. That the Director of Capital Projects is authorized to enter into contracts with the State and/or their pre-qualified consultants for the preliminary engineering phase of the Project, and to enter into contracts with the Director of Transportation necessary to complete the Improvement.

Section 3. That the Clerk of Council is authorized and directed to transmit to the State two (2) certified copies of this ordinance immediately on its taking effect, and it shall become the basis for proceeding with the Improvement.

Section 4. That this Council is authorized to cause payment to the State of the City's share of the Improvement, payable from Fund Nos. 20 SF 520, 20 SF 528, 20 SF 534, 20 SF 540, 20 SF 546, 20 SF 554, 20 SF 563, 52 SF 001, and 54 SF 001, RQS 0103, RL 2015-15.

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, Finance.

Ord. No. 124-15.

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

An emergency ordinance giving final consent of the City of Cleveland to the State of Ohio for constructing the Lakefront West Project; and causing payment to the State of Ohio for the City's share of the improvement.

Whereas, under Ordinance No. 704-09, passed June 8, 2009, this Council authorized the City of Cleveland to cooperate with the Director of Transportation for the construction of the Lakefront West project, which includes construction along the West Shoreway (US-6/US-20/SR2) from West Boulevard to West 25th Street, including the extension of West 73rd Street under the Norfolk Southern Railroad to the West Shoreway, the reconstruction of several access points, and the relocation of segments of the Lakefront Bikeway in the City of Cleveland (the "Improvement"); and

Whereas, the City shall cooperate with the Ohio Director of Transportation in the above described project by assuming and contributing one hundred percent (100%) of the entire cost and expense of the Improvement, less the amount of federal funds allocated by the Federal Highway Administration, U.S. Department of Transportation; and

Whereas, the share of the City's cost of the Improvement is now estimated to be \$12,500, but may be adjusted when the percentages of actual costs are determined; and

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

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

Section 1. That this Council requests the Ohio Director of Transportation to proceed with the Improvement.

Section 2. That the Director of Capital Projects is authorized to enter into contracts with the State and/or their pre-qualified consultants for the preliminary engineering phase of the Project, and to enter into contracts with the Director of Transportation necessary to complete the Improvement.

Section 3. That the Clerk of Council is authorized and directed to transmit to the State two (2) certified copies of this ordinance immediately on its taking effect, and it shall become the basis for proceeding with the Improvement.

Section 4. That this Council is authorized to cause payment to the State of the City's share of the Improvement, payable from Fund Nos. 20 SF 520, 20 SF 528, 20 SF 534, 20 SF 540, 20 SF 546, 20 SF 554, 20 SF 563, and any and all funds approved by the Director of Finance, including future bond funds if issued for this purpose, RQS 0103, RL 2015-11.

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, Finance.

Ord. No. 125-15.

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

An emergency ordinance giving final consent of the City of Cleveland to the State of Ohio for the reconstructing and streetscaping of East

22nd Street from Orange Avenue to Euclid Avenue; and causing payment to the State of Ohio for the City's share of the improvement.

Whereas, under Ordinance No. 737-13, passed May 20, 2013 this Council authorized the City of Cleveland to cooperate with the Director of Transportation for the reconstructing and streetscaping of East 22nd Street from Orange Avenue to Euclid Avenue in the City of Cleveland, PID 95556 (the "Improvement"); and

Whereas, the City shall cooperate with the Ohio Director of Transportation in the above described project by assuming and contributing one hundred percent (100%) of the entire cost and expense of the Improvement, less the amount of federal funds allocated by the Federal Highway Administration, U.S. Department of Transportation; and

Whereas, the share of the City's cost of the Improvement is now estimated to be \$1,117,735, but may be adjusted when the percentages of actual costs are determined; and

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

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

Section 1. That this Council requests the Ohio Director of Transportation to proceed with the Improvement.

Section 2. That the Director of Capital Projects is authorized to enter into contracts with the State and/or their pre-qualified consultants for the preliminary engineering phase of the Project, and to enter into contracts with the Director of Transportation necessary to complete the Improvement.

Section 3. That the Clerk of Council is authorized and directed to transmit to the State two (2) certified copies of this ordinance immediately on its taking effect, and it shall become the basis for proceeding with the Improvement.

Section 4. That this Council is authorized to cause payment to the State of the City's share of the Improvement, payable from Fund Nos. 20 SF 520, 20 SF 528, 20 SF 534, 20 SF 540, 20 SF 546, 20 SF 554, 20 SF 563, 52 SF 001, 54 SF 001, and 58 SF 001, passed May 20, 2013 RQS 0103, RL 2015-14.

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, Finance.

FIRST READING EMERGENCY RESOLUTION REFERRED

Res. No. 121-14.

By Council Member Brady.

An emergency resolution supporting the application of the Friends of the Historic Variety Theatre, Inc. to the Ohio Historic Preservation Office for State Historic Tax Credits for the Variety Theatre Building located at 11815 Lorain Avenue.

Whereas, each year the State of Ohio through the Ohio Historic Preservation Office allocates State Historic Tax Credits for historic redevelopment projects throughout Ohio using a competitive proposal process; and

Whereas, the Cleveland City Council recognizes the need to maintain historic buildings in Cleveland's neighborhoods; and

Whereas, the Friends of the Historic Variety Theatre, Inc., propose a substantial rehabilitation and adaptive reuse of the former Variety Theatre Building into ground-floor commercial and retail space, second floor apartments as well as a repurposing of the former theatre space into a smaller entertainment venue; and

Whereas, Cleveland City Council supports the Friends of the Historic Variety Theatre, Inc.'s proposal for the Variety Theatre Building located at 11815 Lorain Avenue as a high priority initiative for future development in the community for the benefit the citizens of the City of Cleveland; and

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

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

Section 1. That this Council supports the application of the Friends of the Historic Variety Theatre, Inc. to the Ohio Historic Preservation Office for State Historic Tax Credits for the Variety Theatre Building located at 11815 Lorain Avenue.

Section 2. That the Clerk of Council is hereby directed to transmit two copies of this resolution to Matt Lasko, Assistant Director, of Detroit Shoreway Community Development Corporation.

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. 113-15.

By Council Member Dow.

An emergency resolution withdrawing objection to a New C1 Liquor Permit at 1735 East 36th Street and repealing Resolution No. 1639-14, objecting to said permit.

Whereas, this Council objected to a New C1 Liquor Permit at Tink Holl Enterprises, Inc., DBA Tink Holl Market, 1735 East 36th Street, Cleveland, Ohio 44114, Permanent Number 8942130 by Resolution No. 1639-14 adopted by the Council on December 8, 2014; and

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

Whereas, this resolution constitutes an emergency measure providing for the usual daily operation of

a municipal department; now, therefore,

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

Section 1. That objection to a New C1 Liquor Permit at Tink Holl Enterprises, Inc., DBA Tink Holl Market, 1735 East 36th Street, Cleveland, Ohio 44114, Permanent Number 8942130, be and the same is hereby withdrawn and Resolution No. 1639-14, 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. 114-15.

By Council Member Dow.

An emergency resolution withdrawing objection to the renewal of a D2, D2X, D3, D3A and D6 Liquor Permit at 3610 Superior Avenue and repealing Resolution No. 1022-14, objecting to said renewal.

Whereas, this Council objected to the renewal of a D2, D2X, D3, D3A and D6 Liquor Permit to Sweethearts Café, Inc., 3610 Superior Avenue, Cleveland, Ohio 44114, Permanent Number 8736351 by Resolution No. 1022-14, adopted by the Council on August 20, 2014; 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 D2, D2X, D3, D3A and D6 Liquor Permit to Sweethearts Café, Inc., 3610 Superior Avenue, Cleveland, Ohio 44114, Permanent Number 8736351, be and the same is hereby withdrawn and Resolution No. 1022-14, 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. 115-15.**By Council Member Dow.**

An emergency resolution withdrawing objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit at 6820-24 Superior Avenue, 1st floor and basement and repealing Resolution No. 1063-13, objecting to said renewal.

Whereas, this Council objected to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit to J D L, Inc., 6820-24 Superior Avenue, 1st floor and basement, Cleveland, Ohio 44103, Permanent Number 41750850005 by Resolution No. 1063-13, adopted by the Council on August 14, 2013; 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 D1, D2, D3, D3A and D6 Liquor Permit to J D L, Inc., 6820-24 Superior Avenue, 1st floor and basement, Cleveland, Ohio 44103, Permanent Number 41750850005, be and the same is hereby withdrawn and Resolution No. 1063-13, 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. 116-15.**By Council Member Kelley.**

An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 5741 Memphis Avenue.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Jaigurudev, Inc., 5741 Memphis Avenue, Cleveland, Ohio 44144, Permanent Number 4219893 to Brahamani Food, LLC, DBA Convenient Food Mart, #3053, 5741 Memphis Avenue, Cleveland, Ohio 44144, Permanent Number 0909290; 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 C1 and C2 Liquor Permit from Jaigurudev, Inc., 5741 Memphis Avenue, Cleveland, Ohio 44144, Permanent Number 4219893 to Brahamani Food, LLC, DBA Convenient Food Mart, #3053, 5741 Memphis Avenue, Cleveland, Ohio 44144, Permanent Number 0909290; and requests the Superintendent of the Division of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

**SECOND READING
EMERGENCY ORDINANCE**

Ord. No. 1648-14.**By Council Member Cimperman.**

An emergency ordinance authorizing the Director of Economic Development and the Clerk of Council to execute and sign, on behalf of the City of Cleveland, the Petition for the creation of the Flats East Bank Community Authority; and to determine that the petition for the creation of the Flats East Bank Community Authority complies with the requirements of Section 349.03(A) of the Revised Code.

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

1. In the title, lines 2 and 3; in the ninth whereas clause, line 2; and in Section 1, line 1; strike "the Director of Economic Development and" in all three places.

