

The City Record

Official Publication of the Council of the City of Cleveland



February the Eighth, Two Thousand and Seventeen

Frank G. Jackson
Mayor

Kevin J. Kelley
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward Name

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

The City Record is available online at
www.clevelandcitycouncil.org

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Kevin J. Kelley

Ward	Name	Residence	
1	Terrell H. Pruitt	16920 Throckley Avenue	44128
2	Zack Reed	3734 East 149th Street	44120
3	Kerry McCormack	1429 West 38th Street	44113
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44105
6	Mamie J. Mitchell	12701 Shaker Boulevard, #712	44120
7	TJ Dow	7715 Decker Avenue	44103
8	Michael D. Polensek	17855 Brian Avenue	44119
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Jeffrey D. Johnson	9024 Parkgate Avenue	44108
11	Dona Brady	1272 West Boulevard	44102
12	Anthony Brancatelli	6924 Ottawa Road	44105
13	Kevin J. Kelley	5904 Parkridge Avenue	44144
14	Brian J. Cummins	3104 Mapledale Avenue	44109
15	Matthew Zone	1228 West 69th Street	44102
16	Brian Kazy	4300 West 143rd Street	44135
17	Martin J. Keane	15907 Colletta Lane	44111

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

MAYOR – Frank G. Jackson
 Ken Silliman, Secretary to the Mayor, Chief of Staff
 Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer
 Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs
 Martin J. Flask, Executive Assistant to the Mayor of Special Projects
 Monyka S. Price, Executive Assistant to the Mayor, Chief of Education
 Matt Gray, Executive Assistant to the Mayor, Chief of Sustainability
 Natoya J. Walker Minor, Executive Assistant to the Mayor, Chief of Public Affairs
 Edward W. Rybka, Executive Assistant to the Mayor, Chief of Regional Development
 Duane Deskins, Executive Assistant to the Mayor, Chief of Prevention, Intervention and Opportunity for Youth and Young Adults
 Dan Williams, Media Relations Director

OFFICE OF CAPITAL PROJECTS – Matthew L. Spronz, Director
 DIVISIONS:
 Architecture and Site Development – _____ Manager
 Engineering and Construction – Richard J. Switalski, Manager
 Real Estate – James DeRosa, Commissioner

OFFICE OF EQUAL OPPORTUNITY – Melissa K. Burrows, Ph.D., Director
DEPT. OF LAW – Barbara A. Langhenry, Director, Gary D. Singletary, Chief Counsel,
 Richard F. Horvath, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel,
 Victor R. Perez, Chief Assistant Prosecutor, Room 106; Robin Wood, Law Librarian,
 Room 100

DEPT. OF FINANCE – Sharon Dumas, Director, Room 104;
 Natasha Brandt, Manager, Internal Audit
 DIVISIONS:

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

DEPT. OF PUBLIC UTILITIES – Robert L. Davis, Director, 1201 Lakeside Avenue
 DIVISIONS:
 Cleveland Public Power – Ivan Henderson, Commissioner
 Utilities Fiscal Control – Frank Badalamenti, Chief Financial Officer
 Water – Alex Margevicius, Commissioner
 Water Pollution Control – Rachid Zoghbaib, Commissioner

DEPT. OF PORT CONTROL – Robert Kennedy, Director, Cleveland Hopkins International Airport, 5300 Riverside Drive
 DIVISIONS:
 Burke Lakefront Airport – Khalid Bahhur, Commissioner
 Cleveland Hopkins International Airport – Fred Szabo, Commissioner

DEPT. OF PUBLIC WORKS – Michael Cox, Director
 OFFICES:
 Administration – John Laird, Manager
 Special Events and Marketing – Tangee Johnson, Manager
 DIVISIONS:

Motor Vehicle Maintenance – Jeffrey Brown, Commissioner
 Park Maintenance and Properties – Richard L. Silva, Commissioner
 Parking Facilities – Kim Johnson, Interim Commissioner
 Property Management – Tom Nagle, Commissioner
 Recreation – Samuel Gissentaner, Interim Commissioner
 Streets – Frank D. Williams, Interim Commissioner
 Traffic Engineering – Robert Mavec, Commissioner
 Waste Collection and Disposal – Randell T. Scott, Interim Commissioner

DEPT. OF PUBLIC HEALTH – Merle Gordon, Director, 75 Erieview Plaza
 DIVISIONS:
 Air Quality – David Heame, Interim Commissioner
 Environment – Brian Kimball, Commissioner, 75 Erieview Plaza
 Health – Persis Sosiak, Commissioner, 75 Erieview Plaza

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

Animal Control Services – Edward Jamison, Chief Animal Control Officer, 2690 West 7th Street
 Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.
 Emergency Medical Service – Nicole Carlton, Acting Commissioner, 1708 South Pointe Drive
 Fire – Patrick Kelly, Chief, 1645 Superior Avenue
 Police – Calvin D. Williams, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

DEPT. OF COMMUNITY DEVELOPMENT – Michael Cosgrove, Director
 DIVISIONS:
 Administrative Services – Jesus Rodriguez, Commissioner
 Fair Housing and Consumer Affairs Office – John Mahoney, Manager
 Neighborhood Development – Chris Garland, Commissioner
 Neighborhood Services – Louise V. Jackson, Commissioner

DEPT. OF BUILDING AND HOUSING – Ronald J.H. O’Leary, Director, Room 500
 DIVISIONS:
 Code Enforcement – Thomas E. Vanover, Commissioner
 Construction Permitting – Narid Hussain, Commissioner

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

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

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

COMMUNITY RELATIONS BOARD – Room 11, Blaine Griffin, Director, Mayor Frank G. Jackson, Chairman Ex-Officio; Rev. Dr. Charles P. Lucas, Jr., Vice-Chairman, Council Member Brian Cummins, Eugene R. Miller (Board Lawyer), Roosevelt E. Coats, Jenice Contreras, Kathryn Hall, Yasir Hamdallah, Evangeline Hardaway, John O. Horton, Gary Johnson, Sr., Daniel McNea, Stephanie Morrison-Hrbek, Roland Muhammad, Gia Hoa Ryan, Peter Whitt.

CIVIL SERVICE COMMISSION – Room 119, Robert Bennett, President; Michael L. Nelson, Sr., Vice-President; Lucille Ambroz, Secretary; Members: Pastor Gregory Jordan, Michael Flickinger.

SINKING FUND COMMISSION – Frank G. Jackson, President; Council President Kevin J. Kelley; Betsy Hruby, Asst. Sec’y.; Sharon Dumas, Director.

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

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS – Room 516, Joseph F. Denk, Chairman; Howard Bradley, Patrick M. Gallagher, Robert Maschke, Halim M. Saab, P.E., Alternate Members – D. Cox, P. Frank, E. P. O’Brien, Richard Pace, J.F. Sullivan.

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

BOARD OF SIDEWALK APPEALS – Capital Projects Director Matthew Spronz, Law Director Barbara A. Langhenry; Council Member Kenneth L. Johnson.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Barbara A. Langhenry; Public Utilities Director Robert L. Davis; Council President Kevin J. Kelley.

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

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

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

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

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

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

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

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

Judge Courtroom
 Presiding and Administrative Judge Ronald B. Adrine – Courtroom 15A
 Judge Pinkey S. Carr – Courtroom 15C
 Judge Marilyn B. Cassidy – Courtroom 13A
 Judge Janet Rath Colaluca – Courtroom 12B
 Judge Michelle Denise Earley – Courtroom 14C
 Judge Emanuella Groves – Courtroom 14B
 Judge Jimmy L. Jackson, Jr. – Courtroom 12A
 Judge Lauren C. Moore – Courtroom 14A
 Judge Charles L. Patton, Jr. – Courtroom 13D
 Judge Raymond L. Pianka (Housing Court Judge) – Courtroom 13B
 Judge Michael R. Sliwinski – Courtroom 13C
 Judge Suzan Marie Sweeney – Courtroom 12C
 Judge Joseph J. Zone – Courtroom 14D

Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Robert J. Furda – Chief Bailiff; Dean Jenkins – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate.

The City Record

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Vol. 104

WEDNESDAY, FEBRUARY 8, 2017

No. 5383

CITY COUNCIL

MONDAY, FEBRUARY 6, 2017

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City of Cleveland
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Address all communications to
PATRICIA J. BRITT
City Clerk, Clerk of Council
216 City Hall

**The following Committees meet at
the Call of the Chair:**

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

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

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

File No. 159-17.
Michael Cosgrove, Director of
Department of Community Develop-
ment, City of Cleveland. Received.

COMMUNICATIONS

File No. 145-17.

February 6, 2017

Allen Dreyer
Deputy Clerk
Cleveland City Council
601 Lakeside Avenue
Cleveland, Ohio 44114

Dear Mr. Dreyer:

You are requested, without objec-
tion of Cleveland City Council, to
serve as Clerk of Council Pro Tem-
pore for all matters requiring the
Clerk's signature on February 6,
2017.

Your assistance is appreciated.

Sincerely,

Kevin J. Kelley
Council President

Received.

PLATS

File No. 138-17.
Dedication Plat for Greenbrier
Mews Subdivision, on Randall Road
between Bridge Avenue and Fulton
Court. Approved by Committees on
Municipal Services and Properties,
and Development Planning and Sustain-
ability. Without objection, Plat
approved.

File No. 139-17.
Dedication Plat for Townhomes on
West 48th Street Subdivision, on
West 48th Street between Bridge
Avenue and Lorain Avenue.
Approved by Committees on Muni-
cipal Services and Properties, and
Development Planning and Sustain-
ability. Without objection, Plat
approved.

FROM OHIO DIVISION OF LIQUOR CONTROL

File No. 140-17.
RE: #1544275. New License Appli-
cation, C2. Cleaver and Plow LLC,
3208 Lorain Ave. (Ward 3).
Received.

File No. 141-17.
RE: #6381473. New License Appli-
cation, C2. N H of Cleveland LLC,

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2015-2017

MONDAY — Alternating

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

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

MONDAY

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

TUESDAY

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

TUESDAY — Alternating

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

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

WEDNESDAY — Alternating

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio
February 6, 2017

The meeting of the Council was
called to order at 7:00 p.m. with the
President of Council, Kevin J. Kel-
ley, in the Chair.

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

Also present were: Mayor Frank
G. Jackson, Chief Operating Officer
Darnell Brown, Chief of Government
Affairs Valarie J. McCall, Chief of
Regional Development Edward W.
Rybka, Chief of Prevention, Inter-
vention and Opportunity for Youth
and Young Adults Duane Deskins,
Media Relations Director Dan
Williams, Chief of Sustainability
Matt Gray, and Directors Langhen-
ry, Dumas, Davis, Kennedy, Spronz,
Gordon, Cox, Cosgrove, O'Leary,
Ebersole, Griffin, McNamara,
Ambroz and Burrows.

MOTION

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

MOTION

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

OATHS OF OFFICE

File No. 137-17.
David Ebersole, Interim Director
of Economic Development, City of
Cleveland. Received.

19609 Puritas Ave. (Ward 17).
Received.

File No. 142-17.

RE: #4219899. New License Application, C1. Jaigurudev Krupa LLC, 3961 West 105th St. (Ward 11).
Received.

File No. 143-17.

RE: #87992400350. New License Application, C1. Target Corporation, 3535 Steelyard Dr. (Ward 12).
Received.

File No. 144-17.

RE: #24553530001. New License Application, D3. 84 Charing Cross, Inc., 2258 Professor St. (Ward 3).
Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 148-17 — Bryson Ross.

Res. No. 149-17 — Rev. Timothy Steven Leslie, Sr.

Res. No. 160-17 — William H. Corrigan.

CONGRATULATIONS RESOLUTIONS

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

Res. No. 150-17 — Julius Ciaccia.

Res. No. 151-17 — Abbe DeMaio.

Res. No. 152-17 — Maire Kilbane Leffel, 2017 Hibernian of the Year.

Res. No. 153-17 — Angela Murphy, 2017 Irish Mother of the Year.

Res. No. 154-17 — Roger S. Weist, Grand Marshal, 2017 St. Patrick's Day Parade.

Res. No. 155-17 — Margaret Lynch, Outside Co-Chair, 2017 St. Patrick's Day Parade.

Res. No. 156-17 — John Lackey, Inside Co-Chair, 2017 St. Patrick's Day Parade.

WELCOME RESOLUTION

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

Res. No. 157-17 — Mary Hanafin.

APPRECIATION RESOLUTION

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

Res. No. 158-17 — Dr. Joseph C. Walker.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 129-17.

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

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

Whereas, the Director of Capital Projects has requested the sale of the City-owned property to the Northeast Ohio Regional Sewer District (the "Redeveloper") no longer needed for public use and located at Argus Avenue and East 133rd Street for purposes of accessing its Heights Hilltop intercepter site; and Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that the following described property is no longer needed for public use:

Legal Description for Sublot No. 149

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being Sublot No. 149 in the Bratenahl Allotment of part of Original 100 Acre Lots, No. 351 as shown by the recorded plot in Volume 54 of Maps, Page 1 of Cuyahoga County Records.

Section 2. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to the Redeveloper at a price not less than the appraised value of \$4,225.00, which is determined to be fair market value, taking into account all restrictions, reversionary interests and similar encumbrances as may be placed by the City of Cleveland in the deed of conveyance.

Section 3. That the conveyance shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain necessary provisions, including restrictive reversionary interests as may be specified by the Board of Control or Director of Law, which shall protect the City's interests and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 4. That the Director of Capital Projects is authorized to execute any documents as may be necessary to effectuate the purposes of 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.

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

Ord. No. 130-17.

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, 2017 until December 31, 2017.

