

The City Record

Official Publication of the Council of the City of Cleveland



January the Fifth, Two Thousand and Eleven

Frank G. Jackson
Mayor

Martin J. Sweeney
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward Name

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

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www.clevelandcitycouncil.org

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

Ward Name Residence

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

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

MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff
Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer
Valerie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs
Chris Warren, Executive Assistant to the Mayor, Chief of Regional Development
Monyka S. Price, Executive Assistant to the Mayor, Chief of Education
Maureen Harper, Executive Assistant to the Mayor, Chief of Communications
Andrea V. Taylor, Executive Assistant to the Mayor, Press Secretary
Andrew Watterson, Executive Assistant to the Mayor, Chief of Sustainability
Natoya J. Walker Minor, Chief of Public Affairs – Director of Equal Opportunity.
DEPT. OF LAW – Robert J. Triozzi, Director, Richard F. Horvath, Chief Corporate Counsel,
Thomas J. Kaiser, Chief Trial Counsel, Barbara A. Langhenry, Chief Counsel, Rm. 106
Pam Benjamin, Law Librarian, Room 100

DEPT. OF FINANCE – Sharon Dumas, Director, Room 104;
Frank Badalamenti, Manager, Internal Audit

DIVISIONS: Accounts – Richard W. Sensenbrenner, Commissioner, Room 19
Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122
City Treasury – _____, Treasurer, Room 115
Financial Reporting and Control – James Gentile, Controller, Room 18
Information Technology and Services – Douglas Divish, Commissioner, 205 W. St. Clair
Avenue
Purchases and Supplies – James E. Hardy, Commissioner, Room 128
Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue
Taxation – Nassim Lynch, Tax Administrator, 205 W. St. Clair Avenue
DEPT. OF PUBLIC UTILITIES – Barry A. Withers, Director, 1201 Lakeside Avenue
DIVISIONS – 1201 Lakeside Avenue
Cleveland Public Power – Ivan Henderson, Commissioner
Street Lighting Bureau – _____, Acting Chief
Utilities Fiscal Control – Dennis Nichols, Commissioner
Water – _____, Commissioner
Water Pollution Control – Ollie Shaw, Commissioner
DEPT. OF PORT CONTROL – Ricky D. Smith, Director
Cleveland Hopkins International Airport, 5300 Riverside Drive
Burke Lakefront Airport – Khalid Bahhur, Commissioner
Cleveland Hopkins International Airport – Fred Szabo, Commissioner
DEPT. OF PUBLIC SERVICE – Jomarie Wasik, Director, Room 113
DIVISIONS: Architecture – Kurt Wiebusch, Commissioner, Room 517
Engineering and Construction – _____, Commissioner, Room 518
Motor Vehicle Maintenance, Daniel A. Novak, Commissioner, Harvard Yards
Streets – Randall T. Scott, Commissioner, Room 25
Traffic Engineering – Robert Mavec, Commissioner, 4150 East 49th Street, Building #1
Waste Collection and Disposal – Ron Owens, Commissioner, 5600 Carnegie Avenue

DEPT. OF PUBLIC HEALTH – Matt Carroll, Director, Mural Building, 75 Erieview Plaza
DIVISIONS: Air Quality – Richard L. Nemeth, Commissioner
Environment – Willie Bess, Commissioner, Mural Building, 75 Erieview Plaza
Health – Karen K. Butler, Commissioner, Mural Building, 75 Erieview Plaza

