

# The City Record

Official Publication of the Council of the City of Cleveland



April the Third, Two Thousand and Thirteen

**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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# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

Ward	Name	Residence	
1	Terrell H. Pruitt	16920 Throckley Avenue	44128
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

### MAJOR – Frank G. Jackson

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

### OFFICE OF CAPITAL PROJECTS – Jomarie Wasik, Director

**DIVISIONS:**  
 Architecture and Site Development – Robert Vilkas, Chief Architect, Manager  
 Engineering and Construction – Richard J. Switalski, Manager  
 Real Estate – James DeRosa, Commissioner

**DEPT. OF LAW** – Barbara A. Langhenry, Director, \_\_\_\_\_, Chief Counsel,  
 Richard F. Horvath, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel,  
 Room 106: John Skrtic, Law Librarian, Room 100

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

Frank Badalamenti, 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 – James E. Hardy, Commissioner, Room 128  
 Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue  
 Taxation – Nassim Lynch, Tax Administrator, 205 W. St. Clair Avenue

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

**DIVISIONS:**  
 Cleveland Public Power – Ivan Henderson, Commissioner  
 Street Lighting Bureau – \_\_\_\_\_, Acting Chief  
 Utilities Fiscal Control – Dennis Nichols, Commissioner  
 Water – Alex Margevicius, Interim Commissioner  
 Water Pollution Control – Rachid Zoghba, Commissioner

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

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

### DEPT. OF PUBLIC WORKS – Michael Cox, Director

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

**DIVISIONS:**  
 Motor Vehicle Maintenance – Daniel A. Novak, Commissioner  
 Park Maintenance and Properties – Richard L. Silva, Commissioner  
 Parking Facilities – Antonette Thompson, Interim Commissioner  
 Property Management – Tom Nagle, Commissioner  
 Recreation – Samuel Gissentaner, Interim Commissioner  
 Streets – \_\_\_\_\_, Commissioner  
 Traffic Engineering – Robert Mavec, Commissioner  
 Waste Collection and Disposal – Randall T. Scott, Interim Commissioner

### DEPT. OF PUBLIC HEALTH – Karen Butler, Director, Mural Building, 75 Erieview Plaza

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

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

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

### DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director

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

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

**DIVISIONS:**  
 Code Enforcement – Thomas E. Vanover, Commissioner  
 Construction Permitting – Narid Hussain, Commissioner

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

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

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

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

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

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

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

**BOARD OF BUILDING STANDARDS AND BUILDING APPEALS** – Room 516, 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 Martin J. Sweeney.

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

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

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

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

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

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

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

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

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

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

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

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

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

# The City Record



71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

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WEDNESDAY, APRIL 3, 2013

No. 5182

## CITY COUNCIL

MONDAY, APRIL 1, 2013

The City Record  
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Address all communications to  
**PATRICIA J. BRITT**  
City Clerk, Clerk of Council  
216 City Hall

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2010-2013

#### MONDAY — Alternating

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

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

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, Sweeney.

#### MONDAY

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

#### 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:** Zone, Chair; Pruitt, 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:** Pruitt, Chair; Brady, Vice Chair; Conwell, Cummins, Dow, Kelley, Miller, Polensek, 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.

**Sustainability Sub-Committee:** Zone, Chair; Westbrook, Vice Chair; Cummins.

### OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio  
Monday, April 1, 2013

The meeting of the Council was called to order with the President of Council, Martin J. Sweeney, in the Chair.

Council Members present: Dona Brady, Anthony Brancatelli, Phyllis E. Cleveland, Kevin Conwell, T.J. Dow, Jeffrey D. Johnson, Kenneth L. Johnson, Martin J. Keane, Kevin J. Kelley, Eugene R. Miller, Mamie J. Mitchell, Michael D. Polensek, Zack Reed, Martin J. Sweeney and Jay Westbrook.

Also present were: Mayor Frank G. Jackson, Chief of Staff Ken Siliman, Chief Operating Officer Darnell Brown, Chief of Regional Development Chris Warren, Chief of Education Monyka S. Price, Chief of Communications Maureen Harper, Chief of Public Affairs Natoya Walker-Minor, and Directors Langhenry, Dumas, Bender, Smith, Wasik, Butler, Cox, Rush, Rybka, Southerington, Nichols, Griffin, Brown, Fumich, and Ambroz.

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 Kelley, the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Council Member Reed.

#### COMMUNICATIONS

##### File No. 475-13.

From Ivan Henderson, Commissioner, Cleveland Public Power. Notification of CPP's designation as a Reliable Public Power Provider by the American Public Power Association. Received.

##### File No. 476-13

From Jim Lisner of VivaHer-mosa.com. Information for the city to consider about red light cameras before acting on a contract renewal. Received.

#### FROM OHIO DIVISION OF LIQUOR CONTROL

##### File No. 485-13.

RE: #6622582 C1 C2 D6 — Stock Change Application — P & S St. Clair Liquor Inc., 16208 St. Clair Ave. (Ward 11). Received.

#### CONDOLENCE RESOLUTIONS

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

**Res. No. 477-13**—Richmond Arthur Jones.

**Res. No. 478-13**—Cyrus Vincere Grant Warren.

**Res. No. 479-13**—Larry "Pete" Coleman.

#### CONGRATULATION RESOLUTION

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

**Res. No. 480-13**—Michael T. Hughes.

#### RECOGNITION RESOLUTION

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

**Res. No. 486-13**—Cleveland Dyngus Day.

#### FIRST READING EMERGENCY ORDINANCE REFERRED

##### Ord. No. 481-13.

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

An emergency ordinance to amend Sections 447.01 and 447.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 437-01, passed June 19, 2001 and Ordinance No. 1237-12, passed October 15, 2012, relating to route map and operations schedule for carriages.

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 Sections 447.01 and 447.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 437-01, passed June 19, 2001 and Ordinance No. 1237-12, passed October 15, 2012, is amended to read as follows:

**Section 447.01 Definitions**

(a) "Carriage" means a horse-drawn or manually- or mechanically-driven vehicle the owner or operator of which secures or accepts passengers for hire on public streets or in public or quasi-public places, including, but not limited to, horse-drawn carriages, pedal-propelled carriages, and pedicabs.

(b) "Carriage Operator" means the person in actual physical control of a carriage.

(c) "Carriage Operator's Assistant" means the person required by division (b) of Section 447.08 to assist the Carriage Operator with those duties which are ancillary to the operation of the carriage.

(d) "Commissioner" means the Commissioner of Assessments and Licenses or his or her designee.

(e) "Carriage Business" means the business of transporting persons for hire by carriage.

(f) "For hire" has the same meaning as defined in Section 401.30.

(g) "Police Traffic Commissioner" means the Commissioner of Traffic Control of the Division of Police.

**Section 447.06 Route Map and Operations Schedule**

(a) A carriage business shall operate only upon routes and under schedules which have been submitted to and approved by the **Director of Public Works** and the Police Traffic Commissioner.

(b) The route map and operations schedule shall be filed with the application for a carriage business license and shall contain the following:

(1) A map of the tour routes on which the business' carriages will operate;

(2) The location of any curbside areas to be designated as zones for pickup and discharge of passengers; and

(3) With respect to horse-drawn carriages, the location of the site or sites to be used for off-street storage, stabling, and loading of carriages and horses.

(c) The **Director of Public Works** and the Police Traffic Commissioner may reject any route map and operations schedule, the implementation of which would result in the unsafe use of public rights of way or an unreasonable impediment to the orderly flow of traffic.

(d) The licensee may file with the **Commissioner of Assessments and Licenses** additional routes from time to time, provided that they have first been submitted to and approved by the **Director of Public Works** and the Police Traffic Commissioner.

(e) Nothing in this section shall be construed to prohibit a licensee from operating on special routes for special events, including without limitation weddings, dinner-and-theater packages, concerts and other performances, provided that the routes have first been submitted to and approved

by the **Director of Public Works** and the Police Traffic Commissioner.

(f) Upon receipt of an application, the Commissioner of Assessments and Licenses shall notify the Council Member or Members in whose ward or wards a carriage business intends to operate for their written recommendation of approval. No license shall be issued until the expiration of thirty (30) days from the date of the notice, unless the period of thirty (30) days is expressly waived by the Council members in writing.

**Section 2.** That existing Sections 447.01 and 447.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 437-01, passed June 19, 2001 and Ordinance No. 1237-12, passed October 15, 2012, are repealed.

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

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

**FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED**

**Ord. No. 482-13.**

**By Council Member Conwell.**

**An emergency ordinance authorizing the Director of the Department of Public Health to enter into an agreement with the Cleveland Clinic: Minority Men's Health Center for the Minority Men's Health and Community Health Educational Event through the use of Ward 9 Neighborhood Capital Funds.**

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

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

**Section 1.** That the Director of the Department of Public Health is authorized to enter into an agreement with the Cleveland Clinic: Minority Men's Health Center for the Minority's Men's Health and Community Health Education Event for the public purpose of educating city of Cleveland residents on disease prevention and maintaining good health through the use of Ward 9 Neighborhood Capital Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$5,000 and shall be paid from Fund No. 10 SF 177.

**Section 3.** That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

the earliest period allowed by law.

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

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

**Ord. No. 484-13.**

**By Council Member Cimperman.**

**An emergency ordinance authorizing the issuance of a Frozen Dessert Mobile Permit to Adam Boda to engage in mobile vending in Ward 3.**

Whereas, pursuant to Section 675.07 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 Adam Boda to engage in mobile vending outside of the Central Business district, and has determined that it is in the public interest to allow Adam Boda to engage in mobile vending in Ward 3; 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 to Adam Boda to engage in mobile vending in the public rights of way in Ward 3.

**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 third time in full. Passed. Yeas 15. Nays 0.

**FIRST READING EMERGENCY RESOLUTION READ IN FULL AND ADOPTED**

**Res. No. 483-13.**

**By Council Member Brady.**

**An emergency resolution objecting to a New C1 Liquor Permit at 4281 West 130th Street.**

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 Liquor Permit at Walgreen Co., DBA Walgreens, #03234, 4281 West 130th Street, Cleveland, Ohio 44135, Permit Number 935794132340; 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 Department 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 Director 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 a New C1 Liquor Permit at Walgreen Co., DBA Walgreens, #03234, 4281 West 130th Street, Cleveland, Ohio 44135, Permit Number 935794132340; and requests the Director 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 third time in full. Adopted. Yeas 15. Nays 0.

#### SECOND READING EMERGENCY ORDINANCES PASSED

##### Ord. No. 67-13.

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

An emergency ordinance authorizing the Director of the City Planning Commission to apply for and accept a grant from the Robert Wood Johnson

Foundation and PEW Charitable Trusts for the Health Impact Assessment Capacity Building Program; and authorizing the Director to enter into one or more contracts with various agencies, entities, or individuals to implement the grant.

Approved by Directors of City Planning Commission, Public Health, Finance, Law; Passage recommended by Committees on City Planning, Health and Human Services, Finance, when amended, as follows:

1. In the title, lines 2 and 3; Section 1, line 1, and in Section 4, line 4, strike "Director of the City Planning Commission" and insert "**Director of City Planning, in coordination with the Director of Public Health,**".

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. 127-13.

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

An emergency ordinance authorizing the Director of Community Development to apply for and accept grants from the United States Department of Housing and Urban Development for the CDBG Year 39 under the Title I of the Housing and Community Development Act of 1974, for the 2013 Federal HOME Investment Partnerships Act Program, Emergency Solutions Grant Program, and the Housing Opportunities for Persons with AIDS Program.

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

1. In Section 1, line 3, strike "\$18,400,000" and insert "**\$19,039,000**"; in line 4, strike "\$3,703,000" and insert "**\$3,832,000**"; in line 5, strike "\$1,721,500" and insert "**\$1,781,000**"; and in line 6, strike "\$888,000" and insert "**\$918,000**".

2. In Section 2, lines 1 and 2, strike "for the grants, placed in File No. 127-13-A" and insert "**, reconciled 2013 CDBG Year 39 Budget, and the Comparison of HUD Budget 2012-2013, placed in File No. 127-13-B**".

Amendments 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. 356-13.

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

An emergency ordinance authorizing the Director of Port Control to enter into an amendment to Lease Agreement No. 69361 with Premier Flight Academy, Ltd. to increase the leased premises at Burke Lakefront

Airport being used for office space for flight training and related services, for a period up to five months; and authorizing the Director to enter into a Lease Agreement with Premier Flight Academy, Ltd. for the lease of office space at Burke Lakefront Airport for flight training and to provide related services, for the Department of Port Control, for a period of two years, with two one-year options to renew, the first of which requires additional legislative authority.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance.

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

##### Ord. No. 361-13.

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 AirNet Systems, Inc. for the lease of space in the passenger terminal building at Burke Lakefront Airport to be used for flight planning and as a crew layover rest area, for the Department of Port Control, for a period of two years, with two one-year options to renew, the first of which is exercisable through additional legislative authority.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance.

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

##### Ord. No. 362-13.

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 World Wide Flight Services for the lease of space in the South Cargo Facility Building at Cleveland Hopkins International Airport for operation of an air cargo facility, for the Department of Port Control, for a period of two years, with two one-year options to renew, the first of which is exercisable through additional legislative authority.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance.

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

##### Ord. No. 365-13.

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

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide quality assurance and surveying services for airport-related projects, for a period of one year, with three one-year options to renew, the second of which requires additional legislation.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance.

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 Kelley, the absences of Council Members Joe Cimperman, Brian J. Cummins and Terrell H. Pruitt are hereby authorized. Seconded by Council Member Cleveland.

#### MOTION

The Council Meeting adjourned at 7:31 p.m. to meet on Monday, April 8, 2013, at 7:00 p.m. in the Council Chamber.



Patricia J. Britt  
City Clerk, Clerk of Council

#### THE CALENDAR

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

NONE

#### BOARD OF CONTROL

March 27, 2013

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, March 27, 2013 at 10:37 a.m. with Director Langhenry presiding.

Present: Directors Langhenry, Dumas, Bender, Smith, Cox, Butler, Acting Director Withers, Directors Rush, Southerington, Fumich and Rybka.

Absent: Mayor Jackson and Director Nichols.

Others: Jomarie Wasik, Director, Mayor's Office of Capital Projects. Jim Hardy, Commissioner, Purchases & Supplies.

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

##### Resolution No. 132-13.

By Director Withers.  
Be it resolved by the Board of Control of the City of Cleveland that the bid of The H. Leff Electric Company for an estimated quantity of street lighting lamps, Group A, items 1 through 4, and item 6, Group B, items 7 through 13, Group C, items 14 through 22, Group D, item 24, and items 26 through 28, Group E, items 29 through 31, and Group F, items 32 through 33, for the Divi-

sion of Cleveland Public Power, Department of Public Utilities, for a period of two years starting upon the execution of a contract, received on December 13, 2012, under the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$688,447.00 (0%, 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the required goods and/or services.

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

Yeas: Directors Langhenry, Dumas, Bender, Smith, Cox, Butler, Acting Director Withers, Directors Rush, Southerington, Fumich and Rybka.

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

##### Resolution No. 133-13.

By Director Withers.  
Be it resolved by the Board of Control of the City of Cleveland that the bid of WESCO Distribution Inc. for an estimated quantity of street lighting lamps, Group A, item 5, Group G, items 34 through 37, and Group H, items 38 through 43, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two years starting upon the execution of a contract, received on December 13, 2012, under the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$303,265.80 (0%, 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the required goods and/or services.

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

Yeas: Directors Langhenry, Dumas, Bender, Smith, Cox, Butler, Acting Director Withers, Directors Rush, Southerington, Fumich and Rybka.

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

##### Resolution No. 134-13.

By Director Withers.  
Be it resolved by the Board of Control of the City of Cleveland that the bid of RA STRAUSS Electric Supply Co. for an estimated quantity of street lighting lamps, Group I, item 44, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two years starting upon the execution of a contract, received on December 13,

2012, under the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$2,422.02 (0%, 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the required goods and/or services.

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

Yeas: Directors Langhenry, Dumas, Bender, Smith, Cox, Butler, Acting Director Withers, Directors Rush, Southerington, Fumich and Rybka.

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

##### Resolution No. 135-13.

By Director Bender.  
Be it resolved by the Board of Control of the City of Cleveland that the bid of Utilicon Corp. for the public improvement of East 9th street cleaning and structural lining, including a \$236,186.00 contingency allowance, all items, for the Division of Water, Department of Public Utilities, received on February 20, 2013, under the authority of Ordinance No. 1691-12, passed December 3, 2012, upon a unit basis for the improvement in the aggregate amount of \$2,598,046.00, is affirmed and approved as the lowest responsible bid, and the Director of Public Utilities is authorized to enter into a contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Utilicon Corp for the above-mentioned public improvement is approved:

<u>SUBCONTRACTOR</u>	<u>WORK PERCENTAGE</u>
Dan-Ray Construction, LLC (CSB/MBE)	\$720,000.00 27.713%
Tech Ready Mix. Inc. (CSB/MBE)	\$ 65,000.00 2.502%
Aqua-Rehab (USA), Inc.	\$750,000.00 28.868%

Yeas: Directors Langhenry, Dumas, Bender, Smith, Cox, Butler, Acting Director Withers, Directors Rush, Southerington, Fumich and Rybka.

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

##### Resolution No. 136-13.

By Director Smith.  
Be it resolved by the Board of Control of the City of Cleveland that the bid of Superior Insulation, Inc., for the public improvement of Residential Sound Insulation Program (RSIP) Phase II Continuation Con-

tract B-12-1 General Construction, for the Department of Port Control, received on September 14, 2012 under the authority of Ordinance No. 930-95, 469-98, 327-00, passed by the Council of the City of Cleveland on June 19, 1998, May 18, 1998 and June 12, 2000, respectively, upon a unit basis for the improvement, in the aggregate amount of \$788,698.56, is affirmed and approved as the lowest responsible bid; and the Director of Port Control is authorized to enter into a contract for the improvement with the bidder.

Yeas: Directors Langhenry, Dumas, Bender, Smith, Cox, Butler, Acting Director Withers, Directors Rush, Southerington, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Nichols.

**Resolution No. 137-13.**

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Superior Insulation, Inc., for the public improvement of Residential Sound Insulation Program (RSIP) Phase II Continuation Contract B-12-2 HVAC Electrical Construction, for the Department of Port Control, received on September 14, 2012 under the authority of Ordinance No. 930-95, 469-98, 327-00, passed by the Council of the City of Cleveland on June 19, 1998, May 18, 1998 and June 12, 2000, respectively, upon a unit basis for the improvement, in the aggregate amount of \$711,971.27, is affirmed and approved as the lowest responsible bid; and the Director of Port Control is authorized to enter into a contract for the improvement with the bidder.

Yeas: Directors Langhenry, Dumas, Bender, Smith, Cox, Butler, Acting Director Withers, Directors Rush, Southerington, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Nichols.

**Resolution No. 138-13.**

By Director Wasik.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 606-12, passed by the Council of the City of Cleveland on June 4, 2012, Soil and Materials Engineers, Inc. is selected upon the nomination of the Mayor's Office of Capital Projects from a list of qualified engineering consultants or firms of such consultants determined to be available after a full and complete canvass by the Director of Mayor's Office 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 obtain the engineering services necessary for the Material Testing, Geotechnical, Environmental, and General Engineering Services contract.

Be it further resolved that the Director of Mayor's Office of Capital Projects is authorized to enter into a written contract with Soil and Materials Engineers, Inc. based on its proposal dated March 11, 2013, provided that the compensation to be paid shall not exceed \$350,000.00. The agreement authorized hereby

shall be prepared by the Director of Law and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following subconsultants by Soil and Materials Engineers, Inc. for the above authorized contract is approved:

Euthenics, Inc.  
(CSB) — \$52,500.00 — (15.00%)

Lawhon & Associates, Inc.  
(CSB/FBE) — \$52,500.00  
(15.00%)

C.T. Consultants, Inc.  
\$35,000.00 — (10.00%)

TranSystems, Inc.  
\$45,501.00 — (13.00%)

So-Deep, Inc.  
\$17,500.00 — (5.00%)

Smith & Nejedlik, Inc.  
\$4,375.00 — (1.25%)

Northland Research Corp.  
\$4,375.00 — (1.25%)

Yeas: Directors Langhenry, Dumas, Bender, Smith, Cox, Butler, Acting Director Withers, Directors Rush, Southerington, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Nichols.

**Resolution No. 139-13.**

By Director Wasik.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 606-12, passed by the Council of the City of Cleveland on June 4, 2012, Professional Service Industries, Inc. is selected upon the nomination of the Mayor's Office of Capital Projects from a list of qualified engineering consultants or firms of such consultants determined to be available after a full and complete canvass by the Director of Mayor's Office 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 obtain the engineering services necessary for the Material Testing, Geotechnical, Environmental, and General Engineering Services contract.