2. In Section 1, line 3, strike "[date]" and insert "**February 12, 2015**"; and in Section 2, strike lines 2 and 3 in their entirety and insert "**with the Cuyahoga County Council no later than the close of business on February 13, 2015.**"

3. Insert new Sections 4 and 5 to read as follows:

"Section 4. That this Council, as the organizational board of commissioners, pursuant to Section 349.04(C) of the Revised Code, adopts an alternative method of selecting or electing members to the board of trustees of the Authority, as detailed in the Petition.

Section 5. That the Authority shall file annually with the Clerk of Council and the Director of Economic Development, on a date no later than 90 days after the close of the Authority's fiscal year, a financial report indicating the amount of any Community Development charges collected and expenses incurred by the Authority."

4. Renumber existing Section 4, to new "**Section 6.**"

Amendments agreed to.

**SECOND READING EMERGENCY
ORDINANCES PASSED**

Ord. No. 1647-14.**By Council Member Cimperman.**

An emergency ordinance rescinding Ordinance No. 650-08, passed May 5, 2008.

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

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

Ord. No. 24-15.**By Council Member Polensek.**

An emergency ordinance to add the name Father Anthony Casese Way as a secondary and honorary name to Ridpath Avenue between East 152nd Street and East 149th Street.

Approved by Directors of Public Works, City Planning Commission, Law; Passage recommended by Committees 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. 47-15.

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

An emergency ordinance authorizing the Director of Public Works to enter into an Option to Purchase Agreement with Cleveland Housing Network, Inc. or its designee, in connection with the sale of City-owned property located on East 131st Street, north of Miles Avenue, for the Emerald Alliance IX supportive housing

project; and authorizing the Commissioner of Purchases and Supplies to convey the property, which is no longer needed for the City's public use.

Approved by Directors of Public Works, 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. 77-15.

By Council Member Kelley (by departmental request).

An emergency ordinance approving the collective bargaining agreement with the Ohio Patrolmen's Benevolent Association (OPBA) Security Officers; and to amend Section 14 of Ordinance No. 385-14, passed March 31, 2014, 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 13. Nays 3. Read second time. Read third time in full. Passed. Yeas 13. Nays 3.

Those voting yea: Council Members Brancatelli, Cimperman, Cleveland, Conwell, Cummins, Dow, K. Johnson, Kazy, Kelley, Mitchell, Pruitt, Reed and Zone.

Those voting nay: Council Members Brady, Keane and Polensek.

Absent: Council Member J. Johnson.

Ord. No. 78-15.

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

An emergency ordinance authorizing the Director of Community Development to be a co-applicant and co-grantee with Cuyahoga Metropolitan Housing Authority which will allow CMHA to accept HUD funding to implement the Choice Neighborhoods Implementation Grant.

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

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

Ord. No. 79-15.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter into one or more contracts by way of concession for the provision of not to exceed one hundred and twenty pay telephones at various City facilities, but excluding the rights-of-way of the City, for a term of two years with two one-year options to renew, the first of which is exercisable through additional legislative authority.

Approved by Directors of 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. 81-15.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of computer hardware and software, including printers, ancillary accessories, parts, supplies, peripheral devices, and labor and materials for installation if necessary, and maintenance, support, and training, for the various divisions of City government, for a period of three years, with two one-year options to renew, the first of which is exercisable through additional legislative authority.

Approved by Directors of 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. 96-15.

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

An emergency ordinance to amend Section 8 of Ordinance No. 1061-14, passed September 15, 2014; to add new Section 9; and renumber existing Section 9 to new Section 10, relating to funding for the traffic signalization improvements and utility relocations necessary for the redevelopment of Public Square.

Approved by Directors of Public Works, Capital Projects, 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. 97-15.

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

An emergency ordinance giving consent to the County of Cuyahoga to construct a pedestrian and bicycle bridge which will connect Mall C to the North Coast Harbor District as identified in Ordinance No. 1061-14, passed September 15, 2014; authorizing the Director of Public Works to lease the bridge from the County for a period up to thirty years; authorizing the Director of Public Works, or other directors as necessary, to execute various deeds of easement and various temporary deeds of easement granting to various entities certain easement rights in property associated with the bridge; declaring the easement rights not needed for the City's public use; and authorizing a cooperative agreement and other agreements.

Approved by Directors of Public Works, City Planning Commission, Finance, Law; Passage recommended by Committees on Municipal Services and Properties, Development Planning and Sustainability, Finance.

The rules were suspended. Yeas 14. Nays 2. Read second time. Read third time in full. Passed. Yeas 14. Nays 2.

Those voting yea: Council Members Brancatelli, Cimperman, Cleveland, Conwell, Cummins, Dow, K. Johnson, Kazy, Keane, Kelley, Mitchell, Pruitt, Reed and Zone.

Those voting nay: Council Members Brady and Polensek.

Absent: Council Member J. Johnson.

SECOND READING EMERGENCY RESOLUTIONS ADOPTED

Res. No. 74-15.

By Council Member Cimperman.

An emergency resolution Declaring this Council's support of the Emerald Development and Economic Network, Inc.'s (EDEN, Inc.'s) application to the Ohio Housing Finance Agency for low-income housing tax credits and additional project funding for the EDEN Scattered Site Preservation Initiative Phase II project.

Approved by Director of Law; Adoption recommended 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.

Res. No. 92-15.

By Council Member Cimperman.

An emergency resolution supporting Welcome House's application to the Ohio Housing Finance Agency for low-income housing tax credits and additional project funding for the proposed redevelopment of the Cuyahoga County Archives Building, located in the Ohio City neighborhood at 2905 Franklin Boulevard, into affordable housing for residents with developmental disabilities.

Approved by Director of Law; Adoption recommended 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.

MOTION

On the motion of Council Member Ken Johnson, the absence of Council Member Jeffrey D. Johnson is hereby authorized. Seconded by Council Member Cummins.

The Council Meeting adjourned at 7:40 p.m. to meet on Monday, February 9, 2015, 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:

Ord. No. 1648-14.

By Council Member Cimperman.

An emergency ordinance authorizing the Clerk of Council to execute and sign, on behalf of the City of Cleveland, the Petition for the creation of the Flats East Bank Community Authority; and to determine that the petition for the creation of the Flats East Bank Community Authority complies with the requirements of Section 349.03(A) of the Revised Code.

Whereas, based on expressed development interest in the area of Cleve-

land generally bounded (a) on the north by the CSX railroad tracks, (b) on the east by the easterly lines of Permanent Parcel Nos. 101-12-004 and 101-12-007 and 101-01-005, (c) on the south by (i) the northerly right-of-way line of Main Avenue, (ii) the southerly line of Permanent Parcel Nos. 101-13-007 and 101-13-008, and (iii) the southerly line of the Main Avenue Bridge, and (d) on the West by the Cuyahoga River (as more accurately defined in the Petition hereinafter referenced, the "District"), the City of Cleveland (the "City") engaged in a cooperative dialogue with the development community, the Cleveland-Cuyahoga County Port Authority (the "Port Authority") and various other interested persons with respect to the possible development and redevelopment of the District; and

Whereas, in furtherance of the development and redevelopment of the District, the City further engaged in a cooperative dialogue with Flats East Development LLC, an Ohio limited liability company (the "Developer"); and

Whereas, acting under the authority of Ordinance No. 579-06, the City entered into that certain Project Development Agreement effective as of May 22, 2006 with Flats East Development LLC and the Port Authority (as amended from time to time, the "Project Development Agreement"); and

Whereas, the Developer has performed the necessary analysis to produce a viable, market-based development program for the District as required by Chapter 349 of the Revised Code; and

Whereas, the Developer is a "developer" within the meaning of Section 349.01(E) of the Revised Code and will carry out a "new community development program" for the District within the meaning of Section 349.01(B) of the Revised Code; and

Whereas, a proposed petition (the "Petition") to create the Flats East Bank Community Authority is presently on file with the Clerk of Cleveland City Council ("Clerk of Council"); and

Whereas, subject to the subsequent filing of the Petition with the Cuyahoga County Council, Cleveland City Council, as the "organizational board of commissioners" as that term is defined in Section 349.01(F) of the Revised Code, is required to determine whether such petition complies with Section 349.03(A) of the Revised Code as to form and substance; and

Whereas, upon the determination of City Council that the Petition is sufficient and has been filed in accordance with Section 349.03(A) of the Revised Code, City Council is required to fix the time and place of a hearing on the Petition for the establishment of a new community authority, which time shall not be less than thirty (30) days nor more than forty-five (45) days after the filing date of the Petition when all "proximate cities" have signed the Petition; and

Whereas, an emergency exists in that it is immediately necessary to authorize the Clerk of Council to execute and sign the aforementioned Petition so that the Flats East Bank Community Authority may proceed to creation expeditiously and in order to comply with the conditions set forth

in Chapter 349 of the Revised Code in order to facilitate the development and redevelopment of that portion of the City comprising the District, said immediate action being in the interest of the City in order to preserve, enhance and protect public health, peace, property and safety, now, therefore,

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

Section 1. That the Clerk of Council are authorized to execute and sign on behalf of the City of Cleveland and Cleveland City Council the Petition no later than **February 12, 2015** for the purpose of filing that Petition with the Cuyahoga County Council under Chapter 349 of the Revised Code to create as a new community authority known as the Flats East Bank Community Authority. The signature of the Director of Economic Development and the Clerk of Council on that Petition shall indicate the approval of that Petition by the "proximate city" (within the meaning of section 349.01(m) of the Revised Code).

Section 2. That the Clerk of Council shall file the Petition, File No. 1648-14-A, with the **Cuyahoga County Council no later than the close of business on February 13, 2015.**

Section 3. That this Council has examined the Petition to create the Flats East Bank Community Authority and determines that such Petition complies with the requirements of Section 349.03(A) of the Revised Code as to form and substance.