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, 2017, the following sums be and they are hereby appropriated via:

The sum of Six Hundred One Million, Three Hundred Seventy Two Thousand, Eight Hundred Twenty Two Dollars (\$601,372,822) from the General Fund;

The sum of Eighty Nine Million, Nine Hundred Eighty Two Thousand, Seven Hundred Seventy Nine Dollars (\$89,982,779) from the Special Revenue Funds;

The sum of Sixty Five Million, Two Hundred Sixty Six Thousand, Six Hundred Forty Eight Dollars (\$65,266,648) from the Debt Service Fund;

The sum of One Hundred Thirty Five Million, Five Hundred Ninety Thousand, Eighty Five Dollars (\$135,590,085) from the Internal Service Funds;

The sum of Seven Hundred Eighty Three Million, Eighty One Thousand, Five Hundred Seven Dollars (\$783,081,507) from the Enterprise Funds;

The sum of Eleven Million, Seven Hundred Eighty Two Thousand, Nine Hundred Fifty Four Dollars (\$11,782,954) from the Trust and Agency Funds;

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

Legislative Branch	\$	7,317,939
Judicial Branch		39,664,876
Executive Branch		
General Government		20,001,119
Department of Aging		1,402,997
Department of Human Resources		2,509,208
Department of Law		12,008,022
Department of Finance		18,213,690
Department of Public Health		8,531,233
Department of Public Safety		349,453,277
Department of Public Works		73,607,029
Department of Community Development		294,153
Department of Building and Housing		12,264,381
Department of Economic Development		1,701,675
Nondepartmental		54,403,223
Total Executive Branch		<u>554,390,007</u>
TOTAL GENERAL FUND		<u>601,372,822</u>
Special Revenue Funds		89,982,779
Debt Service Funds		65,266,648
Internal Service Funds		135,590,085
Enterprise Funds		783,081,507
Agency Funds		11,782,954
TOTAL APPROPRIATIONS FOR 2017		<u>\$1,687,076,795</u>

GENERAL FUND

LEGISLATIVE BRANCH

Council and Clerk of Council		\$ 7,317,939
I. Personnel and Related Expenses	\$ 5,175,840	
II. Other Expenses	2,142,099	
TOTAL LEGISLATIVE BRANCH		<u>\$ 7,317,939</u>

JUDICIAL BRANCH

Municipal Court - Judicial Division		\$ 23,983,097
I. Personnel and Related Expenses	\$ 21,244,002	
II. Other Expenses	2,739,095	
Municipal Court - Clerk's Division		\$ 11,389,988
I. Personnel and Related Expenses	\$ 10,075,318	
II. Other Expenses	1,314,670	
Municipal Court - Housing Division		\$ 4,291,791
I. Personnel and Related Expenses	\$ 4,029,191	
II. Other Expenses	262,600	
TOTAL JUDICIAL BRANCH		<u>\$ 39,664,876</u>

EXECUTIVE BRANCH

GENERAL GOVERNMENT

Office of the Mayor		\$ 3,059,968
I. Personnel and Related Expenses	\$ 2,958,734	
II. Other Expenses	101,234	
Office of Capital Projects		\$ 6,080,330
I. Personnel and Related Expenses	\$ 5,554,487	
II. Other Expenses	525,843	
Office of Quality Ctrl & Perf Mgmt		\$ 1,513,547
I. Personnel and Related Expenses	\$ 1,143,314	
II. Other Expenses	370,233	

Landmarks Commission		\$ 208,250
I. Personnel and Related Expenses	\$ 196,066	
II. Other Expenses	12,184	
Board of Building Standards and Appeals		\$ 136,541
I. Personnel and Related Expenses	\$ 127,613	
II. Other Expenses	8,928	
Board of Zoning Appeals		\$ 245,818
I. Personnel and Related Expenses	\$ 222,944	
II. Other Expenses	22,874	
Civil Service Commission		\$ 1,416,200
I. Personnel and Related Expenses	\$ 613,935	
II. Other Expenses	802,265	
Community Relations Board		\$ 2,803,792
I. Personnel and Related Expenses	\$ 1,686,246	
II. Other Expenses	1,117,546	
City Planning Commission		\$ 2,042,131
I. Personnel and Related Expenses	\$ 1,945,595	
II. Other Expenses	96,536	
Boxing and Wrestling Commission		\$ 26,120
I. Personnel and Related Expenses	\$ 26,120	
Office of Sustainability		\$ 712,381
I. Personnel and Related Expenses	\$ 575,131	
II. Other Expenses	137,250	
Office of Equal Opportunity		\$ 888,733
I. Personnel and Related Expenses	\$ 749,737	
II. Other Expenses	138,996	
Office of Budget & Management		\$ 867,308
I. Personnel and Related Expenses	\$ 820,177	
II. Other Expenses	47,131	
TOTAL GENERAL GOVERNMENT		<u>\$ 20,001,119</u>
DEPARTMENT OF AGING		
Department of Aging		\$ 1,402,997
I. Personnel and Related Expenses	\$ 1,144,397	
II. Other Expenses	258,600	
TOTAL DEPARTMENT OF AGING		<u>\$ 1,402,997</u>
DEPARTMENT OF HUMAN RESOURCES		
Department of Human Resources		\$ 2,509,208
I. Personnel and Related Expenses	\$ 1,384,430	
II. Other Expenses	1,124,778	
TOTAL DEPARTMENT OF HUMAN RESOURCES		<u>\$ 2,509,208</u>
DEPARTMENT OF LAW		
Department of Law		\$ 12,008,022
I. Personnel and Related Expenses	\$ 7,106,303	
II. Other Expenses	4,901,719	
TOTAL DEPARTMENT OF LAW		<u>\$ 12,008,022</u>
DEPARTMENT OF FINANCE		
Finance Administration		\$ 1,297,608
I. Personnel and Related Expenses	\$ 905,793	
II. Other Expenses	391,815	

Division of Accounts		\$ 2,117,262
I. Personnel and Related Expenses	\$ 1,315,562	
II. Other Expenses	801,700	
Division of Assessments and Licenses		\$ 4,491,095
I. Personnel and Related Expenses	\$ 3,267,216	
II. Other Expenses	1,223,879	
Division of Treasury		\$ 843,923
I. Personnel and Related Expenses	\$ 727,576	
II. Other Expenses	116,347	
Division of Purchases and Supplies		\$ 732,122
I. Personnel and Related Expenses	\$ 692,360	
II. Other Expenses	39,762	
Bureau of Internal Audit		\$ 1,277,877
I. Personnel and Related Expenses	\$ 632,474	
II. Other Expenses	645,403	
Division of Financial Reporting and Control		\$ 1,445,526
I. Personnel and Related Expenses	\$ 1,424,190	
II. Other Expenses	21,336	
Information Systems Services		\$ 6,008,277
I. Personnel and Related Expenses	\$ 2,941,633	
II. Other Expenses	3,066,644	
TOTAL DEPARTMENT OF FINANCE		<u>\$ 18,213,690</u>

DEPARTMENT OF PUBLIC HEALTH

Public Health Administration		\$ 1,386,442
I. Personnel and Related Expenses	\$ 977,637	
II. Other Expenses	408,805	
Division of Health		\$ 4,213,757
I. Personnel and Related Expenses	\$ 2,593,186	
II. Other Expenses	1,620,571	
Division of Environment		\$ 1,981,811
I. Personnel and Related Expenses	\$ 1,459,746	
II. Other Expenses	522,065	
Division of Air Quality		\$ 949,223
I. Personnel and Related Expenses	\$ 632,523	
II. Other Expenses	316,700	
TOTAL DEPARTMENT OF PUBLIC HEALTH		<u>\$ 8,531,233</u>

DEPARTMENT OF PUBLIC SAFETY

Public Safety Administration		\$ 5,559,733
I. Personnel and Related Expenses	\$ 3,471,645	
II. Other Expenses	2,088,088	
Division of Police		\$ 199,450,827
I. Personnel and Related Expenses	\$ 189,488,865	
II. Other Expenses	9,961,962	
Division of Fire		\$ 87,796,793
I. Personnel and Related Expenses	\$ 83,477,323	
II. Other Expenses	4,319,470	
Division of Emergency Medical Services		\$ 31,627,275
I. Personnel and Related Expenses	\$ 28,283,254	
II. Other Expenses	3,344,021	
Division of Animal Control Services		\$ 2,429,548
I. Personnel and Related Expenses	\$ 1,904,403	
II. Other Expenses	525,145	

Division of Correction		\$ 14,706,873
I. Personnel and Related Expenses	\$ 11,116,486	
II. Other Expenses	3,590,387	
Office of Professional Standards		\$ 922,016
I. Personnel and Related Expenses	\$ 839,967	
II. Other Expenses	82,049	
Police Review Board		\$ 91,990
I. Personnel and Related Expenses	\$ 84,923	
II. Other Expenses	7,067	
Community Police Commission		\$ 781,294
I. Personnel and Related Expenses	\$ 386,858	
II. Other Expenses	394,436	
Police Inspector General		\$ 147,048
I. Personnel and Related Expenses	\$ 142,948	
II. Other Expenses	4,100	
Department of Justice		\$ 5,939,880
I. Personnel and Related Expenses	\$ 3,574,394	
II. Other Expenses	2,365,486	
TOTAL DEPARTMENT OF PUBLIC SAFETY		<u>\$ 349,453,277</u>

DEPARTMENT OF PUBLIC WORKS

Division of Public Works Administration		\$ 3,152,172
I. Personnel and Related Expenses	\$ 2,945,760	
II. Other Expenses	206,412	
Division of Recreation		\$ 14,925,177
I. Personnel and Related Expenses	\$ 10,422,863	
II. Other Expenses	4,502,314	
Division of Parking Facilities - On Street		\$ 1,239,562
I. Personnel and Related Expenses	\$ 1,172,977	
II. Other Expenses	66,585	
Division of Property Management		\$ 7,925,588
I. Personnel and Related Expenses	\$ 5,732,233	
II. Other Expenses	2,193,355	
Division of Park Maintenance and Properties		\$ 15,495,302
I. Personnel and Related Expenses	\$ 9,869,667	
II. Other Expenses	5,625,635	
Division of Waste		\$ 27,290,576
I. Personnel and Related Expenses	\$ 15,864,306	
II. Other Expenses	11,426,270	
Division of Traffic Engineering		\$ 3,578,652
I. Personnel and Related Expenses	\$ 2,693,494	
II. Other Expenses	885,158	
TOTAL DEPARTMENT OF PUBLIC WORKS		<u>\$ 73,607,029</u>

DEPARTMENT OF COMMUNITY DEVELOPMENT DIRECTOR'S OFFICE

Department of Community Development Director's Office		\$ 294,153
I. Personnel and Related Expenses	\$ 284,503	
II. Other Expenses	9,650	
TOTAL DEPT. OF COMMUNITY DEVELOPMENT		<u>\$ 294,153</u>

DEPARTMENT OF BUILDING AND HOUSING

Building and Housing Dir Office		\$ 2,388,965
I. Personnel and Related Expenses	\$ 1,839,863	
II. Other Expenses	549,102	

Division of Code Enforcement		\$ 8,147,456
I. Personnel and Related Expenses	\$ 7,954,626	
II. Other Expenses	192,830	
Division of Construction Permit		\$ 1,727,960
I. Personnel and Related Expenses	\$ 1,702,317	
II. Other Expenses	25,643	
TOTAL DEPARTMENT OF BUILDING AND HOUSING		<u>\$ 12,264,381</u>

DEPARTMENT OF ECONOMIC DEVELOPMENT

Economic Development		\$ 1,701,675
I. Personnel and Related Expenses	\$ 1,679,942	
II. Other Expenses	21,733	
TOTAL DEPT OF ECONOMIC DEVELOPMENT		<u>\$ 1,701,675</u>

NONDEPARTMENTAL

County Auditor Deductions		\$ 811,000
II. Other Expenses	\$ 811,000	
Other Administrative		\$ 21,298,021
II. Other Expenses	\$ 21,298,021	
Transfers to Other Funds		\$ 32,294,202
II. Other Expenses	\$ 32,294,202	
TOTAL NONDEPARTMENTAL		<u>\$ 54,403,223</u>
TOTAL EXECUTIVE BRANCH		<u>\$ 554,390,007</u>
TOTAL GENERAL FUND		<u>\$ 601,372,822</u>

SPECIAL REVENUE FUND

Restricted Income Tax Fund		\$ 50,770,543
II. Other Expenses	\$ 50,770,543	
Street Construction, Maintenance & Repair Fund		\$ 27,377,861
I. Personnel and Related Expenses	\$ 17,611,813	
II. Other Expenses	9,766,048	
Schools Recreation & Cultural Activities Fund		\$ 1,125,000
II. Other Expenses	\$ 1,125,000	
Division of Public Auditorium & Stadium-Stadium		\$ 10,709,375
II. Other Expenses	\$ 10,709,375	
TOTAL SPECIAL REVENUE FUNDS		<u>\$ 89,982,779</u>

DEBT SERVICE FUND

Sinking Fund Commission		\$ 65,266,648
III. Debt Service	\$ 65,266,648	
TOTAL DEBT SERVICE FUNDS		<u>\$ 65,266,648</u>

INTERNAL SERVICE FUND

Sinking Fund Commission		\$ 732,222
I. Personnel and Related Expenses	\$ 195,530	
II. Other Expenses	536,692	
Information Systems Services - Telephone Exchange		\$ 7,840,116
I. Personnel and Related Expenses	\$ 1,461,441	
II. Other Expenses	6,378,675	

Office of Radio Communications		\$ 3,773,225
I. Personnel and Related Expenses	\$ 619,848	
II. Other Expenses	3,153,377	
Division of Motor Vehicle Maintenance		\$ 16,650,886
I. Personnel and Related Expenses	\$ 5,832,774	
II. Other Expenses	10,818,112	
Division of Printing and Reproduction		\$ 2,322,373
I. Personnel and Related Expenses	\$ 947,443	
II. Other Expenses	1,374,930	
City Storeroom and Central Warehouse		\$ 581,520
I. Personnel and Related Expenses	\$ 111,320	
II. Other Expenses	470,200	
Health Self Insurance		\$ 85,598,860
II. Other Expenses	\$ 85,598,860	
Prescription Self Insurance		\$ 18,090,883
II. Other Expenses	\$ 18,090,883	
TOTAL INTERNAL SERVICE FUNDS		<u>\$ 135,590,085</u>

ENTERPRISE FUNDS

DEPARTMENT OF PUBLIC UTILITIES

Utilities Administration		\$ 5,737,351
I. Personnel and Related Expenses	\$ 4,689,452	
II. Other Expenses	1,047,899	
Division of Fiscal Control		\$ 7,566,024
I. Personnel and Related Expenses	\$ 5,932,921	
II. Other Expenses	1,633,103	
Division of Water		\$ 344,934,068
I. Personnel and Related Expenses	\$ 86,606,763	
II. Other Expenses	258,327,305	
Division of Water Pollution Control		\$ 27,923,681
I. Personnel and Related Expenses	\$ 11,621,864	
II. Other Expenses	16,301,817	
Division of Cleveland Public Power		\$ 214,642,434
I. Personnel and Related Expenses	\$ 26,088,592	
II. Other Expenses	188,553,842	
TOTAL DEPARTMENT OF PUBLIC UTILITIES		<u>\$ 600,803,558</u>

DEPARTMENT OF PORT CONTROL

Divisions of Cleveland Hopkins & Burke Lakefront Airports - Operations		\$ 165,221,118
I. Personnel and Related Expenses	\$ 32,752,810	
II. Other Expenses	132,468,308	
TOTAL DEPARTMENT OF PORT CONTROL		<u>\$ 165,221,118</u>

DEPARTMENT OF PUBLIC WORKS

Division of Cemeteries		\$ 1,766,809
I. Personnel and Related Expenses	\$ 1,318,577	
II. Other Expenses	448,232	
Golf Course Fund		\$ 18,381
I. Personnel and Related Expenses	\$ 381	
II. Other Expenses	18,000	
Division of Parking Facilities - Off Street Parking		\$ 10,851,878
I. Personnel and Related Expenses	\$ 1,373,600	
II. Other Expenses	9,478,278	

Division of Public Auditorium		\$ 2,719,263
I. Personnel and Related Expenses	\$ 1,444,032	
II. Other Expenses	1,275,231	
Division of West Side Market		\$ 1,660,500
I. Personnel and Related Expenses	\$ 488,714	
II. Other Expenses	1,171,786	
Division of Property Management - East Side Market		\$ 40,000
II. Other Expenses	\$ 40,000	
TOTAL DEPARTMENT OF PUBLIC WORKS		\$ 17,056,831
TOTAL ENTERPRISE FUNDS		\$783,081,507
AGENCY FUND		
Central Collection Agency		\$ 11,782,954
I. Personnel and Related Expenses	\$ 7,601,732	
II. Other Expenses	4,181,222	
TOTAL AGENCY FUND		\$ 11,782,954

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 2016 is hereby appropriated to such fund for the payment of unpaid obligations lawfully incurred in 2017 or prior years. The Mayor's Estimate, 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 2017 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 hereby 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 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 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. 131-17.
By Council Members Zone and
Kelley (by departmental request).**

An emergency ordinance authorizing the Director of Public Safety to enter into an amendment to Contract No. CT 6001 PS 2016-165 with Hexagon Safety & Infrastructure dba Intergraph Corporation to provide additional services needed to implement the Computer Aided Dispatch System Upgrade Project for the Division of Police, Department of Public Safety.