Be it further resolved that the Director of Mayor's Office of Capital Projects is authorized to enter into a written contract with Professional Service Industries, Inc. based on its proposal dated March 11, 2013, provided that the compensation to be paid shall not exceed \$350,000.00. The agreement authorized hereby shall be prepared by the Director of Law and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following subconsultants by Professional Service Industries, Inc. for the above authorized contract is approved:

Michael Benza & Assoc., Inc.  
(CSB) — \$50,000.00 — (14.29%)

Euthenics, Inc.  
(CSB) — \$50,000.00 — (14.29%)

Lawhon & Associates, Inc.  
(CSB/FBE) — \$10,000.00 — (2.86%)

C.P. Braman & Co., Inc.  
(CSB/FBE) — \$5,000.00 — (1.43%)

TranSystems, Inc.  
\$50,000.00 — (14.29%)

O.R. Colan Associates, Inc.  
\$2,500.00 — (0.72%)

TBE Group, Inc.  
\$5,000.00 — (1.43%)

Yeas: Directors Langhenry, Dumas, Bender, Smith, Cox, Butler, Acting Director Withers, Directors Rush, Southerington, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Nichols.

**Resolution No. 140-13.**

By Director Cox.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of R. J. Platten Contracting Co. (CSB/LPE), for the public improvement of East Side Maintenance Facility Phase One Site Improvements, for Base Bid Items A - F and Optional Items 3A, 6A and AA1 for the Division of Architecture and Site Development Department of Public Works, received on February 6, 2013, under the authority of Ordinance No. 453-11, passed on May 16, 2011, upon a gross price basis for the improvement in the aggregate amount of \$1,254,809.00, is affirmed and approved as the lowest responsible bid; and the Director of Department of Public Works is authorized to enter into contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by R. J. Platten Contracting Co. (CSB/LPE) for the aforementioned public improvement is approved:

SUBCONTRACTORS	AMOUNT PERCENTAGE
Nerone & Sons (CSB)	\$80,890.00 6.446%
Ballast Fence (CSB/FBE)	\$69,993.00 5.578%
Down to Earth Landscaping (CSB/FBE)	\$24,708.60 1.969%
Tech Ready Mix (CSB/MBE)	\$23,000.00 1.833%
Ning Enterprises, LLC (CSB/MBE)	\$20,000.00 1.594%
Ramos Trucking (CSB/FBE)	\$20,000.00 1.594%
North Coast Paving	\$12,597.00 1.000%
Lakewood Supply (CSB)	\$ 4,000.00 0.319%
Krusoe Sign (CSB/FBE)	\$ 1,500.00 0.120%

Yeas: Directors Langhenry, Dumas, Bender, Smith, Cox, Butler, Acting Director Withers, Directors

Rush, Southerington, Fumich and Rybka.

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

**Resolution No. 141-13.**

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 129-26-053 located at 11821 Soika Avenue in Ward 4; 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, Kim C. Mitchell 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 4 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 Kim C. Mitchell for the sale and development of Permanent Parcel No. 129-26-053 located at 11821 Soika Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$400.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Directors Langhenry, Dumas, Bender, Smith, Cox, Butler, Acting Director Withers, Directors Rush, Southerington, Fumich and Rybka.

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

**Resolution No. 142-13.**

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 136-09-028 located at 10201 Harvard Avenue in Ward 2; 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, Michael Collins has proposed to the City to purchase and develop the parcel for commercial/industrial expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 2 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 Michael Collins for the sale and development of Permanent Parcel No. 136-09-028 located at 10201 Harvard Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$12,500.00, 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, Dumas, Bender, Smith, Cox, Butler, Acting Director Withers, Directors Rush, Southerington, Fumich and Rybka.

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

**Resolution No. 141-13.**

By Director Southerington.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinances No. 1518-11 passed by Cleveland City Council on November 21, 2011, EyeMed Vision Care, LLC is selected by the Director of Human Resources as the firm to be employed by contract to supplement the regularly employed staff of the Department of Human Resources to perform the professional services necessary to provide vision coverage for City of Cleveland employees for a period of one year with an option to renew for an additional year.

Be it further resolved that the Director of Human Resources is authorized to enter into contract with EyeMed Vision Care, LLC, based on its proposal dated October 21, 2010, which contract shall be prepared by the Director of Law, shall provide for the furnishing of professional services as described in the proposal for aggregate fees of \$375,000.00 and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Langhenry, Dumas, Bender, Smith, Cox, Butler, Acting Director Withers, Directors Rush, Southerington, Fumich and Rybka.

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

JEFFREY B. MARKS,  
Secretary

**CIVIL SERVICE NOTICES**

**General Information**

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

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

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

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

ROBERT BENNETT,  
President

**SCHEDULE OF THE BOARD OF ZONING APPEALS**

**MONDAY, APRIL 15, 2013**

**9:30 A.M.**

**Calendar No. 13-41:** 3250 West 117th Street (Ward 17)

Abdul Assad, owner, appeals to establish use for used car auto sales and car wash located on a corner parcel in a C1 General Retail Business District, subject to the provisions under Section 352.10 in the Cleveland Codified Ordinances, a 4 foot wide frontage landscape strip is required along Triskett Road and West 117th Street where the auto sales lot abuts the Street.

**Calendar No. 13-45:** 3952 West 140th Street (Ward 18)

Cleveland Metropolitan School District appeals to erect a new school on acreage located in an A1 One-Family and pursuant to Section 349.04 the rate of required parking spaces for a high school is calculated by 1 parking space for each 2 staff members and other employees, plus 1 for each 12 seats in a class-



room based upon planned classroom capacity; and parking for gymnasium use requires 1 for each 6 seats or a total parking area equal to three times the gross floor area whichever is greater; and where there are no seats, each 24 inches of bench or pew shall be considered 1 seat; and where there are no seats, benches or pews each 20 square feet of ground or floor area usable for seating shall be considered 1 seat. A public school is permitted in accordance with Section 337.02(f)(3)(A) if approved by the Board of Zoning Appeals after public notice and hearing to determine if adequate yard spaces and other safeguards to preserve the character of the neighborhood are provided, and if in the judgment of the Board such buildings and uses are appropriately located and designed and will meet a community need without adversely affecting the neighborhood.

**Calendar No. 13-46:** 1595 East 30th Street (Ward 8)  
Philip Neshkin, owner, and Yorgi Wu, prospective tenant, appeal to establish use as an auto repair shop in an existing one-story building located on a corner parcel in a B1 Semi-Industry District where the proposed use is adjacent to a Two-Family District and subject to the requirements under Section 345.03(c)(2) permitted if separated by not less than 100 feet from a Residence District.

**Calendar No. 13-48:** 2709 East 93rd Street (Ward 4)  
Jimmy Walls dba Magic Auto Body, Inc. appeals under Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) from being denied a Motor Vehicle Repair Garage License by the Commissioner of Assessments and Licenses upon the recommendation of the City of Cleveland Department of Building and Housing.

**Calendar No. 13-21:** 3702 Oak Park Avenue (Ward 13)  
Marcello Silvestri, owner appeals to erect a 13' x 30' one-story frame accessory garage to an existing 24'-6" x 30' gable garage on a 46' x 120' parcel located in an A1 One-Family District; subject to the limitations under Section 337.23(A) an accessory garage shall not exceed 650 square feet and 1,128 square feet is proposed contrary to the Cleveland Codified Ordinances.

Secretary

**REPORT OF THE BOARD OF ZONING APPEALS**

**MONDAY, APRIL 1, 2013**

At the meeting of the Board of Zoning Appeals on Monday, April 1, 2013, the following appeals were scheduled for hearing before the Board.

The following appeals were **APPROVED:**

**Calendar No. 13-37:** 9711 Lamont Avenue  
Friends of Breakthrough School aka Citizens Leadership Academy

appealed for an addition to an existing school building in an E2 Multi-Family District.

**Calendar No. 13-38:** 9200 Buckeye Road  
Miceli-Lograsso Development Company appealed to install 6-foot high ornamental fence in the front yard of acreage in a C2 General Retail Business District.

**Calendar No. 13-39:** 11125 Magnolia Drive  
Cleveland Music School Settlement appealed to install a temporary tent from April 9 to October 9, 2013 in an AA1 One-Family District.

**Calendar No. 13-19:** 14805 St. Clair Avenue  
East 131 Church of God in Christ appealed for a change of use from a barber shop to a church an existing building in split zoning between C2 General Retail Business and B1 Two-Family Districts.

The following appeal was **DENIED:**

**Calendar No. 12-207:** 4455 Pearl Road  
Matthew Fuchs appealed to establish use as an open sales lot/farmers' market in B1 Two-Family Residential and C1 Local Retail Business Districts.

The following appeal was **DISMISSED:**

None

The following appeal was **WITHDRAWN:**

None

The following appeal was **POSTPONED:**

**Calendar No. 13-12:** 1810 West 25th Street postponed to April 22, 2013.

The following appeals heard by the Board on March 25 2013 were adopted and approved.

None

The following appeal dismissed by the Board on March 18, 2013 for want of prosecution was reinstated on April 1, 2013:

**Calendar No. 13-30:** Notice of Violation  
1260 East 61st Street  
Jimmie Richard appealed from a decision rendered by the City of Cleveland Parking Violations Bureau, Waste Collection and Photo Safety Division.

Secretary

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

Re: Report of the Meeting of March 27, 2013

As required by the provisions of Section 3103.20(2) of the Codified Ordinances of the City of Cleveland, Ohio 1976, the following brief of action of the subject meeting is given for publication in the City Record:

**Docket A-314-12.**

RE: Appeal of William Deloney (Deceased) C/O Tamara Thomas, Owner of the One Dwelling Unit Single-Family Residence Two & One-half Story Frame Property, located on the premises known as 14917 Aspinwall Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated November 5, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant ninety (90) days in which to complete the painting, and to grant the variance to the requirement for the four (4) inch spacing for the banisters, but to require that the banisters be maintained in good condition; noting that the Department of Building and Housing has Withdrawn the violation for the driveway; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke Nays: None

\* \* \*

**Docket A-331-12.**

RE: Appeal of International Union of Operating Engineers, Local 18, Owner of the Property, located on the premises known as 3600 Euclid Avenue, from a NOTICE OF VIOLATION — ELEVATOR, dated November 29, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant sixty (60) days in which to seal the doors and decommission the elevator by removing the hydraulic fluid per the Codified Ordinances of the City of Cleveland; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke Nays: None

\* \* \*

**Docket A-333-12.**

RE: Appeal of Cuyahoga County, Owner of the Property, located on the premises known as 210 Lakeside Avenue from an ADJUDICATION ORDER, dated November 30, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to recognize that the code may have changed in the interim and to DENY the request for additional time, but to require that plans be re-submitted and reviewed by the Department of Building and Housing. The property is REMANDED at this time to the Department of Building and Hous-

ing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Gallagher, Bradley, Maschke Nays: None Not Voting: Mr. Saab

\* \* \*

**Docket A-334-12.**

RE: Appeal of Delores Robinson-Woods, Owner of the S-1 Storage — Moderate Hazard (Combustibles) One Story Masonry Property, located on the pre-mises known as 12306 Harvard Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated November 23, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY the request for additional time, noting that the Appellant was not present at the hearing; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke Nays: None

\* \* \*

**Docket A-335-12.**

RE: Appeal of Tika Fufuka, Owner of the One Dwelling Unit Single-Family Residence One Story Frame Property, located on the premises known as 12001 East Boulevard from a CONDEMNATION ORDER — MAIN STRUCTURE, dated November 30, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant two (2) weeks in which to obtain all required permits and one hundred-eighty (180) days in which to complete abatement of the violations, with the exterior of the property being completed within the first ninety (90) days; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Gallagher.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke Nays: None

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**Docket A-338-12.**

RE: Appeal of Harold Chapman, Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property, located on the premises known as 3113 Ashwood Road from a CONDEMNATION ORDER — MAIN STRUCTURE & GARAGE, dated November 14, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the

Appellant two (2) weeks in which to obtain all required permits and sixty (60) days in which to complete abatement of the exterior violations, and one hundred-eighty (180) in which to complete abatement of all violations on the property; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Gallagher.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke Nays: None

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**Docket A-339-12.**

RE: Appeal of Pleasant Properties L.P., Owner of the One Dwelling Unit Single-Family Residence Two & One-half Story Frame Property, located on the premises known as 11806 Imperial Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated August 06, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the property is under the control of the Building Department, and to grant the Appellant two (2) weeks in which to secure the property, remove any graffiti, and groom the grounds; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke Nays: None

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**Docket A-340-12.**

RE: Appeal of Mt. Pleasant Homes III L.P., Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property and One Story Garage — Detached; Wood Frame Property, located on the premises known as 3398 East 116th Street from a CONDEMNATION ORDER — MAIN STRUCTURE & GARAGE, dated November 23, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the property is under the control of the Building Department, and to grant the Appellant two (2) weeks in which to secure the property, remove any graffiti, and groom the grounds; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke Nays: None

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**Docket A-341-12.**

RE: Appeal of Mt. Pleasant Homes III L.P., Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property and One Story

Garage — Detached; Wood Frame Property, located on the premises known as 3440 East 116th Street from a CONDEMNATION ORDER — MAIN STRUCTURE & GARAGE, dated November 21, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the property is under the control of the Building Department, and to grant the Appellant two (2) weeks in which to secure the property, remove any graffiti, and groom the grounds; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke Nays: None

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**Docket A-342-12.**

RE: Appeal of GS Real, LLC, Owner of the Two Dwelling Units Two-Family Residence Two Story Frame Property, located on the premises known as 14104 Kingsford Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated November 27, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY any additional time and to REMAND the property to the Department of Building and Housing for supervision and any required further action, noting that the property presents an immediate hazard to the neighborhood. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke Nays: None

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**Docket A-343-12.**

RE: Appeal of Kevin & Alandré Jackson, Owners of the One Dwelling Unit Single-Family Residence Two Story Frame Property and One & One-half Story Frame Garage Property, located on the premises known as 10600 Dove Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE & GARAGE, dated November 05, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant two (2) weeks in which to obtain all required permits, sixty (60) days in which to abate the exterior violations, and a total of one hundred-eighty (180) days in which to complete abatement of all violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action, noting that the property presents an immediate hazard to the

neighborhood. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke Nays: None

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**Docket A-1-13.**

RE: Appeal of Shaughn Hubbard, Owner of the One Dwelling Unit Single-Family Residence Two & One-half Story Frame Property, located on the premises known as 10815 Mt. Carmel Road from a CONDEMNATION ORDER — MAIN STRUCTURE, dated December 17, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY the Appellants request for additional time, noting that the Appellant was not present at the hearing; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Saab.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke Nays: None

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**Docket A-2-13.**

RE: Appeal of Lourdes Gonzalez, Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property, located on the premises known as 3271 West Boulevard from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated December 11, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until September 01st, 2013 in which to complete abatement of all violations on the property, beginning with the painting starting July 01st, 2013; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke Nays: None

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**Docket A-3-13.**

RE: Appeal of Tatyana Stupnitski, Owner of the One Dwelling Unit Single-Family Residence One & One-half Story Frame Property, located on the premises known as 3279 West 50th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated November 14, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that under the present circumstances, which is a valid permit with a six (6) month

timeline and noting that the extension of time is granted per rehabilitation plan; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Gallagher.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke Nays: None

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**Docket A-4-13.**

RE: Appeal of J.C. Robinson, Owner of the Two Dwelling Units Two-Family Residence Two Story Frame Property, located on the premises known as 11914 Gay Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated December 06, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-4-13 has been POSTPONED; to be rescheduled for April 10, 2013.

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**Docket A-5-13.**

RE: Appeal of Mirela Farcas, Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property, located on the premises known as 1281 West 87th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated December 10, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to require the Appellant to begin immediately abating the violations on the porch area, and to grant the Appellant until October 31st, 2013 in which to complete abatement of all violations on the property; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke Nays: None

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**Docket A-6-13.**

RE: Appeal of Jason Hager, Owner of the One Story Garage — Detached; Masonry Property, located on the premises known as 3479 West 90th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated December 18, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property to the Department of Building and Housing for supervision and any required further action, noting that there is a new owner. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke Nays: None

**Docket A-79-13.**

RE: Appeal of Sheila Alridge, Owner of the One Dwelling Unit Single-Family Residence One & One-half Story Frame Property, located on the premises known as 3289 West 48th Street (Front) from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated March 01, 2013 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant two (2) weeks in which to obtain all required permits, ninety (90) days in which to abate all exterior violations on the property, and six (6) months in which to complete abatement of all violations; noting that failure to meet either date will result in the property being Remanded immediately; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action, noting that there is a new owner. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke Nays: None

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**EXTENSION OF TIME:**

**Docket A-109-11.**

Sheila Alridge — 3289 West 48th Street (Rear):

BE IT RESOLVED, a motion is in order at this time to grant the Appellant two (2) weeks in which to obtain all required permits, ninety (90) days in which to abate all exterior violations on the property, and six (6) months in which to complete abatement of all violations; noting that failure to meet either date will result in the property being Remanded immediately; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action, noting that there is a new owner. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke Nays: None

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**APPROVAL OF RESOLUTIONS:**

Separate motions were entered by Mr. Maschke and seconded by Mr. Bradley for Approval and Adoption of the Resolutions as presented by the Secretary for the following Docket, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

A-63-13—United Twenty-Fifth Building, LLC

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke Nays: None

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**APPROVAL OF MINUTES:**

Separate motions were entered by Mr. Bradley and seconded by Mr. Saab for Approval and Adoption of

the Minutes as presented by the Secretary, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

March 13, 2013

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke Nays: None

\* \* \*

JOSEPH F. DENK  
Chairman

**PUBLIC NOTICE**

NONE

**NOTICE OF PUBLIC HEARING**

NONE

**CITY OF CLEVELAND BIDS**

**For All Departments**

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

**WEDNESDAY, APRIL 17, 2013**

**File No. 54-13 — Cuy-S.R. 87-2.42 Rehabilitation Woodland Avenue (E. 53rd St. to E. 86th Street) Buckeye Road (Woodland Ave to Ambler St.),** for the Division of Engineering and Construction, Mayor's Office of Capital Project, as authorized by Ordinance Nos. 591-11 and 732-12, passed by the Council of the City of Cleveland, June 13, 2011 and June 8, 2012, respectively.

\*THERE WILL BE A **NON-REFUNDABLE FEE** FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF SEVENTY-FIVE DOLLARS (\$75.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR A MONEY ORDER (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS).

THERE WILL BE A **NON-MANDATORY PRE-BID** MEETING THURSDAY, APRIL 4, 2013 AT 1:00 P.M. CLEVELAND CITY HALL, DIVISION OF ARCHITECTURE AND SITE DEVELOPMENT, ROOM 514, 601 LAKE-SIDE AVENUE, CLEVELAND, OHIO 44114.

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

March 20, 2013, March 27, 2013 and April 3, 2013

**FRIDAY, APRIL 12, 2013**

**File No. 60-13 — 2013 Summer Food Program,** for the Division of Recreation, Department of Public Works, as authorized by Ordinance No. 1585-12 passed by the Council of the City of Cleveland, December 3, 2012.

THERE WILL BE A **MANDATORY PRE-BID** MEETING THURSDAY, APRIL 4, 2013 AT 10:00 A.M. CLEVELAND CITY HALL, THE DIVISION OF RECREATION, ROOM 8, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

**File No. 61-13 — Food, Food Products, Beverages, Condiments and Paper Products at Camp Forbes,** for the Division of Recreation, Department of Public Works, as authorized by Ordinance No. 1585-12 passed by the Council of the City of Cleveland, December 3, 2012.

THERE WILL BE A **MANDATORY PRE-BID** MEETING THURSDAY, APRIL 4, 2013 AT 10:30 A.M. CLEVELAND CITY HALL, THE DIVISION OF RECREATION, ROOM 8, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

March 27, 2013 and April 3, 2013

**WEDNESDAY, APRIL 17, 2013**

**File No. 59-13 — Luke Easter Park Tennis Court Improvements,** for the Division of Architecture and Site Development, Department of Public Works, as authorized by Ordinance No. 534-12 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 TWENTY-FIVE DOLLARS (\$25.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR A MONEY ORDER (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS).

THERE WILL BE A **NON-MANDATORY PRE-BID** MEETING THURSDAY, APRIL 4, 2013 AT 11:00 A.M. CLEVELAND CITY HALL, DIVISION OF ARCHITECTURE AND SITE DEVELOPMENT, ROOM 517A, 601 LAKE-SIDE AVENUE, CLEVELAND, OHIO 44114.

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

March 27, 2013 and April 3, 2013

**THURSDAY, APRIL 25, 2013**

**File No. 62-13 — Purchase of Traffic Paint and Related Material,** for the Division of Traffic Engineering, Department of Public Works, as authorized by Ordinance No. 249-12 passed by the Council of the City of Cleveland, June 4, 2012.

THERE WILL BE A **NON-MANDATORY PRE-BID** MEETING THURSDAY, APRIL 11, 2013 AT 10:00 A.M. CLEVELAND CITY HALL, DIVISION OF TRAFFIC ENGINEERING, ROOM 25, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

**FRIDAY, APRIL 26, 2013**

**File No. 63-13 — Purchase of 138/13.8kV Power Transformers for Harvard Substation,** for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 556-08 passed by the Council of the City of Cleveland, June 9, 2008.