DEPT. OF PUBLIC SAFETY – Martin Flask, Director, Room 230
DIVISIONS: Dog Pound – John Baird, Chief Dog Warden, 2690 West 7th Street
Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.
Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive
Fire – Paul A. Stubbs, Chief, 1645 Superior Avenue
Police – Michael C. McGrath, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street
DEPT. OF PARKS, RECREATION & PROPERTIES – Michael Cox, Director
Cleveland Convention Center, Clubroom A, 1220 East 6th Street
DIVISIONS: Convention Center & Stadium – James Glending, Commissioner
Public Auditorium, East 6th Street and Lakeside Avenue
Parking Facilities – Leigh Stevens, Commissioner
Public Auditorium, East 6th Street and Lakeside Avenue
Park Maintenance and Properties – Richard L. Silva, Commissioner
Public Auditorium – East 6th Street and Lakeside Avenue
Property Management – Tom Nagle, Commissioner, East 49th Street & Harvard
Recreation – Kim Johnson, Commissioner, Room 8
Research, Planning & Development – Mark Fallon, Commissioner, 1501 N. Marginal Road
Burke Lakefront Airport

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director, 3rd Floor, City Hall
DIVISIONS: Administrative Services – Terrence Ross, Commissioner
Neighborhood Services – Louise V. Jackson, Commissioner
Neighborhood Development – Joseph A. Sidoti, Commissioner

DEPT. OF BUILDING AND HOUSING – Edward W. Rybka, Director, Room 500
DIVISIONS: Code Enforcement – Tyrone L. Johnson, Commissioner
Construction Permitting – Timothy R. Wolosz, Commissioner

DEPT. OF PERSONNEL AND HUMAN RESOURCES – Nycole D. West, Interim Director, Room 121

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

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

DEPT. OF CONSUMER AFFAIRS – John D. Mahone, Interim Director

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

CIVIL SERVICE COMMISSION – Room 119, Reynaldo Galindo, President; Rev. Earl Preston, Vice President; Lucille Ambroz, Secretary; Members: Diane M. Downing, Michael L. Nelson.

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

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

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

BOARD OF REVISION OF ASSESSMENTS – Law Director Robert J. Triozzi, President; Finance Director Sharon Dumas, Secretary; Council President Martin J. Sweeney.

BOARD OF SIDEWALK APPEALS – Service Director Jomarie Wasik, Law Director Robert J. Triozzi; Council Member Eugene R. Miller.

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

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

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

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

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

MORAL CLAIMS COMMISSION – Law Director Robert J. Triozzi; Chairman; Finance Director Sharon Dumas; Council President Martin J. Sweeney; Councilman Kevin Kelley.

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

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

AUDIT COMMITTEE – Yvette M. Ittu, Chairman; Debra Janik, Bracy Lewis, Diane Downing, Donna Sciarappa, Council President Martin J. Sweeney; Law Director Robert J. Triozzi.

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

Judge Courtroom

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

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

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71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

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WEDNESDAY, JANUARY 5, 2011

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CITY COUNCIL

MONDAY, JANUARY 3, 2011

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City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2010-2013

MONDAY — Alternating

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

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

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

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

MONDAY

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

TUESDAY

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

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

WEDNESDAY — Alternating

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

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

WEDNESDAY — Alternating

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

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

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

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

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

December 29, 2010

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, December 29, 2010, at 10:36 a.m. with Director Triozzi presiding.

Present: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Directors Wasik, Flask, Cox, Rush, Marion, Acting Director Thornton, Directors Fumich and Rybka.

Absent: Mayor Jackson, Director Carroll and Interim Director Mahoney.

Others: James Hardy, Commissioner, Purchases and Supplies.

Natoya Walker-Minor, Director, Office of Equal Opportunity.

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

Resolution No. 555-10.

By Director Dumas.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on December 1, 2010, for the purchase of an estimated quantity of LED streetlights, LED fluorescent tube replacements, LED bulbs, and LED traffic lights, for the various divisions of City government, under the authority of Ordinance No. 829-10, passed by the Council of the City of Cleveland on August 18, 2010, are rejected.

Yeas: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Directors Wasik, Flask, Cox, Rush, Marion, Acting Director Thornton, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Director Carroll and Interim Director Mahoney.

Resolution No. 556-10.