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

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

Section 1. That the Director of Public Safety is authorized to enter into an amendment to Contract No. CT 6001 PS 2016-165 with Hexagon Safety & Infrastructure dba Intergraph Corporation to provide additional services needed to implement the Computer Aided Dispatch System Upgrade Project for the Division of Police, Department of Public Safety. The services include the creation of an additional module to capture data required by the Department of Justice Consent Decree and

to add mobile responders for the Computer Aided Dispatch System to allow first responders to access data via smart phone and tablet devices. All other terms and conditions of the contract shall remain the same.

Section 2. The cost of the contract amendment is estimated to be \$425,836.00 and shall be paid from Fund Nos. 11 SF 006, 20 SF 517, 20 SF 524, 20 SF 532, 20 SF 539, 20 SF 545, 20 SF 551, 20 SF 553, 20 SF 559, 20 SF 562, 20 SF 566, 20 SF 573, from the fund or funds to which are credited the proceeds of the sale of future bonds if authorized by this Council and sold by the City for a purpose which includes this purpose, and any and all funds approved by the Director of Finance for this purpose, RQS 6001, RLA 2017-1.

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

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

**Ord. No. 133-17.
By Council Members Zone,
Brancatelli and Kelley (by
departmental request).**

An emergency ordinance authorizing the Director of Economic Development to execute a deed of easement granting to SAMCO Properties LTD, or its designees, certain easement rights in property currently known as Permanent Parcel Number 001-21-011 located near the intersection of Lake Avenue and West 117th Street, and declaring that the easement rights granted are not needed for the City's public use.

Whereas, SAMCO Properties, LTD, or its designees ("SAMCO"), has requested the Director of Economic Development to convey certain easement rights in property located in property currently known as Permanent Parcel Number 001-21-011 located near the intersection of Lake Avenue and West 117th Street and

Whereas, SAMCO requires an easement to erect and maintain a fence and/or ornamental landscaping needed to facilitate their Shoppes at Clifton development; and

Whereas, the easement rights to be granted are not needed for the City's public use; and

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

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

Section 1. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that an easement interest, not to exceed 10 feet wide, in the following described property depicted in the map placed in File No. 133-17-A is not needed for the City's public use.

Section 2. That the Commissioner of Purchases and Supplies is authorized to convey the above-described easement interest to SAMCO subject to any conditions stated in this ordinance. The consideration to be paid for this property shall not exceed \$1.00 and other valuable consideration, which is determined to be fair market value.

Section 3. That the easement shall be non-exclusive and the purpose of the easement shall be to erect and maintain a fence needed to facilitate their Shoppes at Clifton development.

Section 4. That the duration of the easement shall be perpetual; that the easement shall not be assignable without the consent of the Director of Economic Development; that the easement shall require that SAMCO provide reasonable insurance, maintain any SAMCO improvements located within the easement; pay any applicable taxes and assessments; and shall contain such other terms and conditions that the Director of Law determines to be necessary to protect and benefit the City.

Section 5. That the conveyance referenced above shall be made by official deed of easement prepared by the Director of Law and executed by the Director of Economic Development on behalf of the City of Cleveland. The Directors of Economic Development and Law are authorized to execute any other documents, including without limitation, contracts for right of entry, as may be necessary to effect this ordinance.

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 Economic Development, City Planning Commission, Finance, Law; Committees on Development Planning and Sustainability, Finance.

Ord. No. 134-17.

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

An emergency ordinance authorizing the Director of Public Utilities to exercise the first option to renew Contract No. RC 2015-56 with Rexel, Inc. to maintain and replace components of the SCADA and PCCS water plant systems which are manufactured by Rockwell Automation Inc.

Whereas, under the authority of Ordinance No. 796-14, passed July 16, 2014, the Director of Public Utilities entered into Contract No. RC 2015-56

with Rexel, Inc. to provide for labor, training, and materials necessary to maintain and replace components of the SCADA and PCCS Systems manufactured by Rockwell Automation, including replacement parts, switchgear, motor control center components, equipment, computer software, software upgrades, support software, software implementation, system changes, configurations, programming, tuning, upgrades, services and support and maintenance necessary for the operation of the systems; and

Whereas, Ordinance No. 796-14 requires further legislation before exercising the first option to renew on this contract; and

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

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

Section 1. That the Director of Public Utilities is authorized to exercise the first option to renew Contract No. RC 2015-56 for an additional year in the approximate amount of \$100,000.00, for the requirements for an additional year to provide for labor, training, and materials necessary to maintain and replace components of the SCADA and PCCS Systems manufactured by Rockwell Automation, including replacement parts, switchgear, motor control center components, equipment, computer software, software upgrades, support software, software implementation, system changes, configurations, programming, tuning, upgrades, services and support and maintenance necessary for the operation of the systems. This ordinance constitutes the additional legislative authority required by Ordinance No. 796-14 to exercise this option. (RQN 2002, RL 2017-1)

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

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

FIRST READING EMERGENCY RESOLUTION REFERRED

Res. No. 135-17.

By Council Members Cummins, McCormack, Zone and Brancatelli.

An emergency resolution declaring this Council's support of the application of Cleveland Housing Network in partnership with the Metro West Office of the Detroit Shoreway Community Development Organization to the Ohio Housing Finance Agency for the use of low-income housing tax credits.

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

Whereas, Cleveland Housing Network in partnership with the Metro West Office of the Detroit Shoreway Community Development Organization is proposing to develop "International Village LP" consisting of

31 high-quality, single-family enterprise green housing units in the Clark-Fulton and Stockyards neighborhoods of Cleveland, Ohio; and

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

Whereas, residents of this project will have the opportunity to purchase their homes at an affordable price at the end of the housing tax credit compliance period; and,

Whereas, this application will benefit the citizens of the City; and

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

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

Section 1. That this Council hereby declares its support of the application of Cleveland Housing Network in partnership with the Metro West Office of the Detroit Shoreway Community Development Organization to the Ohio Housing Finance Agency for the use of low-income housing tax credits.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to the Executive Director of the Cleveland Housing Network, Inc. and to the Metro West Office of DSCDO.

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 ORDINANCE READ IN FULL AND PASSED

Ord. No. 136-17.

By Council Member Pruitt.

An emergency ordinance authorizing the issuance of a permit to IGS to engage in Mobile Vending (General Merchandise) in Ward 1.

Whereas, pursuant to Section 675.08 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council expressed by ordinance is a prerequisite to peddling upon public rights of way outside of the Central Business District; and

Whereas, This Council has considered the request of IGS to engage in peddling outside of the Central Business district, and has determined that it is in the public interest to allow IGS to engage in Mobile Vending (General Merchandise) in Ward 1; and

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

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

Section 1. That this Council consents, as required by, Section 675.08 of the Codified Ordinances to allow IGS to engage in to engage in Mobile Vending (General Merchandise) in Ward 1.

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

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

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

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

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Passed. Yeas 15. Nays 0.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 146-17.
By Council Members Kelley and Zone.

An emergency resolution appointing three members to the Civilian Police Review Board.

Whereas, section 115-2 of the Charter of the City of Cleveland, effective November 8, 2016, requires that Council appoint four members to the nine-member Civilian Police Review Board; and

Whereas, Charter section 115-2 specifies that Council shall appoint two members whose 4-year terms begin February 7, 2017, and that Council shall fill the next two vacancies following the section's effective date, whether for a new term or an unexpired term; and

Whereas, pursuant to Charter section 115-2, Council requested and has reviewed applications to fill the vacancies on the Civilian Police Review Board and has selected from the applicants two members to the Board whose terms begin February 7, 2017, and one member to fill the vacant seat of an unexpired term that began August 8, 2016; and

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

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

Section 1. That this Council hereby appoints the following individuals to the Civilian Police Review Board:

Appointee	Term
Michael P. Hess, Jr.	August 8, 2016 - August 8, 2020
Stephanie B. Scalise	February 7, 2017- February 7, 2021
Michael P. Graham	February 7, 2017- February 7, 2021

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 15. Nays 0. Read second time. Read third time in full. Adopted. Yeas 15. Nays 0.

Res. No. 147-17.
By Council Member McCormack.
An emergency resolution objecting to the transfer of location of a D5 and D6 Liquor Permit to 1437 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 Club Center Lounge, Inc., DBA: Statz Sports Lounge, 7804 Carnegie Avenue, 1st floor only, Cleveland, Ohio 44103, Permanent Number 15721860002 to Medusa Restaurant & Lounge, LLC, 1437 St. Clair Avenue, Cleveland, Ohio 44114, Permanent Number 5805794; 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 Club Center Lounge, Inc., DBA: Statz Sports Lounge, 7804 Carnegie Avenue, 1st floor only, Cleveland, Ohio 44103, Permanent Number 15721860002 to Medusa Restaurant & Lounge, LLC, 1437 St. Clair Avenue, Cleveland, Ohio 44114, Permanent Number 5805794; and requests the Superintendent of Liquor Control to set a

hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Adopted. Yeas 15. Nays 0.

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 1445-16.
By Council Members Zone, K. Johnson and Brancatelli (by departmental request).

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to SAMCO Properties, Ltd. to encroach into the public right-of-way of Clifton Boulevard N.W. and West 117th Street by installing, using, and maintaining two entry-way frost slabs.

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

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Passed. Yeas 15. Nays 0.

Ord. No. 72-17.
By Council Members Brancatelli and Kelley (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 1414-16, passed December 5, 2016, relating to a Tax Increment Financing Agreement with Intesa Holdings, LLC and Intesa Garage, LLC or their designees.

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

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Passed. Yeas 15. Nays 0.

Ord. No. 75-17.
By Council Members Zone and Kelley (by departmental request).

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

renew for one additional year, exercisable by the Director of Public Safety.

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

1. In Section 2, line 1, after "shall" insert "**not exceed \$150,000 and shall**". Amendment agreed to.

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Passed. Yeas 15. Nays 0.

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

Ord. No. 76-17.

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

An emergency ordinance authorizing the Director of Public Safety to enter into an amendment to Contract No. PS 2011-214 with Tyler Technologies, Inc. fka New World Corporation to provide additional licenses and to add the remainder of the police districts to implement the new Law Enforcement Record Management System; and to extend the term of the contract until December 31, 2017.

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

1. In Section 3, line 1, after "exceed" strike "xxx" and insert "**\$119,150.00**". Amendment agreed to.

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Passed. Yeas 15. Nays 0.

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

Ord. No. 121-17.

By Council Member Kelley.

An emergency ordinance authorizing the Director of Finance to employ one or more professional consultants, computer software developers, or vendors to maintain and upgrade the wireless broadband network for the Ward 13 WiFi Project and to acquire licenses and other professional services necessary to implement the system, including project management, installing, designing, training, testing, programming, integrating, managing connections, maintenance, technical support, acquiring network equipment and incidental supplies, and other related issues, for the Division of Information Technology and Services Department of Finance, for a period of three years, with two one year options to renew. Approved by Committee on Finance.

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Passed. Yeas 15. Nays 0.

**SECOND READING
ORDINANCE PASSED**

Ord. No. 1446-16.

By Council Member Mitchell.
An ordinance establishing a Planned Unit Development (PUD) for the Legacy Pointe at St. Luke's housing development between E. 110th Street and E. 115th Street

north of MLK Jr. Drive and south of Woodland Ave and designating Britt Oval as an Open Space Recreation district as shown on the attached map (Map Change No. 2552).

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

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Passed. Yeas 15. Nays 0.

MOTION

On the motion of Council Member Kenneth Johnson, the absences of Council Members Dona Brady and Terrell H. Pruitt are hereby authorized. Seconded by Council Member Kazy.

MOTION

The Council Meeting adjourned at 7:21 p.m. to meet on Monday, February 13, 2017, at 7:00 p.m. in the Council Chamber.



Allen Dreyer
City Clerk,
Clerk of Council Pro Tempore

THE CALENDAR

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

NONE

BOARD OF CONTROL

February 1, 2017

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, February 1, 2017 at 10:37 a.m. with Director Langhenry presiding.

Present: Directors Langhenry, Davis, Kennedy, Cox, Gordon, Acting Directors Withers, Cosgrove, Director West, Interim Director Ebersole, Directors McNamara, and O'Leary.

Absent: Mayor Jackson and Director Dumas.

Others: Tiffany White Johnson, Commissioner, Purchases & Supplies Matthew Spronz, Director, Mayor's Office of Capital Projects.