THERE WILL BE A **NON-MANDATORY PRE-BID** MEETING FRIDAY, APRIL 12, 2013 AT 10:00

A.M. THE TOM L. JOHNSON BUILDING, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

**File No. 64-13 — Purchase of 15KV Walk-in Switchgear for Harvard Substation**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 556-08 passed by the Council of the City of Cleveland, June 9, 2008.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING FRIDAY, APRIL 12, 2013 AT 11:00 A.M. THE TOM L. JOHNSON BUILDING, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

April 3, 2013 and April 10, 2013

### ADOPTED RESOLUTIONS AND ORDINANCES

#### Res. No. 129-13.

**By Council Members Miller, Cleveland and Kelley (by departmental request).**

**An emergency resolution declaring the intent to vacate a portion of Rose Court S.E. (10.00 feet wide).**

Whereas, this Council is satisfied that there is good cause to vacate a portion of Rose Court S.E. (10.00 feet wide), as described; 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 declares its intent to vacate a portion of the following described real property:

Rose Court S.E. (10.00 feet wide)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of original Ten Acre Lot numbers 65 and 66 in the Horace P. Wedell's Subdivision as shown in Volume 2, Page 30 of the Cuyahoga County Map records.

And being all that portion of Rose Court S.E. (10.00 feet wide) extending from the East right of way of East 36th Street (60.00 feet wide) to the West right of way of East 37th Street (40.00 feet wide).

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

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

Adopted March 25, 2013.

Effective March 28, 2013.

#### Res. No. 161-13.

**By Council Members Miller, Cleveland and Kelley (by departmental request).**

**An emergency resolution declaring the intent to vacate a portion of Rocky River Drive S.W.**

Whereas, this Council is satisfied that there is good cause to vacate a portion of Rocky River Drive S.W., as described; 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 declares its intent to vacate a portion of the following described real property:

#### Vacation of a Portion of Rocky River Drive S.W. (70 feet wide)

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being a part of Original Rockport Township Section No. 3.

Commencing at a MAG nail set at the intersection of the centerline of Brookpark Road S.W. (100 feet wide) and the centerline of Rocky River Drive S.W. (70 feet wide);

Thence, along the centerline of Rocky River Drive S.W., North 26° 19' 49" East, 22.33 feet to the southerly line of said Original Rockport Township Section No. 3;

Thence, continuing along the centerline of Rocky River Drive, North 24° 28' 14" East, 32.97 feet to the northerly right of way of Brookpark Road S.W., and the True Point of Beginning for the parcel herein described;

Thence, along the northerly right of way of Brookpark Road S.W., South 89° 57' 31" West, 13.69 feet;

Thence, continuing along the northerly right of way of Brookpark Road S.W., South 89° 54' 00" West, 24.78 feet to the westerly right of way of Rocky River Drive, S.W.;

Thence, along the westerly right of way of Rocky River Drive S.W., North 24° 28' 14" East, 220.60 feet to the southerly Limited Access line of Interstate 480;

Thence, along the southerly Limited Access line of Interstate 480 the following three courses;

Along the arc of a curve which deflects to the left, 23.74 feet, said curve having a radius of 3918.03 feet, a central angle of 00° 20' 50", and a chord of 23.74 feet which bears South 89° 29' 19" East;

Thence South 01° 07' 31" East, 31.24 feet;

Thence South 26° 37' 40" East, 44.73 feet to the easterly right of way of Rocky River Drive S.W.;

Thence, along the easterly right of way of Rocky River Drive S.W., South 24° 28' 14" West, 142.03 feet to the northerly right of way of Brookpark Road S.W.;

Thence, along the northerly right of way of Brookpark Road S.W., South 89° 57' 31" West, 38.47 feet to the point of beginning.

Containing within said bounds 0.3038 acres of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in November 2012.

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

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

Adopted March 25, 2013.

Effective March 28, 2013.

#### Res. No. 162-13.

**By Council Members Miller, Cleveland and Kelley (by departmental request).**

**An emergency resolution declaring the intent to vacate a portion of Commercial Road.**

Whereas, this Council is satisfied that there is good cause to vacate a portion of Commercial Road, as described; 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 declares its intent to vacate a portion of the following described real property:

#### VACATION OF PART OF COMMERCIAL ROAD

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio, and part of Original One-Hundred (100) Acre Lot 487, located in Township 7, Range XII of the Connecticut Western Reserve, and further described as follows:

Commencing at a stone found in a monument box at the intersection of the centerline of Canal Road S.E. (50 feet wide) and the centerline of Canal Street (50 feet wide);

Thence along the centerline of said Canal Street, North 38° 25' 32" West a distance of 170.74 feet to its intersection with the existing centerline of Commercial Road (60 feet wide);

Thence along the centerline of existing Commercial Road, North 5° 33' 47" East a distance of 135.68 feet to its intersection with the projection of the new northwesterly right of way line of East 9th Street (width varies);

Thence along said projection of the new northwesterly right of way line of East 9th Street, South 60° 43' 22" West a distance of 36.55 feet to an iron pin set at its intersection with the existing westerly right of way line of said Commercial Road and being the Place of Beginning;

Thence along the existing westerly right of way line of said Commercial Road, North 5° 33' 47" East a distance of 390.20 feet to an iron pin set at its intersection with the new westerly right of way line of the relocation of Commercial Road (width varies);

Thence along said new westerly right of way line of the relocation of Commercial Road, along the arc

of a non-tangent curve to the left having an arc length of 150.52 feet, a radius of 231.00 feet, a delta of 37° 20' 04", a chord bearing of South 18°22'33" East, and a chord length of 147.87 feet to an iron pin set at its intersection with the existing easterly right of way line of Commercial Road;

Thence along said existing easterly right of way line of Commercial Road, South 5° 33' 47" West a distance of 213.29 feet to an iron pin set at its intersection with said new northwesterly right of way line of East 9th Street;

Thence along the projection of said new northwesterly right of way line of East 9th Street, South 60° 43' 22" West a distance of 73.10 feet to the Place of Beginning and containing 0.3880 acres of land, more or less, all of which is located within present roadway occupied.

The bearings are based on the State Plane Coordinate System, Ohio North Zone, NAD83(1995), as shown on the Centerline Plat prepared for CUY-90-14.90, CUY INNEREBELT BRIDGE, GRP1, recorded in Plat Book 367, Pages 67 through 71 of the Cuyahoga County Records.

Iron pins described as set shall be 3/4" x 30" rebar with a 2-1/2" aluminum cap stamped "BARR & PREVOST, S-7876" and shall be placed along with other referenced set monuments upon notification by the Ohio Department of Transportation, District 12.

This description was prepared and reviewed in December of 2012, by Steven L. Lamphear, Professional Surveyor No. 7876, Ohio, and is based on field surveys made under my direction and supervision beginning in July, 2011, through September, 2011. This description also uses ties to monument references as described in the CUY-90-14.90 Centerline Plat as recorded on October 3rd, 2011, in Plat Book 367, Pages 67 through 71 of the Cuyahoga County Records and the Lot Split and Consolidation Plat recorded in Plat Book 369, Pages 32 and 33, as prepared by Steven L. Lamphear, P.S. 7876, Ohio, Barr & Prevost, Columbus, Ohio

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

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

Passed March 25, 2013.

Effective March 28, 2013.

**Res. No. 271-13.**

**By Council Members Miller, Kelley, Brady and Westbrook (by departmental request).**

**An emergency resolution declaring it necessary to relay and repair sidewalks, (including adjustments of castings, if necessary) encroaching upon the public right-of-way on Clifton Boulevard from West 115th Street to Lake Avenue.**

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 it is necessary and conducive to the public health and welfare that Clifton Boulevard from West 115th Street to Lake Avenue be improved by relaying and repairing sidewalks (including adjustments of castings, if necessary) encroaching upon the public right-of-way or otherwise improving the right-of-way in accordance with plans, specifications and profiles, at the estimated cost of \$276,111, prepared and placed in File No. 271-13-A, in the Office of the Clerk of Council, and supplemented by the specifications contained in Codified Ordinance Section 505.02 and division (a) of Codified Ordinance Section 505.12, which are incorporated by reference, which plans, specifications and profiles are approved.

**Section 2.** That fifty percent (50%) of the cost and expense of the improvement, and less the entire cost of intersections, as shall be found to be a proper charge, shall be assessed on all lots and lands abutting on, and other specially benefited property adjacent to Clifton Boulevard from West 115th Street to Lake Avenue, in proportion to the benefits which may result from the improvement, and it is determined that the lots and lands are specially benefited by the improvements. The Director of Mayor's Office of Capital Projects has fixed five (5) years as the estimated life of the improvements.

**Section 3.** That the entire amounts to be levied shall be paid in five (5) annual installments, with interest on deferred payments at the rate of 3.16% per annum provided, however, that the owner of any property assessed may, at his option, pay the principal amount of the assessment in cash within 40 days from and after the passage of the assessing ordinance.

**Section 4.** That the remainder of the cost of the improvement not specially assessed, as provided, shall be paid by the City of Cleveland out of funds made available to it by other sources and appropriated for such purpose.

**Section 5.** That the Commissioner of Assessments and Licenses is authorized to prepare and file in the Office of the Clerk of Council an estimated assessment under the provisions of this resolution showing the amount of the assessment against each lot or parcel of land to be assessed. Such estimated assessments shall be based on the estimated cost of the improvement under the plans, specifications (including the specifications incorporated by reference under this Resolution) and profiles now on file in the Office of the Clerk of Council. The estimated assessment shall be filed in the Office of the Clerk and kept available for public inspection. After filing the estimated assessments in the Office of Clerk of Council, the Commissioner of Assessments and Licenses is authorized and directed to cause notice of

passage of this Resolution and of the filing of said estimated assessments to be served upon the owners of all lots and lands to be assessed in the manner provided by law.

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

Adopted March 25, 2013.

Effective March 28, 2013.

**Res. No. 427-13.**

**By Council Members Pruitt, K. Johnson, Miller, Dow, Mitchell, Brancatelli, Cleveland, Keane, Kelley, Brady, Westbrook, Zone and Cummins.**

**An emergency resolution urging Governor Kasich and the Ohio General Assembly to propose and pass a budget that expands Medicaid eligibility in Ohio.**

Whereas, Ohio policymakers have a unique opportunity to expand Medicaid eligibility to cover people making up to 138% of the federal poverty level, which is \$15,420 for an individual or \$26,352 for a family of three; and

Whereas, such an expansion would be supported by generous federal funding levels that have already been set aside for that purpose under the Patient Protection and Affordable Care Act (ACA), including an average of 95% of the expansion cost through 2019; and

Whereas, by increasing access to medical care this way, Ohio would not only improve the health of Ohioans, but invest in its economy too; and

Whereas, Ohio Consumers for Health Coverage states that if Ohio expands Medicaid eligibility, at least 600,000 low-income working Ohioans who are currently uninsured will have access to health care through Ohio's Medicaid managed care plans, and seek more preventive care with better health outcomes as a result; and

Whereas, in addition to health benefits, expanding Medicaid eligibility will help our economy with an investment of \$20 billion in federal Medicaid dollars during the years 2014 through 2019 to pay for the expansion; and

Whereas, this investment will stimulate the Ohio economy by going directly into our health care system, to hospitals, and doctors, and other providers, and creating additional jobs, attracting additional businesses, and raising state revenue through income and other taxes; and

Whereas, The Ohio Medicaid Expansion Study found that expanding Medicaid eligibility would allow \$1.6 billion in state budget savings during state fiscal years 2014-2022, because certain categories of current Medicaid spending would qualify for higher federal matching rates, letting the state reduce its spending; also, non-Medicaid spending on health care for the poor and near-poor uninsured would be replaced by federal Medicaid dol-

lars, allowing a reduction in state general fund spending; and

Whereas, expanding Medicaid would generate between 2.7 billion and 2.8 billion in state revenue during state fiscal years 2014-2022 through 1) increased state's managed care sales and insurance tax revenue from increased enrollment; 2) increased state's receipt of rebates from drug manufacturers covering more Medicaid prescription drug customers, and finally; 3) resulting economic activity from the Ohio health industry and businesses generating sales and income tax revenue; and

Whereas, an estimated \$1.8 to 1.9 billion in net state budget gains over this nine-year period studied by The Ohio Medicaid Expansion Study could be redirected to other priorities, including tax relief or education funding; and

Whereas, a Medicaid expansion would affect Ohio residents during 2022, the final year studied, by reducing the number of uninsured Ohio residents by more than 450,000, creating more than 27,000 Ohio jobs, reducing health care costs for Ohio employers and residents by \$285 million and \$1.1 billion, respectively, and generating significant savings and revenues for Ohio counties; and

Whereas, without a Medicaid expansion, the ACA would create small, net budget losses during the state fiscal years 2014-2022 period as a whole; policymakers would need to add the Medicaid expansion to the remainder of the ACA for the federal legislation to yield net state budget gains; and

Whereas, if Ohio does not expand Medicaid eligibility, local hospitals that rely on decreasing Medicaid uncompensated care dollars to help them treat the uninsured will be at-risk of decreasing treatment or closing their doors; and

Whereas, this Council supports expanding Medicaid eligibility as the best choice for the health of Ohioans, community hospitals, and our economy; and

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

**Section 1.** That this Council urges Governor Kasich and the Ohio General Assembly to propose and pass a budget that expands Medicaid eligibility in Ohio.

**Section 2.** That the Clerk of Council is directed to transmit copies of this resolution to Governor John Kasich and the Ohio General Assembly.

**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 March 25, 2013.

Effective March 28, 2013.

**Res. No. 428-13.**  
**By Council Member Brancatelli.**  
**An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 4901 Fleet Avenue.**

Whereas, Council has been notified by the Department of Liquor Control of an application for the

transfer of ownership of a C2 and C2X Liquor Permit from Lehigh Gas Ohio, LLC, DBA BP AM PM, 4901 Fleet Avenue, Cleveland, Ohio 44105, Permanent Number 50989840285 to 7 Eleven, Inc., DBA 7 Eleven 36746, 4901 Fleet Avenue, Cleveland, Ohio 44105, Permanent Number 80036070300; 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 Department 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 Director of Liquor Control within 30 days of notification; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from Lehigh Gas Ohio, LLC, DBA BP AM PM, 4901 Fleet Avenue, Cleveland, Ohio 44105, Permanent Number 50989840285 to 7 Eleven, Inc., DBA 7 Eleven 36746, 4901 Fleet Avenue, Cleveland, Ohio 44105, Permanent Number 80036070300; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted March 25, 2013.

Effective March 28, 2013.

**Res. No. 429-13.**

**By Council Member Cummins.**

**An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit at 3264 Scranton Road, 1st floor and basement and repealing Resolution No. 1135-12, objecting to said renewal.**

Whereas, this Council objected to the renewal of a C2 and C2X Liquor Permit to Carthage Place, Inc., DBA Tony's Delicatessen, 3264 Scranton Road, 1st floor and basement, Cleveland, Ohio 44109, Permanent Number 1301453 by Resolution No. 1135-12, adopted by the Council on August 8, 2012; and

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

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

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

**Section 1.** That objection to the renewal of a C2 and C2X Liquor Permit to Carthage Place, Inc., DBA Tony's Delicatessen, 3264 Scranton Road, 1st floor and basement, Cleveland, Ohio 44109, Permanent Number 1301453, be and the same is hereby withdrawn and Resolution No. 1135-12, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted March 25, 2013.

Effective March 28, 2013.

**Res. No. 438-13.**

**By Council Member Cleveland.**

**An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit at 3020 Carnegie Avenue and repealing Resolution No. 1025-12, objecting to said renewal.**

Whereas, this Council objected to the renewal of a C2 and C2X Liquor Permit to Arwa G., Inc., 3020 Carnegie Avenue, Cleveland, Ohio 44114, Permanent Number 0251905 by Resolution No. 1025-12, adopted by the Council on August 8, 2012; and

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

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

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

**Section 1.** That objection to the renewal of a C2 and C2X Liquor Permit to Arwa G. Inc., 3020 Carnegie Avenue, Cleveland, Ohio 44114, Permanent Number 0251905, be and the same is hereby withdrawn and Resolution No. 1123-12, containing such objection, be and the same is here-

by repealed and that this Council consents to the immediate permit thereof.

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

Adopted March 25, 2013.  
Effective March 28, 2013.

**Ord. No. 1599-12.**

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

**An emergency ordinance to amend Section 443.26 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1796-08, passed March 23, 2009, relating to rates of fare and receipts for taxicabs.**

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

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

**Section 1.** That Section 443.26 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1796-08, passed March 23, 2009, is amended to read as follows:

**Section 443.26 Rates of Fare; Receipts**

(a) Except as provided in division (f) of this section, the maximum rates of fare for gasoline fueled or propane fueled taxicabs, including sales tax, shall be as follows:

(1) For the first one-eighth (1/8) mile or fraction thereof, two dollars and seventy-five cents (\$2.75).

(2) For each additional one-eighth (1/8) mile or fraction thereof, twenty-eight cents (\$0.28).

(b) *Waiting Time or Traffic Delay Charge.* The rate for waiting or traffic delay shall be eighteen dollars (\$18.00) per hour except for coaches hired at the hourly rate.

(c) *Charge for More than Four (4) Passengers.* The rate for carrying more than four (4) passengers shall be an additional one dollar (\$1.00) per person for each passenger over twelve (12) years of age.

(d) *Hourly Rate.* On request of passengers, public hacks may accept employment where the fare may be computed on an hourly rental. When a public hack is so employed, the fare to be charged shall be computed from the time of leaving the nearest station of the owner to the time of returning to the nearest station from the point of dismissal.

(e) *Receipt to Be Given.* On request of a passenger, the owner, driver, chauffeur or other person in charge or control of a public hack shall provide a receipt to the person paying for the hire of the same at the time of payment. The form of the receipt shall be prescribed and approved by the Commissioner of Assessments and Licenses, and shall contain in legible type or writing, the name of the owner, the City license number, the driver's City license number and other items for which a charge is made, the total amount paid, and the date of payment.

(f) *Rates of Fare from Cleveland Hopkins International Airport.* The following maximum rates of fare apply to gasoline fueled, compressed natural gas or propane fueled taxicabs which are transporting passengers from Cleveland Hopkins International Airport to another location. These rates of fare include metered rates, taxicab operating cost recovery, fuel surcharges and depreciation, sales tax, and applicable fees, and shall be as follows:

(1) *Rates from the Airport are as follows:*

- A. 0 to 5 miles - \$13.50
- B. 6 to 10 miles - \$24.50
- C. 11 to 15 miles - \$34.50
- D. 16 to 20 miles - \$45.50
- E. 21 to 25 miles - \$56.50
- F. 26 to 30 miles - \$67.50
- G. 31 to 35 miles - \$77.50
- H. 36 to 40 miles - \$88.50
- I. 41 miles \$99.50, plus an additional \$2.00 for each mile over 41 miles up to 55
- J. 56 miles \$132.25, plus an additional \$2.00 for each mile over 56 miles up to 70
- K. 71 miles \$165.00, plus an additional \$2.00 for each mile over 71 miles up to 85
- L. 86 miles \$197.75, plus an additional \$2.00 for each mile over 86 miles up to 100
- M. 101 miles \$230.50, plus an additional \$2.00 for each mile over 101 miles up to 115
- N. 116 miles \$263.25, plus an additional \$2.00 for each mile over 116 miles up to 130
- O. 131 miles \$296.00, plus an additional \$2.00 for each mile over 131 miles up to 145
- P. 146 miles \$328.75, plus an additional \$2.00 for each mile over 146 miles up to 160
- Q. 161 miles \$361.50, plus an additional \$2.00 for each mile over 161 miles up to 175
- R. 176 miles \$394.25, plus an additional \$2.00 for each mile over 176 miles up to 190
- S. 191 miles \$427.00, plus an additional \$2.00 for each mile over 191 miles up to 199
- T. 200 miles and over \$4.00 per mile

(2) Effective April 1, 2016, the Rates from the Airport are as follows:

- A. 0 to 5 miles - \$15.00
- B. 6 to 10 miles - \$26.00
- C. 11 to 15 miles - \$36.00
- D. 16 to 20 miles - \$47.00
- E. 21 to 25 miles - \$58.00
- F. 26 to 30 miles - \$69.00
- G. 31 to 35 miles - \$79.00
- H. 36 to 40 miles - \$90.00
- I. 41 miles \$101.00, plus an additional \$2.00 for each mile over 41 miles up to 55
- J. 56 miles \$133.75, plus an additional \$2.00 for each mile over 56 miles up to 70
- K. 71 miles \$166.50, plus an additional \$2.00 for each mile over 71 miles up to 85
- L. 86 miles \$199.25, plus an additional \$2.00 for each mile over 86 miles up to 100
- M. 101 miles \$232.00, plus an additional \$2.00 for each mile over 101 miles up to 115
- N. 116 miles \$264.75, plus an additional \$2.00 for each mile over 116 miles up to 130
- O. 131 miles \$297.50, plus an additional \$2.00 for each mile over 131 miles up to 145

P. 146 miles \$330.25, plus an additional \$2.00 for each mile over 146 miles up to 160

Q. 161 miles \$363.00, plus an additional \$2.00 for each mile over 161 miles up to 175

R. 176 miles \$395.75, plus an additional \$2.00 for each mile over 176 miles up to 190

S. 191 miles \$428.50, plus an additional \$2.00 for each mile over 191 miles up to 199

T. 200 miles and over \$4.00 per mile  
**Section 2.** That existing Section 443.26 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1796-08, passed March 23, 2009, is repealed.