Section 4. That this Council, as the organizational board of commissioners, pursuant to Section 349.04(C) of the Revised Code, adopts an alternative method of selecting or electing members to the board of trustees of the Authority, as detailed in the Petition.

Section 5. That the Authority shall file annually with the Clerk of Council and the Director of Economic Development, on a date no later than 90 days after the close of the Authority's fiscal year, a financial report indicating the amount of any Community Development charges collected and expenses incurred by the Authority.

Section 6. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

BOARD OF CONTROL

January 28, 2015

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, January 28, 2015 at 10:35 a.m. with Director Langhenry presiding.

Present: Director Langhenry, Director/Interim Director Dumas, Directors Smith, Cox, Acting Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Absent: Mayor Jackson.

Others: Deborah Midgett, Acting Commissioner, Division of Purchases and Supplies.

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

Resolution No. 22-15.

By Interim Director Dumas.

Whereas, under the authority of Ordinance No. 500-08, passed by the Council of the City of Cleveland on June 2, 2008, and Resolution No. 241-09, adopted by this Board on June 17, 2009, the City, through its Director of Public Utilities, entered into City Contract No. 69444 with Dominion Products and Services, Inc. to provide the professional services necessary to develop, market, implement and manage a Water and Sewer Service Line Residential Service Contract and Protection Plan Program, for a period of five years, with one option by the Director of Public Utilities to renew for an additional five-year period, for the Divisions of Water and Water Pollution Control, Department of Public Utilities; and

Whereas, Board of Control Resolution No. 82-10, adopted March 3, 2010, amended Resolution No. 241-09, adopted June 17, 2009, and authorized the Director of Public Utilities to enter into a first modification to City Contract No. 69444 to offer to customers all available combinations of Water and Sewer Service Line Residential Service Contract and Protection Plan programs and approved the monthly fees to be charged to customers for the programs; and

Whereas, Ordinance No. 988-14, passed by the Council of the City of Cleveland on November 17, 2014, authorized the Director of Public Utilities to exercise the first option to renew City Contract No. 69444 for an additional three-year period, with an option to renew for a two-year period, subject to legislative authority, and further authorized the Director to enter into an amendment to Contract No. 69444 with Dominion to add the Water Heater Repair and Replacement Plan as an additional optional program to be made available to customers; and

Whereas, the City desires to add a Water Heater Repair and Replacement Plan to City Contract No. 69444 as an additional optional service made available to customers, and to establish premiums for each plan offered to Program participants and to establish and collect administrative surcharges added to each plan; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Ordinance No. 500-08, passed by the Cleveland City Council on June 2, 2008, the following premiums (aka "charges") and administrative surcharges established by the Director of Public Utilities for the Water Heater Repair and Replacement Plan program that Ordinance No. 988-14, passed November 17, 2014, authorizes the Director to make available to customers as an additional optional program under an amendment to City Contract No. 69444 with Dominion Products and Services, Inc., are approved:

| Service Description | CWD Admin Monthly Monthly Charge | Surcharge Included | CWD Admin Quarterly Quarterly Charge | Surcharge Included |
|---|---|-------------------------------|---|-------------------------------|
| Individual Programs | | | | |
| Water Heater Repair & Replacement | \$6.95 | \$0.25 | \$20.85 | \$0.75 |
| Combination Programs | | | | |
| Water Line Replacement and Water Heater Repair & Replacement | \$9.20 | \$0.50 | \$27.60 | \$1.50 |
| Sewer Line Repair and Water Heater Repair & Replacement | \$10.70 | \$0.50 | \$32.10 | \$1.50 |
| In-Home Plumbing Repair and Water Heater Repair & Replacement | \$10.90 | \$0.50 | \$32.70 | \$1.50 |
| <u>Premium</u> In-Home Plumbing Repair and Water Heater Repair & Replacement | \$14.45 | \$0.50 | \$43.35 | \$1.50 |
| Water Line Replacement, In-Home Plumbing and Water Heater Repair & Replacement | \$13.15 | \$0.75 | \$39.45 | \$2.25 |
| Water Line Replacement, <u>Premium</u> In-Home Plumbing and Water Heater Repair & Replacement | \$16.70 | \$0.75 | \$50.10 | \$2.25 |
| Water Line Replacement, Sewer Line Repair and Water Heater Repair & Replacement | \$12.95 | \$0.75 | \$38.85 | \$2.25 |
| Sewer Line Repair, In-Home Plumbing Repair and Water Heater Repair & Replacement | \$14.65 | \$0.75 | \$43.95 | \$2.25 |
| Sewer Line Repair, <u>Premium</u> In-Home Plumbing Repair and Water Heater Repair & Replacement | \$18.20 | \$0.75 | \$54.60 | \$2.25 |
| Water Line Replacement, Sewer Line Repair, In-Home Plumbing Repair and Water Heater Repair & Replacement | \$16.90 | \$1.00 | \$50.70 | \$3.00 |
| Water Line Replacement, Sewer Line Repair, <u>Premium</u> In-Home Plumbing Repair and Water Heater Repair & Replacement | \$20.45 | \$1.00 | \$61.35 | \$3.00 |

Yeas: Director Langhenry, Director/Interim Director Dumas, Directors Smith, Cox, Acting Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 23-15.

By Interim Director Dumas.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 692-13, passed by the Council of the City of Cleveland on May 20, 2013, VidSys, Inc. is selected from a list of firms determined after a full and complete canvass by the Director of Public Utilities as the firm to be employed by contract to provide professional services necessary to design recommendations and acquire programming, training, support, maintenance, and integration of a Physical Security Information Management System (PSIM), for a period of three years, with two one-year options to renew, for the Department of Public Utilities.

Be it further resolved that the Director of Public Utilities is authorized to enter into a contract with VidSys, Inc. based upon its proposal

dated November 14, 2014, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services described above as provided in the proposal, for an aggregate fee not exceeding \$652,789.00, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Director Langhenry, Director/Interim Director Dumas, Directors Smith, Cox, Acting Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 24-15.

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that under Article 8 of the Agreement

and Lease between the City of Cleveland and the Original Scheduled Airlines and the Additional Scheduled Airlines, the 2015 Annual Budget and calculation of the Rentals and Landing Fee Rates are adopted effective January 1, 2015, as follows:

Landing Fee Rates:

| | |
|---|---------|
| Signatory Landing Fee (per 1,000 lbs.) | \$ 7.38 |
| Non-Signatory Scheduled Category A (per 1,000 lbs.) | \$ 9.23 |
| Non-Signatory Scheduled Category B (per 1,000 lbs.) | \$11.07 |

Airline Rental Rates:

Main Terminal Area

| | |
|--|----------|
| Premium Terminal Rental Rate (per square foot) | \$551.73 |
| Standard Terminal Rental Rate (75% factor) | \$413.80 |

| | |
|--|----------|
| Bag-Makeup Terminal Rental Rate (50% factor) | \$275.87 |
| Baggage Roadway Terminal Rental Rate (30%) factor) | \$165.52 |
| Concourse A Rental Rates | |
| Premium Terminal Rental Rate (per square foot) | \$330.31 |
| Standard Terminal Rental Rate (75% factor) | \$247.74 |
| Bag-Makeup Terminal Rental Rate (50% factor) | \$165.16 |
| Baggage Roadway Terminal Rental Rate (30%) factor) | \$ 99.09 |
| Concourse B Rental Rates | |
| Premium Terminal Rental Rate (per square foot) | \$344.86 |
| Standard Terminal Rental Rate (75% factor) | \$258.64 |
| Bag-Makeup Terminal Rental Rate (50% factor) | \$172.43 |
| Baggage Roadway Terminal Rental Rate (30%) factor) | \$103.46 |
| Concourse C Rental Rates | |
| Premium Terminal Rental Rate (per square foot) | \$290.30 |
| Standard Terminal Rental Rate (75% factor) | \$217.73 |
| Bag-Makeup Terminal Rental Rate (50% factor) | \$145.15 |
| Baggage Roadway Terminal Rental Rate (30%) factor) | \$ 87.09 |
| Concourse D Rental Rates | |
| Premium Terminal Rental Rate (per square foot) | \$254.51 |
| Standard Terminal Rental Rate (75% factor) | \$190.88 |
| Bag-Makeup Terminal Rental Rate (50% factor) | \$127.25 |
| Baggage Roadway Terminal Rental Rate (30%) factor) | \$ 76.35 |
| Airline Constructed Concourse Rental Rates | |
| Premium Terminal Rental Rate (per square foot) | \$263.88 |
| Standard Terminal Rental Rate (75% factor) | \$197.91 |
| Bag-Makeup Terminal Rental Rate (50% factor) | \$131.94 |
| Baggage Roadway Terminal Rental Rate (30%) factor) | \$ 79.16 |

Yeas: None.
 Nays: Director Langhenry, Director/Interim Director Dumas, Directors Smith, Cox, Acting Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.
 Absent: Mayor Jackson.

Resolution No. 25-15.