Melissa Burrows, Director, Office of Equal Opportunity.

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

Resolution No. 55-17.

By Director Dumas.

Be it resolved by the Board of Control of the City of Cleveland, that Board of Control Resolution No. 461-16, adopted November 9, 2016, affirming and approving the bid of

Bonnie Speed Delivery, Inc. as lowest and best for the purchase of an estimated quantity of messenger services, is rescinded.

Be it further resolved, that all bids received on September 30, 2016, for the purchase of messenger services for the various divisions of City government, all items for the Department of Finance, under the authority of Section 181.101(a)15 of the Codified Ordinances of Cleveland, Ohio, 1976, are rejected.

Yeas: Directors Langhenry, Davis, Kennedy, Cox, Gordon, Acting Directors Withers, Cosgrove, Director West, Interim Director Ebersole, and Director McNamara.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, and O'Leary.

Resolution No. 56-17.

By Director Dumas.

Be it resolved by the Board of Control of the City of Cleveland, that Board of Control Resolution No. 462-16, adopted November 9, 2016, affirming and approving the bid of Stark Metal Sales, Inc., as lowest and best for the purchase of an estimated quantity of miscellaneous sized steel, is rescinded.

Be it further resolved, that all bids received on September 30, 2016, for the purchase of miscellaneous sized steel for the various divisions of City government, all items for the Department of Finance, under the authority of Section 181.101(a)1 passed by the Cleveland City Council 1976, are rejected.

Yeas: Directors Langhenry, Davis, Kennedy, Cox, Gordon, Acting Directors Withers, Cosgrove, Director West, Interim Director Ebersole, and Director McNamara.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, and O'Leary.

Resolution No. 57-17.

By Director Davis.

Whereas, under the authority of Section 129.292 of the Codified Ordinances of Cleveland, Ohio, 1976, and Board of Control Resolution No. 352-15, adopted September 16, 2015, the City through the Director of Public Utilities entered into Contract No. PI2015-43 with Perk Co., Inc. for constructing and installing replacement sewers and repairing and rehabilitating existing sewers citywide; and

Whereas, under the authority of Section 129.291 of the Codified Ordinances of Cleveland, Ohio, 1976, and Board of Control Resolution No. 23-16, adopted January 20, 2016, the City through the Director of Public Utilities, entered into Contract No. PIRC2016-1 with Perk Co, Inc. for constructing and repairing catch basins and manholes citywide; and

Whereas, under the authority of Section 129.292 of the Codified Ordinances of Cleveland, Ohio, 1976 and Board of Control Resolution No. 155-16, adopted April 13, 2016, the City, through the Director of Public Utilities, entered into Contract No. PI2016-19 with United Survey, Inc. for rehabilitating and relining sewers at various locations citywide; and

Whereas, under the authority of Section 129.292 of the Codified Ordinances of Cleveland, Ohio, 1976, and Board of Control Resolution No. 157-16 adopted April 13, 2016, the City, through the Director of Public Utilities, entered into Contract No.

PI2016-25 with Terrace Construction Co., Inc. for rehabilitating and repairing sewer connections at various locations citywide; and

Whereas, Ordinance No. 578-16, passed by the Council of the City of Cleveland on June 6, 2016 as amended by Ordinance No. 1019-16, passed October 17, 2016, appropriates certain amounts of bond funds to be certified to the above-mentioned public improvement by requirement contracts; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 352-15, adopted September 16, 2015; Resolution No. 23-16, adopted January 20, 2016; Resolution No. 155-16; adopted April 13, 2016; and Resolution No. 157-16, adopted April 13, 2016, are amended by including "Ordinance No. 578-16, passed by the Council of the City of Cleveland on June 6, 2016," and "Ordinance No. 1019-16, passed October 17, 2016," as authority for the public improvement by requirement contracts approved by those resolutions.

Be it further resolved that all other terms of Resolutions Nos. 352-15, 23-16, 155-16, and 157-16 not expressly amended by this resolution shall remain unchanged and in full force and effect.

Yeas: Directors Langhenry, Davis, Kennedy, Cox, Gordon, Acting Directors Withers, Cosgrove, Director West, Interim Director Ebersole, and Director McNamara.

Nays: None.
Absent: Mayor Jackson, Directors Dumas, and O'Leary.

Resolution No. 58-17.

By Director Davis.
Be it resolved, by the Board of Control of the City of Cleveland that all bids, received on September 22, 2016 for the purchase of an estimated quantity of Labor and Materials Necessary to Inspect, Test and Repair Bucket and Derrick Trucks, for the Division of Cleveland Public Power, Department of Public Utilities, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976, passed June 2, 2008 are rejected.

Yeas: Directors Langhenry, Davis, Kennedy, Cox, Gordon, Acting Directors Withers, Cosgrove, Director West, Interim Director Ebersole, and Director McNamara.

Nays: None.
Absent: Mayor Jackson, Directors Dumas, and O'Leary.

Resolution No. 59-17.

By Director Spronz.
Whereas, on January 21, 2016, the City of Cleveland entered into Contract No. CT0103PS2016-004 with Hill International, Inc. for the Dominion East Ohio Gas Pipeline Infrastructure Replacement (PIR) Program, for the Office of Capital Projects, in the aggregate amount of \$250,000; and

Whereas, Hill International, Inc. desires to utilize an additional sub-consultant under Contract No. CT0103PS2016-004 for which C.O. Section 185.36 requires previous written consent of the Board of Control; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that the employment of the following sub-consultant by Hill International, Inc. under City Contract No.

CT0103PS2016-004, Dominion East Ohio Gas Pipeline Infrastructure Replacement (PIR) Program is approved.

Quality Control Services, Inc.
\$25,000.00 (10.00%)

Yeas: Directors Langhenry, Davis, Kennedy, Cox, Gordon, Acting Directors Withers, Cosgrove, Director West, Interim Director Ebersole, and Director McNamara.

Nays: None.
Absent: Mayor Jackson, Directors Dumas, and O'Leary.

Resolution No. 60-17.

By Director Spronz.
Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 808-16 passed by the Council of the City of Cleveland on January 23, 2017, Hull and Associates, Inc., is selected upon the nomination of the Director of Capital Projects as the firm to be employed by contract to supplement the regularly employed staff of the several departments of the City to provide professional environmental consulting services for the redevelopment of the existing Marion Motley Park into a motocross and BMX facility.

Be it further resolved that the Director of Capital Projects is authorized to enter into a written contract with Hull and Associates, Inc., based upon their proposal dated August 1, 2016 for a total cost not to exceed \$86,068.00, which contract shall be prepared by the Director of Law and shall provide for furnishing of professional services as stated in the proposal and shall contain such other terms and conditions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following sub-consultants by Hull and Associates, Inc. is approved:

<u>Sub-Consultant</u>	<u>Percentage</u> <u>Amount</u>
Dempsey Surveying Company	
CSB	5.8% \$5,000.00
R.J. Platten Contracting Company	
CSB	4.2% \$3,600.00
Underground Detective NA	0.0% \$ 850.00
Buckeye Probe NA	0.0% \$2,400.00
Pace Analytical Services NA	0.0% \$5,735.00

Yeas: Directors Langhenry, Davis, Kennedy, Cox, Gordon, Acting Directors Withers, Cosgrove, Director West, Interim Director Ebersole, and Director McNamara.

Nays: None.
Absent: Mayor Jackson, Directors Dumas, and O'Leary.

Resolution No. 61-17.

By Director Gordon.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Bican Brothers, Inc. dba Bican Bros. Funeral Home for an

estimated quantity of cremation services, all items, for the Division of Health, Department of Public Health, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, with two one-year options to renew, received on December 22, 2016 under the authority of Ordinance No. 549-16, passed June 7, 2016, which on the basis of the estimated quantity would amount to \$123,560.00 (0%), is affirmed and approved as the lowest and best bid, and the Director of Public Health is requested to enter into a requirement contract for the goods and/or services necessary for the specified items.

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

Yeas: Directors Langhenry, Davis, Kennedy, Cox, Gordon, Acting Directors Withers, Cosgrove, Director West, Interim Director Ebersole, and Directors McNamara, and O'Leary.

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

Resolution No. 62-17.

By Director McGrath.
Whereas, under the authority of Ordinance No. 610-09, passed by the Cleveland City Council on June 1, 2009, the City of Cleveland, through the Director of Safety entered into an agreement with Intergraph Corporation, City Contract No. 2010000000051, for a period of one year, for software, equipment software maintenance and support, project management and implementation, training, and related services for expansion of, the Computer Aided Dispatch System, for the Divisions of Police, Fire, and EMS, Department of Public Safety; and

Whereas, division (d) of Section 181.102 C.O. authorizes a director to enter into an agreement with the software vendor for professional services necessary to implement or maintain the software, including but not limited to, maintenance, repair, upgrade, enhancements, and technical support; and

Whereas, under the authority of Section 181.102 C.O., the City intends to enter into an agreement with Intergraph Corporation to obtain the professional maintenance and technical support services necessary to maintain and support the Computer-Aided Dispatch System and Mobile System for a period of one year; now; therefore,

Be it resolved by the Board of Control of the City of Cleveland that under division (e) of Section 181.102 C.O., the compensation to be paid for the maintenance and technical support services to be performed under the agreement with Intergraph Corporation is fixed at an amount not to exceed \$449,972.00.

Yeas: Directors Langhenry, Davis, Kennedy, Cox, Gordon, Acting Directors Withers, Cosgrove, Director West, Interim Director Ebersole, and Directors McNamara, and O'Leary.

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

Resolution No. 63-17.

By Acting Director Cosgrove.

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

Whereas, under the Program, the City is to acquire Permanent Parcel 129-09-042, located at 12019 Browning Avenue; and

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

Whereas, Adrienne Belton has proposed to the City to lease the parcel for a yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 6 has approved the proposed lease or has not disapproved or requested a hold of the proposed lease within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, to execute a lease for a term of five years for and on behalf of the City of Cleveland, with Adrienne Belton for the lease and development of Permanent Parcel 129-09-042, located at 12019 Browning Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for lease of the parcel shall be \$5.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Directors Langhenry, Davis, Kennedy, Cox, Gordon, Acting Directors Withers, Cosgrove, Director West, Interim Director Ebersole, and Directors McNamara, and O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 64-17.

By Acting Director Cosgrove.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 002-12-112 located at 1328 W. 61st Street; and

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

Whereas, Payne & Payne Builders, Inc. has proposed to the City to purchase and develop the parcel for new housing construction; and

Whereas, the following conditions exist:

1. The member of Council from Ward 15 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Payne & Payne Builders, Inc. for the sale and development of Permanent Parcel No. 002-12-112 located at 1328 W. 61st Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Davis, Kennedy, Cox, Gordon, Acting Directors Withers, Cosgrove, Director West, Interim Director Ebersole, and Directors McNamara, and O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 65-17.

By Acting Director Cosgrove.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 009-02-016 located at 3858 West 20th Street; and

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

Whereas, Theodore Wootan and Cathleen Wootan have proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 12 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and

Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Theodore Wootan and Cathleen Wootan for the sale and development of Permanent Parcel No. 009-02-016 located at 3858 West 20th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Davis, Kennedy, Cox, Gordon, Acting Directors Withers, Cosgrove, Director West, Interim Director Ebersole, and Directors McNamara, and O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 66-17.

By Acting Director Cosgrove.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 015-14-036 located at 3406 Daisy Ave.; and

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

Whereas, Jose D. Rosario and Nitza Rosario has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 14 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Jose D. Rosario and Nitza Rosario for the sale and development of Permanent Parcel No. 015-14-036, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Davis, Kennedy, Cox, Gordon, Acting Directors Withers, Cosgrove, Director

West, Interim Director Ebersole, and Directors McNamara, and O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 67-17.

By Interim Director Ebersole.

Whereas, under the authority of Ordinance No. 2197-88, passed January 30, 1989, as amended by Ordinance No. 1166-96, passed June 9, 1997, Ordinance No. 400-12, passed May 14, 2012, and Ord. No. 149-16, passed March 14, 2016 respectively, the Commissioner of Purchases and Supplies ("Commissioner") is authorized, by and at the direction of the Board of Control, to sell certain parcels of the Chagrin Highlands Development Area described therein and consisting of 16.76 acres, and located in the Village of Highland Hills ("Property"), which parcels are no longer needed for public use, according to the terms of the Master Development Agreement ("MDA") set forth in the ordinances; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that, under authority of Ordinance No. 2197-88, passed January 30, 1989, as amended by Ordinance No. 1166-96, passed June 9, 1997, Ordinance No. 400-12, passed May 14, 2012, and Ordinance No. 149-16, passed March 14, 2016, respectively, the Commissioner of Purchases and Supplies is directed to sell the parcels comprising the Property, no longer needed for public use, to WESTON HIGHLAND HILLS, LLC., according to the MDA, and more fully described as:

**DESCRIPTION OF PARCEL "A"
BEING A 16.003 ACRE PARCEL
OF LAND
OUT OF PARTS OF
CUYAHOGA COUNTY
PERMANENT PARCELS
No. 751-02-004 751-02-018
AND 751-02-021**

Situated in the Village of Highland Hills, County of Cuyahoga, and State of Ohio and known as being parts of Original Warrensville Township Lots No. 68 and No. 78, now in said village, and more particularly being a part of that original 850 acre tract of land described in the deed to the City of Cleveland dated December 23, 1904 and recorded in Deed Book 968, Page 8 of the Cuyahoga County Records and is bounded and described as follows:

Situated in the Village of Highland Hills, County of Cuyahoga, and State of Ohio and known as being parts of Original Warrensville Township Lots No. 68 and No. 78, now in said village, and more particularly being a part of that original 850 acre tract of land described in the deed to the City of Cleveland dated December 23, 1904 and recorded in Deed Book 968, Page 8 of the Cuyahoga County Records and is bounded and described as follows:

Beginning in the centerline of Green Road, 80 feet in width, at its intersection with centerline of Harvard Road, 80 feet in width, as shown by dedication plat recorded in Volume 178, Page 22 through 26 of Cuyahoga County Map Records, and witness a 5/8-inch diameter iron pin stake found in a monument box and being 0.02 feet northerly and 0.03 feet westerly therefrom, said

point of beginning being located South 00°43'37" East a distance of 2280.73 feet as measured along said centerline of Green Road, the same being the westerly line of said Original Lot 68, from a 5/8 inch diameter iron pin stake in a monument box found marking the northwesterly corner of said Original Lot No. 68;