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

Passed March 25, 2013.  
Effective March 28, 2013.

**Ord. No. 1637-12.**

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

**An emergency ordinance authorizing the Director of Port Control to enter into an amendment to Contract No. 46972 with Landmark Aviation FBO Holding, LLC, to extend the term of the lease and to increase the leased premises, for the Department of Port Control.**

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 an amendment to Lease No. 46972 with Landmark Aviation FBO Holding, LLC ("Landmark"), to extend the lease term an additional twenty years, through March 4, 2043, and to increase the leasehold by approximately four additional acres. Landmark's Minimum Annual Guarantee ("MAG") shall be increased from \$70,000 to \$115,000 per year, plus an additional amount equal to the fair market appraised ground lease rate for the land necessary to develop their proposed development project. The MAG will be subject to CIP adjustments each year. If greater in any given year than the MAG, Landmark shall pay the greater of the MAG or a mutually agreed upon sum of fees and royalties.

All other terms and conditions of the lease shall remain the same.

**Section 2.** That the amendment to the Lease 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 March 25, 2013.  
Effective March 28, 2013.



**Ord. No. 170-13.**

**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, 2013 until December 31, 2013.**

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, 2013, the following sums be and they are hereby appropriated viz:

The sum of Five Hundred Thirty Eight Million, Nine Hundred Forty Thousand, Seven Hundred Seventy Two Dollars (\$538,940,772), from the General Fund;

The sum of Seventy Four Million, Seven Hundred One Thousand, Thirty Dollars (\$74,701,030) from the Special Revenue Funds;

The sum of Thirty Million, One Hundred Eighty Eight Thousand, Seven Hundred Fourteen Dollars (\$30,188,714) from the Internal Service Funds;

The sum of Six Hundred Thirty One Million, Two Hundred Forty Thousand, Eight Hundred Eighty Nine Dollars (\$631,240,889) from the Enterprise Funds;

The sum of Ten Million, Two Hundred Ninety Six Thousand, Sixty Five Dollars (\$10,296,065) from the Trust and Agency Funds;

The sum of Fifty Nine Million, Four Hundred Forty Eight Thousand, Two Hundred Six Dollars (\$59,448,206) from the Debt Service Fund;

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

**GENERAL FUND**

Legislative Branch	\$ 7,170,178
Judicial Branch	39,545,833
<b>EXECUTIVE BRANCH</b>	
General Government	13,240,565
Department of Aging	1,115,075
Department of Human Resources	2,067,412
Department of Law	9,436,026
Department of Finance	14,900,917
Department of Public Health	5,517,038
Department of Public Safety	311,719,856
Department of Public Works	71,234,320
Department of Community Development	295,868
Department of Building and Housing	10,337,933
Department of Economic Development	1,643,646
Nondepartmental	50,716,105
<b>TOTAL EXECUTIVE BRANCH</b>	<b>\$ 492,224,761</b>
<b>TOTAL GENERAL FUND</b>	<b>\$ 538,940,772</b>
Special Revenue Funds	74,701,030
Internal Service Funds	30,188,714
Enterprise Funds	631,240,889
Agency Funds	10,296,065
Debt Service Funds	59,448,206
<b>TOTAL APPROPRIATIONS FOR 2013</b>	<b>\$1,344,815,676</b>

**GENERAL FUND**

**LEGISLATIVE BRANCH**

Council and Clerk of Council	\$ 7,170,178
I. Personnel and Related Expenses	\$ 5,204,431
II. Other Expenses	1,965,747
<b>TOTAL LEGISLATIVE BRANCH</b>	<b>\$ 7,170,178</b>

**JUDICIAL BRANCH**

Municipal Court - Judicial Division	\$ 21,774,347
I. Personnel and Related Expenses	\$ 19,149,395
II. Other Expenses	2,624,952
Municipal Court - Clerk's Division	\$ 14,284,965
I. Personnel and Related Expenses	\$ 9,239,703
II. Other Expenses	5,045,262

Municipal Court - Housing Division		\$	3,486,521
I. Personnel and Related Expenses	\$	3,338,886	
II. Other Expenses		147,635	
TOTAL JUDICIAL BRANCH		\$	<u>39,545,833</u>

## EXECUTIVE BRANCH

## GENERAL GOVERNMENT

Office of the Mayor		\$	2,586,351
I. Personnel and Related Expenses	\$	2,471,041	
II. Other Expenses		115,310	
Office of Capital Projects		\$	4,657,978
I. Personnel and Related Expenses	\$	4,064,697	
II. Other Expenses		593,281	
Landmarks Commission		\$	195,552
I. Personnel and Related Expenses	\$	191,246	
II. Other Expenses		4,306	
Board of Building Standards and Appeals		\$	130,631
I. Personnel and Related Expenses	\$	118,401	
II. Other Expenses		12,230	
Board of Zoning Appeals		\$	215,252
I. Personnel and Related Expenses	\$	199,876	
II. Other Expenses		15,376	
Civil Service Commission		\$	1,334,162
I. Personnel and Related Expenses	\$	627,839	
II. Other Expenses		706,323	
Community Relations Board		\$	1,233,634
I. Personnel and Related Expenses	\$	1,183,005	
II. Other Expenses		50,629	
City Planning Commission		\$	1,557,879
I. Personnel and Related Expenses	\$	1,475,140	
II. Other Expenses		82,739	
Boxing and Wrestling Commission		\$	7,682
I. Personnel and Related Expenses	\$	7,682	
Office of Equal Opportunity		\$	506,034
I. Personnel and Related Expenses	\$	485,256	
II. Other Expenses		20,778	
Office of Budget & Management-Budget Admin.		\$	815,410
I. Personnel and Related Expenses	\$	784,702	
II. Other Expenses		30,708	
TOTAL GENERAL GOVERNMENT		\$	<u>13,240,565</u>

## DEPARTMENT OF AGING

Department of Aging		\$	1,115,075
I. Personnel and Related Expenses	\$	866,320	
II. Other Expenses		248,755	
TOTAL DEPARTMENT OF AGING		\$	<u>1,115,075</u>

## DEPARTMENT OF HUMAN RESOURCES

Office of Personnel		\$	2,067,412
I. Personnel and Related Expenses	\$	1,346,866	
II. Other Expenses		720,546	
TOTAL DEPARTMENT OF HUMAN RESOURCES		\$	<u>2,067,412</u>

DEPARTMENT OF LAW

Division of Law		\$	9,436,026
I. Personnel and Related Expenses	\$	6,705,123	
II. Other Expenses		2,730,903	
TOTAL DEPARTMENT OF LAW		\$	<u>9,436,026</u>

DEPARTMENT OF FINANCE

Finance Administration		\$	1,256,137
I. Personnel and Related Expenses	\$	966,298	
II. Other Expenses		289,839	
Division of Accounts		\$	2,029,878
I. Personnel and Related Expenses	\$	1,393,288	
II. Other Expenses		636,590	
Division of Assessments and Licenses		\$	4,118,954
I. Personnel and Related Expenses	\$	2,464,400	
II. Other Expenses		1,654,554	
Division of Treasury		\$	576,026
I. Personnel and Related Expenses	\$	481,235	
II. Other Expenses		94,791	
Division of Purchases and Supplies		\$	720,226
I. Personnel and Related Expenses	\$	678,943	
II. Other Expenses		41,283	
Bureau of Internal Audit		\$	1,102,127
I. Personnel and Related Expenses	\$	546,881	
II. Other Expenses		555,246	
Division of Financial Reporting and Control		\$	1,318,218
I. Personnel and Related Expenses	\$	1,296,379	
II. Other Expenses		21,839	
Information Systems Services		\$	3,779,351
I. Personnel and Related Expenses	\$	1,995,120	
II. Other Expenses		1,784,231	
TOTAL DEPARTMENT OF FINANCE		\$	<u>14,900,917</u>

DEPARTMENT OF PUBLIC HEALTH

Public Health Administration		\$	950,470
I. Personnel and Related Expenses	\$	616,306	
II. Other Expenses		334,164	
Division of Health		\$	3,134,482
I. Personnel and Related Expenses	\$	1,875,810	
II. Other Expenses		1,258,672	
Division of Environment		\$	1,036,808
I. Personnel and Related Expenses	\$	829,110	
II. Other Expenses		207,698	
Division of Air Quality		\$	395,278
I. Personnel and Related Expenses	\$	114,178	
II. Other Expenses		281,100	
TOTAL DEPARTMENT OF PUBLIC HEALTH		\$	<u>5,517,038</u>

DEPARTMENT OF PUBLIC SAFETY

Public Safety Administration		\$	4,427,833
I. Personnel and Related Expenses	\$	3,000,440	
II. Other Expenses		1,427,393	
Division of Police		\$	180,738,480
I. Personnel and Related Expenses	\$	171,390,342	
II. Other Expenses		9,348,138	

Division of Fire		\$ 86,982,195
I. Personnel and Related Expenses	\$ 83,498,900	
II. Other Expenses	3,483,295	
Division of Emergency Medical Services		\$ 24,289,898
I. Personnel and Related Expenses	\$ 21,548,323	
II. Other Expenses	2,741,575	
Division of Animal Control Services		\$ 1,367,167
I. Personnel and Related Expenses	\$ 960,275	
II. Other Expenses	406,892	
Division of Correction		\$ 13,914,283
I. Personnel and Related Expenses	\$ 10,805,764	
II. Other Expenses	3,108,519	
TOTAL DEPARTMENT OF PUBLIC SAFETY		<u>\$ 311,719,856</u>

## DEPARTMENT OF PUBLIC WORKS

Division of Public Works Administration		\$ 3,053,343
I. Personnel and Related Expenses	\$ 2,850,215	
II. Other Expenses	203,128	
Division of Recreation		\$ 12,316,663
I. Personnel and Related Expenses	\$ 8,452,066	
II. Other Expenses	3,864,597	
Division of Parking Facilities-On Street		\$ 1,228,066
I. Personnel and Related Expenses	\$ 1,187,226	
II. Other Expenses	40,840	
Division of Property Management		\$ 12,311,720
I. Personnel and Related Expenses	\$ 5,790,008	
II. Other Expenses	6,521,712	
Division of Park Maintenance and Properties		\$ 13,205,325
I. Personnel and Related Expenses	\$ 8,670,730	
II. Other Expenses	4,534,595	
Division of Waste Collection and Disposal		\$ 25,377,513
I. Personnel and Related Expenses	\$ 14,284,059	
II. Other Expenses	11,093,454	
Division of Traffic Engineering		\$ 3,741,690
I. Personnel and Related Expenses	\$ 2,770,516	
II. Other Expenses	971,174	
TOTAL DEPARTMENT OF PUBLIC WORKS		<u>\$ 71,234,320</u>

## DEPARTMENT OF COMMUNITY DEVELOPMENT

Department of Community Development Director's Office		\$ 295,868
I. Personnel and Related Expenses	\$ 283,303	
II. Other Expenses	12,565	
TOTAL DEPARTMENT OF COMMUNITY DEVELOPMENT		<u>\$ 295,868</u>

## DEPARTMENT OF BUILDING AND HOUSING

Building and Housing Director's Office		\$ 2,617,035
I. Personnel and Related Expenses	\$ 1,664,513	
II. Other Expenses	952,522	
Division of Code Enforcement		\$ 6,138,649
I. Personnel and Related Expenses	\$ 5,936,615	
II. Other Expenses	202,034	
Division of Construction Permitting		\$ 1,582,249
I. Personnel and Related Expenses	\$ 1,565,924	
II. Other Expenses	16,325	
TOTAL DEPARTMENT OF BUILDING AND HOUSING		<u>\$ 10,337,933</u>

DEPARTMENT OF ECONOMIC DEVELOPMENT

Economic Development		\$ 1,643,646
I. Personnel and Related Expenses	\$ 1,628,425	
II. Other Expenses	15,221	
TOTAL DEPARTMENT OF ECONOMIC DEVELOPMENT		<u>\$ 1,643,646</u>

NONDEPARTMENTAL

County Auditor Deductions		\$ 1,561,000
II. Other Expenses	\$ 1,561,000	
Other Administrative		\$ 17,722,049
II. Other Expenses	\$ 17,722,049	
Transfers to Other Funds		\$ 31,433,056
II. Other Expenses	\$ 31,433,056	
TOTAL NONDEPARTMENTAL		<u>\$ 50,716,105</u>
TOTAL EXECUTIVE BRANCH		<u>\$ 492,224,761</u>
TOTAL GENERAL FUND		<u>\$ 538,940,772</u>

SPECIAL REVENUE FUND

Restricted Income Tax Fund		\$ 38,811,272
I. Capital	\$ 8,039,218	
II. Debt Service	30,772,054	
Street Construction, Maintenance & Repair Fund		\$ 27,277,758
I. Personnel and Related Expenses	\$ 15,544,663	
II. Other Expenses	11,733,095	
Schools Recreation & Cultural Activities Fund		\$ 1,175,000
II. Other Expenses	\$ 1,175,000	
Division of Convention Center & Stadium-Stadium		\$ 7,437,000
II. Other Expenses	\$ 7,437,000	
TOTAL SPECIAL REVENUE FUNDS		<u>\$ 74,701,030</u>

INTERNAL SERVICE FUND

Sinking Fund Commission		\$ 1,042,793
I. Personnel and Related Expenses	\$ 191,292	
II. Other Expenses	851,501	
Information Systems Services-Telephone Exchange		\$ 6,581,306
I. Personnel and Related Expenses	\$ 1,336,933	
II. Other Expenses	5,244,373	
Division of Motor Vehicle Maintenance		\$ 19,637,720
I. Personnel and Related Expenses	\$ 5,738,353	
II. Other Expenses	13,899,367	
Division of Printing and Reproduction		\$ 2,333,962
I. Personnel and Related Expenses	\$ 845,937	
II. Other Expenses	1,488,025	
City Storeroom and Central Warehouse		\$ 592,933
I. Personnel and Related Expenses	\$ 129,202	
II. Other Expenses	463,731	
TOTAL INTERNAL SERVICE FUNDS		<u>\$ 30,188,714</u>

ENTERPRISE FUNDS

DEPARTMENT OF PUBLIC UTILITIES

Utilities Administration		\$ 3,311,372
I. Personnel and Related Expenses	\$ 2,507,041	
II. Other Expenses	804,331	

Radio			\$ 3,486,364
I. Personnel and Related Expenses	\$ 562,036		
II. Other Expenses	2,924,328		
Division of Fiscal Control			\$ 3,759,570
I. Personnel and Related Expenses	\$ 3,192,298		
II. Other Expenses	567,272		
Division of Water			\$ 261,758,799
I. Personnel and Related Expenses	\$ 84,338,708		
II. Other Expenses	177,420,091		
Division of Water Pollution Control			\$ 22,561,000
I. Personnel and Related Expenses	\$ 11,248,990		
II. Other Expenses	11,312,010		
Division of Cleveland Public Power			\$ 183,420,000
I. Personnel and Related Expenses	\$ 30,709,730		
II. Other Expenses	152,710,270		
TOTAL DEPARTMENT OF PUBLIC UTILITIES			<u>\$ 478,297,105</u>

## DEPARTMENT OF PORT CONTROL

Divisions of Cleveland Hopkins & Burke Lakefront Airports - Operations			\$ 139,375,331
I. Personnel and Related Expenses	\$ 32,850,806		
II. Other Expenses	106,524,525		
TOTAL DEPARTMENT OF PORT CONTROL			<u>\$ 139,375,331</u>

## DEPARTMENT OF PUBLIC WORKS

Division of Cemeteries			\$ 1,699,711
I. Personnel and Related Expenses	\$ 1,241,155		
II. Other Expenses	458,556		
Golf Course Fund			\$ 333,431
I. Personnel and Related Expenses	\$ 32,136		
II. Other Expenses	301,295		
Division of Parking Facilities-Off Street Parking			\$ 7,821,979
I. Personnel and Related Expenses	\$ 1,268,777		
II. Other Expenses	6,553,202		
Division of Convention Center			\$ 2,538,783
I. Personnel and Related Expenses	\$ 1,101,478		
II. Other Expenses	1,437,305		
Division of Convention Center & Stadium - West Side Market			\$ 1,134,549
I. Personnel and Related Expenses	\$ 432,979		
II. Other Expenses	701,570		
Division of Property Management - East Side Market			\$ 40,000
II. Other Expenses	\$ 40,000		
TOTAL DEPARTMENT OF PUBLIC WORKS			<u>\$ 13,568,453</u>
TOTAL ENTERPRISE FUNDS			<u>\$ 631,240,889</u>

## AGENCY FUND

Central Collection Agency			\$ 10,296,065
I. Personnel and Related Expenses	\$ 6,553,997		
II. Other Expenses	3,742,068		
TOTAL AGENCY FUND			<u>\$ 10,296,065</u>

## DEBT SERVICE FUND

Sinking Fund Commission			\$ 59,448,206
III. Debt Service	\$ 59,448,206		
TOTAL DEBT SERVICE FUNDS			<u>\$ 59,448,206</u>

**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 2012 is hereby appropriated to such fund for the payment of unpaid obligations lawfully incurred in 2013 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 2013 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.

Passed March 25, 2013.

Effective March 25, 2013.

**Ord. No. 191-13.**

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

**An emergency ordinance authorizing the Director of Public Works to enter into an agreement with Streetline, Inc. for a period not to exceed 90 days to implement a parking meter sensor pilot program.**

Whereas, the Department of Public Works desires to implement a pilot program by installing sensors in the ground and on up to 120 parking meters to monitor metered parking spaces for the purpose of enforcement and maintenance; and

Whereas, Streetline, Inc. has proposed to install the system at no cost to the City in order for the City to evaluate use of this type of monitoring system City-wide; 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 Works is authorized to enter into an agreement with Streetline, Inc., for a period not to exceed 90 days to implement a parking meter sensor pilot program for metered parking spaces, including labor and materials needed to install the system for the Division of Parking Facilities, Department of Public Works.

**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 March 25, 2013.

Effective March 28, 2013.

**Ord. No. 194-13.**

**By Council Members Miller and Kelley (by departmental request).**

**An emergency ordinance authorizing the Director of the Mayor's Office of Capital Projects to issue a permit to Fiber Technologies Networks, LLC to encroach into the**

**public right-of-way with approximately 45 miles of fiber optic network fiber to be attached to Cleveland Public Power, and the Illuminating Company utility poles and ATT utility Poles (by separate permission of the poles' owners).**

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

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

**Section 1.** That the Director of the Mayor's Office of Capital Projects is authorized to issue a permit, revocable at the will of Council, to Fiber Technologies Networks, LLC 300 Meridian Centre, Rochester, New York, 14618 ("Permittee") to encroach into the public right-of-way at various locations by installing, using, and maintaining approximately 45 miles of fiber optic network fiber to be attached to Cleveland Public Power utility poles, and the Illuminating Company utility poles and ATT utility Poles (by separate permission of the poles' owners) at the locations more fully described in Cleveland City Council File Number 194-13-A.

**Section 2.** That Permittee may assign the permit only with the written consent of the Director of the Office of Capital Projects. That nothing in this ordinance grants or shall be considered to grant to Permittee any right, privilege, or permission to use, or to attach or affix any object to, poles; Permittee shall obtain such permission from the respective pole owner.

**Section 3.** That the encroaching objects permitted by this ordinance shall conform to plans and specifications first approved by the Manager of Engineering and Construction. That Permittee shall obtain all other required permits, including but not limited to Building Permits, before installing the encroachments.

**Section 4.** That the Director of Law shall prepare the permit authorized by this ordinance and shall incorporate such additional provisions as the director determines necessary to protect and benefit the public interest. The permit shall be issued only when, in the opinion of the Director of Law, a prospective Permittee has properly indemnified the City against any loss that may result from the encroachment(s) permitted.

**Section 5.** That the Permit shall reserve reasonable right of entry to the encroachment location to the City.

**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.

Passed March 25, 2013.

Effective March 28, 2013.

**Ord. No. 198-13.**

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

**An emergency ordinance authorizing the Director of Public Works to employ one or more professional consultants to design improvements to the Willard Parking Garage.**

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

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

**Section 1.** That the Director of Public Works is authorized to 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 improvements to the Willard Parking Garage.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Works from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Public Works 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 Public Works, and certified by the Director of Finance.

**Section 2.** That the cost of the contract or contracts authorized shall be paid from Fund Nos. 65 SF 003, 65 SF 005, and 65 SF 006, Request No. RQS 7008, 2013-39.

**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 March 25, 2013.

Effective March 28, 2013.

**Ord. No. 238-13.**  
By Council Members Conwell, Mitchell and Kelley (by departmental request).

**An emergency ordinance to amend Section 135.49 of the Codified Ordinances of Cleveland, Ohio, 1976, enacted by Ordinance No. 1673-01, passed August 21, 1991, relating to agreements with Cuyahoga County for use of and access to Police and Criminal Justice Oriented Information Systems.**

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

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

**Section 1.** That Section 135.49 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1673-01, passed August 21, 1991, is amended to read as follows:

**Section 135.49 Agreements with Cuyahoga County for Shared Use of Criminal Justice-Oriented Information Systems**

The Director of Public Safety is hereby authorized to enter into successive agreements, each for a term not exceeding two (2) years, with the Cuyahoga County Executive, for use of and access to the County's Regional Enterprise Data Sharing System (REDSS) and/or other police and criminal justice-oriented information systems by and for all of the Division of Police, the Office of the Chief Assistant Prosecutor of the Department of Law, the Office of the Clerk of Courts of the Cleveland Municipal Court, the Cleveland Municipal Court, and at the option of the Director of Public Safety, the Division of Correction. Each unit participating in any one (1) agreement authorized hereby shall bear an equal share of all costs incurred under such agreement.