By Director Withers.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on November 18, 2010 for neutralization chemicals, for the Division of Water, Department of Public Utilities, under the authority of Section 129.24 of the Codified Ordinances of Cleveland Ohio, 1976, are rejected.

Yeas: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Directors Wasik, Flask, Cox, Rush, Marion, Acting Director Thornton, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Director Carroll and Interim Director Mahoney.

Resolution No. 557-10.

By Director Cox.

Be it resolved by the Board of Control of the City of Cleveland, that all bids received on December 2, 2010 for City of Cleveland Public Safety Buildings Roof Replacements for the Department of Parks, Recreation and Properties pursuant to the authority of Ordinance Nos. 886-06 and 781-09 passed by Council of the City of Cleveland on August 9, 2006 and June 1, 2009 are rejected.

Yeas: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Directors Wasik, Flask, Cox, Rush, Marion, Acting Director Thornton, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Director Carroll and Interim Director Mahoney.

Resolution No. 558-10.

By Director Withers.

Whereas, Resolution No. 153-08, adopted April 2, 2008, under the authority of Ordinance No. 775-07, passed July 11, 2007, as amended by Ordinance No. 513-10, passed May 10, 2010, the City, through its Director of Public Utilities, entered into City Contract No. 67994 with CH2M Hill, Inc. to provide professional consulting services to assist in the planning and management of the Meter Automation and Replacement Program, for the Division of Water, Department of Public Utilities, for an amount not to exceed \$3,199,986.59; and

Whereas, the City has determined that additional services are needed for the planning and management of

the Meter Automation and Replacement Program; and

Whereas, the City desires to modify City Contract No. 67994 to include additional professional services, which consists of eight sub-tasks 1) Pre-AMI Billing Clean-up Support; 2) AMI Workplan Development; 3) Billing Data and System Support Services; 4) AMI Project Controls Systems and Reporting; 5) Communications Support Services; 6) AMI Pilot Oversight; 7) Vendor Oversight and Quality Control; and 8) AMI Project Close-out, proposed by CH2M Hill, Inc. in its proposal dated December 10, 2010, for an initial period that coincides with the end of the AMR pilot project of approximately 50,000 meters, and, if the pilot project is acceptable to the Director of Public Utilities, after further approval by CRC, up to two annual renewals exercisable by the Director now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that the Director of Public Utilities is authorized to enter into a first modification to City Contract No. 67994 with CH2M Hill, Inc., on the basis of CH2M Hill, Inc.'s December 10, 2010 proposal, for additional services, and increasing the dollar amount of the contract by \$4,600,000.00 to \$7,799,986.59, increasing the subcontract amount for RNR Consulting from (MBE) \$65,420.00 (2.04%) to (CSB/MBE) \$1,116,800.00 (14.318%) and Brenda K Terrell, Ph.D & Associates from (FBE) \$84,050.00 (2.63%) to Terrell & Associates (CSB/MBE/FBE) \$312,468.00 (4.006%).

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following sub-consultant for the services to be performed under the above-authorized first modification is approved:

<u>Sub-consultant</u>	<u>Work Percentage</u>
IBM Global Business Services	\$1,185,460.00 15.198%

Yeas: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Directors Wasik, Flask, Cox, Rush, Marion, Acting Director Thornton, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Director Carroll and Interim Director Mahoney.

Resolution No. 559-10.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 1481-10, passed by the Council of the City of Cleveland on November 8, 2010, Robert E. Slavin, Inc. dba Slavin Management Consultants is selected from a list of firms determined after a full and complete canvass by the Director of Public Utilities as the firm to be employed by contract to provide professional consulting services necessary to advertise for, recruit, evaluate, and recommend potential candidates for the position of Commissioner of Water, and to perform other related services, for a period not to exceed six months, for the Division of Water, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities is authorized to enter into a contract with

Robert E. Slavin, Inc. dba Slavin Management Consultants based upon its proposal dated November 29, 2010, which contract shall be prepared by the Director of Law, shall provide for rendering the professional services described in the proposal, for an aggregate fee not exceeding \$100,000.00, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Directors Wasik, Flask, Cox, Rush, Marion, Acting Director Thornton, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Director Carroll and Interim Director Mahoney.