Thence South 00°43'37" East continuing along said centerline of Green Road 401.56 feet to a 5/8 inch iron pin stake in a monument box found marking the southwesterly corner of said Original Lot No. 68;

Thence South 0°29'52" E. continuing along said centerline of Green Road, the same being the westerly line of said Original Lot No. 78, a distance of 352.28 feet to a point;

Thence North 89°30'08" East by a line which is perpendicular to said centerline of Green Road, a distance of 40.00 feet to an iron pin stake set in the easterly right-of-way line of said road and the PRINCIPAL POINT OF BEGINNING of the following described parcel of land:

COURSE I Thence North 0°29'52" West along said easterly right-of-way line of Green Road a distance of 352.36 feet to an angle therein;

COURSE II Thence North 00°43'37" West continuing along said easterly right-of-way line of Green Road a distance 327.03 feet to an iron pin stake set at the beginning of the curved right-of-way line onto Harvard Road;

COURSE III Thence northeasterly along said curved right-of-way line onto Harvard Road on the arc of a curve deflecting to the RIGHT (said curve having a radius of 30.00 feet, an included angle of 93°39'11", and a chord which bears North 46°05'59" East and is 43.76 feet in length) a distance of 49.04 feet to an iron pin stake set at the point of tangency therein;

COURSE IV Thence South 87°04'26" East along the southerly right-of-way line of said Harvard Road, a distance of 531.41 feet to an iron pin stake set at the beginning of a curve therein;

COURSE V Thence easterly, continuing along said southerly right-of-way line of Harvard Road on the arc of a curve deflecting to the LEFT (said curve having a radius 1949.86 feet, an included angle of 11°53'09", and a chord which bears North 86°59'00" East and is 403.77 feet in length) a distance of 404.49 feet to an iron pin stake set at the point of tangency therein;

COURSE VI Thence North 81°02'25" East continuing along said southerly right-of-way line of Harvard Road a distance 4.27 feet to an iron pin stake set therein;

COURSE VII Thence South 8°57'35" East a distance 612.00 feet to an iron pin stake set;

COURSE VIII Thence South 81°02'25" West a distance of 535.55 feet to an iron pin stake set at the beginning of a curve;

COURSE IX Thence southwestery on the arc of said curve and deflecting to the LEFT (said curve having a radius of 265.00 feet, an included angle of 46°47'47", and a chord which bears South 57°38'31.5" West and is 210.47 feet in length) a distance 216.44 feet to an iron pin stake set at the point of tangency therein;

COURSE X Thence South 34°14'38" West a distance of 13.47 feet to an iron pin stake set therein;

COURSE XI Thence westerly on an arc of a curve deflecting to the LEFT (said curve having a radius of 450.00 feet, an included angle of 34°44'30", and a chord which bears North 73°07'37" West and is 268.70 feet in length) a distance of 272.86 feet to an iron pin stake set at the point of tangency therein;

COURSE XII Thence South 89°30'08" West a distance of 56.00 feet to an iron pin stake set at the beginning of the curve;

COURSE XIII Thence northwestery along the arc of said curve and deflecting to the RIGHT (said curve having a radius of 30.00 feet, and included an angle of 90°00'00", and a chord which bears North 45°29'52" West and is 42.43 feet in length) a distance of 47.12 feet to its point of tangency with the aforesaid easterly right-of-way line of Green Road and the PRINCIPAL POINT OF BEGINNING of the premises herein described and containing 16.003 Acres (697,095 Square Feet) of land as surveyed and described in June, 2016 by Timothy P. Hadden, Ohio Registered Surveyor No. 6786 of CT Consultants, Inc., be the same more or less but subject to all legal high-ways and easements of record.

All points designated as "...iron pin set..." are marked by a 5/8 inch diameter by 30 inch long steel reinforcing bar driven flush with the ground and capped with a 1-1/4 inch yellow plastic disc engraved "CT CONSULTANTS, INC."

Bearings contained herein are based upon the State of Ohio Co-ordinate System of 1983 (North Zone) from observations utilizing the NAD83(2011) Reference Frame.

The above described parcel of land constitutes a split from three larger parcels that are currently designated as Cuyahoga County Permanent Parcels No. 751-02-004, 751-02-018, and 751-02-021;

The City of Cleveland claims title to the above described parcel of land by or through instrument dated December 12, 1904 and recorded in Deed Book Volume 968, Page 8 of the Cuyahoga County Records.

**DESCRIPTION OF PARCEL "B"
BEING A 0.763 ACRE PARCEL
OF LAND
OUT OF PARTS OF
CUYAHOGA COUNTY
PERMANENT PARCELS
No. 751-02-018 AND 751-02-004**

Situated in the Village of Highland Hills, County of Cuyahoga, and State of Ohio and known as being parts of Original Warrensville Township Lots No. 68 and No. 78, now in said village, and more particularly being a part of that original 850 acre tract of land described in the deed to the City of Cleveland dated December 23, 1904 and recorded in Deed Book 968, Page 8 of the Cuyahoga County Records and is bounded and described as follows:

Beginning in the centerline of Green Road, 80 feet in width, at its intersection with centerline of Harvard Road, 80 feet in width, as shown by dedication plat recorded in Volume 178, Page 22 through 26 of Cuyahoga County Map Records, and witness a 5/8-inch diameter iron

pin stake found in a monument box and being 0.02 feet northerly and 0.03 feet westerly therefrom, said point of beginning being located South 00°43'37" East a distance of 2280.73 feet as measured along said centerline of Green Road, the same being the westerly line of said Original Lot 68, from a 5/8 inch diameter iron pin stake in a monument box found marking the northwesterly corner of said Original Lot No. 68;

Thence South 00°43'37" East continuing along said centerline of Green Road 401.56 feet to a 5/8 inch iron pin stake in a monument box found marking the southwesterly corner of said Original Lot No. 68;

Thence South 0°29'52" E. continuing along said centerline of Green Road, the same being the westerly line of said Original Lot No. 78, a distance of 352.28 feet to a point;

Thence North 89°30'08" East by a line which is perpendicular to said centerline of Green Road, a distance of 40.00 feet to an iron pin stake set in the easterly right-of-way line of said road and the PRINCIPAL POINT OF BEGINNING of the following described parcel of land:

COURSE I Thence southeasterly on the arc of a curve deflecting to the LEFT (said curve having a radius of 30.00 feet, an included angle of 90°00'00", and a chord which bears South 45°29'52" East and is 42.43 feet in length) a distance of 47.12 feet to an iron pin stake set at the point of tangency therein;

COURSE II Thence North 89°30'08" East a distance of 56.00 feet to an iron pin stake set at the beginning of a curve therein;

COURSE III Thence easterly along the arc of said curve and deflecting to the RIGHT (said curve having a radius 450.00 feet, an included angle of 34°44'30", and a chord which bears South 73°07'37" East and is 268.70 feet in length) a distance of 272.86 feet to an iron pin stake set therein;

COURSE IV Thence South 34°14'38" West by a line which is radial to the aforesaid curve, a distance of 100.00 feet to an iron pin stake set therein;

COURSE V Thence northwesterly on the arc of a curve deflecting to the LEFT (said curve having a radius of 350.00 feet, an included angle of 34°44'30", and a chord which bears North 73°07'37" West and is 208.99 feet in length) a distance 212.22 feet to an iron pin stake set at the point of tangency therein;

COURSE VI Thence South 89°30'08" West a distance of 56.00 feet to an iron pin stake set therein;

COURSE VII Thence southwesterly on the arc of a curve deflecting to the LEFT (said curve having a radius of 30.00 feet, an included angle of 90°00'00", and a chord which bears South 44°30'08" West and is 42.43 feet in length) a distance of 47.12 feet to the aforesaid easterly line of Green Road

COURSE VIII Thence North 0°29'52" West along said easterly line of Green Road a distance of 160.00 feet to the PRINCIPAL POINT OF BEGINNING of the premises herein described and containing 0.763 Acres (33,240 sq. ft) of land as surveyed and described in June, 2016 by Timothy P. Hadden,

Ohio Registered Surveyor No. 6786 of CT Consultants, Inc., be the same more or less but subject to all legal highways and easements of record.

All points designated as "...iron pin stake set..." are marked by a 5/8 inch diameter by 30 inch long steel reinforcing bar driven flush with the ground and capped with a 1-1/4 inch yellow plastic disc engraved "CT CONSULTANTS, INC."

Bearings contained herein are based upon the State of Ohio Coordinate System of 1983 (North Zone) from observations utilizing the NAD83(2011) Reference Frame

The above described parcel of land constitutes a split from two larger parcels that are currently designated as Cuyahoga County Permanent Parcels No. 751-02-018 and 751-02-004;

The City of Cleveland claims title to the above described parcel of land by or through instrument dated December 12, 1904 and recorded in Deed Book Volume 968, Page 8 of the Cuyahoga County Records.

Be it further resolved by the Board of Control of the City of Cleveland that the total consideration to be paid for the Property shall be \$1,323,262.44, determined as provided by Section 4.2 of the MDA.

Be it further resolved by the Board of Control of the City of Cleveland that the Mayor and the Commissioner of Purchases and Supplies are requested to execute and deliver the official deed or deeds of the City of Cleveland, which document(s) shall contain such additional terms and provisions as the Director of Law shall determine is necessary to protect the City's interests.

Yeas: Directors Langhenry, Davis, Kennedy, Cox, Gordon, Acting Directors Withers, Cosgrove, Director West, Interim Director Ebersole, and Directors McNamara, and O'Leary.

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

Resolution No. 68-17.

By Director Spronz.
Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 808-16, passed by the Council of the City of Cleveland on January 23, 2017, Chieftain Trucking & Excavation, Inc. is selected from a list of firms determined after a full and complete canvass by the Director of Capital Projects as the firm to be employed by design/build contract to supplement the regularly employed staff of several departments of the City of Cleveland to perform the design and construction services necessary for the public improvement of the Marion Motley Park MX Track Improvements, for the Office of Capital Projects.

Be it further resolved that the Director of Capital Projects is authorized to enter into a written contract with Chieftain Trucking & Excavation Inc. based upon its proposal dated August 18, 2016 which contract shall be prepared by the Director of Law, shall provide for the furnishing of design/build services as described in the proposal for an aggregate fee not to exceed \$2,224,457.55, and shall contain such additional 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 and sub-contractors by Chieftain Trucking & Excavation, Inc. is approved:

City Architecture
CSB — 28.044% — \$17,300.00

The Riverstone Co.
CSB — 35.307% — \$21,780.00

I.A. Lewin
CSB — 5.674% — \$3,500.00

Boulevard Studios LLC
FBE — 0.000% — \$7,000.00

T/E/S Engineering
NA — 0.000% — \$6,500.00

Cook Paving & Constr.
CSB/MBE — 10.825% — \$246,399.00

Petty Group
CSB/MBE — 2.399% — \$54,600.00

Fabrizi Recycling
CSB/FBE — 13.180% — \$300,000.00

Cordova Enterprises
CSB/MBE/FBE — 3.954%
\$90,000.00

Great Northern Fence
NA — 0.000% — \$112,750.00

Yeas: Directors Langhenry, Davis, Kennedy, Cox, Gordon, Acting Directors Withers, Cosgrove, Director West, Interim Director Ebersole, and Directors McNamara, and O'Leary.

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

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

ROBERT BENNETT,
President

**SCHEDULE OF THE BOARD
OF ZONING APPEALS**

TUESDAY, FEBRUARY 21, 2017

9:30 A.M.

Calendar No. 16-325: 4850 Brookpark Road (Ward 13)

GreenRod Properties, owner, proposes to build a parking lot on a parcel located in General Retail and Semi-Industrial Districts. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 349.07(b) which states that accessory off-street parking spaces shall be provided with wheel stops.

2. Section 349.07(c)(1) which states that only one driveway is permitted for each 100' of frontage of parking lot.

3. Section 349.07(c)(3) which states that the maximum width of a driveway shall be thirty feet.

4. Section 352.10(c)(d) which states that a six foot wide landscaped frontage strip is required. (Filed December 28, 2016)

Violation Notice

Calendar No. 17-003: 1325 West 73rd Street (Ward 15)

Michel Hajjar, owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from a Notice of Violation Number V16040486 issued on December 12, 2016 by the Cleveland Department of Building and Housing for failure to comply with Sections 327.02(C) of the Cleveland Codified Ordinances which states that there shall be no change, substitution, or extension of use until a Certificate of Occupancy has been issued. (Filed January 4, 2017)

Calendar No. 17-011: 19211 Nottingham Road (Ward 10)

Jonathan Williams, owner, proposes to install a six (6) foot tall fence in a De1 General Retail Business District. The owner appeals for relief from section 358.05 of the Cleveland Codified Ordinances which states that fences in actual front yards and in side street yards shall not exceed four (4) feet in height; proposed height is six (6) feet. (Filed January 11, 2017)

Calendar No. 17-012: 2121 West 38th Street (Ward 3)

John Kruty and Julie Lund Kruty, owners, propose a 1 story frame side addition and a 2 story frame rear addition to existing single family residence. The owners appeal for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(a) which states that the Maximum Gross Floor area shall not exceed 50% of lot area; in this case 1,058 square feet are allowed and the appellant is proposing 1,510.6 square feet.

2. Section 357.09(b)(2)(A) which states that no building shall be erected less than 10 feet from main building on adjoining lot where the appellant is proposing 6 feet.

3. Section 357.09(b)(2)(B) which states that the Required Interior

Side Yard shall not be less than 4 feet 2 inches where the appellant is proposing 6 inches and 3 feet 5 inches. The total width of both Interior side yards shall not be less than 10' where the appellant is proposing 4 feet.

4. Section 357.08(b)(1) which states that the required rear yard is 17 feet 11 inches and the appellant is proposing 10 feet. (Filed January 12, 2017)

Calendar No. 17-013: 4190 West 140th Street (Ward 16)

Richard Strunk, owner, proposes to maintain/install a 6 foot tall wood privacy fence and canopy over an existing patio in an A1 One-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 357.05(a) which states that the distance of the building line back from the side street line along the side street line of a corner lot in a Residence District shall be not less than ten percent (10%) of the average width of such lot or five (5) feet, whichever is less, except that accessory buildings or uses shall be not less than ten (10) feet from such side street line. Patio and patio canopy is approximately 1 foot 3 inches to the side street property line.

2. Section 358.03(a) which states that no portion of a fence located within thirty (30) feet of the intersection of two (2) street right of way lines shall exceed two and one-half (2 - 1/2) feet in height, unless all portions of the fence above two and one-half (2 - 1/2) feet in height are at least seventy-five percent (75%) open. The same restrictions shall apply to any portion of a fence located along and parallel to a driveway within fifteen (15) feet its intersection with a public sidewalk or public street, if no sidewalk is present.