**Section 2.** That Section 135.49 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1673-01, passed August 21, 1991, is repealed.

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

Passed March 25, 2013.

Effective March 28, 2013.

**Ord. No. 240-13.**

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

**An emergency ordinance authorizing the Director of Public Works to apply for and accept a grant from Starting Point for Child Care and Early Education for the Out-of-School Time Program; and authorizing the Director to enter into one or more contracts with various agencies, entities, or individuals to implement the grant.**

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

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

**Section 1.** That the Director of Public Works is authorized to apply for and accept a grant from Starting Point for Child Care and Early Education to conduct the Out-of-School Time Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the Agreement for the grant contained in the file described below.

**Section 2.** That the Agreement for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 240-13-A, is made a part of this ordinance as if fully rewritten, is approved in all respects, and shall not be changed without additional legislative authority.

**Section 3.** That the Director of Public Works is authorized to enter into one or more contracts with or make payments to agencies, entities or individuals to implement the grant as described in the file.

**Section 4.** That the costs of the contract or contracts authorized by this ordinance shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance.

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

Passed March 25, 2013.

Effective March 28, 2013.

**Ord. No. 241-13.**

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

**An emergency ordinance authorizing the Director of Public Works to lease certain property located at 14550 Lorain Avenue from Pleasant Valley Enterprises Limited Partnership, for the public purpose of providing a base of operations for services provided in the northwest section of the City, for a term of one year.**

Whereas, the City of Cleveland requires certain property located at 14550 Lorain Avenue for the public purpose of providing a base of operations for services provided in the northwest section of the City; and

Whereas, Pleasant Valley Enterprises Limited Partnership ("Pleasant Valley Enterprises") has proposed to lease the property to the City of Cleveland; 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 Public Works is authorized to lease from Pleasant Valley Enterprises, certain property located at 14550 Lorain Avenue.

**Section 2.** That the lease authorized by this ordinance shall be for a term of one year.

**Section 3.** That the rent for the lease authorized by this ordinance shall be \$86,000 annually, which is determined to be fair market value, exclusive of utilities.

**Section 4.** That the lease may authorize the City to make improvements to the leased premises under terms to be determined by the parties to be consistent with the public purpose or purposes of providing a base of operations for services provided in the northwest section of the City.

**Section 5.** That the lease may provide for the City's payment of appropriate utility and other operating costs of the leased premises.

**Section 6.** That the costs of the lease shall be paid from Fund No. 11 SF 401, RQS 7016 RL 2013-30.

**Section 7.** That the lease shall be prepared by the Director of Law and shall contain any terms and conditions as are required to protect the interests of the City.

**Section 8.** That the Director of Public Works, 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 9.** 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 March 25, 2013.

Effective March 28, 2013.

**Ord. No. 242-13.**

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

**An emergency ordinance giving consent of the City of Cleveland to the County of Cuyahoga to construct the improvement of the East 49th Street Bridge No. 54; authorizing the Director of Capital Projects to enter into any relative agreements with the County of Cuyahoga to make the improvement; and allocate from the County Motor Vehicle License Tax Funds to County for the improvement.**



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 it is declared to be in the public interest that the consent of the City of Cleveland is given to the County of Cuyahoga (the "County"), to construct the following improvement under plans, specifications, and estimates approved by the County: improving the East 49th Street Bridge No. 54 (the "Improvement").

**Section 2.** That the City proposes to cooperate with the County, in the cost of the Improvement by an allocation from the County Motor Vehicle License Tax Fund to pay the County portion of the project; and by applying to the County to use the License Tax Fund for the Improvement. However, the City agrees to assume and contribute 100% of the cost of any items included in the construction contract, at the request of the City, which are determined by the County not eligible or made necessary by the Improvement.

**Section 3.** That the Director of Capital Projects is authorized to enter into one or more agreements with the County necessary to complete the planning and construction of the Improvement, which agreements shall contain terms and conditions that the Director of Law determines shall best protect the public interest.

**Section 4.** That on completion of the Improvement, the City will:

(a) Keep the affected highway open to traffic at all times;

(b) Maintain the Improvement according to the provisions of the statutes relating thereto and make ample financial and other provisions for the maintenance;

(c) Maintain the right-of-way and keep it free of obstruction in a manner satisfactory to the County and hold the right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands, or other private installations within the limits of the right-of-way;

(d) Place and maintain all traffic control devices under the Ohio Manual of Uniform Traffic Control Devices under the provisions of Section 4511.11 and related sections of the Revised Code;

(e) Follow and maintain post-construction Best Management Practices as outlined in the Municipal Storm Water Permit that is filed with the Ohio Environmental Protection Agency; and

(f) Prohibit all parking within the limits of the roadway which is a part of the Improvement under Section 4511.66 of the Revised Code, unless otherwise controlled by City ordinance or resolution.

**Section 5.** (a) That all existing streets and public rights-of-way within the City that are necessary for the Improvement shall be made available.

(b) That in the event any additional right-of-way is required for the Improvement, the County will arrange for its acquisition.

(c) That the County shall continue to maintain the structural elements of any bridge (defined as a structure with a span of twenty (20) feet or greater) within the limits of the Improvement under applicable

sections of the Revised Code including but not limited to 5591.02, 5591.23 and 5591.36.

(d) That the street within the limits of the Improvement is designated a through highway within the meaning of Section 4511.07(A)(6) of the Revised Code.

(e) That arrangements have been or will be made with and agreements obtained from all utility companies whose lines or structures will be affected by the Improvement. That the companies have agreed to make any and all necessary rearrangements in such manner as to be clear of any construction called for by the plans for the Improvement. That the companies have agreed to make necessary rearrangements immediately after notification by the City.

(f) That the City, at its own expense, shall make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers, or other City-owned utilities and appurtenances which do not comply with the provisions of Section 8204 of ODOT's Real Estate Policies and Procedures Manual, whether inside or outside the corporate limits of the City, as may be necessary to conform to the Improvement.

(g) That the County will participate in the costs of alterations of governmentally-owned utility facilities which come within the provisions of Section 8204 of ODOT's Real Estate Policies and Procedures Manual, to the same extent that it participates in the other costs of the Improvement, provided that such participation will not extend to additions or betterments of existing facilities.

(h) That the construction, reconstruction, and rearrangement of all utilities shall be done in a manner as not to interfere unduly with the operations of the contractor or contractors constructing the Improvement, and all backfilling of trenches made necessary by utility rearrangement shall be performed under the provisions of the ODOT Construction and Material Specifications.

(i) If applicable, that stop signs affecting the movement of traffic on any street within the limits of the Improvement shall be removed and no stop signs will be erected except at intersections with another through highway where traffic does not warrant the installation of a traffic control signal but where the warrants for a "Four-Way Stop" as provided in the aforesaid manual are met.

(j) That no rule or regulation may be enacted restricting the use of the Improvement by any class of vehicle or vehicle load permitted by the Revised Code to use a public highway. Any existing rule or regulation so restricting road usage is rescinded.

**Section 6.** That this Council requests the County to proceed with the Improvement.

**Section 7.** That the Director of Capital Projects is authorized to enter into an agreement with the County concerning the financing of the Improvement, which agreement shall contain without limitation terms substantially similar to the following:

(a) That the County will arrange for the preparation of construction plans and specifications for the Improvement, including necessary engineering reports, under current

Cuyahoga County standards for construction of County roads and bridges.

(b) That the County will arrange for the supervision and administration of the construction contract.

(c) That if, by ordinance of this Council, the City requests the County, to include in the Improvement the construction of sanitary sewers, water lines, sewers for drainage of the area surrounding the Improvement, sidewalks, alternate bid items or other items that are in addition to those now existing in the plans for the Improvement and not provided for elsewhere in the agreement, the County will do so, provided that the construction of the additional items are approved by the County and the City, and provided further that the City agrees to pay or cause to be paid the cost of the additional construction and of preliminary and design engineering, and construction supervision.

**Section 8.** That the Director of Capital Projects is authorized to apply to the County for an allocation from the County Motor Vehicle License Tax Fund for the Improvement, and to enter into one or more agreements with the County as are necessary to finance the Improvement.

**Section 9.** That the Director of Capital Projects is authorized to apply to the County for approval to use County Motor Vehicle License Tax funds to pay for the Improvement, to accept the funds and to file all papers and execute all documents necessary to receive the funds; and that the funds are appropriated for the purposes described in this ordinance.

**Section 10.** That the Clerk of Council is authorized and directed to transmit to the County three (3) certified copies of this ordinance immediately on its taking effect, and it shall become the basis for proceeding with the Improvement.

**Section 11.** 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 March 25, 2013.

Effective March 28, 2013.

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**Ord. No. 243-13.**

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

**An emergency ordinance authorizing the Director of Public Utilities to exercise the second option to renew Contract No. PS2011-272 with EMC Corp. for the lease of the Server Area Network (SAN) equipment and related datacenter hardware for the Department of Public Utilities.**

Whereas, under the authority of Ordinance No. 828-11, passed July 20, 2011, the Director of Public Utilities entered into Contract No. PS2011-272 with EMC Corp. for the lease of the Server Area Network (SAN) equipment and related datacenter hardware for the Department of Public Utilities; and

Whereas, Ordinance No. 828-11 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 Public Utilities is authorized to exercise the second option to renew Contract No. PS2011-272 for an additional year at a cost not to exceed \$338,384.00, with EMC Corp. for the lease of the Server Area Network (SAN) equipment and related data-center hardware for the Department of Public Utilities. This ordinance constitutes the additional legislative authority required by Ordinance No. 828-11 to exercise this option. (RQS 2002, RL 2013-11)

**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 March 25, 2013.  
Effective March 28, 2013.

**Ord. No. 244-13.**  
**By Council Members Pruitt and Kelley (by departmental request).**

**An emergency ordinance authorizing the Director of Public Utilities to exercise the second option to renew Contract No. PS2011-309 with Kronos, Incorporated to maintain the current time and attendance workforce system and software and hardware support, including training and upgrades.**

Whereas, under the authority of Ordinance No. 596-11, passed May 23, 2011, the Director of Public Utilities entered into Contract No. PS2011-309 with Kronos Incorporated to maintain the current time and attendance workforce system and software and hardware support, including training and upgrades; and

Whereas, Ordinance No. 596-11 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 Public Utilities is authorized to exercise the second option to renew Contract No. PS2011-309 for an additional year at a cost not to exceed \$61,124.27, with Kronos Incorporated to maintain the current time and attendance workforce system and software and hardware support, including training and upgrades. This ordinance constitutes the additional legislative authority required by Ordinance No. 596-11 to exercise this option. (RQS 2002, RL 2013-4)

**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 March 25, 2013.  
Effective March 28, 2013.

**Ord. No. 247-13.**  
**By Council Members Pruitt and Kelley (by departmental request).**  
**An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide general electrical engineering services for Cleveland Public Power.**

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 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 provide general electrical engineering services for Cleveland Public Power, Department of Public Utilities, on an as needed basis for a period up to two years.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Utilities from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Public Utilities 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 Public Utilities, and certified by the Director of Finance.

**Section 2.** That the cost of the contract or contracts authorized shall be paid from Fund No. 58 SF 001, Request No. RQS 2004, RL 2013-9.

**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 March 25, 2013.  
Effective March 28, 2013.

**Ord. No. 248-13.**  
**By Council Members K. Johnson and Kelley (by departmental request).**

**An emergency ordinance authorizing the Director of Public Works to employ one or more professional consultants to provide armed security services at various indoor and outdoor recreation facilities, including but not limited to, outdoor pools, recreation centers, and various surrounding play areas, for a period not to exceed one year.**

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

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

**Section 1.** That the Director of Public Works is authorized to 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 provide armed security services at various indoor and outdoor recreation facilities, including but not limited to, outdoor pools, recreation centers, and various surrounding play areas, for a period not to exceed one year.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Works from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Public Works 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 Public Works, and certified by the Director of Finance. Prior to commencement of work under the contract, the Director of Public Works shall notify the Chair of Public Parks, Properties, and Recreation Committee of the selected consultant and the Chair may schedule a meeting at which the selected consultant shall appear before the Committee.

**Section 2.** That the cost of the contract or contracts authorized shall be paid from Fund No. 01-7004-6380, Request No. RQS 7004, RL 2013-15.

**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 March 25, 2013.  
Effective March 28, 2013.

**Ord. No. 250-13.**  
**By Council Members Miller, Cleveland, Kelley and Cimperman (by departmental request).**

**An emergency ordinance to vacate 1st Unnamed Alley (16.5 feet wide) west of Columbus Road and south of Franklin Avenue and a portion of Moore Court.**

Whereas, under Resolution No. 1685-12, adopted November 26, 2012, this Council declared its intention to vacate 1st Unnamed Alley (16.5 feet wide) west of Columbus Road and south of Franklin Avenue and a portion of Moore Court; and

Whereas, notice of the adoption of the above vacation was served on the abutting property owners affected by the resolution which stated a time and place when objections would be heard before the Board of Revision of Assessments; and

Whereas, on January 14, 2013, the Board of Revision of Assessments approved the above vacation under the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating a portion of the above and that it will not be detrimental to the general interest and that it should be made; 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 declares that the following described real property is vacated:

**1st Unnamed Alley (16.5 feet wide) west of Columbus Road and south of Franklin Avenue**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a portion of 1st Unnamed Alley (16.5 feet wide) west of Columbus Road and south of Franklin Avenue in the Willeyville Allotment of part of Original Brooklyn Township Lot No. 70 as shown by the recorded plat in Volume 2 of Maps, Page 16 of Cuyahoga County Records, and being further described as follows:

Being all of that portion of said 1st Unnamed Alley (16.5 feet wide) extending from the northerly right of way of Moore Court (16.5 feet wide) north to the westerly prolongation of the north properly line of Parcel A in the Lot Split and Consolidation Plat as shown in Volume 348, Page 30 of Cuyahoga County Map Records.

**MOORE COURT**

All that portion of Moore Court (16.5 feet wide) extending Westerly from the West right of way of Columbus Road (80 feet wide) to that portion of Moore Court (16.5 feet wide) as vacated by the Council of City of Cleveland by Ordinance Number 75442 passed August 25, 1926.

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

**Section 2.** That there is reserved to the City of Cleveland an easement of full width as described above for Dominion Cleveland Thermal, Dominion East Ohio Gas, the Division of Water, and Illuminating Company (CEI).

That no structures shall be erected on the premises described in this easement except those constructed under the approval of, and in compliance with, plans approved by Dominion Cleveland Thermal, Dominion East Ohio Gas, the Division of Water, and Illuminating Company (CEI) and the City of Cleveland.

**Section 3.** That provided all required approvals have been obtained, the Manager of Engineering and Construction is directed to record the vacation plat in the office of the Recorder of Cuyahoga County.

**Section 4.** That the Clerk of Council is directed to transmit a copy of this ordinance to the Fiscal Officer of Cuyahoga County.

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

Passed March 25, 2013.

Effective March 28, 2013.

**Ord. No. 355-13.  
By Council Members Brancatelli, Kelley and Cimperman (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to apply for and accept a HUD 108 Loan Pool loan from the United States Department of Housing and Urban Development to partially finance the redevelopment of the property located at 1717 East 9th Street and other associated costs necessary to redevelop the property; and authorizing the Director of Economic Development to enter into an agreement with 1717 East 9th Street LLC, or its designee, for the project.**

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 Economic Development is authorized to apply for and accept a HUD 108 Loan Pool loan in an amount up to \$1,500,000, from the United States Department of Housing and Urban Development ("HUD"), to partially finance the redevelopment of the property located at 1717 East 9th Street (the "Project").

**Section 2.** That the Director of Economic Development is authorized to enter into a loan agreement with 1717 East 9th Street LLC, or its designee, to provide economic development assistance to partially finance the Project, and for other associated costs necessary to redevelop the property.

**Section 3.** That the terms of the loan shall be according to the terms set forth in the Summary contained in File No. 355-13-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, and are approved in all respects and shall not be changed without additional legislative authority.

**Section 4.** That the costs of the contract shall not exceed \$1,500,000 Dollars (\$1,500,000), and shall be paid from the fund or funds to which are credited the loan proceeds received from HUD under Section 1 of this ordinance, which funds are appropriated for this purpose.

**Section 5.** That the Director of Economic Development is authorized to accept such collateral as set forth in the file referenced above in order to secure repayment of the loan. Any loan agreement, security instrument, or other document shall be prepared and approved by the Director of Law.

**Section 6.** That the Director of Economic Development is authorized to accept monies in repayment of the loan and to deposit the monies into a fund designated by the Director of Finance.

**Section 7.** That the Director of Economic Development is authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and the fees are appropriated to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. The fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

**Section 8.** That the contract and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

**Section 9.** That the contract authorized in this legislation will require the recipient of financial assistance to work with, and/or cause their Tenants to work with, The Workforce Investment Board for Workforce Area No. 3 to identify and solicit qualified candidates for job opportunities related to the City's contracts, and place special emphasis on the hard to employ, including but not limited to the disabled and persons who have been convicted of or have pled guilty to a criminal offense, unless the criminal conviction or related circumstances relate to the duties for the particular job sought.

**Section 10.** 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 March 25, 2013.

Effective March 28, 2013.

**Ord. No. 360-13.  
By Council Member Kelley (by departmental request).**

**An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to lease property at 1449 West 117th Street from Montlack Realty, or their designees, for the purpose of providing office space for the Adult Probation Department of the Cleveland Municipal Court, for a term not to exceed three years, with three one-year options to renew, exercisable by the Director of Finance.**

Whereas, the City of Cleveland requires certain property located at 1449 West 117th Street for the public purpose of providing office space for the Adult Probation Department of the Cleveland Municipal Court to furnish probationary services to the neighborhood; and

Whereas, Montlack Realty, or their designees, has proposed to lease the property to the City of Cleveland; 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 Finance, on behalf of the Cleveland Municipal Court, is authorized to lease from Montlack Realty, or their

designees, certain property more fully described as follows: Building 1, Space A, at 1449 West 117th Street, consisting of approximately 4,251 square feet, for office space for the Adult Probation Department of the Cleveland Municipal Court.

**Section 2.** That the term of the lease authorized shall not exceed three years, with three one-year options to renew, exercisable by the Director of Finance.

**Section 3.** That the rent for the lease authorized shall be \$64,656.00 annually, payable in equal monthly installments.

**Section 4.** That the lease may authorize the City to make improvements to the leased premises under terms to be determined by the parties consistent with the public purpose of providing office space for the Adult Probation Department of the Cleveland Municipal Court to furnish probationary services to the neighborhood.

**Section 5.** That the lease may provide for the City's payment of appropriate utility and other operating costs of the leased premises.

**Section 6.** That the lease shall be prepared by the Director of Law.

**Section 7.** That the Director of Finance, on behalf of the City of Cleveland, and the Director of Law, and other appropriate City officials, are authorized to execute other documents and certificates, and take other actions necessary or appropriate to effect the lease authorized by this ordinance.

**Section 8.** That the costs of the lease entered into in 2013 shall be paid from Fund No. 01-0115-6360, and for years 2014 and 2015 shall be subject to annual appropriation, RQS 0115, RL 2013-17.

**Section 9.** 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 March 25, 2013.

Effective March 28, 2013.

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**Ord. No. 368-13.**

**By Council Members Cimperman, Brancatelli, Cleveland and Kelley (by departmental request).**

**An emergency ordinance authorizing the Commissioner of Purchases and Supplies to acquire and reconvey properties presently owned by 1717 East 9th Street LLC, or its designee, located at 1717 East 9th Street for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code; and authorizing an agreement with 1717 East 9th Street, LLC or its designee.**

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 Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized to

acquire from and reconvey to, 1717 East 9th Street LLC, or its designee, for a price of one dollar and other valuable considerations determined as fair market value, the following property for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code and more fully described as follows:

**Exhibit A-Legal Description**

**RECORD LEGAL DESCRIPTION:**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being all of Sublot Nos. 1, 2, 3 and 4 and part of Sublot No. 5 in John M. Woolsey's Subdivision of all of Original Two Acre Lot Nos. 163 to 167, both inclusive, and part of Original Two Acre Lot Nos. 156 to 162, both inclusive, as shown by the recorded plat in Volume N of Deeds, Page 486 of Cuyahoga County Records and bounded and described as follows: Beginning at the intersection of the Southeasterly line of Superior Avenue, NE, 132 feet wide, with the Northeastery line of East 9th Street (formerly Erie Street) (99 feet wide);

Course No. 1: Thence North 55 deg. 48' 00" East along said Southeastery line of Superior Avenue, NE, 305.68 feet to the intersection of the Northeastery line of the herein described parcel of land, which was conveyed to Tracco Cleveland, Inc. by deed dated October 18, 1957 and recorded in Volume 9026, Page 409 of Cuyahoga County Records and to The Prudential Insurance Company of America by deed dated December 1, 1959 and recorded in Volume 9778, Page 318 of Cuyahoga County Records;

Course No. 2: Thence South 33 deg. 56' 05" East along said Northeastery line of the herein described parcel of land, it being also along the Southwestery line of a parcel of land conveyed by the Wright Development Corporation to Superior Square Venture, a partnership and joint venture, by deed dated December 19, 1972 and recorded in Volume 13173, Page 31 of Cuyahoga County Records, 133.31 feet to the Northwestery line of Walnut Avenue, NE (66 feet wide);

Course No. 3: Thence South 55 deg. 54' 00" West along the Northwestery line of said Walnut Avenue, NE, 305.62 feet to the Northeastery line of said East 9th Street;

Course No. 4: Thence North 34 deg. 00' 00" West along the Northeastery line of said East 9th Street, 132.78 feet to the place of beginning.