Resolution No. 560-10.

By Frank G. Jackson, Mayor.

Whereas, Ordinance No. 1329-10, passed December 6, 2010, provides that, upon the concurrence of this Board of Control, the Division of Neighborhood Development, and the Office of Fair Housing and Consumer Affairs are established and the Division of Real Estate, the Department of Consumer Affairs and the Office of Consumer Affairs are discontinued; and

Whereas, Ordinance No. 1329-10 provided that, upon the concurrence of this Board of Control, the Division of Neighborhood Development is established in the Department of Community Development which division shall be administered by a Commissioner of Neighborhood Development, subject to the provisions of the charter and ordinances of the City and to the direction of the Director of Community Development; and

Whereas, Ordinance No. 1329-10 provides that, upon the concurrence of this Board of Control, the Office of Fair Housing and Consumer Affairs is established in the Department of Community Development which office shall be administered by a Manager of Fair Housing and Consumer Affairs, subject to the provisions of the charter and ordinances of the City and under the supervision and direction of the Director of Community Development; and

Whereas, Ordinance No. 1329-10, provides that the duties of the Director of Community Development are amended to include monitoring and enforcement of the Cleveland Consumer Protection Code; and

Whereas, Sections 77 and 79 of the Charter of the City of Cleveland require the concurrence of this Board of Control prior to establishing and discontinuing any division or office; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that this Board concurs in the establishment of the Division of Neighborhood Development and of the Office of Fair Housing and Consumer Affairs in the Department of Community Development; the discontinuance of the Division of Real Estate, the Department of Consumer Affairs, and the Office of Consumer Affairs; and the amendment of the duties of the Director of the Department of Community Development according to the terms and conditions set forth in Ordinance No. 1329-10, passed by Cleveland City Council on December 6, 2010.

Be it further resolved that the establishment of the Division of Neighborhood Development and of the Office of Fair Housing and Consumer Affairs in the Department of Community Development; the discontinuance of the Division of Real Estate, the Department of Consumer Affairs, and the Office of Consumer Affairs; and the amendment of the duties of the Director of the Department of Community Development shall take effect on January 1, 2011.

Be it further resolved that the Secretary of the Board of Control is instructed to file a certified copy of this resolution with the Clerk of Council immediately upon the adoption of this resolution for attachment to Ordinance No. 1329-10.

Yeas: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Directors Wasik, Flask, Cox, Rush, Marion, Acting Director Thornton, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Director Carroll and Interim Director Mahoney.

Resolution No. 561-10.

By Frank G. Jackson, Mayor.

Whereas, Ordinance No. 1330-A-10, passed December 6, 2010, provided that, upon the concurrence of this Board of Control, the Department of Public Works is established and the Department of Public Service, the Department of Parks, Recreation and Properties, the Division of Engineering and Construction, the Division of Architecture, and the Division of Research, Planning and Development are discontinued; and

Whereas, Ordinance No. 1330-A-10 provided that upon the concurrence of this Board of Control a Department of Public Works is established, to be controlled and administered by a Director of Public Works, subject to the provisions of the charter and ordinances of the City and to the direction of the Mayor; and

Whereas Sections 77 and 79 of the Charter of the City of Cleveland require the concurrence of this Board of Control prior to establishing and discontinuing a department and division; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that this Board concurs in the establishment of the Department of Public Works and the discontinuance of the Departments of Public Service and Parks, Recreation and Properties and the discontinuance of the Divisions of Engineering and Construction, Architecture, and Research, Planning and Development, according to the terms and conditions set forth in Ordinance No. 1330-A-10, passed by Cleveland City Council on December 6, 2010.