By Director Smith.
 Be it resolved by the Board of Control of the City of Cleveland that under Article 8 of the Agreement and Lease between the City of Cleveland and the Original Scheduled Airlines and the Additional Scheduled Airlines, the calculation of the Rentals and Landing Fee Rates, based on the 2015 Annual Budget, are adopted effective January 1, 2015, as follows:

Landing Fee Rates:

| | |
|---|---------|
| Signatory Landing Fee (per 1,000 lbs.) | \$ 7.38 |
| Non-Signatory Scheduled Category A (per 1,000 lbs.) | \$ 9.23 |
| Non-Signatory Scheduled Category B (per 1,000 lbs.) | \$11.07 |

| | |
|--|----------|
| Airline Rental Rates: | |
| Main Terminal Area | |
| Premium Terminal Rental Rate (per square foot) | \$551.73 |
| Standard Terminal Rental Rate (75% factor) | \$413.80 |
| Bag-Makeup Terminal Rental Rate (50% factor) | \$275.87 |
| Baggage Roadway Terminal Rental Rate (30%) factor) | \$165.52 |
| Concourse A Rental Rates | |
| Premium Terminal Rental Rate (per square foot) | \$330.31 |
| Standard Terminal Rental Rate (75% factor) | \$247.74 |
| Bag-Makeup Terminal Rental Rate (50% factor) | \$165.16 |
| Baggage Roadway Terminal Rental Rate (30%) factor) | \$ 99.09 |
| Concourse B Rental Rates | |
| Premium Terminal Rental Rate (per square foot) | \$344.86 |
| Standard Terminal Rental Rate (75% factor) | \$258.64 |
| Bag-Makeup Terminal Rental Rate (50% factor) | \$172.43 |
| Baggage Roadway Terminal Rental Rate (30%) factor) | \$103.46 |
| Concourse C Rental Rates | |
| Premium Terminal Rental Rate (per square foot) | \$290.30 |
| Standard Terminal Rental Rate (75% factor) | \$217.73 |
| Bag-Makeup Terminal Rental Rate (50% factor) | \$145.15 |
| Baggage Roadway Terminal Rental Rate (30%) factor) | \$ 87.09 |
| Concourse D Rental Rates | |
| Premium Terminal Rental Rate (per square foot) | \$254.51 |
| Standard Terminal Rental Rate (75% factor) | \$190.88 |
| Bag-Makeup Terminal Rental Rate (50% factor) | \$127.25 |
| Baggage Roadway Terminal Rental Rate (30%) factor) | \$ 76.35 |
| Airline Constructed Concourse Rental Rates | |
| Premium Terminal Rental Rate (per square foot) | \$263.88 |
| Standard Terminal Rental Rate (75% factor) | \$197.91 |
| Bag-Makeup Terminal Rental Rate (50% factor) | \$131.94 |
| Baggage Roadway Terminal Rental Rate (30%) factor) | \$ 79.16 |

Yeas: Director Langhenry, Director/Interim Director Dumas, Directors Smith, Cox, Acting Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.
 Nays: None.
 Absent: Mayor Jackson.

Resolution No. 26-15.

By Director Smith.
 Whereas, under the authority of Ordinance No. 815-12, passed by the Council of the City of Cleveland on June 4, 2012, and Board of Control Resolution No. 350-12, adopted July 18, 2012, the City through its Director of Port Control, entered into Contract No. PS2012*197 with Michael Baker Jr., Inc. ("Consultant"), to provide professional services necessary to provide general planning,

engineering and design services, for the various divisions of the Department of Port Control; and

Whereas, under the authority of Board of Control Resolution No. 38-13, adopted January 30, 2013, the City, through its Director of Port Control, entered into a First Modification to City Contract No. PS2012*197, revising the scope of work and increasing the compensation from an amount not to exceed \$350,000.00 to an amount not to exceed \$707,469.00; and

Whereas, the City has determined it necessary to further revise the scope of work for additional design services related to the South Cargo Campus development, design of a sanitary sewer relocation for the IX Center and preparation of bid documents for new sanitary pumps at Yellow Lot 1 pump station at Cleveland Hopkins International Airport; and

Whereas, the Consultant has proposed by its proposal dated December 12, 2014 to perform the additional work necessary for an amount of \$62,090.84; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Port Control is authorized to enter into a Second Modification to City Contract No. PS2012*197 between the City of Cleveland and Michael Baker Jr., Inc. for additional design services related to the South Cargo Campus development, design of a sanitary sewer relocation for the IX Center, preparation of bid documents for new sanitary pumps at Yellow Lot 1 pump station and design for the ceiling replacement project on the Baggage Claim level of the passenger terminal building at Cleveland Hopkins International Airport. The amount to be paid for all services shall be increased by \$62,090.84 from \$707,469.00 to a total amount not to exceed \$769,559.84.

Be it further resolved that the amounts attributed to the following subconsultants approved in Board of Control Resolution No. 350-12, as amended by Resolution No. 38-13, adopted July 18, 2012 and January 30, 2013, respectively, are amended as follows:

| <u>Subconsultant</u> | <u>Percentage Amount</u> |
|---------------------------------|---------------------------|
| G & T Associates, Inc. | 5.3% DBE \$ 41,000.00 |
| Van Auken Akins Architects, LLC | 15.9% DBE \$122,000.00 |

Be it further resolved that all other terms of Resolution No. 350-12, as amended by Resolution No. 38-13, not expressly amended by this resolution shall remain unchanged and in full force and effect.

Yeas: Director Langhenry, Director/Interim Director Dumas, Directors Smith, Cox, Acting Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.
 Nays: None.
 Absent: Mayor Jackson.

Resolution No. 27-15.

By Director Smith.
 Whereas, under the authority of Ordinance No. 1167-08, passed by the Council of the City of Cleveland on

September 8, 2008 and Board of Control Resolution No 389-09, adopted September 30, 2009, the City, through its Director of Finance, entered into Contract No. 69666 with OneCommunity to provide professional services necessary to implement and maintain a network infrastructure and related services for Wi-Fi access to the Internet at Cleveland Hopkins International Airport; and

Whereas, when a director has been authorized to contract with a software developer or vendor, division (d) of Section 181.102 C.O. authorizes the director of the department for which the software is acquired to enter into an agreement with the software vendor for professional services necessary to implement or maintain the software system, including but not limited to maintenance, repair, upgrades, enhancements and technical support; and

Whereas, under the authority of Section 181.102 C.O. the City intends to enter into an agreement with OneCommunity to renew and acquire the necessary licenses, updates, upgrades, enhancements, technical support and maintenance and repair services necessary to maintain the network infrastructure and related services for Wi-Fi access to the Internet at Cleveland Hopkins International Airport, for the Department of Port Control. The term of the agreement shall be for a period of one year; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of division (e) of Section 181.102 C.O., the compensation to be paid OneCommunity for licenses, updates, upgrades, enhancements, technical support and maintenance and repair services shall not exceed \$24,000.00.

Yeas: Director Langhenry, Director/Interim Director Dumas, Directors Smith, Cox, Acting Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 28-15.

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that, under the authority, of Ordinance No. 272-14, passed by the Council of the City of Cleveland on March 31, 2014, the firm of Parsons Brinckerhoff, Inc. ("Consultant"), is selected upon the nomination of the Director of Port Control from a list of qualified persons or firms determined after a full and complete canvass by the Director of Port Control as the firm of consultants available to be employed by contract to supplement the regularly employed staff of the several departments of the City to provide professional services necessary to provide design services and develop construction documents for the restoration of the shoreline at Burke Lakefront Airport, for the various divisions of the Department of Port Control.

Be it further resolved that the Director of Port Control is authorized to enter into a written contract with Parsons Brinckerhoff, Inc. for the above-mentioned services, based upon its proposal dated November 25, 2014, which contract shall be prepared by the Director of Law, shall

provide that the compensation to Parsons Brinckerhoff, Inc. for the services authorized shall not exceed \$848,473.00 for the duration of the contract and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control that the employment of the following sub-consultants by Parsons Brinckerhoff, Inc. is approved:

| <u>Sub-consultant</u> | <u>Percentage Amount</u> |
|---------------------------------|---------------------------|
| KS Associates, Inc. | 16.0%-DBE \$138,500.00 |
| McGuiness Unlimited, Inc. | 4.0%-DBE \$ 32,860.00 |
| Somat Engineering of Ohio, Inc. | 8.0%-SBE \$ 67,130.00 |

Be it further resolved by the Board of Control that the employment of the following subconsultants by Somat Engineering of Ohio, Inc., in turn a subconsultant to Parsons Brinckerhoff, Inc. is approved:

| <u>Sub-consultant</u> | <u>Percentage Amount</u> |
|-----------------------|--------------------------|
| Ohio Testbor, Inc. | Non-DBE \$ 15,000.00 |

Yeas: Director Langhenry, Director/Interim Director Dumas, Directors Smith, Cox, Acting Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 29-15.

By Director Smith.

Resolved, by the Board of Control of the City of Cleveland that the bid of Air Rite, Inc. for an estimated quantity of air filters, Bid Items, Bid Items 1(A) through (N), (Q), (R), (S), (U), (W), (Z), (AA), 2, 3 (D), (E), (I), (K), (L), 4, 6 and 7, for the various divisions of the Department of Port Control, for a period of one year beginning with the date of execution of a contract, with one one-year option to renew, received on December 5, 2014, under the authority of Section 181.101(a)(2) of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to \$73,962.86, 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 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, Director/Interim Director Dumas, Directors Smith, Cox, Acting Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 30-15.

By Director Smith.

Resolved, by the Board of Control of the City of Cleveland that the bid of Ketchum & Walton Co. for an estimated quantity of air filters, Bid Items 1(O), (P), (T), (V), (X), (Y), (BB), (CC), 3(A), (B), (C), (F), (G), (H), (J), and 5, for the various divisions of the Department of Port Control, for a period of one year beginning with the date of execution of a contract, with one one-year option to renew, received on December 5, 2014, under the authority of Section 181.101(a)(2) of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to \$22,976.12, 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 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, Director/Interim Director Dumas, Directors Smith, Cox, Acting Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 31-15.

By Directors Cox and Spronz.

Be it resolved by the Board of Control of the City of Cleveland that the bids received on September 26, 2014 for the Police Headquarters Gymnasium Renovations Phase II for the Department of Public Works and the Office of Capital Projects pursuant to the authority of Ordinance No. 533-12, passed by the Council of the City of Cleveland on June 8, 2012, are rejected.