**ALSO DESCRIBED AS FOLLOWS:**

**Surveyor's Legal Description**  
Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being all of Sublot Nos. 1, 2, 3 and 4 and part of Sublot No. 5 in the John M. Woolsey's Subdivision of all of Original Two Acre Lot Nos. 163 to 167, both inclusive, and part of Original Two Acre Lot Nos. 156 to 162, both inclusive, as shown by the recorded plat in Volume N of Deeds, Page 486 of Cuyahoga County Map Records and bounded and described as follows: Beginning at the drill hole in a stone monument found at the intersection of the centerline of Superior Avenue, NE (State Route 6) (132 feet wide) and the intersection of East 9th Street (formerly Erie Street) (99 feet wide);

Thence North 55° 48' 00" East along the centerline of Superior Avenue, NE, 49.50 feet to a point;

Thence South 33° 59' 50" East, 66.00 feet to the intersection of the Southerly right-of-way of Superior Avenue, NE and the Easterly right-of-way of East 9th Street and being the principal place of beginning of the premises herein described;

Thence North 55° 48' 00" East along the Southeastery right-of-way of Superior Avenue, NE, 305.68 feet to the Northwestery corner of land conveyed to Superior Square Venture by deed dated January 10, 1973 and recorded in Volume 13173, Page 31 of Cuyahoga County Records (PPN 101-35-032);

Thence South 33° 58' 19" East along the Northeastery line of land so conveyed, 133.30 feet to a drill hole found (0.34 feet North, 0.70 feet East) at the Southwestery corner therein and being the Northerly right-of-way of Walnut Avenue, NE (66 feet wide);

Thence South 55° 53' 00" West along the Northwestery right-of-way of Walnut Avenue, NE, 305.62 feet to the intersection of the Northerly right-of-way of Walnut Avenue, NE and the Easterly right-of-way of aforesaid East 9th Street;

Thence North 33° 59' 50" West along the Northeastery right-of-way of East 9th Street, 132.86 feet to the principal place of beginning and containing 0.9338 acres of land as surveyed and described by Edward B. Dudley, PS No. 6747 of the Riverstone Company in October of 2006, be the same more or less.

**Section 2.** That the Director of Economic Development is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire and to convey the properties and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition and sale of the properties.

**Section 3.** That this Council finds that the conveyances constitute a public purpose.

**Section 4.** 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.

**Section 5.** That the Director of Economic Development is authorized to enter into an agreement with 1717 East 9th Street LLC, or its designee, which shall include the terms and conditions of the transaction authorized by 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.

Passed March 25, 2013.

Effective March 28, 2013.

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**Ord. No. 369-13.**

**By Council Members Miller, Cleveland, Kelley and Zone (by departmental request).**

**An emergency ordinance to vacate a portion of Walworth Avenue S.W.**

Whereas, under Resolution No. 163-06, adopted July 12, 2006, this Council declared its intention to

vacate a portion of Walworth Avenue, S.W.; and

Whereas, notice of the adoption of the above vacation was served on the abutting property owners affected by the resolution which stated a time and place when objections would be heard before the Board of Revision of Assessments; and

Whereas, on September 15, 2011 the Board of Revision of Assessments approved the above vacation under the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating a portion of the above and that it will not be detrimental to the general interest and that it should be made; 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 declares that the following described real property is vacated:

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being all that portion of Walworth Avenue S.W. (60 feet wide) and its easterly turnout, said turnout acquired for street purposes by deed recorded in volume 6265, page 504 of Cuyahoga County Records, further described as follows; all that portion of Walworth Avenue S.W. (60 feet wide) and said easterly turnout; extending northeasterly from a line being 40.00 feet north and parallel with the center line of Clark Avenue S.W. (width varies) to a line being perpendicular to the northerly right of way of Walworth Avenue S.W. (60 feet wide) and 1.00 foot southwesterly by rectangular measurement from the southwest corner of a parcel of land conveyed to Hard Chrome Plating Consultants, Inc. as recorded May 27, 1988 in Volume 88-2414, Page 58 of Cuyahoga County Deed Records.

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

**Section 2.** That there is reserved to the City of Cleveland an easement of full width as described above for Cleveland Public Power, Dominion East Ohio Gas, AT&T, the Department of Water, Illuminating Company (CEI), Water Pollution Control, and the Northeast Ohio Regional Sewer District.

That no structures shall be erected on the premises described in this easement except those constructed under the approval of, and in compliance with, plans approved by Cleveland Public Power, Dominion East Ohio Gas, AT&T, the Department of Water, Illuminating Company (CEI), the Northeast Ohio Regional Sewer District, Water Pollution Control, and the City of Cleveland.

**Section 3.** That provided all required approvals have been obtained, the Manager of Engineering and Construction is directed to record the vacation plat in the office of the Recorder of Cuyahoga County.

**Section 4.** That the Clerk of Council is directed to transmit a copy of this ordinance to the Fiscal Officer of Cuyahoga County.

**Section 5.** That this ordinance is declared to be an emergency measure

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

Passed March 25, 2013.

Effective March 28, 2013.

**Ord. No. 421-13.**  
**By Council Members Conwell and Kelley (by departmental request).**

**An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from Cuyahoga County Public Safety and Justice Services for the 2012 State Homeland Security Program - GAP; and authorizing the purchase by one or more contracts of one infrared camera, including labor and materials needed for installation on the police helicopter, 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 apply for and accept a grant in the approximate amount of \$137,433, and any other funds that may become available during the grant term from Cuyahoga County Public Safety and Justice Services to conduct the 2012 State Homeland Security Program - GAP; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the award letter and budget for the grant contained in the file described below.

**Section 2.** That the award letter and budget for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 421-13-A, is made a part of this ordinance as if fully rewritten, is approved in all respects, and shall not be changed without additional legislative authority.

**Section 3.** That the Director of Public Safety is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: one infrared camera, including labor and materials needed for installation on the police helicopter, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Division of Police, Department of Public Safety.

**Section 4.** That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Safety may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

**Section 5.** That the costs of the contract or contracts authorized by this ordinance shall be paid from the fund or funds to which are credited the grant proceeds accepted under 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.

Passed March 25, 2013.

Effective March 28, 2013.

**Ord. No. 422-13.**  
**By Council Members Pruitt and Kelley (by departmental request).**

**An emergency ordinance authorizing the Director of Finance to enter into one or more requirement contracts without competitive bidding with Cleveland Thermal LLC for steam and chilled water for all City buildings serviced by Cleveland Thermal LLC under the current non-exclusive franchise ordinance which extends until June 1, 2037, for the various divisions of City government.**

Whereas, the Charter of the City of Cleveland authorizes this Council by ordinance to grant a non-exclusive franchise to any person, firm or corporation to construct, install, maintain and operate a utility in, under, over, along, across and upon any of the streets and public grounds of the City of Cleveland; and

Whereas, on April 30, 2012, this Council passed Ordinance No. 550-12 which authorized the amendment and extension of the franchise to Cleveland Thermal, LLC for the transmission and supply of steam and water for heating, cooling and power purposes; and

Whereas, it was the intention of this Council and Cleveland Thermal, LLC, to extend the franchise for the maximum period of 25 years allowed by law, but the final date of the franchise permitted by law was not known until final passage and approval of Ordinance No. 550-12; and

Whereas, under Ordinance No. 952-12, passed July 25, 2012, this Council corrected the date to June 1, 2037 that the franchise was extended to; and

Whereas, this Council desires to authorize the purchase of steam and water for heating, cooling and power purposes from Cleveland Thermal LLC in accordance with Ordinance No. 952-12; 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 determines that the within commodities are non-competitive and cannot be secured from any source other than Cleveland Thermal LLC. Therefore, the Director of Finance is authorized to make one or more written requirement contracts with Cleveland Thermal LLC, for the requirements to be determined by the Director, of the necessary items of steam and chilled water for heating, cooling and power purposes to various City buildings serviced by Cleveland Thermal LLC, to be purchased by the Commissioner of Pur-

chases and Supplies on a unit basis, for the various divisions of City government, for a period up to twenty years.

**Section 2.** That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 1505, RL 2013-9)

**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 March 25, 2013.

Effective March 28, 2013.

**Ord. No. 423-13.**

**By Council Member Pruitt.**

**An emergency ordinance authorizing the Director of the Department of Aging to enter into an agreement with Court Community Service for the Senior Lawn Care Program through the use of Ward 1 Neighborhood Capital Funds.**

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

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

**Section 1.** That the Director of the Department of Aging be authorized to enter into an agreement with Court Community Service for the Senior Lawn Care Program for the public purpose of assisting senior citizens residing in the city of Cleveland with grass cutting and lawn maintenance care through the use of Ward 1 Neighborhood Capital Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$20,500 and shall be paid from Fund No. 10 SF 177.

**Section 3.** That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

Passed March 25, 2013.

Effective March 28, 2013.

**Ord. No. 424-13.**

**By Council Member Cimperman.**

**An emergency ordinance consenting and approving the issuance of a permit for the 2013 National Senior Games 10K Run event; on July 20, 2013; presented by Humana and the Greater Cleveland Sports Commission.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the 2013 National Senior Games 10K Run event; start/finish: Lakeside in front of Med Mart; Lakeside to East 9th; East 9th to Erieside; Erieside to West 3rd; West 3rd to Lakeside; Lakeside to West 9th; West 9th to West Huron; West Huron to Ontario; Ontario to Lorain Carnegie Bridge; Lorain Carnegie Bridge to Fulton; Fulton to West 28th; West 28th to Detroit; Detroit to Veterans Memorial Bridge; Veterans Memorial Bridge to West 9th; West 9th to Lakeside; Lakeside to finish; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed March 25, 2013.

Effective March 28, 2013.

**Ord. No. 425-13.**

**By Council Member Cimperman.**

**An emergency ordinance consenting and approving the issuance of a permit for the 2013 National Senior Games 5000M Race/Walk event, on July 31, 2013, presented by Humana and the Greater Cleveland Sports Commission.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the 2013 National Senior Games 5000M Race/Walk, on July 3, 2013, start: Erieside and Al Lernerway; race/walk will just be on Erieside behind the Browns Stadium; finish in Browns Stadium; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further pro-

vide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed March 25, 2013.

Effective March 28, 2013.

**Ord. No. 426-13.**

**By Council Members Cimperman, Zone and Westbrook.**

**An emergency ordinance consenting and approving the issuance of a permit for the 2013 National Senior Games Cycling event; the 20K event is scheduled for July 27, 2013, the 40K event is scheduled for July 28, 2013; presented by Humana and the Greater Cleveland Sports Commission.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the 2013 National Senior Games Cycling event; start/finish: Erieside and Al Lerner Way; cycling course: west bound Shoreway from East 9th to Edgewater Park Exit Ramp Loop and return east bound Shoreway to West 3rd/Lakeside exit, West 3rd around stadium to Erieside and finish, 20K will take Two laps and the 40K will take Four laps around course; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed March 25, 2013.

Effective March 28, 2013.

**Ord. No. 474-13.**

**By Council Member Sweeney.**

**An emergency ordinance to amend Section 103.002 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 370-09, passed March 23, 2009; to repeal Sec-**

**tions 103.01 to 103.19 of the codified ordinances as enacted or amended by various ordinances; and to supplement the codified ordinances by enacting new Sections 103.01 to 103.17, relating to boundaries and wards.**

Whereas, an election was duly held in the City of Cleveland on Tuesday, May 4, 2010, to amend Section 25-1 of the Charter of the City; and

Whereas, a majority of the electors voting on the amendment voted in favor of amending Section 25-1 of the Charter to reapportion the City wards based on the City's population, as determined by estimated population figures compiled by the U.S. Census Bureau or other reliable source as determined by the Council; and

Whereas, the estimated population figures as of the 2010 U.S. Census Bureau Report, reduce the number of City wards from nineteen to seventeen; and

Whereas, Charter Section 25-1 mandates that the Council redivide the City into seventeen wards by no later than April 1, 2013; and

Whereas, this ordinance constitute an emergency measure providing for the usual daily operation of a municipal department and the immediate preservation of the public peace, property, health and safety in that the new ward plan must be established so that nominating petitions may be signed and filed by the filing deadline for the municipal primary election on June 27, 2013; 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 Section 103.002 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 370-09, passed March 23, 2009, is amended to read as follows effective for purposes of nominating and electing members of City Council in the year 2013 and for all purposes on and after January 6, 2014:

**Section 103.002 Division into Wards**

The City of Cleveland is redivided into seventeen wards under the provisions of Charter Section 25-1, effective for purposes of nominating and electing members of City Council in the year 2013 and for all purposes on and after January 6, 2014, which wards are more particularly defined and described in this chapter.

**Section 2.** That the following existing sections of the Codified Ordinances of Cleveland, Ohio, 1976,

Sections 103.01, 103.02, 103.03, and 103.04, as amended by Ordinance No. 417-09, passed March 30, 2009,

Sections 103.05 and 103.06, as enacted by Ordinance No. 370-09, passed March 23, 2009,

Sections 103.07, 103.08, 103.09, 103.10, 103.11, and 103.12, as amended by Ordinance No. 417-09, passed March 30, 2009,

Sections 103.13, 103.14, and 103.15, as enacted by Ordinance No. 370-09, passed March 23, 2009,

Sections 103.16 and 103.17, as amended by Ordinance No. 417-09, passed March 30, 2009, and

Sections 103.18 and 103.19 as enacted by Ordinance No. 370-09, passed March 23, 2009,

are repealed effective for purpose of nominating and electing members of City Council in the year 2013 and for all purposes on and after January 6, 2014.

**Section 3.** That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 103.01 which shall be effective for the purpose of nominating and electing members to the City Council in the year 2013 and for all purposes on and after January 6, 2014, to read as follows:

**Section 103.01 Ward One**

The boundaries of Ward 1 shall be as follows:

Beginning at the intersection of the center line of East 131st Street and the dividing line between the City of Cleveland and the City of Garfield Heights; thence northerly along the center line of East 131st Street to its intersection with the center line of Harvard Avenue S.E.; thence easterly along the center line of Harvard Avenue S.E. to its intersection with the center line of East 141st Street; thence northerly along the center line of East 141st Street to its intersection with the center line of Benwood Avenue S.E.; thence westerly along the center line of Benwood Avenue S.E. to its intersection with the center line of East 140th Street; thence northerly along the center line of East 140th Street to its intersection with the center line of Glendale Avenue S.E.; thence easterly along the center line of Glendale Avenue S.E. to its intersection with the center line of East 151st Street; thence northerly along the center line of East 151st Street to its intersection with the center line of Kinsman Road S.E.; thence westerly along the center line of Kinsman Road S.E. to its intersection with the center line of East 140th Street; thence northerly along the center line of East 140th Street to its intersection with the dividing line between the City of Cleveland and the City of Shaker Heights; thence easterly, southerly, easterly, southerly, westerly, southerly, southeasterly, and easterly along the dividing line between the City of Cleveland and the City of Shaker Heights to the dividing line between the City of Cleveland and the City of Warrensville Heights; thence southerly, westerly, southerly, southeasterly, southerly, westerly, and southerly along the dividing line between the City of Cleveland and the City of Warrensville Heights to its intersection with the dividing line between the City of Cleveland and the City of Maple Heights; thence westerly along the dividing line between the City of Cleveland and the City of Maple Heights to its intersection with the dividing line between the City of Cleveland and the City of Garfield Heights; thence northerly, westerly, northerly, westerly, southerly, westerly, northerly and westerly along the dividing line between the City of Cleveland and the City of Garfield Heights to the intersection of the center line of East 131st Street and the place of beginning.

Legal Description approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section revised 3/19/2013

**Section 4.** That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 103.02 which shall be effective for the purpose of nominating and electing members to the City Council in the year 2013 and for all purposes on and after January 6, 2014, to read as follows:

**Section 103.02 Ward Two**

The boundaries of Ward 2 shall be as follows:

Beginning at the intersection of the center line of East 131st Street and the dividing line between the City of Cleveland and the City of Garfield Heights; thence northerly along the center line of East 131st Street to its intersection with the center line of Harvard Avenue S.E.; thence easterly along the center line of Harvard Avenue S.E. to its intersection with the center line of East 141st Street; thence northerly along the center line of East 141st Street to its intersection with the center line of Benwood Avenue S.E.; thence westerly along the center line of Benwood Avenue S.E. to its intersection with the center line of East 140th Street; thence northerly along the center line of East 140th Street to its intersection with the center line of Glendale Avenue S.E.; thence easterly along the center line of Glendale Avenue S.E. to its intersection with the center line of East 151st Street; thence northerly along the center line of East 151st Street to its intersection with the center line of Kinsman Road S.E.; thence westerly along the center line of Kinsman Road S.E. to its intersection with the center line of East 140th Street; thence southerly along the center line of East 140th Street to its intersection with the center line of Svec Avenue S.E.; thence westerly along the center line of Svec Avenue S.E. to its intersection with the center line of East 131st Street; thence southerly along the center line of East 131st Street to its intersection with the center line of Aulcash Avenue S.E.; thence westerly along the center line of Aulcash Avenue S.E. to its intersection with the center line of East 130th Street; thence northerly along the center line of East 130th Street to its intersection with the center line of Revere Avenue S.E.; thence westerly along the center line of Revere Avenue S.E. to its intersection with the center line of East 120th Street; thence northerly along the center line of East 120th Street to its intersection with the center line of Union Avenue S.E.; thence westerly along the center line of Union Avenue S.E. to its intersection with the center line of Martin Luther King Jr. Drive; thence northerly and northwesterly along the center line of Martin Luther King Jr. Drive to its intersection with the center line of Kingsbury Blvd. S.E.; thence southwesterly and easterly along the center line of Kingsbury Blvd. S.E. to its intersection with the center line of East 110th Street; thence southerly along the center line of East 110th Street to its intersection with the center line of Eliot Avenue S.E.; thence westerly along the center line of Eliot Avenue S.E. to its intersection with the center line of East 105th Street; thence southerly along the center line of East 105th Street to its intersection with the center line of Aetna Road S.E.; thence westerly along the center line of Aetna Road S.E. to its intersection with the center line of the NS Railroad (formerly the Pennsylvania Railroad); thence southerly along the center line of the NS Railroad (formerly the Pennsylvania Railroad) to its intersection with the center line of Harvard Avenue S.E.; thence westerly along the center line Harvard Avenue S.E. to its intersection with the center line of Broadway S.E.; thence southeasterly along the center line of Broadway S.E. to its intersection with the center line of the NS Railroad (formerly the New York Central Railroad); thence southwesterly along the center line of the NS Railroad (formerly the New York

Central Railroad) to its intersection with the dividing line between the City of Cleveland and the City of Cuyahoga Heights; thence easterly and southerly along the dividing line between the City of Cleveland and the City of Cuyahoga Heights to its intersection with the dividing line between the City of Cleveland and the City of Garfield Heights; thence southerly, easterly, northerly and easterly along the dividing line between the City of Cleveland and the City of Garfield Heights to its intersection with the center line of East 131st Street and the place of beginning.