Be it further resolved that the establishment of the Department of Public Works and the discontinuance of the Departments of Public Service and Parks, Recreation and Properties and the discontinuance of the Divisions of Engineering and Construction, Architecture, and Research, Planning and Development shall take effect on January 1, 2011.

Be it further resolved that the Secretary of the Board of Control is instructed to file a certified copy of this resolution with the Clerk of Council immediately upon the adoption of this resolution for attachment to Ordinance No. 1330-A-10.

Yeas: Directors Triozzi, Dumas, Withers, Acting Director Danger-

field, Directors Wasik, Flask, Cox, Rush, Marion, Acting Director Thornton, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Director Carroll and Interim Director Mahoney.

Resolution No. 562-10.

By Frank G. Jackson, Mayor.

Whereas, Ordinance No. 1332-10, passed November 22, 2010, provides that, upon the concurrence of this Board of Control, the Office of Capital Projects is established in the Office of the Mayor, and that the Division of Engineering and Construction, the Division of Architecture and Site Development, and the Division of Real Estate are established in the Office of Capital Projects; and

Whereas, Ordinance No. 1332-10 provided that there be established an Office of Capital of Projects 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 Capital Projects subject to Mayor's supervision and control; and

Whereas, Ordinance No. 1332-10 provided that there be established a Division of Engineering and Construction in the Office of Capital Projects to be administered by a Special Assistant to the Mayor, appointed by the Mayor to be the Manager of Engineering and Construction, subject to the provisions of the charter and ordinances of the City and to the direction of the Mayor; and

Whereas, Ordinance No. 1332-10 provided that there be established a Division of Architecture and Site Development in the Office of Capital Projects to be administered by a Special Assistant to the Mayor, appointed by the Mayor to be the Manager of Architecture and Site Development, subject to the provisions of the charter and ordinances of the City and to the direction of the Mayor; and

Whereas, Ordinance No. 1332-10 provided that there be established a Division of Real Estate in the Office of Capital Projects to be administered by a Commissioner of Real Estate, subject to the provisions of the charter and ordinances of the City and to the direction of the Director of Capital Projects.

Whereas Sections 77 and 79 of the Charter of the City of Cleveland require the concurrence of this Board of Control prior to discontinuance and establishment of an office or division; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that this Board concurs in the establishment of the Office of Capital Projects in the Office of the Mayor and the Division of Engineering and Construction, the Division of Architecture and Site Development, and the Division of Real Estate in the Office of Capital Projects according to the terms and conditions set forth in Ordinance No. 1332-10, passed by Cleveland City Council on November 22, 2010.

Be it further resolved that the establishment of the Office of Capital Projects in the Office of the Mayor, and the Division of Engineering and Construction, the Division of Architecture and Site Development, and the Division of Real Estate in the Office of Capital Projects shall take effect on January 1, 2011.

Be it further resolved that the Secretary of the Board of Control is instructed to file a certified copy of this resolution with the Clerk of Council immediately upon the adoption of this resolution for attachment to Ordinance No. 1332-10.

Yeas: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Directors Wasik, Flask, Cox, Rush, Marion, Acting Director Thornton, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Director Carroll and Interim Director Mahoney.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

ROBERT BENNETT,
President

**SCHEDULE OF THE BOARD
OF ZONING APPEALS**

TUESDAY, JANUARY 18, 2011

9:30 A.M.

Calendar No. 10-227: 820 College Avenue (Ward 3)

Tom Leneghan, owner, appeals to remove a parking lot and add outdoor patios for a bar/restaurant/tavern on a 38' x 70' lot in a General Retail Business District; contrary to Section 349.02 where existing parking facilities, in all use districts, shall not voluntarily be reduced below the requirements in Chapter 349 of the Cleveland Zoning Code, and four (4) spaces are eliminated at the existing lot, reducing accessory off-street parking, with no approvable plan submitted to replace the spaces or for the required spaces with the new patio use; and accessory off-street parking for an bar/restaurant/tavern use is determined at the rate of either one (1) space for each 100 square feet

of floor area devoted to patron use or one (1) space for each four (4) seats based upon the maximum seating capacity, whichever is greater, plus one (1) parking space per employee; no parking plan is provided and parking is required for both new patio areas; and a 10 foot wide landscaping strip providing, 75 percent year round opacity, is required where the proposed patio use abuts a residential district to the east, and no landscaping plan is provided, contrary to Sections 352.08 through 352.12 of the Cleveland Codified Ordinances.