Yeas: Director Langhenry, Director/Interim Director Dumas, Directors Smith, Cox, Acting Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 32-15.

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Valley Ford Truck, Inc., for an estimated quantity of medium and heavy duty truck parts, all items, for the Division of Motor Vehicle Maintenance, Department of Public Works, for a period of one year, beginning with the date of execution of a contract, with two one-year renewal options, received on June 20, 2014 under the authority of Section 131.64 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$95,000.00 (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 by the Board of Control that the employment of the following subcontractors by Valley Ford Truck, Inc. is approved:

| <u>Subcontractor</u> | <u>Percentage Amount</u> |
|------------------------|--------------------------|
| Resource Fasteners LLC | 0.0% \$0.00 |

Yeas: Director Langhenry, Director/Interim Director Dumas, Directors Smith, Cox, Acting Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Nays: None.
Absent: Mayor Jackson.

KEITH D. SCHEURMAN,
Acting Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

ROBERT BENNETT,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, FEBRUARY 23, 2015

9:30 A.M.

Calendar No. 15-003: 1460 East 9th Street (Ward 3)

City of Cleveland, owner, and Hampton Inn, tenant proposes to install a 5 foot high solid metal gate in side street yard in an E5 General Retail Business District. The tenant applies for relief from the strict application of Section 358.05(a)(2) of the Cleveland Codified Ordinances which states a fence/gate in the side street yard in a General

Retail Business District cannot exceed four feet in height and must be at least 50% open above two feet in height. (Filed January 21, 2015)

Calendar No. 15-004: 4121 East 113th Street (Ward 2)

Anand Sahye, owner, proposes to erect a 10' x 8' 2 story frame front porch enclosure and 16' x 24' rear 2 story frame family room addition in a B1 Two Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 357.09 which states that the required interior side yard shall in no case be less than one fourth the height of the main building. In this case that side yard shall not be less than 8 feet and 3 feet are proposed.

2. Section 357.13 which states that enclosed porches shall not project more than 4 feet where 8 feet are proposed and are not to have an aggregate vertical area in any story more than twenty percent of the area of the facade in that story. (Filed January 22, 2015)

Calendar No. 15-005: 2021 West 19th Street (Ward 3)

DI Development, owner, proposes to erect a 22' x 83' 3 story two family residence with an attached garage in a B1 Two Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(b) which states that the maximum gross floor area shall not exceed 50 percent of the lot area. In this case 50 percent of the lot area is 1,496 square feet and 4,265 square feet are proposed.

2. Section 355.04(b) which states that the minimum lot width permitted for a two family use is 50 feet and 30 feet are proposed.

3. Section 355.04(b) which states that the minimum required lot area for a two family house is 6000 square feet and 2,992 square feet are proposed.

4. Section 357.04(b) which states that the required front yard is 14'-9" and 10 feet are proposed.

5. Section 357.08(b)(1) which states that the required rear yard is 34'-6" and 6 feet are proposed.

6. Section 357.09(2)(B) which states that no building shall be erected less than 10 feet from a main building on an adjoining lot within a Residence District; 6 feet and 4 feet are proposed. Also, the interior side yard shall not be less than one fourth the height of the main building on the same premises; in this case 8 feet 6 inches are required where 5 feet and 1 foot are proposed. (Filed January 22, 2015)

Calendar No. 15-006: 2025 West 19th Street (Ward 3)

DI Development, owner, proposes to erect a 24' x 83' 3 story two family residence with an attached garage in a B1 Two Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(b) which states that the maximum gross floor area shall not exceed 50 percent of the lot area. In this case 50 percent of the lot area is 1,496 square feet and 4,518 square feet are proposed.

2. Section 355.04(b) which states that the minimum lot width permitted for a two family use is 50 feet and 30 feet are proposed.

3. Section 355.04(b) which states that the minimum required lot area for a two family house is 6000 square feet and 2,992 square feet are proposed.

4. Section 357.04(b) which states that the required front yard is 14'-9" and 10 feet are proposed.

5. Section 357.08(b)(1) which states that the required rear yard is 34'-6" and 6 feet are proposed.

6. Section 357.09(2)(B) which states that no building shall be erected less than 10 feet from a main building on an adjoining lot within a Residence District; 6 feet and 4 feet are proposed. Also, the interior side yard shall not be less than one fourth the height of the main building on the same premises; in this case 8 feet 6 inches are required where 4 feet and 3 feet are proposed. (Filed January 22, 2015)

Calendar No. 15-007: 2031 West 19th Street (Ward 3)

DI Development, owner, proposes to erect a 22' x 83' 3 story two family residence with attached garage in a B1 Two Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(b) which states that the maximum gross floor area shall not exceed 50 percent of the lot area. In this case 50 percent of the lot area is 1,496 square feet and 1,826 square feet are proposed.

2. Section 355.04(b) which states that the minimum lot width permitted for a two family use is 50 feet and 30 feet are proposed.

3. Section 355.04(b) which states that the minimum required lot area for a two family house is 6,000 square feet and 2,992 square feet are proposed.

4. Section 357.04(b) which states that the required front yard is 14'-9" and 10 feet are proposed.

5. Section 357.08(b)(1) which states that the required rear yard is 34'-6" and 6 feet are proposed.

6. Section 357.09(2)(B) which states that no building shall be erected less than 10 feet from a main building on an adjoining lot within a Residence District; 6 feet and 4 feet are proposed. Also, the interior side yard shall not be less than one fourth the height of the main building on the same premises; in this case 8 feet 6 inches are required where 5 feet and 1 foot are proposed. (Filed January 22, 2015)

POSTPONED FROM DECEMBER 29, 2014

Calendar No. 14-239: 5027 Lorain Avenue (Ward 3)

Enrique Maldonado, owner, proposes to establish use as a Motor Vehicle Sales Facility with office trailer on a 40' x 132' lot in a C2 Local Retail Business District and a Pedestrian Retail Overlay District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. 343.01(b) which states that Motor Vehicle Sales Facility is not permitted in a Local Retail Business District but is first permitted in General Retail Business District per Section 343.11(b)(2)(I)(4).

2. Section 347.11(a) which states that open sales lots are required to be a minimum width of 60 feet and 40 feet are proposed.

3. Section 352.08 through 325.12 which state that a four foot wide landscaped frontage strip is required where the property abuts the street, and a landscape plan is required; no landscape plan is submitted.

4. Section 349.08 which states that an opaque wall, fence or four foot wide landscape strip is required to screen parking spaces from adjoining lot containing residential units.

5. Section 358.05(a)(2) which states that a maximum six foot high fence is permitted in the side yard and an eight foot high fence/gate is proposed.

Section 343.23(e)(1) which states that an open sales lot is prohibited in a Pedestrian Retail Overlay District. (Filed November 24, 2014)

First postponement made at the request of the councilman to allow for a block club meeting.

**POSTPONED FROM
DECEMBER 29, 2014**

Calendar No. 14-227: 5437 Broadway Avenue (aka 3328 East 55th Street) (Ward 5)

4 Ever Social Club, owner, proposes to establish use as a banquet hall for weddings, receptions, and other events in a C2 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 343.11(b)(2)(L) which states that an assembly/banquet hall is not permitted in the Local Retail Business District but is first permitted in General Retail Business.

2. Section 349.04(e) which states that a parking area equal to three times the gross floor area is required and no parking is shown. (Filed November 13, 2014)

First postponement made at the request of Slavic Village Development Corporation to allow for more time for review.

**POSTPONED FROM
AUGUST 25, 2014**

Calendar No. 14-095: 4207 Clark Avenue (Ward 3)

Antonio Ortiz, owner, proposes expand an existing nonconforming motor vehicle repair garage located in a C2 Semi-Industry District by constructing a new 1324 square foot detailing shop addition. Owner appeals for relief from the following Sections of the Cleveland Codified Ordinances:

1. Section 345.03 (c) (2) which states that a repair garage for repair or painting of motor vehicles, is permitted in Semi-Industry provided that such use is located not less than one hundred (100) feet from a Residence District and the property abuts a Two Family Residential District.

2. Section 359.01 (a) which states that the expansion of an existing nonconforming use requires Board of Zoning Appeals Approval.

3. Section 343.11(b)(2)(I)(2) states that an automobile laundry cannot be located less than 100 feet from a

Residence District and the property abuts a Two Family Residential District.

4. Section 349.04(g) requires 7 off street parking spaces and none are shown. (Filed May 30, 2014)

Fifth postponement made at the request of the appellant due to scheduling conflict.

Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, FEBRUARY 2, 2015

At the meeting of the Board of Zoning Appeals on Monday, February 2, 2015 the following appeals were scheduled for hearing before the Board.

The following appeal was **APPROVED:**

Calendar No. 14-208: 1310 East 125th Street
Reginald Phillips, owner, proposes to change use from tool grind shop to auto detailing in a C2 Local Retail Business District.

The following appeal was **DENIED:**

Calendar No. 14-249: Appeal of Thomas Papouras from the decision of the City Planning Commission.
Thomas Papouras appealed the decision of the City of Cleveland Planning Commission to deny his conditional use to establish a used car sales lot in a Pedestrian Retail Overlay District at 4157 Lorain Avenue.

The following appeal was **DISMISSED:**

Calendar No. 14-193: 3650 East 143rd Street
Shelda Brantley, owner, proposes to change use from a two-family dwelling unit to a Senior Home on a parcel located in a B1 Two-Family Residential District.

The following appeal was **WITHDRAWN:**

Calendar No. 14-66: 4157 Lorain Avenue
Thomas Papouras, owner, proposes to establish a used car lot on a parcel of land that is 80' x 125', located in a D3 Local Retail Business District and a Pedestrian Retail Overlay District (PRO).

The following appeals were **POSTPONED:**

Calendar No. 14-215: Clement Kollin 399 East 131st Street was postponed to March 23, 2015.