Legal Description approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section revised 3/19/2013

**Section 5.** That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 103.03 which shall be effective for the purpose of nominating and electing members to the City Council in the year 2013 and for all purposes on and after January 6, 2014, to read as follows:

**Section 103.03 Ward Three**

The boundaries of Ward 3 shall be as follows:

Beginning at the intersection of the center line of West 25th Street and the center line of Interstate 71; thence northeasterly and northerly along the center line of Interstate 71 to its intersection with the center line of Interstate 90; thence northerly and northeasterly along the center line of Interstate 90 to its intersection with the center line of Broadway S.E.; thence northwesterly along the center line of Broadway S.E. to its intersection with the center line of Carnegie Avenue S.E.; thence northeasterly along the center line of Carnegie Avenue S.E. to its intersection with the center line of East 14th Street; thence northwesterly along the center line of East 14th Street to its intersection with the center line of Prospect Avenue N.E.; thence southwestward along the center line of Prospect Avenue N.E. to its intersection with the center line of Bolivar Road S.E.; thence southwestward along the center line of Bolivar Road S.E. to its intersection with the center line of East 9th Street; thence northwesterly along the center line of East 9th Street to its intersection with the center line of Euclid Avenue; thence northeasterly along the center line of Euclid Avenue to its intersection with the center line of East 12th Street; thence northwesterly along the center line of East 12th Street to its intersection with the center line of Superior Avenue N.E.; thence northeasterly along the center line of Superior Avenue N.E. to its intersection with the center line of East 18th Street; thence northwesterly along the center line of East 18th Street to its intersection with the center line of Saint Clair Avenue N.E.; thence northeasterly along the center line of Saint Clair Avenue N.E. to its intersection with the center line of East 20th Street; thence northwesterly along the center line of East 20th Street to its intersection with the center line of Lakeside Avenue N.E.; thence northeasterly along the center line of Lakeside Avenue N.E. to its intersection with the center line of East 26th Street; thence northwesterly along the center line of East 26th Street to its intersection with the center line of Lakeside Avenue N.E.; thence northeasterly along the center line of Lakeside Avenue N.E. to its

intersection with the center line of East 40th Street; thence northwesterly along the center line East 40th Street to its intersection with the center line of the South Marginal Road N.E.; thence northeasterly along the center line of the South Marginal Road N.E. to its intersection with the center line of East 49th Street; thence northwesterly along the northwesterly prolongation of East 49th Street to its intersection with the irregular shore line of Lake Erie; thence southwesterly, northeasterly, northwesterly and southwestward along the meandering irregular shore line of Lake Erie to its intersection with the center line of the Cuyahoga River; thence southeasterly along the center line of the Cuyahoga River to its intersection with the center line of the Old Riverbed and Ship Channel; thence in a general southwesterly direction along the center line of the Old Riverbed and Ship Channel to its intersection with the northwesterly prolongation of the center line of West 29th Street; thence southeasterly along the northwesterly prolongation and the center line of West 29th Street to its intersection with the center line of the West Memorial Shoreway; thence southwestward and westerly along the center line of the West Memorial Shoreway to its intersection with the center line of West 45th Street; thence southerly along the center line of West 45th Street to its intersection with the center line of Tillman Avenue N.W.; thence southwestward along the center line of Tillman Avenue N.W. to its intersection with the center line of West 49th Street; thence southerly along the center line of West 49th Street to its intersection with the center line of Detroit Avenue N.W.; thence southwestward along the center line of Detroit Avenue N.W. to its intersection with the center line of West 50th Street; thence southerly, southeasterly and southerly along the center line of West 50th Street to its intersection with the center line of Lorain Avenue; thence southwestward along the center line of Lorain Avenue to its intersection with the center line of West 53rd Street; thence southerly along the center line of West 53rd Street to its intersection with the center line of Clark Avenue S.W.; thence westerly along the center line of Clark Avenue S.W. to its intersection with the center line of West 65th Street; thence southerly along the center line of West 65th Street to its intersection with the center line of Storer Avenue S.W.; thence easterly along the center line of Storer Avenue S.W. to its intersection with the center line of West 41st Street; thence northerly along the center line of West 41st Street to its intersection with the center line of Clark Avenue S.W.; thence easterly along the center line of Clark Avenue S.W. to its intersection with the center line of West 38th Street; thence northerly along the center line of West 38th Street to its intersection with the center line of Walton Avenue S.W.; thence easterly along the center line of Walton Avenue S.W. to its intersection with the center line of West 25th Street; thence southwestward along the center line of West 25th Street to its intersection with the center line of Interstate 71 and the place of beginning.

Legal Description approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section revised 3-19-13

**Section 6.** That the Codified Ordinances of Cleveland, Ohio, 1976, are

supplemented by enacting new Section 103.04 which shall be effective for the purpose of nominating and electing members to the City Council in the year 2013 and for all purposes on and after January 6, 2014, to read as follows:

**Section 103.04 Ward Four**

The boundaries of Ward 4 shall be as follows:

Beginning at the intersection of the dividing line between the City of Cleveland and the City of Shaker Heights with the center line of East 130th Street; thence easterly and southerly along the dividing line between the City of Cleveland and the City of Shaker Heights to its intersection with the center line of East 140th Street; thence southerly along the center line of East 140th Street to its intersection with the center line of Svec Avenue S.E.; thence westerly along the center line of Svec Avenue S.E. to its intersection with the center line of East 131st Street; thence southerly along the center line of East 131st Street to its intersection with the center line of Aulcash Avenue S.E.; thence westerly along the center line of Aulcash Avenue S.E. to its intersection with the center line of East 130th Street; thence northerly along the center line of East 130th Street to its intersection with the center line of Revere Avenue S.E.; thence westerly along the center line of Revere Avenue S.E. to its intersection with the center line of East 120th Street; thence northerly along the center line of East 120th Street to its intersection with the center line of Union Avenue S.E.; thence westerly along the center line of Union Avenue S.E. to its intersection with the center line of Martin Luther King Jr. Drive; thence northerly and northwesterly along the center line of Martin Luther King Jr. Drive to its intersection with the center line of Kingsbury Blvd. S.E.; thence southwestward and easterly along the center line of Kingsbury Blvd. S.E. to its intersection with the center line of East 110th Street; thence southerly along the center line of East 110th Street to its intersection with the center line of Elliot Avenue S.E.; thence westerly along the center line of Elliot Avenue S.E. to its intersection with the center line of East 102nd Street; thence northerly along the center line of East 102nd Street to its intersection with the center line Kingsbury Blvd. S.E.; thence northwesterly and northerly along the center line of Kingsbury Blvd. S.E. to its intersection with the center line of Kinsman Road S.E.; thence northwesterly along the center line of Kinsman Road S.E. to its intersection with the center line of East 93rd Street; thence northerly along the center line of East 93rd Street to its intersection with the center line of Woodhill Road S.E.; thence northeasterly along the center line of Woodhill Road S.E. to its intersection with the center line of Sophia Avenue S.E.; thence westerly along the center line of Sophia Avenue S.E. to its intersection with the center line of Ambler Street S.E.; thence northerly and northeasterly along the center line of Ambler Street S.E. to its intersection with the center line of Holton Avenue S.E.; thence westerly along the center line of Holton Avenue S.E. to its intersection with the center line of East 90th Street; thence northerly and northeasterly along the center line of East 90th Street to its intersection with the center line of Buckeye Road S.E.; thence northwesterly along the



center line of Buckeye Road S.E. to its intersection with the center line of East 89th Street; thence northerly along the center line of East 89th Street to its intersection with the center line of Woodland Avenue S.E.; thence easterly along the center line of Woodland Avenue S.E. to its intersection with the center line of Woodhill Road S.E.; thence southwesterly along the center line of Woodhill Road S.E. to its intersection with the center line of Buckeye Road S.E.; thence southeasterly along the center line of Buckeye Road S.E. to its intersection with the center line of the south bound lanes of South Moreland Boulevard S.E.; thence northerly along the center line of the south bound lanes of South Moreland Boulevard S.E. to its intersection with the center line of Drexmore Road S.E.; thence westerly along the center line of Drexmore Road S.E. to its intersection with the center line of East 128th Street; thence northerly along the center line of East 128th Street to its intersection with the center line of Williams Avenue S.E.; thence westerly along the center line of Williams Avenue S.E. to its intersection with the center line of East 121st Street; thence northerly along the center line of East 121st Street to its intersection with the center line of Shaker Boulevard S.E.; thence easterly along the center line of Shaker Boulevard S.E. to its intersection with the center line of East 130th Street; thence northerly along the center line of East 130th Street to its intersection with the dividing line between the City of Cleveland and the City of Shaker Heights and the place of beginning.

Legal Description approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section revised 3/1/2013 and checked

**Section 7.** That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 103.05 which shall be effective for the purpose of nominating and electing members to the City Council in the year 2013 and for all purposes on and after January 6, 2014, to read as follows:

**Section 103.05 Ward Five**

The boundaries of Ward 5 shall be as follows:

Beginning at the intersection of the center line of Cedar Avenue S.E. and the center line of East 79th Street; thence southerly along the center line of East 79th Street to its intersection with the center line of Central Avenue S.E.; thence westerly along the center line Central Avenue S.E. to its intersection with the center line of East 77th Street; thence southerly along the center line of East 77th Street to its intersection with the center line of Quincy Avenue S.E.; thence easterly along the center line of Quincy Avenue S.E. to its intersection with the center line of East 79th Street; thence southerly along the center line of East 79th Street to its intersection with the center line of Woodland Avenue S.E.; thence easterly along the center line of Woodland Avenue S.E. to its intersection with the center line of East 79th Street; thence southerly along the center line of East 79th Street to its intersection with the center line of the New York, Chicago and St. Louis Railroad; thence northeasterly along the center line of the New York, Chicago and St. Louis Railroad to its intersection with the center line of the NS Railroad (formerly the Pennsylvania Railroad); thence southeasterly

along the center line of the NS Railroad (formerly the Pennsylvania Railroad) to its intersection with the centerline of Holton Avenue S.E.; thence westerly along the center line of Holton Avenue S.E. to its intersection with the northerly prolongation of the centerline of East 84th Street (a portion Vacated); thence southerly along the center line of East 84th Street (a portion Vacated) and its northerly prolongation to its intersection with the center line of Kinsman Road S.E.; thence southeasterly along the center line of Kinsman Road S.E. to its intersection with the centerline of the NS Railroad (formerly the Pennsylvania Railroad) ; thence southwesterly along the center line of the NS Railroad (formerly the Pennsylvania Railroad) to its intersection with the center line of Bessemer Avenue S.E.; thence westerly and northwesterly along the center line of Bessemer Avenue S.E. to its intersection with the center line of East 65th Street; thence southerly along the center line of East 65th Street to its intersection with the center line of Union Avenue S.E.; thence westerly along the center line of Union Avenue S.E. to its intersection with the center line of Broadway S.E.; thence northwesterly along the center line of Broadway S.E. to its intersection with the center line of East 55th Street; thence southwesterly and southerly along the center line of East 55th Street to its intersection with the centerline of Dolloff Road S.E.; thence northwesterly along the center line of Dolloff Road S.E. to its intersection with the center line of East 55th Street; thence southerly along the center line of East 55th Street to its intersection with the center line of the Wheeling and Lake Erie Railroad; thence in a generally westerly direction along the center line of the Wheeling and Lake Erie Railroad to its intersection with the center line of Interstate 77; thence northwesterly along the center line of Interstate 77 to its intersection with the center line of Broadway S.E.; thence northwesterly along the meandering center line of Broadway S.E. to its intersection with the center line of Ontario Street; thence northwesterly along the center line of Ontario Street to its intersection with the center line of Carnegie Avenue S.E.; thence northeasterly along the center line of Carnegie Avenue S.E. to its intersection with the center line of East 14th Street; thence northwesterly along the center line of East 14th Street to its intersection with the center line of Prospect Avenue N.E.; thence southwesterly along the center line of Prospect Avenue N.E. to its intersection with the center line of Bolivar Road S.E.; thence southwesterly along the center line of Bolivar Road S.E. to its intersection with the center line of East 9th Street; thence northwesterly along the center line of East 9th Street to its intersection with the center line of Euclid Avenue; thence northeasterly along the center line of Euclid Avenue to its intersection with the center line of East 13th Street; thence northwesterly along the center line of East 13th Street to its intersection with the center line of Payne Avenue N.E.; thence northeasterly along the center line of Payne Avenue N.E. to its intersection with the center line of Interstate 90; thence southeasterly along the center line of Interstate 90 to its intersection with the center line of Euclid Avenue; thence northeasterly along the center line of Euclid Avenue to its intersection with

the center line of East 30th Street; thence southeasterly along the center line of East 30th Street to its intersection with the center line of Prospect Avenue S.E.; thence northeasterly and southeasterly along the center line of Prospect Avenue S.E. to its intersection with the center line of Carnegie Avenue S.E.; thence in a general easterly direction along the center line of Carnegie Avenue S.E. to its intersection with the centerline of the NS Railroad (formerly the Pennsylvania Railroad) ; thence southeasterly along the center line of the NS Railroad (formerly the Pennsylvania Railroad) to its intersection with the center line of Cedar Avenue S.E.; thence easterly along the center line of Cedar Avenue S.E. to its intersection with the center line of East 79th Street and the place of beginning.

Legal Description approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section revised 3-25-2013 and checked

**Section 8.** That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 103.06 which shall be effective for the purpose of nominating and electing members to the City Council in the year 2013 and for all purposes on and after January 6, 2014, to read as follows:

**Section 103.06 Ward Six**

The boundaries of Ward 6 shall be as follows:

Beginning at the intersection of the dividing line between the City of Cleveland and the City of East Cleveland and the center line of Euclid Avenue; thence southwesterly along the center line of Euclid Avenue to its intersection with the center line of East 115th Street; thence northwesterly along the center line of East 115th Street to its intersection with the center line of Bellflower Road N.E.; thence southwesterly along the center line of Bellflower Road N.E. to its intersection with the center line of Ford Drive N.E.; thence southeasterly along the center line of Ford Drive to its intersection with the center line of Euclid Avenue; thence southwesterly and westerly along the center line of Euclid Avenue its intersection with the center line of East 105th Street; thence northerly along the center line of East 105th Street to its intersection with the center line of Chester Avenue N.E.; thence westerly along the center line of Chester Avenue N.E. to its intersection with the center line of East 79th Street; thence southerly along the center line of East 79th Street to its intersection with the center line of Euclid Avenue; thence westerly along the center line of Euclid Avenue to its intersection with the center line of East 77th Street; thence southerly along the center line of East 77th Street to its intersection with the center line of Carnegie Avenue S.E.; thence easterly along the center line of Carnegie Avenue S.E. to its intersection with the center line of East 77th Street; thence southerly along the center line of East 77th Street to its intersection with the center line of Cedar Avenue S.E.; thence easterly along the center line of Cedar Avenue S.E. to its intersection with the center line of East 79th Street; thence southerly along the center line of East 79th Street to its intersection with the center line of Central Avenue S.E.; thence westerly along the center line Central Avenue S.E. to its intersection with the center line of East 77th Street; thence southerly along the center line of

East 77th Street to its intersection with the center line of Quincy Avenue S.E.; thence easterly along the center line of Quincy Avenue S.E. to its intersection with the center line of East 79th Street; thence southerly along the center line of East 79th Street to the intersection with the center line of Woodland Avenue S.E.; thence easterly along the center line of Woodland Avenue S.E. to its intersection with the center line of East 79th Street; thence southerly along the center line of East 79th Street to its intersection with the center line of the New York, Chicago and St. Louis Railroad; thence northeasterly along the center line of the New York, Chicago and St. Louis Railroad to its intersection with the center line of the NS Railroad (formerly the Pennsylvania Railroad); thence southeasterly along the center line of the NS Railroad (formerly the Pennsylvania Railroad) to its intersection with the centerline of Holton Avenue S.E.; thence westerly along the center line of Holton Avenue S.E. to its intersection with the northerly prolongation of the centerline of East 84th Street (a portion Vacated); thence southerly along the center line of East 84th Street (a portion Vacated) and its northerly prolongation to its intersection with the center line of Kinsman Road S.E.; thence southeasterly along the center line of Kinsman Road S.E. to its intersection with the centerline of the NS Railroad (formerly the Pennsylvania Railroad); thence southwesterly along the center line of the NS Railroad (formerly the Pennsylvania Railroad) to its intersection with the center line of Bessemer Avenue S.E.; thence westerly and northwesterly along the center line of Bessemer Avenue S.E. to its intersection with the center line of East 65th Street; thence southerly along the centerline of East 65th Street to its intersection with the center line of Union Avenue S.E.; thence easterly along the center line of Union Avenue S.E. to its intersection with the center line of East 75th Street; thence southerly along the center line of East 75th Street to its intersection with the center line of Aetna Road S.E.; thence easterly along the center line of Aetna Road S.E. to its intersection with the center line of East 105th Street; thence northerly along the center line of East 105th Street to its intersection with the center line of Eliot Avenue S.E.; thence westerly along the center line of Eliot Avenue S.E. to its intersection with the center line of East 102nd Street; thence northerly along the center line of East 102nd Street to its intersection with the center line of Kingsbury Blvd. S.E.; thence northwesterly and northerly along the center line of Kingsbury Blvd. S.E. to its intersection with the center line of Kinsman Road S.E.; thence northwesterly along the center line of Kinsman Road S.E. to its intersection with the center line of East 93rd Street; thence northerly along the center line of East 93rd Street to its intersection with the center line of Woodhill Road S.E.; thence northeasterly along the center line of Woodhill Road S.E. to its intersection with the center line of Sophia Avenue S.E.; thence westerly along the center line of Sophia Avenue S.E. to its intersection with the center line of Ambler Street S.E.; thence northerly and northeasterly along the center line of Ambler Street S.E. to its intersection with the center line of Holton Avenue S.E.; thence westerly along the center line of

Holton Avenue S.E. to its intersection with the center line of East 90th Street; thence northerly and northeasterly along the center line of East 90th Street to its intersection with the center line of Buckeye Road S.E.; thence northwesterly along the center line of Buckeye Road S.E. to its intersection with the center line of East 89th Street; thence northerly along the center line of East 89th Street to its intersection with the center line of Woodland Avenue S.E.; thence easterly along the center line of Woodland Avenue S.E. to its intersection with the center line of Woodhill Road S.E.; thence southwesterly along the center line of Woodhill Road S.E. to its intersection with the center line of Buckeye Road S.E.; thence southeasterly along the center line of Buckeye Road S.E. to its intersection with the center line of the south bound lanes of South Moreland Boulevard S.E.; thence northerly along the center line of the south bound lanes of South Moreland Boulevard S.E. to its intersection with the center line of Drexmore Road S.E.; thence westerly along the center line of Drexmore Road S.E. to its intersection with the center line of East 128th Street; thence northerly along the center line of East 128th Street to its intersection with the center line of Williams Avenue S.E.; thence westerly along the center line of Williams Avenue S.E. to its intersection with the center line of East 121st Street; thence northerly along the center line of East 121st Street to its intersection with the center line of Shaker Boulevard S.E.; thence easterly along the center line of Shaker Boulevard S.E. to its intersection with the center line of East 130th Street; thence northerly along the center line of East 130th Street to its intersection with the dividing line between the City of Cleveland and the City of Shaker Heights; thence westerly and northerly along the dividing line between the City of Cleveland and the City of Shaker Heights to its intersection with the dividing line between the City of Cleveland and the City of Cleveland Heights; thence northwesterly, northerly, easterly, northerly, northeasterly, easterly and northerly along the irregular dividing line between the City of Cleveland and the City of Cleveland Heights to its intersection with the dividing line between the City of Cleveland and the City of East Cleveland; thence westerly along the dividing line between the City of Cleveland and the City of East Cleveland to its intersection with the center line of Euclid Avenue and the place of beginning.

Legal Description approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section revised 3/25/2013

**Section 9.** That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 103.07 which shall be effective for the purpose of nominating and electing members to the City Council in the year 2013 and for all purposes on and after January 6, 2014, to read as follows:

**Section 103.07 Ward Seven**  
The boundaries of Ward 7 shall be as follows:

Beginning at the intersection the center line of Euclid Avenue with the center line of East 13th Street; thence northwesterly along the center line of East 13th Street to its intersection with the center line of Payne Avenue

N.E.; thence northeasterly along the center line of Payne Avenue N.E. to its intersection with the center line of Interstate 90; thence southeasterly along the center line of Interstate 90 to its intersection with the center line of Euclid Avenue; thence northeasterly along the center line of Euclid Avenue to its intersection with the center line of East 30th Street; thence southeasterly along the center line of East 30th Street to its intersection with the center line of Prospect Avenue S.E.; thence northeasterly and southeasterly along the center line of Prospect Avenue S.E. to its intersection with the center line of Carnegie Avenue S.E.; thence in a general easterly direction along the center line of Carnegie Avenue S.E. to its intersection with the centerline of the NS Railroad (formerly the Pennsylvania Railroad); thence southeasterly along the center line of the NS Railroad (formerly the Pennsylvania Railroad) to its intersection with the center line of Cedar Avenue S.E.; thence easterly along the center line of Cedar Avenue S.E. to its intersection with the center line of East 77th Street; thence northerly along the center line of East 77th Street to its intersection with the center line of Carnegie Avenue S.E.; thence westerly along the center line of Carnegie Avenue S.E. to its intersection with the center line of East 77th Street; thence northerly along the center line of East 77th Street to its intersection with the center line of Euclid Avenue; thence easterly along the center line of Euclid Avenue to its intersection with the center line of East 79th Street; thence northerly along the center line of East 79th Street to its intersection with the center line Chester Avenue N.E.; thence easterly along the center line of Chester Avenue N.E. to its intersection with the center line of East 105th Street; thence northerly along the center line of East 105th Street to its intersection with the center line of Martin Luther King Jr. Drive; thence westerly and northwesterly along the center line of Martin Luther King Jr. Drive to its intersection with the center line of Wade Park Avenue N.E.; thence westerly along the center line of Wade Park Avenue N.E. to its intersection with the center line of Ansel Road N.E.; thence northerly, northeasterly and northwesterly along the center line of Ansel Road N.E. to its intersection with the center line of Bellevue Avenue N.E.; thence westerly along the center line of Bellevue Avenue N.E. to its intersection with the center line of East 79th Street; thence southerly along the center line of East 79th Street to its intersection with the center line of Donald Avenue N.E.; thence westerly along the center line of Donald Avenue N.E. to its intersection with the center line of East 74th Street; thence northerly along the center line of East 74th Street to its intersection with the center line of Donald Avenue N.E.; thence westerly along the center line of Donald Avenue N.E. to its intersection with the center line of East 71st Street; thence northerly along the center line of East 71st Street to its intersection with the center line of Bliss Avenue N.E.; thence westerly along the center line of Bliss Avenue N.E. to its intersection with the center line of East 68th Street; thence northwesterly along the center line of East 68th Street to its intersection with the center line of Saint Clair Avenue N.E.; thence southwesterly along the center line of Saint Clair Avenue N.E. to

its intersection with the center line of East 55th Street; thence southerly along the center line of East 55th Street to its intersection with the center line of Superior Avenue N.E.; thence southwesterly along the center line of Superior Avenue N.E. to its intersection with the center line of East 40th Street; thence northwesterly along the center line of East 40th Street to its intersection with the center line of Lakeside Avenue N.E.; thence southwesterly along the center line of Lakeside Avenue N.E. to its intersection with the center line of East 26th Street; thence southeasterly along the center line of East 26th Street to its intersection with the center line of Lakeside Avenue N.E.; thence southwesterly along the center line of Lakeside Avenue N.E. to its intersection with the center line of East 20th Street; thence southeasterly along the center line of East 20th Street to its intersection with the center line of Saint Clair Avenue N.E.; thence southwesterly along the center line of Saint Clair Avenue N.E. to its intersection with the center line of East 18th Street; thence southwesterly along the center line of East 18th Street to its intersection with the center line of Superior Avenue N.E.; thence southwesterly along the center line of Superior Avenue N.E. to its intersection with the center line of East 12th Street; thence southeasterly along the center line of East 12th Street to its intersection with the center line of Euclid Avenue; thence northeasterly along the center line of Euclid Avenue to its intersection with the center line of East 13th Street and the place of beginning.