3. Section 358.04(a) which states that fences in actual front yards and in actual side street yards shall not exceed four (4) feet in height and shall be at least fifty percent (50%) open, except that, in an actual side street yard, a fence that is set back at least four (4) feet from the side street property line may be a maximum of six (6) feet in height and may be open or solid. (Filed January 13, 2017)

Calendar No. 17-014: 4856 Broadview Road (Ward 13)

Kronenberger Co., owner, proposes to establish use as bakery with no retail sales on premises in a C1 Local Retail Business District. The owner appeals for relief from the strict application of section 343.01(a)(b) which states that the use of premises for bakery/food preparations with no retail sales on premises is not permitted in a Local Retail Business District, first permitted in a Semi-Industry District. (Filed January 13, 2017)

Calendar No. 17-015: 1360 East 43rd Street (Ward 10)

Sageguard Properties LLC., owner, proposes to place a 24' x 40' one story metal shipping container on a parcel located in a C3 Semi-Industrial District and use as a single family house. The owner appeals for

relief from the strict application of section 357.08(b)(2) which states that the required rear yard is 20 feet and 14 feet are proposed. (Filed January 17, 2017)

Calendar No. 17-016: 2018-2020 West Boulevard (Ward 15)

Mohammad Musleh, owner, proposes to change use of existing two family residence to a three family residence in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.02 which states that Three family residence not permitted use in a Two family District but first allowed in Multi-Family District 337.08.

2. Section 349.04 which states that three parking spaces are required and two are proposed. (Filed January 17, 2017)

Waste Collection Appeal

Calendar No. 17-18: 4409-11 Woburn Avenue (Ward 13)

Vasyl Kos, owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances and disputes the decision of the City of Cleveland Waste Collection to issue Civil Infraction Ticket Number WC00334755, issued December 16, 2016, for the property known as 4409-11 Woburn Avenue and failure to comply with Section 551.111(B) in the Cleveland Codified Ordinances. (Filed January 19, 2017)

POSTPONED FROM

FEBRUARY 6, 2017

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

St. Ignatius High School, owner, proposes to install artificial turf sports practice fields and construct a storage building in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of Section 337.02(f)(3)(B) of the Cleveland Codified Ordinances which states that in a Two-Family District recreation building, parish houses and grounds for games and sports are permitted if located not less than thirty feet from any adjoining premises in a Residence District and if approved by the Board of Zoning Appeals after public notice and public hearing. (Filed December 21, 2016 - No Testimony)

First postponement made at the request of the appellant to allow for time for the appellant to meet with the community.

POSTPONED FROM

JANUARY 23, 2017

Calendar No. 17-009: 12707 Woodside Avenue (Ward 10)

FOB Real Estate LLC. proposes to build a parking lot on City of Cleveland Land Bank parcels located in an A1 One-Family Residential District. The applicant appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 349.07(b) which states that wheel guards are required where none are proposed.

2. Section 349.15(b) which states that bike racks are required where none are proposed.

3. Section 349.13(c) which states that Board of Zoning Appeals must approve parking lots in a residential district.

4. Section 349.07(c)(1) which states that one driveway permitted per 100' of frontage and 2 driveways are proposed for approximately 135' of frontage. (Filed December 15, 2016 - Testimony Taken)

First postponement made at the request of the appellant to allow for time for the revised plans to be reviewed by Building and Housing.

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, FEBRUARY 6, 2017

At the meeting of the Board of Zoning Appeals on Monday, February 6, 2017 the following appeals were scheduled for hearing before the Board and;

The following appeals were **APPROVED**:

Calendar No. 17-01: 2074 East 36th Street

CCC Capital, owner, proposes to erect a 5 foot tall fence located in a D4 General Retail Business District.

Calendar No. 17-02: 3433 Carnegie Avenue

CCC Capital, owner, proposes to erect a 5 foot tall fence located in a D4 General Retail Business District.

Calendar No. 17-04: 4201-4207 Clinton Avenue

Fourteen Sixtyeight, LLC. owner, proposes to erect new porches to a nonconforming multi-family building and a new 2,285 square foot detached garage building in a B1 Two-Family Residential District.

Calendar No. 17-10: 1282 East 125th Street

Mountainside Realty Ventures LLC., owner, proposes to change use from daycare to retail store and add addition and rear parking lot in a C2 Local Retail Business District.

The following appeals were **DENIED**:

None.

The following appeals were **WITHDRAWN**:

None.

The following appeals were **DISMISSED**:

None.

The following cases were **POSTPONED**:

Calendar No. 16-270: Thomas McCarthy
Permit LUVU16-00195. Postponed to February 13, 2017.

Calendar No. 16-277: Art Wiskoff, Jr.
Permit LUVU16-00208. Postponed to February 13, 2017.

Calendar No. 16-278: Brian DiSanto
Permit LUVU16-00209. Postponed to February 13, 2017.

Calendar No. 16-323: St. Ignatius High School
2010 Lorain Avenue. Postponed to February 21, 2017.

Calendar No. 16-326: Donald Ksiezzyk
3129 West 25th Street/VN. Postponed to March 27, 2017.

The following cases were heard by the Board of Zoning Appeals on Monday, January 30, 2017 and the decisions are adopted and approved on Monday, February 6, 2017:

The following appeals were **APPROVED**:

Calendar No. 16-274: 2496 Tremont Street aka 2471 Tremont Street
Civic Builders, owner, propose to erect a 1,900 square feet single family house on a 3,510 square foot lot in a B1 Two-Family Residential District.

Calendar No. 16-294: 2330 East 30th Street

CMHA, owner, proposes to erect an 8' x 3' - 11" and 8' tall single faced, illuminated identification message center ground sign in a C1 Multi-Family Residential District.

Calendar No. 16-299: 3182-3184 West 14th Street

Thomas Stewart, owner, proposes to build a 1,294 square foot two story, approximately 23' - 9" tall, wood frame garage with second floor storage on an 8,250 square foot lot in a D2 Multi-Family Residential District.

Calendar No. 16-321: 1969 West 50th Street

Eric Butler, owner, proposes to erect a 23' x 63' - 6" two story frame two-family residence and a rear 22' - 7" x 35' two story frame accessory garage and dwelling on second floor in a B1 Two-Family Residential District.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

REQUEST FOR PROPOSALS

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

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

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

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

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, MARCH 1, 2017

File No. 11-17 — 2017-A Water Main Renewal, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 698-16, passed by the Council of the City of Cleveland, July 13, 2016.

THERE WILL BE A NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF ONE HUNDRED

DOLLARS (\$100.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR MONEY ORDER (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, FEBRUARY 9, 2017 AT 10:00 A.M. 1201 LAKESIDE AVENUE, 4TH FLOOR ATRIUM CONFERENCE ROOM, CLEVELAND, OHIO 44114.

February 1, 2017 and February 8, 2017

THURSDAY, MARCH 2, 2017

File No. 12-17 — 2017-B Water Main Renewal, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 698-16, passed by the Council of the City of Cleveland, July 13, 2016.

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

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, FEBRUARY 9, 2017 AT 10:00 A.M. 1201 LAKESIDE AVENUE, 4TH FLOOR ATRIUM CONFERENCE ROOM, CLEVELAND, OHIO 44114.

File No. 15-17 — Labor and Materials to Repair and Replace Parts to Maintain Various Types of Machines and Equipment, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 431-16, passed by the Council of the City of Cleveland, May 9, 2016.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, FEBRUARY 9, 2017 AT 11:00 A.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 4TH FLOOR ATRIUM CONFERENCE ROOM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

February 1, 2017 and February 8, 2017

FRIDAY, MARCH 3, 2017

File No. 14-17 — Installation, Maintenance and Purchase of Recycling Compactor, Baler, Crusher and Related Materials and Service, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 642-15, passed by the Council of the City of Cleveland, July 22, 2015.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, FEBRUARY 10, 2017 AT 10:00 A.M. THE FEDERAL SERVICES BUILDING, 5301 WEST HANGER ROAD, CLEVELAND, OHIO 44135.

February 1, 2017 and February 8, 2017

FRIDAY MARCH 17 2017

File No. 13-17 — Terminal Boiler Replacement - Phase II, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 814-12, passed by the Council of the City of Cleveland, June 4, 2012.

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

THERE WILL BE A **MANDATORY** PRE-BID MEETING AND SITE TOUR, THURSDAY, FEBRUARY 16, 2017 AT 10:00 A.M. THE FEDERAL SERVICE STATION BUILDING, PLANNING AND ENGINEERING, 2ND FLOOR CONFERENCE ROOM 6C-24C, 5301 WEST HANGER ROAD, CLEVELAND, OHIO 44135.

February 1, 2017 and February 8, 2017

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 1458-16. By Council Member Conwell. An emergency resolution supporting and encouraging Mayor Jackson and his Administration to continue and expand the development of smart city technology and collaborative partnerships with the private sector that will provide social and economic benefits to the City of Cleveland and the surrounding region.

Whereas, a smart city is an urban development vision to integrate multiple information and communication technology to enhance quality, performance and interactivity of urban services to reduce cost and resource consumption and to improve contact between citizens and government; and

Whereas, a smart city makes more efficient use of physical infrastructure through artificial intelligence and analytics to support a strong and healthy economic, social, and cultural development for the residents of the city; and

Whereas, a smart city utilizes and promotes new technology collaborations to address key challenges such as reducing traffic congestion, fighting crime, fostering economic growth, managing the effects of climate change, and improving the delivery of city services; and

Whereas, a smart city encourages the inclusive approach to open data where datasets from municipalities, community organizations, foundations, universities, health care institutions can be shared thus creating collaborative partnerships in addressing both local and regional problems as well as working toward creative solutions to improve services and the quality of life for citizens; and

Whereas, the proliferation of technology is happening at increasing speed, changing the landscape of cities, which will promote the change

in the physical infrastructure of the city; and

Whereas, attracting private investment into public infrastructure is essential for new job creation, economic development, and the City's long term economic competitiveness; and

Whereas, innovation is key to being competitive in the regional, national and global marketplace, which is why the city must embrace new and innovative ideas and technology solutions; and

Whereas, smart city public-private partnerships can identify, finance, and support capital projects that will implement a range of smart city solutions to create new revenues while expanding the quality of life for Cleveland residents; and

Whereas, the Jackson Administration has already developed smart city technologies and partnerships, including for example its partnership with NEO CANDO, Northeast Ohio Community and Neighborhood Data for Organizing, using geographical information system (GIS) techniques to enhance property data in order to identify vacant and abandoned properties and prevent more abandonment; and

Whereas, the Administration and its partners have developed a Smart City Cleveland project with the United States Department of Transportation Federal Transit Administration that commits to using smart city technology to improve surface transportation, while improving public safety, transit service and energy security; and

Whereas, other examples of the Administration's development of smart city technologies are the following: 1) parking space indicators at Cleveland Hopkins Airport used to indicate which parking spaces are open or occupied in the parking garage; 2) video surveillance cameras in the downtown district and some of the City's commercial corridor providing twenty-four hour video surveillance; 3) an upcoming downtown project using automated lighting and monitoring of parking spaces on West 6th Street and West 9th Street; and 4) an upcoming project involving General Electric and Siemens cameras and small lighting; and

Whereas, this Council encourages the Administration to expand its smart city technology efforts and seek opportunities such as the City of Columbus' recent award of \$40 million in federal start-up funds from the Department of Transportation's "smart cities" competition to link an impoverished community to jobs using driverless vehicles; 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 and encourages Mayor Jackson and his Administration to continue and expand the development of smart city technology and collaborative partnerships with the private sector that will provide social and economic benefits to the City of Cleveland and the surrounding region.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to Mayor Jackson.

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 30, 2017.
Effective February 1, 2017.

Res. No. 78-17.
By Council Member Zone.
An emergency resolution declaring the month of March 2017 as Problem Gambling Awareness Month.

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

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

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

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

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

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

Whereas, this Council encourages all citizens to support the National Council on Problem Gambling and the Cuyahoga Problem Gambling Coalition in their efforts to Have the Conversation with friends, family, patients and clients about gambling addiction; and

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

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

Section 1. That this Council declares the month of March 2017 Problem Gambling Awareness Month.

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

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

Adopted January 30, 2017.
Effective February 1, 2017.

Res. No. 79-17.
By Council Member Conwell.
An emergency resolution supporting the proposal of Famicos Foundation to the City of Cleveland Land Bank to acquire 24 Land Bank parcels for the use of low-income housing tax credits.

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

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

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

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

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

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

Whereas, the Famicos Foundation proposal will benefit the citizens of the City; and

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

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

Section 1. That this Council supports the proposal of Famicos Foundation to the City of Cleveland Land Bank to acquire 24 Land Bank parcels for the use of low-income housing tax credits.

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

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

Adopted January 30, 2017.
Effective February 1, 2017.

Res. No. 120-17.
By Council Members Kelley, Zone, Cleveland, McCormack, Cummins, J. Johnson, and Conwell

An emergency resolution strongly objecting to the recent Presidential Executive Order temporarily banning entry into the United States for migrants from seven Muslim-majority countries and refugees from around the world and joining with all Americans who believe that the Executive Order is unlawful and un-American and further, declaring Cleveland, Ohio to be a "Welcoming City" and calling upon the people of Cleveland to join together to build a stronger, united community.