Calendar No. 10-229: 1365 West 65th Street (Ward 15)

Jill Davis, owner, appeals for a change of use from a store to a restaurant an existing one-story building on a 40' x 115.78' parcel in a Local Retail Business District; subject to the provisions of Section 349.04(f) that require off-street parking at the rate of one (1) for each employee, plus one (1) for each 100 square feet of floor area devoted to patron use or one (1) space for each four (4) seats based on the maximum capacity, whichever is greater, according to the Cleveland Codified Ordinances.

Calendar No. 10-237: 9515 Woodland Avenue (Ward 6)

Independence Excavating, Inc., owner, appeals for a change of use for stockpiling of various construction materials, storage and processing of recycled material that includes rock crushing on acreage in a General Industry District; subject to the limitations of Section 345.04(b)(1) rock crushing is not permitted and first permitted pursuant to Section 345.05 in an Unrestricted Industry District; and dust, odor, noise and vibration shall be confined to the premises, as required in Section 347.05 of the Cleveland Codified Ordinances.

Calendar No. 10-238: 9521 Woodland Avenue (Ward 6)

Eaton Park Leasing, Inc., owner, appeals for a change of use for stockpiling of various construction materials, storage and processing of recycled material that includes rock crushing on acreage in a General Industry District; subject to the limitations of Section 345.04(b)(1) rock crushing is not permitted and first permitted pursuant to Section 345.05 in an Unrestricted Industry District; and dust, odor, noise and vibration shall be confined to the premises, as required in Section 347.05 of the Cleveland Codified Ordinances.

Calendar No. 10-239: 9525 Woodland Avenue (Ward 6)

Eaton Park Leasing, Inc., owner, appeals for a change of use for stockpiling of various construction materials, storage and processing of recycled material that includes rock crushing on acreage in a General Industry District; subject to the limitations of Section 345.04(b)(1) rock crushing is not permitted and first permitted pursuant to Section 345.05 in an Unrestricted Industry District; and dust, odor, noise and vibration shall be confined to the premises, as required in Section 347.05 of the Cleveland Codified Ordinances.

Calendar No. 10-250: 1122 Ansel Road (Ward 7)

Cleveland Metropolitan School District, owner, appeals to construct a new 40 car parking lot in a Multi-Family District at the southwest

corner of Ansel Road and Pulaski Avenue; subject to the provisions in Section 359.01(a), except as provided in Section 347.06 and Chapter 351, use of building or land lawfully existing on the effective date of the Zoning Code, or any amendment or supplement thereto or for which a permit has been lawfully issued may be continued even though such use does not conform to the zoning district where it is located; but no expansion, substitution or other change in such nonconforming use to other than a conforming use is permitted, except as a variance under the terms of Chapter 329 and by special permit issued only if the Board of Zoning Appeals finds, after public hearing, that such expansion or substitution or other change is no more harmful or objectionable than the previous nonconforming use in floor or other space occupied, in volume of trade or production, in kind of goods sold or produced, in daily hours or other period of use, in the type or number of persons to occupy or to be attracted to the premises or in any other characteristic of the new use as compared with the previous use.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, JANUARY 3, 2011

At the meeting of the Board of Zoning Appeals on Monday, January 3, 2011, the following appeals were heard by the Board.

The following appeals were **Approved:**

Calendar No. 10-246: 3645 West 117th Street
Fahed Mohammad and Fahim Eddir, owners, appealed to change use from a day care to a grocery store and deli in a Residence Office District.