Calendar No. 15-001: Demond Williams
2625 Woodhill Road was postponed to March 16, 2015.

DECISION FROM THE COURT:

The Court of Common Pleas reversed the Board of Zoning

Appeal's decision on the following case (CV 830895) on January 27, 2015:

Calendar No. 14-98: 8301 Detroit Avenue

The Board approved the request by Emerald Development and Economic Network (Eden), owner, to erect a 3 story apartment building that will provide 66 dwelling units on the same 72,000 square foot parcel as a ten unit apartment building; said parcel being split between Two Family Residential and General Retail Business Zoning Districts. (Approved July 14, 2014)

The following appeals were heard at the Board of Zoning Appeals on Monday, January 26, 2015, and the decisions were adopted and approved on Monday, February 2, 2015:

The following appeals were **APPROVED:**

Calendar No. 14-214: 1020 East 185th Street
William Dagg, owner, proposes to expand existing parking lot on an irregular shaped parcel located in an A1 One-Family Residential District and C1 Local Retail Business District

Calendar No. 14-250: 1230 West 58th Street
Breakwater Bluffs, LLC, owner, proposes to establish use as a parking and erect a parking garage on a parcel located in a C2 Multi-Family Residential District.

Calendar No. 14-255: 7312 Detroit Avenue
Howard Grandon, owner, proposes to renovate basement and first floor of vacant retail space, in mixed use building containing four dwelling units on the second floor, for establishment of bar/restaurant in a C2 Local Retail Business District and a Pedestrian Retail Overlay District.

Calendar No. 14-256: 13205 Miles Road
Union Miles Development Corp., owner, and Cleveland Housing Network, prospective purchaser, propose to construct a 4 story, 51,390 square foot, 66 unit apartment building with an accessory 21 space parking lot on a 53,775 square foot parcel located in a B1 Local Retail Business District.

Secretary

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

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

FRIDAY, FEBRUARY 27, 2015

File No. 17-15 — Rose Cliff Road Storm Sewer Project, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 991-14, passed by the Council of the City of Cleveland, November 17, 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 A 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 FRIDAY, FEBRUARY 13, 2015 AT 10:30 A.M. DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.**

*Bidders must purchase plans and specifications directly from the office of the Commissioner of

Purchases and Supplies. Only registered Plan Holders will receive Addenda. Bids cannot be accepted from Bidders who only purchase plans from other entities such as Plan Rooms and/or who fail to register to be on the City of Cleveland Plan Holders List.

File No. 18-15 — Massie Avenue Sewer Replacement Project, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 991-14, passed by the Council of the City of Cleveland, November 17, 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 A 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 FRIDAY, FEBRUARY 13, 2015 AT 10:30 A.M. DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.**

*Bidders must purchase plans and specifications directly from the office of the Commissioner of Purchases and Supplies. Only registered Plan Holders will receive Addenda. Bids cannot be accepted from Bidders who only purchase plans from other entities such as Plan Rooms and/or who fail to register to be on the City of Cleveland Plan Holders List.

February 4, 2015 and February 11, 2015

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 84-15.

By Council Member J. Johnson. An emergency resolution objecting to the transfer of location of a D5 and D6 Liquor Permit to 5379 St. Clair Avenue.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of location of a D5 and D6 Liquor Permit from Jozo & Branka, Inc., DBA Croatian Home Bar, 6314 St. Clair Avenue, Cleveland, Ohio 44103, Permanent Number 4403355 to Mrki Enterprises, LLC, DBA Mrkis Place, 5379 St. Clair Avenue, 1st floor and patio, Cleveland, Ohio 44103, Permanent Number 6202749; and

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of location of a D5 and D6 Liquor Permit from Jozo & Branka, Inc., DBA Croatian Home Bar, 6314 St. Clair Avenue, Cleveland, Ohio 44103, Permanent Number 4403355 to Mrki Enterprises, LLC, DBA Mrkis Place, 5379 St. Clair Avenue, 1st floor and patio, Cleveland, Ohio 44103, Permanent Number 6202749; 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 requesting that the hearing be held in Cleveland, Cuyahoga County.

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

Adopted January 26, 2015.
Effective January 28, 2015.

Res. No. 85-15.

By Council Member Cimperman. An emergency resolution objecting to the transfer of location of a D2, D2X, D3 and D3A Liquor Permit to 1295 Old River Road.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of location of a D2, D2X, D3 and D3A Liquor Permit from HMR of Ohio, Inc., 1228 West 6th Street, 1st floor, basement and patio, Mezzanine and Courtyard, 1228 West 6th Street Cleveland, Ohio 44113, Permanent Number 3464783 to Odeon Concert Club, LLC, DBA The Odeon, 1295 Old River Road, Cleveland, Ohio 44113, Permanent Number 6483990; and

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

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of location of a D2, D2X, D3 and D3A Liquor Permit from HMR of Ohio, Inc., 1228 West 6th Street, 1st floor, basement and patio, Mezzanine and Courtyard, 1228 West 6th Street Cleveland, Ohio 44113, Permanent Number 3464783 to Odeon Concert Club, LLC, DBA The Odeon, 1295 Old River Road, Cleveland, Ohio 44113, Permanent Number 6483990; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted January 26, 2015.
Effective January 28, 2015.

Res. No. 86-15.
By Council Member Cimperman.
An emergency resolution withdrawing objection to a New C1 Liquor Permit at 3230 West 65th Street and repealing Resolution No. 1136-14, objecting to said permit.

Whereas, this Council objected to a New C1 Liquor Permit to Bargains

3 & 5, Inc., DBA Paradise Supermarket, 3230 West 65th Street, Cleveland, Ohio 44102 by Resolution No. 1136-14 adopted by the Council on September 8, 2014; and

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

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

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

Section 1. That objection to a New C1 Liquor Permit to Bargains 3 & 5, Inc., DBA Paradise Supermarket, 3230 West 65th Street, Cleveland, Ohio 44102, Permanent Number 0446400, be and the same is hereby withdrawn and Resolution No. 1136-14, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted January 26, 2015.
Effective January 28, 2015.

Res. No. 87-15.
By Council Member Cimperman.
An emergency resolution withdrawing objection to the renewal of a D5 and D6 Liquor Permit at 1261-65 West 6th Street, 1st floor and patio and repealing Resolution No. 1024-14, objecting to said renewal.

Whereas, this Council objected to the renewal of a D5 and D6 Liquor Permit to W. 6th Restaurant Group, Ltd., DBA Barley House Cleveland, 1261-65 West 6th Street, 1st floor and patio, Cleveland, Ohio 44113, Permanent Number 9330015 by Resolution No. 1024-14, adopted by the Council on August 20, 2014; 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 D5 and D6 Liquor Permit to W. 6th Restaurant Group, Ltd., DBA Barley House Cleveland, 1261-65 West 6th Street, 1st floor and patio, Cleveland, Ohio 44113, Permanent Number 9330015, be and the same is hereby withdrawn and Resolution No. 1024-14, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

shall take effect and be in force from and after the earliest period allowed by law.

Adopted January 26, 2015.
Effective January 28, 2015.

Res. No. 88-15.
By Council Member Conwell.
An emergency resolution withdrawing objection to the transfer of stock of a C2 and C2X Liquor Permit at 863-71 East 93rd Street, 1st floor and repealing Resolution No. 1490-14, objecting to said transfer.

Whereas, this Council objected to the transfer of stock of a C2 and C2X Liquor Permit to Samia, Inc., DBA Convenience Deli, 863-71 East 93rd Street, 1st floor, Cleveland, Ohio 44108, Permanent No. 7702571 by Resolution No. 1490-14 adopted by the Council on November 10, 2014; and

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

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

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

Section 1. That objection to a C2 and C2X Liquor Permit to Samia, Inc., DBA Convenience Deli, 863-71 East 93rd Street, 1st floor, Cleveland, Ohio 44108, Permanent No. 7702571, be and the same is hereby withdrawn and Resolution No. 1490-14, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted January 26, 2015.
Effective January 28, 2015.

Res. No. 89-15.
By Council Member Cimperman.
An emergency resolution withdrawing objection to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit at 1301 East 9th Street, BU 600 North Courtyard and repealing Resolution No. 1475-14, objecting to said permit.

Whereas, this Council objected to a transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit to Usha Babu, LLC, DBA Café Sausalito, 1301 East 9th Street, BU 600 North Courtyard, Cleveland, Ohio 44114, Permanent Number 9177065 by Resolution No. 1475-14 adopted by the Council on November 10, 2014; 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 transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit to Usha Babu, LLC, DBA Café Sausalito, 1301 East 9th Street, BU 600 North Court-yard, Cleveland, Ohio 44114, Permanent Number 9177065, be and the same is hereby withdrawn and Resolution No. 1475-14, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted January 26, 2015.
Effective January 28, 2015.

Res. No. 90-15.

By Council Member Zone.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 2044 West 65th Street and repealing Resolution No. 1535-14, objecting to said permit.

Whereas, this Council objected to a transfer of ownership of a C1 and C2 Liquor Permit to West 65th Street Food & More, LLC, DBA West 65th Market, 2044 West 65th Street, Cleveland, Ohio 44102, Permanent Number 9555106 by Resolution No. 1535-14 adopted by the Council on November 17, 2014; 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 transfer of ownership of a C1 and C2 Liquor Permit to West 65th Street Food & More, LLC, DBA West 65th Market, 2044 West 65th Street, Cleveland, Ohio 44102, Permanent Number 9555106, be and the same is hereby withdrawn and Resolution No. 1535-14, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted January 26, 2015.
Effective January 28, 2015.

Res. No. 91-15.

By Council Member Conwell.

An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit at 1163 East 123rd Street and repealing Resolution No. 861-14, objecting to said renewal.