Whereas, on Friday January 27, 2017, the President of the United States issued an Executive Order banning entry into the U.S. for migrants and U.S. legal residents from Iraq, Iran, Sudan, Somalia, Syria, Libya and Yemen, and for migrants from across the globe; and

Whereas, the Executive order suspends the U.S. Refugee Admissions Program for a period of 120 days and limits the entry of refugees into the U.S. to 50,000 persons for 2017, when the United States historically has led the world in the resettlement of refugees, accepting on average more than 79,000 refugees per year for the last 42 years; and

Whereas, the U.N Refugee Agency reports that children under the age of 18 years old constitute 51% of refugee population in 2015; and

Whereas, this Executive Order is anathema to our shared values as a nation of immigrants, a nation that grants relief and safe haven to people from war-torn countries and from religious, ethnic and all other forms of persecution; and

Whereas, this ban enflames U.S. relations with Muslim-majority countries, indeed with all Muslims, and will surely make the United States less safe from acts of terrorism; and

Whereas, in the United States, as in Cleveland, our success depends on making sure that all residents feel welcome; and

Whereas, Cleveland always has been and continues to be a welcoming city to everyone, including immigrants who contribute economically and culturally to making our city a better place; and

Whereas, immigrants and refugees are a vital part of this city; bringing fresh perspectives and new ideas; starting businesses; and contributing to Cleveland's treasured and vibrant diversity; and

Whereas, this Council honors the spirit of unity that brings neighbors together and makes our community the kind of place where diverse people from around the world feel valued and want to put down roots; and

Whereas, regardless of where we are born or what we look like, we are Cleveland residents united in our efforts to build a stronger community; and

Whereas, this Council understands that by recognizing the contributions that all of us make to create a vibrant culture and a growing economy, we make our city, and our country, more prosperous and inclusive; and

Whereas, this Executive Order violates the principles of the U.S. Constitution; and these executive orders promote dangerous public policy, eroding the trust between public safety agencies and the communities they serve, which ultimately undermine safety in the city of Cleveland and across our country; and

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

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

Section 1. That this Council strongly objects to the Presidential Executive Order temporarily banning entry into the United States for migrants from seven Muslim-majority countries and refugees from

around the world and joins with all Americans who believe that the Executive Order is unlawful and un-American and further, this Council declares Cleveland, Ohio to be a "Welcoming City" and calls upon the people of Cleveland to join together to build a stronger, united community.

Section 2. That this Council strongly resolves that the City of Cleveland is under no obligation to be involved in federal immigration enforcement under protection of the Fourth and Tenth Amendments of the U.S. Constitution.

Section 3. That the Clerk of Council is directed to transmit a copy of this resolution to the President of the United States, Ohio Senators Rob Portman and Sherrod Brown, Joe Cimperman, President of Global Cleveland and to the National League of Cities.

Section 4. 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 30, 2017.
Effective February 1, 2017.

Ord. No. 1302-16.
By Council Members Keane and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with CHA Companies, Inc. fka RW Armstrong & Associates, Inc. for the lease of office space at Cleveland Burke Lakefront Airport, for the Department of Port Control, for a period of two years with three one-year options to renew, the first of which requires additional legislative authority.

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

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

Section 1. That the Director of Port Control is authorized to enter into a Lease Agreement ("Lease") with CHA Companies, Inc. fka RW Armstrong & Associates, Inc. ("Lessee") for use and occupancy of approximately 4,350 square feet of office space located on the second floor of the passenger terminal building at Cleveland Burke Lakefront Airport ("Leased Premises") to conduct business as an architectural and engineering firm. The term of the Lease shall be for a period of two years with three one-year options to renew, commencing on the effective date of the Lease. The first of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the first of the one-year options to renew is exercised, then the second and third one-year options to renew may be exercised at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council. For use of the Leased Premises, Lessee shall pay the City the greater of an annual rate of Sixty-Five Thousand Two Hundred Fifty

Dollars (\$65,250) which is equal to \$15.00 per square foot or fair market value as established by an independent third party appraisal. Such rent shall be paid in monthly installments due on the first day of each month during the term of the Lease.

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

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

Passed January 30, 2017.
Effective February 1, 2017.

Ord. No. 1303-16.
By Council Members Keane and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with Circadian Knight Corp. dba Top Gun for the lease of office space at Burke Lakefront Airport for operation of a flight school and related services, for the Department of Port Control, for a period of two years with three one-year options to renew, the first of which requires additional legislative authority.

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

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

Section 1. That the Director of Port Control is authorized to enter into a Lease Agreement ("Lease") with Circadian Knight Corp. dba Top Gun ("Lessee") for use and occupancy of approximately 205 square feet of office space located in Room 162 of the terminal building at Burke Lakefront Airport ("Leased Premises") for operation of a flight school and related services. The term of the Lease shall be for a period of two years with three one-year options to renew, commencing on the effective date of the Lease. The first of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the first of the one-year options to renew is exercised, then the second and third one-year options to renew may be exercised at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council. For use of the Leased Premises, Lessee shall pay the City the greater of an annual rate of Two Thousand Five Hundred Sixty-Two Dollars and Fifty Cents (\$2,665.00) which is equal to \$13.00 per square foot or fair market value as established by an independent third party appraisal. Such rent shall be paid in monthly installments due on the first day of each month during the term of the Lease.

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

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take

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

Passed January 30, 2017.
Effective February 1, 2017.

Ord. No. 1395-16.

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

An emergency ordinance determining the method of making the public improvement of constructing, replacing, or otherwise improving the Camp Forbes Recreation Center multipurpose room; and authorizing the Director of Capital Projects to enter into one or more public improvement contracts for the making of the improvement; authorizing professional services to design the improvement; and to accept gifts, grants or other funding.

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, replacing, or otherwise improving the Camp Forbes Recreation Center multipurpose room (the "Improvement"), for the Office of Capital Projects, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding for a gross price 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 for a gross price 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 employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the Improvement.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Capital Projects from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Capital Projects for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the

Director of Capital Projects, and certified by the Director of Finance.

Section 5. That the Director of Capital Projects is authorized to apply for and accept gifts, grants, or other funding from various public and private entities needed to implement the Improvement. 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 to implement the Improvement.

Section 6. That the cost of the contracts and other expenditures authorized shall be paid from Fund No. 10 SF 094 and from the fund or funds to which are credited any gifts, grants, or other funds accepted under this ordinance. RQS 0103, RL2016-113.

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

Passed January 30, 2017.
Effective February 1, 2017.

Ord. No. 21-17.

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

An emergency ordinance authorizing the Director of Port Control to exercise the second option to renew Contract No. CT 3001 PS 2015-16 with AECOM fka URS Corporation to provide professional services to provide general planning, engineering, and design services, for the various divisions of the Department of Port Control.

Whereas, under the authority of Ordinance No. 815-12, passed June 4, 2012, the Director of Port Control entered into Contract No. CT 3001 PS 2015-16 with AECOM fka URS Corporation to provide professional services to provide general planning, engineering, and design services, for the various divisions of the Department of Port Control; and

Whereas, Ordinance No. 815-12 requires further legislation before exercising the second option to renew on this contract; and

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

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

Section 1. That the Director of Port Control is authorized to exercise the second option to renew Contract No. CT 3001 PS 2015-16 for an additional year with AECOM fka URS Corporation to provide professional services to provide general planning, engineering, and design services, for the various divisions of the Department of Port Control. This ordinance constitutes the additional legislative authority required by Ordinance No. 815-12 to exercise this option.

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 30, 2017.
Effective February 1, 2017.

Ord. No. 22-17.

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

An emergency ordinance authorizing the Director of Port Control to exercise the second option to renew Contract No. CT 3001 PS 2015-29 with Delta Airport Consultants, Inc. to provide professional services to provide general planning, engineering, and design services, for the various divisions of the Department of Port Control.

Whereas, under the authority of Ordinance No. 815-12, passed June 4, 2012, the Director of Port Control entered into Contract No. CT 3001 PS 2015-29 with Delta Airport Consultants, Inc. to provide professional services to provide general planning, engineering, and design services, for the various divisions of the Department of Port Control; and

Whereas, Ordinance No. 815-12 requires further legislation before exercising the second option to renew on this contract; and

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

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

Section 1. That the Director of Port Control is authorized to exercise the second option to renew Contract No. CT 3001 PS 2015-29 for an additional year with Delta Airport Consultants, Inc. to provide professional services to provide general planning, engineering, and design services, for the various divisions of the Department of Port Control. This ordinance constitutes the additional legislative authority required by Ordinance No. 815-12 to exercise this option.

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 30, 2017.
Effective February 1, 2017.

Ord. No. 23-17.

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

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. RC 2015-25 with Gardiner Service Company dba Gardiner Corporation of the labor and materials necessary to maintain and repair heating, ventilation and air conditioning systems for the various divisions of the Department of Port Control.

Whereas, under the authority of Ordinance No. 1189-14, passed October 13, 2014, the Director of Port Control entered into Contract No. RC 2015-25

with Gardiner Service Company dba Gardiner Corporation of the labor and materials necessary to maintain and repair heating, ventilation and air conditioning systems for the various divisions of the Department of Port Control; and

Whereas, Ordinance No. 1189-14 requires further legislation before exercising the first option to renew on this contract; and

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

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

Section 1. That the Director of Port Control is authorized to exercise the first option to renew Contract No. RC 2015-25 for an additional year in the approximate amount of \$230,000 with Gardiner Service Company dba Gardiner Corporation for an additional year of the labor and materials necessary to maintain and repair heating, ventilation and air conditioning systems for the various divisions of the Department of Port Control. This ordinance constitutes the additional legislative authority required by Ordinance No. 1189-14 to exercise this option.

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 30, 2017.
Effective February 1, 2017.

Ord. No. 24-17.

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

An emergency ordinance authorizing the Director of Port Control to lease certain space located at Building No. 221 at 5701 Postal Road at Cleveland Hopkins International Airport to Federal Express Corporation for office and warehouse space, and various parking facilities for vehicles and aircraft, for the operation of a retail shipping and air freight services facility, for a period of five years, with two five-year options to renew, the first of which shall require additional legislative authority.

Whereas, the City of Cleveland owns certain space known as Building No. 221 at 5701 Postal Road which is not needed for public use; and

Whereas, Federal Express Corporation has proposed to lease the property from the City; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Port Control is authorized to lease to Federal Express Corporation ("Lessee"),

approximately 427,000 square feet of land, which includes a 74,800 square-foot structure consisting of office and warehouse space at 5701 Postal Road, which is not needed for public use.

Section 2. That the term of the lease authorized by this ordinance shall not exceed five years, with two five-year options to renew, the first of which shall require additional legislative authority. If such additional legislative authority is granted, the second five-year option to renew may be exercised at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council.

Section 3. That the space authorized by this ordinance shall be leased at an annual rental to be established by an independent third-party appraisal based on fair market value of the Leased Premises and rental rates charged for comparable facilities. During the original term and option term of the lease, the annual rental amount shall be adjusted as follows, but however, shall not be less than any preceding years' rent paid:

<u>Period</u>	<u>Rate Per Annum</u>
Years 2 through 5	Adjusted rate based on the United States Department Of Labor, Consumer Price Index: "All Urban Consumers Labeled for Cleveland and Akron"
Year 6	Appraised fair market value
Years 7 through 10	Adjusted rate based on the United States Department Of Labor, Consumer Price Index: "All Urban Consumers Labeled for Cleveland and Akron"
Year 11	Appraised fair market value
Years 12 through 15	Adjusted rate based on the United States Department Of Labor, Consumer Price Index: "All Urban Consumers Labeled for Cleveland and Akron"

Section 4. That the lease may authorize the Lessee to make improvements to the leased premises subject to the approval of appropriate City agencies and officials.

Section 5. That the lease shall be prepared by the Director of Law.

Section 6. That the Director of Port Control, the Director of Law, and other appropriate City officials are authorized to execute any other documents and certificates, and take any other actions which may be necessary or appropriate to effect the lease authorized by this ordinance.

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

Passed January 30, 2017.
Effective February 1, 2017.

**Ord. No. 25-17.
By Council Members Keane and Kelley (by departmental request).**

An emergency ordinance authorizing the Director of Port Control to lease certain space located in Building No. 217 at 6040 Cargo Road at Cleveland Hopkins International Airport to Hydro-Chem Corporation to provide various environmental services for the airport, for a term of two years, with three one-year options to renew, the first of which shall require additional legislative authority.

Whereas, the City of Cleveland owns certain space known as Building No. 217 at 6040 Cargo Road at Cleveland Hopkins International Airport, which is not needed for public use; and

Whereas, Hydro-Chem Corporation has proposed to lease the property from the City; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Port Control is authorized to lease to Hydro-Chem Corporation ("Lessee"), approximately 18,375 square feet of warehouse space in Building No. 217 at 6040 Cargo Road at Cleveland Hopkins International Airport, which is not needed for public use.

Section 2. That the term of the lease authorized by this ordinance shall not exceed two years, with three one-year options to renew. The first of the one-year options to renew may be exercised by the Director of Port Control only if additional legislative authority is obtained. If such additional legislative authority is granted, the second and third one-year options to renew may be exercised at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council.

Section 3. That the space authorized by this ordinance shall be leased at an annual rental of \$128,625, which is determined to be fair market value by an independent third-party appraisal, exclusive of utilities. The rent for each option year exercised shall be adjusted based on the United States Department of Labor, Consumer Price Index: "All Urban Consumer" Cleveland and Akron, OH. However, in no event shall the annual rate of any option year exercised be lower than \$128,625 annually.

Section 4. That the lease may authorize the Lessee to make improvements to the leased premises subject to the approval of appropriate City agencies and officials.

Section 5. That the lease shall be prepared by the Director of Law.

Section 6. That the Director of Port Control, the Director of Law, and other appropriate City officials are authorized to execute any other documents and certificates, and take any other actions which may be necessary or appropriate to effect the lease authorized by this ordinance.

Section 7. That this ordinance is declared to be an emergency measure

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

Passed January 30, 2017.
Effective February 1, 2017.

**Ord. No. 26-17.
By Council Members Keane and Kelley (by departmental request).**

An emergency ordinance authorizing the Director of Port Control to lease certain space located at Building No. 208 at 5851 Cargo Road at Cleveland Hopkins International Airport to Swissport USA Inc. for office and storage space to support aviation ground handling operations and maintenance services for various airlines at the airport, for a term of two years, with three one-year options to renew, the first of which shall require additional legislative authority.

Whereas, the City of Cleveland owns certain space known as Building No. 208 at 5851 Cargo Road at Cleveland Hopkins International Airport, which is not needed for public use; and

Whereas, Swissport USA Inc. has proposed to lease the property from the City; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Port Control is authorized to lease to Swissport USA Inc. ("Lessee"), approximately 9,920 square feet of building and adjacent parking support space at Building No. 208 at 5851 Cargo Road at Cleveland Hopkins International Airport, which is not needed for public use.

Section 2. That the term of the lease authorized by this ordinance shall not exceed two years, with three one-year options to renew. The first of the one-year options to renew may be exercised by the Director of Port Control only if additional legislative authority is obtained. If such additional legislative authority is granted, the second and third one-year options to renew may be exercised at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council.

Section 3. That the space authorized by this ordinance shall be leased at an annual rental of \$62,000, which is determined to be fair market value by an independent third-party appraisal, exclusive of utilities. The rent for each option year exercised shall be adjusted based on the United States Department of Labor, Consumer Price Index: "All Urban Consumer" Cleveland and Akron, OH. However, in no event shall the annual rate of any option year exercised be lower than \$62,000 annually.