Calendar No. 10-207: 1001 Fairfield Avenue
Gillota Fuel Products, Inc. appealed to establish use, maintain a gas station and repair garage, on a corner parcel in a General Retail business district; subject to conditions.

The following appeal was **Denied:**

Calendar No. 10-236: 17000 St. Clair Avenue
Aljon LLC appealed from a decision of the Cleveland Department of Building and Housing to refuse authorization for a permit to allow processing of mulch in a General Industry District.

The following appeals were **Withdrawn:**

None.

The following appeals were **Dismissed:**

None.

The following appeals were **Postponed:**

Calendar No. 10-230: 4210 Franklin Boulevard postponed to January 24, 2011.

Calendar No. 10-232: 1594 East 96th Street postponed to February 7, 2011.

Calendar No. 10-233: 1598 East 96th Street postponed to February 7, 2011.

Calendar No. 10-234: 1600 East 96th Street postponed to February 7, 2011.

Calendar No. 10-235: 1608 East 96th Street postponed to February 7, 2011.

Calendar No. 10-247: 2318 West 5th Street postponed to February 7, 2011.

No appeals heard by the Board on December 20, 2010, nor any other appeals pending for ratification, were adopted and approved on January 3, 2011.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

NO BIDS

ADOPTED RESOLUTIONS AND ORDINANCES

NONE

COUNCIL COMMITTEE MEETINGS

NO MEETINGS

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O—Ordinance; R—Resolution; F—File
 Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
 Bold type in sections indicates amendments

Board of Control — Architecture and Site Development Division

Establishment — concur per Ord. 1332-10 (BOC Res. 562-10) 5

Board of Control — Architecture Division

Discontinuance — concur per Ord. 1330-A-10 (BOC Res. 561-10)..... 4

Board of Control — Capital Projects Office

Establishment — Architecture and Site Development Division — Engineering and Construction Division — Real Estate Division — Consumer Affairs Department — concur per Ord. 1332-10 (BOC Res. 562-10) 5

Board of Control — Community Development Department

Neighborhood Development Division — Fair Housing and Consumer Affairs Office — Establishment — Real Estate Division — Consumer Affairs Department — discontinuance — concur per Ord. 1329-10 (BOC Res. 560-10)..... 4

Board of Control — Consumer Affairs Department

Discontinuance — concur per Ord. 1329-10 (BOC Res. 560-10) 4

Board of Control — Engineering and Construction Division

Establishment as part of Office of Capital Projects — concur per Ord. 1332-10 (BOC Res. 562-10) 5

Board of Control — Fair Housing and Consumer Affairs Office

Establishment — concur per Ord. 1329-10 (BOC Res. 560-10) 4

Board of Control — Finance Department

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all bids rejected (BOC Res. 555-10) 3

Board of Control — Neighborhood Development Division

Establishment — concur per Ord. 1329-10 (BOC Res. 560-10) 4

Board of Control — Parks, Recreation and Properties Department

Discontinuance — concur per Ord. 1330-A-10 (BOC Res. 561-10)..... 4
Roof replacements for Public Safety buildings — per Ord 886-06, 781-09 — all bids
rejected (BOC Res. 557-10) 3

Board of Control — Professional Service Contracts

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Board of Control — Public Service Department

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Meter Automation and Replacement Program consulting services — modify Contract #67994 per
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Board of Control — Public Works Department

Establishment — concur per Ord. 1330-A-10 (BOC Res. 561-10) 4

Board of Control — Real Estate Division

Discontinuance as part of Community Development Department — concur per Ord. 1329-10
(BOC Res. 560-10) 4
Establishment as part of Office of Capital Projects — concur per Ord. 1332-10 (BOC Res. 562-10) 5

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Management Consultants — Dept. of Public Utilities (BOC Res. 559-10) 4
Meter Automation and Replacement Program consulting services — modify Contract #67994 per
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