Whereas, this Council objected to the renewal of a C2 and C2X Liquor Permit to 123 Food Mart, Inc., DBA USA Food Mart, 1163 East 123rd Street, Cleveland, Ohio 44108, Permanent Number 6549205 by Resolution No. 861-14, adopted by the Council on July 16, 2014; 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 C2 and C2X Liquor Permit to 123 Food Mart, Inc., DBA USA Food Mart, 1163 East 123rd Street, Cleveland, Ohio 44108, Permanent Number 6549205, be and the same is hereby withdrawn and Resolution No. 861-14, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted January 26, 2015.
Effective January 28, 2015.

Res. No. 93-15.

By Council Member Brancatelli.

An emergency resolution Objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 6506 Fleet Avenue.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from 6506 Fleet Avenue, LLC, 6506 Fleet Avenue, Cleveland, Ohio 44105, Permanent Number 7638470 to SAS Grocery, Inc., DBA Mr. Z, 6506 Fleet Avenue, Cleveland, Ohio 44105, Permanent Number 7748295; 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 C1 and C2 Liquor Permit from 6506 Fleet Avenue, LLC, 6506 Fleet Avenue, Cleveland, Ohio 44105, Permanent Number 7638470 to SAS Grocery, Inc., DBA Mr. Z, 6506 Fleet Avenue, Cleveland, Ohio 44105, Permanent Number 7748295; and requests the Superintendent of the Division of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted January 26, 2015.
Effective January 28, 2015.

Ord. No. 1470-14.

By Council Members Cimperman and Sweeney.

An emergency ordinance authorizing the renewal of Sections 675A.01 through 675A.03 of the Codified Ordinances of Cleveland, Ohio, 1976 with no further set expiration, relating to street performers.

Whereas, pursuant to Ordinance No. 979-13, passed July 10, 2013, this Council enacted Codified Ordinances Section 675A.01 through 675A.03, relating to street performers; and

Whereas, pursuant to section 2 of Ordinance No. 979-13, Sections 675A.01 through 675A.03 were to expire and be of no further force and effect on May 31, 2014 unless the Council by ordinance, expressly renewed those sections; and

Whereas, pursuant to Ordinance 689-14, passed May 19, 2014, this Council renewed Sections 675A.01 through 675A.03 of the Codified Ordinances of Cleveland, Ohio, 1976, for an additional six months, until November 30, 2014, unless and until this Council, by ordinance, expressly renews Sections 675A.01 through 675A.03; and

Whereas, this Council wishes to renew Sections 675A.01 through 675A.03 with no further set expiration; and

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

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

Section 1. That this Council hereby renews Sections 675A.01 through 675A.03 with no further set expiration.

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

Passed January 26, 2015.
Effective January 28, 2015.

Ord. No. 1510-14.
By Council Members Zone and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Community Relations to apply for and accept a grant from Cuyahoga County Juvenile Court to conduct the 2015 Youth Community Diversion Program.

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

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

Section 1. That the Director of Community Relations is authorized to apply for and accept a grant in the approximate amount of \$14,400, and any other funds that may become available during the grant term from Cuyahoga County Juvenile Court to conduct the 2015 Youth Community Diversion Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes set forth in the summary for the grant contained in the file described below.

Section 2. That the summary, presented to the Finance Committee of

this Council at a public hearing on this legislation and set forth in File No. 1510-14-A, is made a part of this ordinance as if fully rewritten, is approved in all respects, and shall not be changed without additional legislative authority.

Section 3. That the Director of Community Relations shall have the authority to extend the term of the grant during the grant term.

Section 4. That, unless expressly prohibited by the grant agreement, under Section 108(B) of the Charter, purchases made under the grant agreement may be made through cooperative arrangements with other governmental agencies. The Director of Community Relations may sign all documents and do all things that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process. The contracts will be paid from the fund or funds to which are credited any grant funds accepted under this ordinance.

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

Passed January 26, 2015.
Effective January 28, 2015.

Ord. No. 1513-14.
By Council Members Zone and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Law to apply for and accept a grant from the Cuyahoga County Department of Public Safety and Justice Services for the FY 2014 Cleveland Domestic Violence Program; and to enter into one or more contracts with Cuyahoga County and other entities to implement the program.

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 Law is authorized to apply for and accept a grant in the approximate amount of \$125,079.21, and any other funds that may become available during the grant term, from the Cuyahoga County Department of Public Safety and Justice Services, to conduct the FY 2014 Cleveland Domestic Violence Program, for the purposes set forth in the application and according thereto; that the Director of Law is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes set forth in the file for the grant.

Section 2. That the award letter, budget, and subgrant application for the grant, File No. 1513-14-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation and shall not be changed without additional legislative authority, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$41,693.07 payable from funds appropriated for this purpose in budget year 2015.

Section 3. That the Director of Law is authorized to enter into one or more contracts with the County of Cuyahoga and one or more contracts with other entities to implement the program as described in the file.

Section 4. That the cost of the contract or contracts shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance and the cash match.

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

Passed January 26, 2015.
Effective January 28, 2015.

Ord. No. 1536-14.
By Council Members Brancatelli and Kelley (by departmental request).
An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 348.01, relating to the Urban Form Overlay District; and to name Chapter 348 "Form Based Districts".

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 348.01 and to read as follows:

Section 348.01 Urban Form Overlay (UF Overlay) District

(a) **Purpose.** The Urban Form Overlay (UF Overlay) District is established to foster a high level of walkability and design quality for Cleveland's urban streets. The UF Overlay will do this by requiring pedestrian-oriented building features, preserving and enhancing the architectural character of new and existing buildings and protecting public safety by minimizing conflicts between vehicles and pedestrians.

(b) **Mapping.** The UF Overlay District shall be mapped as an overlay district by an ordinance of Council. Areas designated as UF Overlay Districts are planned to be densely developed areas characterized by a preponderance of buildings set relatively close to the street with parking located behind the main building. In every UF Overlay District, any street frontage to be considered an "Urban Frontage Line," as defined in this section, shall be marked on the Zoning Map, with either one or both sides of a street designated as such.

(c) **Applicability.** In a UF Overlay District, the regulations of the underlying zoning district shall govern except where in conflict with the regulations of the UF Overlay District, in which case the regulations of the UF Overlay District shall govern.

(d) **Definitions.** As used in this section, the following terms shall be defined as stated below:

(1) "Urban Frontage Line" means that side or sides of a public street frontage that is specifically designated on the Zoning Map.

(2) "Urban Street Space" means that portion of a building or property located at or closest to the level of the public sidewalk and within forty (40) feet of an Urban Frontage Line.

(3) "Open Sales Lot" means a property or portion of a property used for the sale of merchandise stored in outdoor, unenclosed locations.

(4) "Streetscreen" means a freestanding wall built along the Urban Frontage Line, or coplanar with the main building Facade. It may mask a Parking Lot from the Thoroughfare, provide privacy to a side yard, and/or strengthen the spatial definition of the public realm. (Syn: streetwall)

(5) "Liner Building" means a building specifically designed to mask a parking lot or a Parking Structure from a Frontage.

(6) "Stoop" means an entrance wherein the Facade of the main building is aligned close to the Urban Frontage Line with the first story elevated from the Sidewalk for privacy, with an exterior stair and landing at the entrance.

(7) "Balcony" means an exterior space or platform that projects from the wall of a building and includes a railing or balustrade.

(e) **Use Regulations.** All uses permitted in the underlying zoning district shall be permitted in the UF Overlay District, except that within Urban Street Spaces, as defined in this section, the following uses are regulated as follows:

(1) Open sales lots, as defined in this section, are prohibited;

(2) Car washes are prohibited;

(3) Gas station pump islands are prohibited;

(4) Any business served by a drive-thru shall have all points of customer interaction located outside of the Urban Street Space; and

(5) A parking lot as a main use is prohibited.

(f) **New construction or Additions**

| Setbacks | |
|---|--|
| Front Yard Principal Depth | 0ft. min., 8 ft. max. |
| Front Yard Secondary Yard Depth | 0 ft. min., 5 ft. max. |
| Interior Side Yard Depth | 0 ft. min. |
| Rear Yard Depth | 3 ft. min. |
| Frontage Build-out | 80% min.; Up to 20% streetscreen wall permitted |
| Building Configuration | |
| Principal Building height | 18 ft. min. |
| Ground floor Non-residential spaces | Each space shall provide a main pedestrian entrance to primary street frontage and shall be recessed so not to swing over the public right-of-way or patio space |
| Ground floor Residential units | Each unit shall provide a main pedestrian entrance to street frontage; porch or stoop required |
| Height of finished floor above grade | Non-residential: 0 ft. min.; Residential: 2 ft. min., 5.5 ft. max |
| Building Design Features | |
| Ground floor front facade non-residential | 70% min. transparent windows & doors |
| Ground floor front facade residential | 60% min. transparent windows |
| Balconies; primary or secondary frontage | Required on 60% of units min.; 1.0 ft. min. depth |
| First floor materials | Human scaled; ex. brick, stone, lap siding, wood, terra cotta or similar |
| Required Private Frontage types See figure F (1) | |
| Porch | Permitted; 12 sq. ft. min. |
| Terrace or Lightwell | Permitted |
| Forecourt | Permitted |
| Stoop | Permitted; 12 sq. ft. min. |
| Shopfront & Awning | Permitted |
| Gallery | Permitted |
| Arcade | Permitted; 6 ft. min. depth |
| Signage | |
| Wall mounted and blade | Permitted |
| Freestanding | Not permitted |
| Electronic changeable copy | Not permitted |
| Transition Strips & Screening | |
| Front secondary | 3ft. min., 6 ft. max. deep landscape screening strip, and streetscreen required |
| Interior side | Not required |
| Rear abutting a less intensive use | 6 ft. high screen element, 100% opacity |
| Garages & Driveways | |
| Garage doors fronting principal or secondary frontage | Not Permitted |
| Garage doors perpendicular to secondary frontage | Permitted; 3.5 ft. tall streetscreen required |
| Curb cuts per lot | 1 max. |
| Single residential unit driveway width | 10 ft. max. |
| One-way vehicular driveway width | 12 ft. max. |
| Two-way vehicular driveway width | 16 ft. max. |
| Parking lot aisle width | 21 ft. max. |