Section 4. That the lease may authorize the Lessee to make improvements to the leased premises subject to the approval of appropriate City agencies and officials.

Section 5. That the lease shall be prepared by the Director of Law.

Section 6. That the Director of Port Control, the Director of Law, and other appropriate City officials are authorized to execute any other documents and certificates, and take any other actions which may be necessary or appropriate to effect the lease authorized by this ordinance.

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

Passed January 30, 2017.
Effective February 1, 2017.

Ord. No. 27-17.

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

An emergency ordinance authorizing the Director of Port Control to lease certain space located in Building No. 217 at 6040 Cargo Road at Cleveland Hopkins International Airport to Swissport USA Inc. for operation of an air cargo facility, for a term of two years, with three one-year options to renew, the first of which shall require additional legislative authority.

Whereas, the City of Cleveland owns certain space known as Building No. 217 at 6040 Cargo Road at Cleveland Hopkins International Airport, which is not needed for public use; and

Whereas, Swissport USA Inc. has proposed to lease the property from the City; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Port Control is authorized to lease to Swissport USA Inc. ("Lessee"), approximately 3,675 square feet of warehouse space in Building No. 217 at 6040 Cargo Road at Cleveland Hopkins International Airport, which is not needed for public use.

Section 2. That the term of the lease authorized by this ordinance shall not exceed two years, with three one-year options to renew. The first of the one-year options to renew may be exercised by the Director of Port Control only if additional legislative authority is obtained. If such additional legislative authority is granted, the second and third one-year options to renew may be exercised at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council.

Section 3. That the space authorized by this ordinance shall be leased at an annual rental of \$27,206.76, which is determined to be fair market value by an independent third-party appraisal, exclusive of utilities. The rent for each option year exercised shall be adjusted based on the United States Department of Labor, Consumer Price Index: "All Urban Consumer" Cleveland and Akron, OH. However, in no event shall the annual rate of any option year exercised be lower than \$27,206.76 annually.

Section 4. That the lease may authorize the Lessee to make improvements to the leased premises subject to the approval of appropriate City agencies and officials.

Section 5. That the lease shall be prepared by the Director of Law.

Section 6. That the Director of Port Control, the Director of Law, and other appropriate City officials are authorized to execute any other documents and certificates, and take any other actions which may be necessary or appropriate to effect the lease authorized by this ordinance.

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

Passed January 30, 2017.
Effective February 1, 2017.

Ord. No. 69-17.

By Mayor Jackson.

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

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 123.09 to read as follows:

Section 123.09 Office of Quality Control and Performance Management

(a) With the concurrence of the Board of Control, as required by Section 77 of the Charter, there is established in the Office of the Mayor, the Office of Quality Control and Performance Management, to be administered and controlled by an Executive Assistant or Special Assistant to the Mayor, to be appointed by the Mayor to be the Director of Quality Control and Performance Management and subject to the Mayor's supervision and control. The Director shall monitor and assess program and service delivery to the citizens of Cleveland by tracking and improving performance of Departments through the incorporation of efficient, effective, and economically sound process

improvement methods to ensure high levels of accountability, compliance, and quality control. The Director shall appoint, in accordance with the civil service provisions of the Charter, such assistants and clerical, stenographic and other employees as may be required for the performance of the duties of the Office, and shall be responsible for their supervision.

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

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

Passed January 30, 2017.
Effective February 1, 2017.

Ord. No. 74-17.

By Council Member Kelley (by departmental request).

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

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

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

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

Section 2. That the Director of Finance, on behalf of the Cleveland Municipal Court, is authorized to enter into one or more contracts with Court Community Service for professional services necessary to arrange community service for persons the Court refers in the Cleveland Work

Crew Program for a period of one year, commencing January 1, 2017. The cost of the contract shall not exceed \$162,500.

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

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

Passed January 30, 2017.
Effective February 1, 2017.

Ord. No. 77-17.

By Council Member Kelley.

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

Whereas, this ordinance constitutes an emergency measure provid-

ing for the usual daily operation of a municipal department; now, therefore,

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

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

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

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

Passed January 30, 2017.
Effective February 1, 2017.

COUNCIL COMMITTEE MEETINGS

**Monday February 6, 2017
2:00 p.m.**

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

**Tuesday February 7, 2017
9:00 a.m.**

Development, Planning and Sustainability Committee: COMMUNITY DEVELOPMENT BLOCK GRANT HEARINGS: Present: Brancatelli, Chair; Cleveland, Vice Chair; Cummins, Dow, McCormack. *Authorized Absence:* Pruitt, Zone.

**Wednesday February 8, 2017
9:00 a.m.**

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Authorizing the Director of Port Control to enter into a Lease Agreement with Circadian Knight Corp. dba Top Gun for the lease of office space at Burke Lakefront Airport for operation of a flight school and related services, for the Department of Port Control, for a period of two years with three one-year options to renew, the first of which requires additional legislative authority. (O 1303-16) 171
Authorizing the Director of Port Control to exercise the first option to renew Contract No. RC 2015-25 with Gardiner Service Company dba Gardiner Corporation of the labor and materials necessary to maintain and repair heating, ventilation and air conditioning systems for the various divisions of the Department of Port Control. (O 23-17) 172
Authorizing the Director of Port Control to exercise the second option to renew Contract No. CT 3001 PS 2015-16 with AECOM fka URS Corporation to provide professional services to provide general planning, engineering, and design services, for the various divisions of the Department of Port Control. (O 21-17)..... 172

Authorizing the Director of Port Control to lease certain space located at Building No. 221 at 5701 Postal Road at Cleveland Hopkins International Airport to Federal Express Corporation for office and warehouse space, and various parking facilities for vehicles and aircraft, for the operation of a retail shipping and air freight services facility, for a period of five years, with two five-year options to renew, the first of which shall require additional legislative authority. (O 24-17) 172

Authorizing the Director of Port Control to lease certain space located in Building No. 217 at 6040 Cargo Road at Cleveland Hopkins International Airport to Hydro-Chem Corporation to provide various environmental services for the airport, for a term of two years, with three one-year options to renew, the first of which shall require additional legislative authority. (O 25-17) 173

Professional Services

Authorizing the Clerk of Council to enter into an agreement with thunder::tech for the professional services necessary to provide website hosting, support and maintenance, and map location pinning for Cleveland City Council. (O 77-17) 175

Authorizing the Director of Finance to employ one or more professional consultants, computer software developers, or vendors to maintain and upgrade the wireless broadband network for the Ward 13 WiFi Project and to acquire licenses and other professional services necessary to implement the system, including project management, installing, designing, training, testing, programming, integrating, managing connections, maintenance, technical support, acquiring network equipment and incidental supplies, and other related issues, for the Division of Information Technology and Services Department of Finance, for a period of three years, with two one year options to renew. (O 121-17) 162

Authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to enter into one or more contracts with Court Community Service for professional services necessary to place criminal defendants in community service, and for placement in the Cleveland Work Crew Program, both as referred by the Court, for the Cleveland Municipal Court, each for a period of one year. (O 74-17) 174

Authorizing the Director of Port Control to exercise the second option to renew Contract No. CT 3001 PS 2015-16 with AECOM fka URS Corporation to provide professional services to provide general planning, engineering, and design services, for the various divisions of the Department of Port Control. (O 21-17)..... 172

Public Improvements

Determining the method of making the public improvement of constructing, replacing, or otherwise improving the Camp Forbes Recreation Center multi-purpose room; and authorizing the Director of Capital Projects to enter into one or more public improvement contracts for the making of the improvement; authorizing professional services to design the improvement; and to accept gifts, grants or other funding. (O 1395-16) 171

Purchases and Supplies Division

Authorizing the Commissioner of Purchases and Supplies to sell City owned property no longer needed for public use located at the intersection of Argus Avenue and East 133rd Street to the Northeast Ohio Regional Sewer District, for purposes of accessing its Heights Hilltop interceptor site. (O 129-17)..... 152

Recreation Centers

Determining the method of making the public improvement of constructing, replacing, or otherwise improving the Camp Forbes Recreation Center multi-purpose room; and authorizing the Director of Capital Projects to enter into one or more public improvement contracts for the making of the improvement; authorizing professional services to design the improvement; and to accept gifts, grants or other funding. (O 1395-16) 171

Resolution – Miscellaneous

Declaring the month of March 2017 as Problem Gambling Awareness Month. (R 78-17)..... 170

Strongly objecting to the recent Presidential Executive Order temporarily banning entry into the United States for migrants from seven Muslim-majority countries and refugees from around the world and joining with all Americans who believe that the Executive Order is unlawful and un-American and further, declaring Cleveland, Ohio to be a “Welcoming City” and calling upon the people of Cleveland to join together to build a stronger, united community. (R 120-17) 170

Resolution of Support

Appointing three members to the Civilian Police Review Board. (R 146-17) 161

Declaring the month of March 2017 as Problem Gambling Awareness Month. (R 78-17)..... 170

Declaring this Council’s support of the application of Cleveland Housing Network in partnership with the Metro West Office of the Detroit Shoreway Community Development Organization to the Ohio Housing Finance Agency for the use of low income housing tax credits. (R 135-17)..... 160

Supporting and encouraging Mayor Jackson and his Administration to continue and expand the development of smart city technology and collaborative partnerships with the private sector that will provide social and economic benefits to the City of Cleveland and the surrounding region. (R 1458-16) 169

Supporting the proposal of Famicos Foundation to the City of Cleveland Land Bank to acquire 24 Land Bank parcels for the use of low-income housing tax credits. (R 79-17) 170

Safety Department

Appointing three members to the Civilian Police Review Board. (R 146-17) 161

Authorizing the Director of Public Safety to enter into an amendment to Contract No. PS 2011 214 with Tyler Technologies, Inc. fka New World Corporation to provide additional licenses and to add the remainder of the police districts to implement the new Law Enforcement Record Management System; and to extend the term of the contract until December 31, 2017. (O 76-17) 162

Authorizing the Director of Public Safety to enter into one or more requirement contracts with the Department of Mental Health and Addiction Services for pharmaceutical supplies, services and equipment, for the Division of Correction, Department of Public Safety, for a period not to exceed one year, with an option to renew for one additional year, exercisable by the Director of Public Safety. (O 75-17)..... 161

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Supporting the proposal of Famicos Foundation to the City of Cleveland Land Bank to acquire 24 Land Bank parcels for the use of low-income housing tax credits. (R 79-17) 170

Tax Increment Financing (TIF)

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Utilities Department

Authorizing the Director of Public Utilities to exercise the first option to renew Contract No. RC 2015 56 with Rexel, Inc. to maintain and replace components of the SCADA and PCCS water plant systems which are manufactured by Rockwell Automation Inc. (O 134-17) 160

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Authorizing the issuance of a permit to IGS to engage in Mobile Vending (General Merchandise) in Ward 1. (O 136-17) 160

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Strongly objecting to the recent Presidential Executive Order temporarily banning entry into the United States for migrants from seven Muslim-majority countries and refugees from around the world and joining with all Americans who believe that the Executive Order is unlawful and un-American and further, declaring Cleveland, Ohio to be a "Welcoming City" and calling upon the people of Cleveland to join together to build a stronger, united community. (R 120-17) 170

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Strongly objecting to the recent Presidential Executive Order temporarily banning entry into the United States for migrants from seven Muslim-majority countries and refugees from around the world and joining with all Americans who believe that the Executive Order is unlawful and un-American and further, declaring Cleveland, Ohio to be a "Welcoming City" and calling upon the people of Cleveland to join together to build a stronger, united community. (R 120-17) 170

Ward 06

Establishing a Planned Unit Development (PUD) for the Legacy Pointe at St. Luke’s housing development between E. 110th Street and E. 115th Street north of MLK Jr. Drive and south of Woodland Ave and designating Britt Oval as an Open Space Recreation district as shown on the attached map (Map Change No. 2552). (O 1446-16) 162

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Authorizing the Commissioner of Purchases and Supplies to sell City owned property no longer needed for public use located at the intersection of Argus Avenue and East 133rd Street to the Northeast Ohio Regional Sewer District, for purposes of accessing its Heights Hilltop interceptor site. (O 129-17)..... 152
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Ward 11

#4219899. New License Application, C1. Jaigurudev Krupa LLC, 3961 West 105th St. (Ward 11). (F 142-17) 152

Ward 12

#87992400350. New License Application, C1. Target Corporation, 3535 Steelyard Dr. (Ward 12). (F 143-17) 152

Ward 13

Authorizing the Director of Finance to employ one or more professional consultants, computer software developers, or vendors to maintain and upgrade the wireless broadband network for the Ward 13 WiFi Project and to acquire licenses and other professional services necessary to implement the system, including project management, installing, designing, training, testing, programming, integrating, managing connections, maintenance, technical support, acquiring network equipment and incidental supplies, and other related issues, for the Division of Information Technology and Services Department of Finance, for a period of three years, with two one year options to renew. (O 121-17) 162
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Strongly objecting to the recent Presidential Executive Order temporarily banning entry into the United States for migrants from seven Muslim-majority countries and refugees from around the world and joining with all Americans who believe that the Executive Order is unlawful and un-American and further, declaring Cleveland, Ohio to be a “Welcoming City” and calling upon the people of Cleveland to join together to build a stronger, united community. (R 120-17) **170**

Ward 15

Authorizing the Director of Capital Projects to issue a permit to SAMCO Properties, Ltd. to encroach into the public right-of-way of Clifton Boulevard N.W. and West 117th Street by installing, using, and maintaining two entry-way frost slabs (O 1445-16) 161

Authorizing the Director of Economic Development to execute a deed of easement granting to SAMCO Properties LTD, or its designees, certain easement rights in property currently known as Permanent Parcel Number 001-21-011 located near the intersection of Lake Avenue and West 117th Street, and declaring that the easement rights granted are not needed for the City’s public use. (O 133-17) 159

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Strongly objecting to the recent Presidential Executive Order temporarily banning entry into the United States for migrants from seven Muslim-majority countries and refugees from around the world and joining with all Americans who believe that the Executive Order is unlawful and un-American and further, declaring Cleveland, Ohio to be a “Welcoming City” and calling upon the people of Cleveland to join together to build a stronger, united community. (R 120-17) **170**

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Welcome

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Zoning

Establishing a Planned Unit Development (PUD) for the Legacy Pointe at St. Luke’s housing development between E. 110th Street and E. 115th Street north of MLK Jr. Drive and south of Woodland Ave and designating Britt Oval as an Open Space Recreation district as shown on the attached map (Map Change No. 2552). (O 1446-16) 162