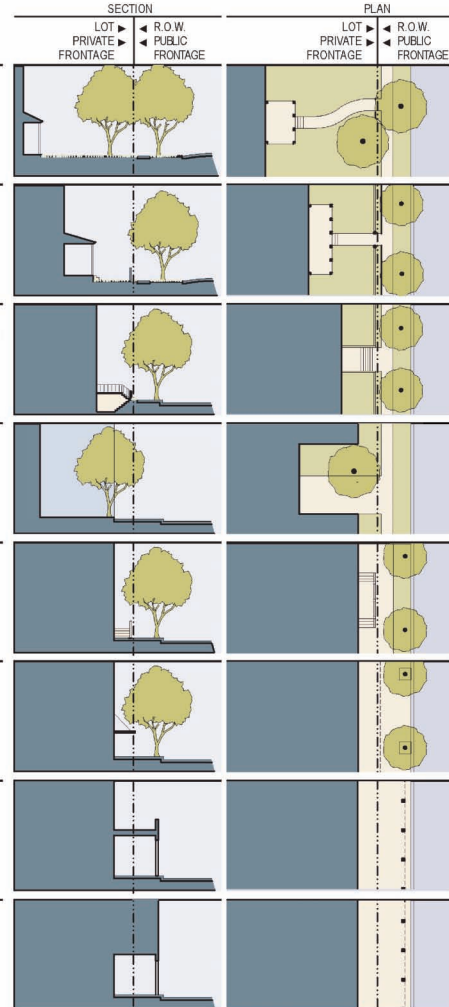
Off-Street Parking & Loading

| | |
|---|---|
| Number of spaces; surface | Min: 50% of total required by 349.04, Max: 100% of total required by 349.04 |
| Surface parking; location | Behind main building ¹ |
| Number of spaces; structured or enclosed | Min: 50% of total required by 349.04, Max: no limitation |
| Structured or enclosed parking; screening | Liner building along Principal and Secondary frontages required |

¹ Where no alley abuts the property, off-street parking between the main building actual front setback and the rear wall of the main building shall be permitted, however limited to one row of 45° parking spaces adjacent to the main building. A streetscreen 3.5 ft. min. in height shall be required between the main building and the drive isle.

Figure F (1) Required Frontage Features

- a. **Common Yard:** A planted Frontage wherein the building façade is set back substantially from the right of way line. The front yard created may remain unfenced and be visually continuous with adjacent yards. This frontage is found where deep front yards are consistent with the surrounding context. The deep front yard setback can provide a buffer from higher speed thoroughfares.
- b. **Porch & Fence:** A planted Frontage wherein the building façade is set back from the front yard line, with an attached porch as a permitted yard encroachment. A fence at the right of way line maintains the spatial definition of the street and provides delineation between public and private space.
- c. **Terrace or Lightwell:** A Frontage wherein the building façade is set back from the right of way line, with an elevated terrace or a sunken lightwell. This frontage feature buffers residential uses from urban sidewalks. Synonym: Dooryard.
- d. **Forecourt:** A Frontage wherein a portion of the building façade is set back from the right of way line, and the rest of the façade is set close to or at the right of way line. This frontage feature is often used in apartment buildings. This frontage feature is usually used in conjunction with other frontage features.
- e. **Stoop:** A Frontage wherein the building façade is close to the right of way line. An exterior stair and landing provide access to the main building entrance. The First Story is elevated from the sidewalk level sufficiently to ensure privacy for First Story windows. This frontage feature is recommended for First Story residential uses. The Stoop is a permitted yard encroachment.
- f. **Shopfront:** A Frontage wherein the building façade is close to the right of way line, and the building entrance is at sidewalk grade. This frontage is typical of Retail uses. This frontage feature has substantial glazing at the sidewalk level. This frontage may have an awning. Where permitted, the awning may encroach over the sidewalk.
- g. **Gallery:** A Frontage wherein the façade is close to or at the right of way line, with an attached roof or lightweight colonnade overlapping the sidewalk. This frontage is typical of Retail uses. Where encroachment of the Gallery over the public right of way is permitted, the Gallery shall extend to within 2 feet of the curb.
- h. **Arcade:** A Frontage wherein the façade at sidewalk level is close to or at the right of way line, with a colonnade supporting habitable space above the sidewalk. This frontage is typical of Retail uses. Where encroachment of the Arcade over the public right of way is permitted, the Arcade shall extend to within 2 feet of the curb.



(g) Variances.

(1) **Building Heights.** The Board of Zoning Appeals shall have no power to authorize a variance for a single story building with a height of less than fifteen (15) feet in an Urban Street Space.

(2) **Parking Requirements.** The Board may grant a variance above the maximum number of parking spaces permitted by this section, where the applicant has shown a good faith effort to first utilize: district parking, on-street parking and /or secure shared-use agreements with adjacent property owners, or has agreed to make its parking lot available for shared parking with neighboring businesses. However, the Board shall have no power to authorize a variance for a total number of parking spaces that exceeds 120% of the maximum amount of spaces permitted by this section.

Section 2. That new Chapter 348 of the Codified Ordinances of Cleveland, Ohio, 1976, is entitled "Form Based Districts."

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

Passed January 26, 2015.
Effective January 28, 2015.

Ord. No. 19-15.**By Council Members Pruitt and Kelley (by departmental request).****An emergency ordinance authorizing the Director of Public Utilities to make alterations and modifications in Contract No. CT 2004 PI 2013-18 with Hooper Corporation for the Lake Road Improvement for Phase 3 of the Substation and Distribution Expansion Project, for the Department of Public Utilities.**

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

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

Section 1. That the Director of Public Utilities is authorized to make the following alterations and modifications in Contract No. CT 2004 PI 2013-18 with Hooper Corporation for the Lake Road Improvement for Phase 3 of the Substation and Distribution Expansion Project, for the Department of Public Utilities:

Subsidiary Additions:

| | |
|--|------------------|
| 1. Install cable, racking and splices on Marquette Avenue from MH Cable Poles near MH 124-57 on East 55th Street | \$641,748.00 |
| 2. Contingency amount | + 158,252.00 |
| Total Subsidiary Additions: | \$800,000.00 |
| Original Contract Amount | \$ 11,948,801.98 |
| Total Subsidiary Additions | + 800,000.00 |
| REVISED CONTRACT AMOUNT | \$ 12,748,801.98 |

which alteration has been recommended in writing by the Director of Public Utilities, countersigned by the Mayor, and consented to by the surety on the contract, which price to be paid has been agreed upon in writing and signed by the Director of Public Utilities and the contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$800,000 to be paid from Fund No. 58 SF 230 RQS 2004, RL 2014-150.

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

Passed January 26, 2015.

Effective January 28, 2015.

Ord. No. 82-15.**By Council Member Cimperman.****An emergency ordinance consenting and approving the issuance of a permit for the St. Malachi's Church run, on March 14, 2015, sponsored by Hermes Sports & Events, Inc.**

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the St. Malachi's Church run, on March 14, 2015, start: Veterans Memorial Bridge; Veterans Bridge east to West 6th Street; West 6th north to St. Clair Avenue; St. Clair east to Ontario Avenue; Ontario north to Lakeside Avenue; Lakeside west to West 3rd Street; West 3rd north to Erieside Avenue; Erieside east to North Marginal Road; North Marginal east to Burke Airport Loop Drive; turn around, North Marginal west to Erieside; Erieside west to West 3rd; West 3rd south to Lakeside; Lakeside west to West 9th Street; West 9th south to Superior Avenue; Superior west to West 25th Street; West 25th north to Washington Avenue; Washington east to Center Street; Center north to FINISH LINE; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all

liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed January 26, 2015.

Effective January 28, 2015.

Ord. No. 83-15.**By Council Member Cimperman.****An emergency ordinance consenting and approving the issuance of a permit for The National Multiple Sclerosis Society walk, on April 18, 2015, sponsored by The National Multiple Sclerosis Society.**

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of The National Multiple Sclerosis Society walk, on April 18, 2015, start: Great Lakes Science Center, Erieside Avenue; Erieside east to East 9th Street; East 9th south to Huron Road; Huron west to Superior Avenue; Superior across to West 6th Street; West 6th north to St. Clair Avenue; St. Clair east to West 3rd Street; West 3rd north to Alfred Lerner Way/Erieside Avenue; Finish at the Great Lakes Science Center, Erieside Avenue; pro-

vided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed January 26, 2015.

Effective January 28, 2015.

COUNCIL COMMITTEE MEETINGS

**Monday, February 2, 2015
9:30 a.m.**

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

2:00 p.m.

Development, Planning and Sustainability & Finance Committees: Present in DP&S: Brancatelli, Chair; Cleveland, Vice Chair; Cummins, Dow, Pruitt, Zone. *Authorized Absence:* Cimperman. Present in Finance: Kelley, Chair; Cleveland,

Vice Chair; Brady, Brancatelli, Conwell, Keane, Mitchell, Pruitt, Zone.

Tuesday, February 3, 2015
9:30 a.m.

Wednesday, February 4, 2015
10:00 a.m.

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

Development, Planning and Sustainability Committee: CANCELLED.

Safety Committee: Present: Zone, Chair; Conwell, Vice Chair; Cimperman, Kazy, Keane, Mitchell, Polensek.

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