Legal Description approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section revised 3-20-2013

**Section 10.** That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 103.08 which shall be effective for the purpose of nominating and electing members to the City Council in the year 2013 and for all purposes on and after January 6, 2014, to read as follows:

**Section 103.08 Ward Eight**

The boundaries of Ward 8 shall be as follows:

Beginning at the intersection of the center line of the New York Central Rail Road with the dividing line between the City of Cleveland and the City of Euclid; thence northerly, northwesterly, northerly, westerly and northerly along the dividing line between the City of Cleveland and the City of Euclid to its intersection with the shore line of Lake Erie; thence in a general southwesterly direction along the meandering irregular shore line of Lake Erie to its intersection with the dividing line between the City of Cleveland and the Village of Bratenahl; thence in a general southwesterly direction along the dividing line between the City of Cleveland and the Village of Bratenahl to its intersection with the center line of Eddy Road N.E.; thence southeasterly and southerly along the center line of Eddy Road N.E. to its intersection with the center line of Locke Avenue N.E.; thence easterly along the center line of Locke Avenue N.E. to its intersection with the center line of East 124th Street; thence southerly along the center line of East 124th Street to its intersection with the center line of Saint Clair Avenue N.E.; thence easterly and northeasterly along the center line of Saint Clair

Avenue N.E. to its intersection with the center line of Cornado Avenue N.E.; thence northwesterly and westerly along the center line of Cornado Avenue N.E. to its intersection with the center line of East 127th Street; thence northerly along the center line of East 127th Street to its intersection with the center line of Locke Avenue N.E.; thence westerly along the center line of Locke Avenue N.E. to its intersection with the center line of East 127th Place; thence northerly along center line of East 127th Place to its intersection with the center line of Gruss Avenue N.E.; thence easterly along the center line of Gruss Avenue N.E. to its intersection with the center line of Cleveland Road N.E.; thence northwesterly along the center line of Cleveland Road N.E. to its intersection with the center line of Iowa Avenue N.E.; thence westerly along the center line of Iowa Avenue N.E. to its intersection with the center line of East 127th Place; thence northerly along the center line of East 127th Place to its intersection with the center line of Maple Avenue N.E.; thence easterly along the center line of Maple Avenue N.E. to its intersection with the center line of Cleveland Road N.E.; thence northwesterly along the center line of Cleveland Road N.E. to its intersection with the center line of Taft Avenue N.E.; thence easterly along the center line of Taft Avenue N.E. to its intersection with the center line of East 131st Street; thence northerly along the center line of East 131st Street to its intersection with the center line of Coit Road N.E.; thence southeasterly along the center line of Coit Road N.E. to its intersection with the center line of East 134th Street; thence southerly along the center line of East 134th Street to its intersection with the center line of Rugby Road N.E.; thence southeasterly along the center line of Rugby Road N.E. to its intersection with the center line of Redman Court N.E.; thence southwesterly along the center line of Redman Court N.E. to its intersection with the center line of Earlwood Road N.E.; thence southeasterly along the center line of Earlwood Road N.E. to its intersection with the center line of Saint Clair Avenue N.E.; thence northeasterly along the center line of Saint Clair Avenue N.E. to its intersection with the center line of East 140th Street; thence northerly along the center line of East 140th Street to its intersection with the center line of Topeka Avenue N.E.; thence westerly along the center line of Topeka Avenue N.E. to its intersection with the center line of East 138th Place; thence northerly along the center line of East 138th Place to its intersection with the center line of Maxwell Avenue N.E.; thence westerly along the center line of Maxwell Avenue N.E. to its intersection with the center line of East 137th Street; thence northerly along the center line of East 137th Street to its intersection with the center line of Aspinwall Avenue N.E.; thence northeasterly and easterly along the center line of Aspinwall Avenue N.E. to its intersection with the center line of East 152nd Street; thence southerly along the center line of East 152nd Street to its intersection with the center line of Aspinwall Avenue N.E.; thence easterly along the center line of Aspinwall Avenue N.E. to its intersection with the center line of East 154th Street; thence southerly along the center line of East 154th Street to its intersection with the center line of Plato Avenue N.E.; thence westerly

along the center line of Plato Avenue N.E. to its intersection with the center line of East 152nd Street; thence southerly along the center line of East 152nd Street to its intersection with the center line of Ivanhoe Road N.E.; thence southeasterly along the center line of Ivanhoe Road N.E. to its intersection with the center line of Mandalay Avenue N.E.; thence northeasterly along the center line of Mandalay Avenue N.E. to its intersection with the center line of London Road N.E.; thence northwesterly along the center line of London Road N.E. to its intersection with the center line of Westfield Avenue N.E.; thence northeasterly along the center line of Westfield Avenue N.E. to its intersection with the center line of Wayside Road N.E.; thence northwesterly and westerly along the center line of Wayside Avenue N.E. to its intersection with the center line of East 166th Street; thence northerly and northwesterly along center line of East 166th Street to its intersection with the center line of Saint Clair Avenue N.E.; thence northeasterly along the center line of Saint Clair Avenue N.E. to its intersection with the center line of East 168th Street; thence northwesterly along the center line of East 168th Street to its intersection with the center line of the New York Central Rail Road; thence northeasterly along the center line of the New York Central Rail Road to its intersection with the dividing line between the City of Cleveland and the City of Euclid and the place of beginning.

Legal Description approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section revised 3/22/2013

**Section 11.** That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 103.09 which shall be effective for the purpose of nominating and electing members to the City Council in the year 2013 and for all purposes on and after January 6, 2014, to read as follows:

**Section 103.09 Ward Nine**

The boundaries of Ward 9 shall be as follows:

Beginning at the intersection of the dividing line between the City of Cleveland and the City of East Cleveland and the center line of Euclid Avenue; thence southwesterly along the center line of Euclid Avenue to its intersection with the center line of East 115th Street; thence northwesterly along the center line of East 115th Street to its intersection with the center line of Bellflower Road N.E.; thence southwesterly along the center line of Bellflower Road N.E. to its intersection with the center line of Ford Drive N.E.; thence southeasterly along the center line of Ford Drive N.E. to its intersection with the center line of Euclid Avenue; thence southwesterly and westerly along the center line of Euclid Avenue to its intersection with the center line of East 105th Street; thence northerly along the center line of East 105th Street to its intersection with the center line of Martin Luther King Jr. Drive; thence westerly and northwesterly along the center line of Martin Luther King Jr. Drive to its intersection with the center line of Wade Park Avenue N.E.; thence westerly along the center line of Wade Park Avenue N.E. to its intersection with the center line of Ansel Road N.E.; thence northerly, northeasterly and northwesterly along the center line of Ansel Road N.E. to its

intersection with the center line of Bellevue Avenue N.E.; thence westerly along the center line of Bellevue Avenue N.E. to its intersection with the center line of East 79th Street; thence southerly along the center line of East 79th Street to its intersection with the center line of Donald Avenue N.E.; thence westerly along the center line of Donald Avenue N.E. to its intersection with the center line of East 76th Street; thence northerly along the center line of East 76th Street to its intersection with the center line of Saint Clair Avenue N.E.; thence northeasterly along the center line of Saint Clair Avenue N.E. to its intersection with the center line of East 101st Street; thence northerly along the center line of East 101st Street to its intersection with the center line of Colonial Avenue N.E.; thence easterly along the center line of Colonial Avenue N.E. to its intersection with the center line of East 102nd Street; thence northerly along the center line of East 102nd Street to its intersection with the center line of Colonial Avenue N.E.; thence easterly along the center line of Colonial Avenue N.E. to its intersection with the center line of East 103rd Street; thence northerly along the center line of East 103rd Street to its intersection with the center line of Elk Avenue N.E.; thence easterly along the center line of Elk Avenue N.E. to its intersection with the center line of East 107th Street; thence southerly, southeasterly and southerly along the center line of East 107th Street to its intersection with the center line of Saint Clair Avenue N.E.; thence northeasterly along the center line of Saint Clair Avenue N.E. to its intersection with the center line of East 120th Street; thence southerly along the center line of East 120th Street to its intersection with the center line of Thornhill Drive N.E.; thence southeasterly along the center line of Thornhill Drive N.E. to its intersection with the dividing line between the City of Cleveland and the City of East Cleveland; thence westerly, southerly and easterly along the dividing line between the City of Cleveland and the City of East Cleveland to its intersection with the center line of Euclid Avenue and the place of beginning.

Legal Description approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section revised 3/22/2013

**Section 12.** That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 103.10 which shall be effective for the purpose of nominating and electing members to the City Council in the year 2013 and for all purposes on and after January 6, 2014, to read as follows:

**Section 103.10 Ward Ten**

The boundaries of Ward 10 shall be as follows:

Beginning at the intersection of the center line of the New York Central Rail Road with the dividing line between the City of Cleveland and the City of Euclid; thence along the dividing line between the City of Cleveland and the City of Euclid southeasterly, southwesterly, southeasterly, southwesterly and in a generally southeasterly direction along the meandering dividing line between the City of Cleveland and the City of Euclid to its intersection with the dividing line between the City of Cleveland and the City of South Euclid; thence westerly, northwester-

ly and southerly to its intersection with the dividing line between the City of Cleveland and the City of Cleveland Heights; thence westerly along the dividing line between the City of Cleveland and the City of Cleveland Heights to its intersection with the dividing line between the City of Cleveland and the City of East Cleveland; thence westerly, northerly, northwesterly, southwesterly, westerly, southerly and westerly along the dividing line between the City of Cleveland and the City of East Cleveland to its intersection with the center line of Thornhill Drive N.E.; thence northwesterly along the center line of Thornhill Drive N.E. to its intersection with the center line of East 120th Street; thence northerly along the center line of East 120th Street to its intersection with the center line of Saint Clair Avenue N.E.; thence southwesterly along the center line of Saint Clair Avenue N.E. to its intersection with the center line of East 107th Street; thence northerly, northwesterly and northerly along the center line of East 107th Street to its intersection with the center line of Elk Avenue N.E.; thence westerly along the center line of Elk Avenue N.E. to its intersection with the center line of East 103rd Street; thence southerly along the center line of East 103rd Street to its intersection with the center line of Colonial Avenue N.E.; thence westerly along the center line of Colonial Avenue N.E. to its intersection with the center line of East 102nd Street; thence southerly along the center line of East 102nd Street to its intersection with the center line of Colonial Avenue N.E.; thence westerly along the center line of Colonial Avenue N.E. to its intersection with the center line of East 101st Street; thence southerly along the center line of East 101st Street to its intersection with the center line of Saint Clair Avenue N.E.; thence southwesterly along the center line of Saint Clair Avenue N.E. to its intersection with the center line of East 76th Street; thence southerly along the center line of East 76th Street to its intersection with the center line of Donald Avenue N.E.; thence westerly along the center line of Donald Avenue N.E. to its intersection with the center line of East 71st Street; thence northerly along the center line of East 71st Street to its intersection with the center line of Bliss Avenue N.E.; thence westerly along the center line of Bliss Avenue N.E. to its intersection with the center line of East 68th Street; thence northwesterly along the center line of East 68th Street to its intersection with the center line of Saint Clair Avenue N.E.; thence southwesterly along the center line of Saint Clair Avenue N.E. to its intersection with the center line of East 55th Street; thence southerly along the center line of East 55th Street to its intersection with the center line of Superior Avenue N.E.; thence southwesterly along the center line of Superior Avenue N.E. to its intersection with the center line of East 40th Street; thence northwesterly along the center line of East 40th Street to its intersection with the center line of the South Marginal Road N.E.; thence northeasterly along the center line of the South Marginal

Road N.E. to its intersection with the center line of East 49th Street; thence along the northwesterly prolongation of East 49th Street to its intersection with the shore line of Lake Erie; thence in a general northeasterly direction along the meandering irregular shore line of Lake Erie to its intersection with the dividing line between the City of Cleveland and the Village of Bratenahl; thence in a general northeasterly direction along the dividing line between the City of Cleveland and the Village of Bratenahl to its intersection with the center line of Eddy Road N.E.; thence southeasterly and southerly along the center line of Eddy Road N.E. to its intersection with the center line of Locke Avenue N.E.; thence easterly along the centerline of Locke Avenue N.E. to its intersection with the center line of East 124th Street; thence southerly along the center line of East 124th Street to its intersection with the center line of Saint Clair Avenue N.E.; thence easterly and northeasterly along the center line of Saint Clair Avenue N.E. to its intersection with the center line of Cornado Avenue N.E.; thence northwesterly and westerly along the center line of Cornado Avenue N.E. to its intersection with the center line of East 127th Street; thence northerly along the center line of East 127th Street to its intersection with the center line of Locke Avenue N.E.; thence westerly along the centerline of Locke Avenue N.E. to its intersection with the center line of East 127th Place; thence northerly along center line of East 127th Place to its intersection with the center line of Gruss Avenue N.E.; thence easterly along the center line of Gruss Avenue N.E. to its intersection with the center line of Cleveland Road N.E.; thence northwesterly along the center line of Cleveland Road N.E. to its intersection with the center line of Iowa Avenue N.E.; thence westerly along the center line of Iowa Avenue N.E. to its intersection with the center line of East 127th Place; thence northerly along the center line of East 127th Place to its intersection with the center line of Maple Avenue N.E.; thence easterly along the center line of Maple Avenue N.E. to its intersection with the center line of Cleveland Road N.E.; thence northwesterly along the center line of Cleveland Road N.E. to its intersection with the center line of Taft Avenue N.E.; thence easterly along the center line of Taft Avenue N.E. to its intersection with the center line of East 131st Street; thence northerly along the center line of East 131st Street to its intersection with the center line of Coit Road N.E.; thence southeasterly along the center line of Coit Road N.E. to its intersection with the center line of East 134th Street; thence southerly along the center line of East 134th Street to its intersection with the center line of Rugby Road N.E.; thence southeasterly along the center line of Rugby Road N.E. to its intersection with the center line of Redman Court N.E.; thence southwesterly along the center line of Redman Court N.E. to its intersection with the center line of Earlwood Road N.E.; thence southeasterly along the center line of Earlwood Road N.E. to its intersection with the center line of Saint Clair Avenue N.E.; thence northeasterly along the center line of Saint Clair Avenue N.E. to its intersection with the center line of East 140th Street; thence northerly along the center line of East 140th Street to its intersection with the center line of

Topeka Avenue N.E.; thence westerly along the center line of Topeka Avenue N.E. to its intersection with the center line of East 138th Place; thence northerly along the center line of East 138th Place to its intersection with the center line of Maxwell Avenue N.E.; thence westerly along the center line of Maxwell Avenue N.E. to its intersection with the center line of East 137th Street; thence northerly along the center line of East 137th Street to its intersection with the center line of Aspinwall Avenue N.E.; thence northeasterly and easterly along the center line of Aspinwall Avenue N.E. to its intersection with the center line of East 152nd Street; thence southerly along the center line of East 152nd Street to its intersection with the center line of Plato Avenue N.E.; thence westerly along the center line of Plato Avenue N.E. to its intersection with the center line of East 152nd Street; thence southerly along the center line of East 152nd Street to its intersection with the center line of Ivanhoe Road N.E.; thence southeasterly along the center line of Ivanhoe Road N.E. to its intersection with the center line of Mandalay Avenue N.E.; thence northeasterly along the center line of Mandalay Avenue N.E. to its intersection with the center line of London Road N.E.; thence northwesterly along the center line of London Road N.E. to its intersection with the center line of Westfield Avenue N.E.; thence northeasterly along the center line of Westfield Avenue N.E. to its intersection with the center line of Wayside Road N.E.; thence northwesterly and westerly along the center line of Wayside Avenue N.E. to its intersection with the center line of East 166th Street; thence northerly and northwesterly along center line of East 166th Street to its intersection with the center line of Saint Clair Avenue N.E.; thence northeasterly along the center line of Saint Clair Avenue N.E. to its intersection with the center line of East 168th Street; thence northwesterly along the center line of East 168th Street to its intersection with the center line of the New York Central Rail Road; thence northeasterly along the center line of the New York Central Rail Road to its intersection with the dividing line between the City of Cleveland and the City of Euclid and the place of beginning.

Legal Description approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section revised 3/25/2013

**Section 13.** That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 103.11 which shall be effective for the purpose of nominating and electing members to the City Council in the year 2013 and for all purposes on and after January 6, 2014, to read as follows:

**Section 103.11 Ward Eleven**

The boundaries of Ward 11 shall be as follows:

Beginning at the intersection of the dividing line between the City of Cleveland and the City of Brooklyn with the easterly prolongation of the centerline of Walford Avenue S.W.; thence westerly along the easterly prolongation and the center line of

Walford Avenue S.W. to its intersection with the center line of West 97th Street; thence northerly along the center line of West 97th Street to its intersection with the center line of Maywood Avenue S.W.; thence easterly and northeasterly along the center line of Maywood Avenue S.W. to its intersection with the center line of West 88th Street; thence northerly along the center line of West 88th Street to its intersection with the center line of Denison Avenue S.W.; thence northwesterly along the center line of Denison Avenue S.W. to its intersection with the center line of West 92nd Street; thence northerly along the center line of West 92nd Street to its intersection with the center line of Lorain Avenue; thence southwesterly along the center line of Lorain Avenue to its intersection with the center line of West 95th Street; thence northerly along the center line of West 95th Street to its intersection with the center line of the South Marginal Road; thence westerly and northwesterly along the center line of the South Marginal Road N.W. to its intersection with the center line of Interstate 90; thence southwesterly along the center line of Interstate 90 to its intersection with the center line of West 106th Street; thence northerly along the center line of West 106th Street to its intersection with the center line of Madison Avenue N.W.; thence easterly along the center line of Madison Avenue N.W. to its intersection with the center line of West 99th Street; thence northerly along the center line of West 99th Street and its northerly prolongation to its intersection with the center line of Detroit Avenue N.W.; thence northeasterly along the center line of Detroit Avenue N.W. to its intersection with the center line of West 95th Street; thence northerly along the center line of West 95th Street to its intersection with the center line of Desmond Avenue N.W.; thence northeasterly along the center line of Desmond Avenue N.W. to its intersection with the center line of West 95th Street; thence northwesterly along the center line of West 95th Street to its intersection with the center line of Clifton Blvd. N.W.; thence northwesterly along the center line of Clifton Blvd. N.W. to its intersection with the center line of West 102nd Street; thence southwesterly along the center line of West 102nd Street to its intersection with the center line of Nanford Road N.W.; thence southeasterly along the center line of Nanford Road N.W. to its intersection with the center line of Baltic Road N.W.; thence northeasterly along the center line of Baltic Road N.W. to its intersection with the center line of West Blvd. N.W.; thence southeasterly along the center line of West Blvd. N.W. to its intersection with the center line of the New York Central Railroad; thence southwesterly along the center line of the New York Central Railroad to its intersection with the center line of Detroit Avenue N.W.; thence northwesterly along the center line of Detroit Avenue N.W. to its intersection with the center line West 110th Street; thence southwesterly along the center line of West 110th Street to its intersection with the center line of Franklin Blvd. N.W.; thence westerly along the center line of Franklin Blvd. N.W. to its intersection with the center line of West 112th Street; thence southerly along the center line of West 112th Street to its intersection with the center line of Madison Avenue N.W.; thence westerly along

the center line of Madison Avenue N.W. to its intersection with the center line of West 117th Street; thence southerly along the center line of West 117th Street to its intersection with the center line of Geraldine Avenue N.W.; thence westerly along the center line of Geraldine Avenue N.W. to its intersection with the center line of West 120th Street; thence southeasterly along the center line of West 120th Street to its intersection with the center line of Lorain Avenue; thence southwesterly along the center line of Lorain Avenue to its intersection with the center line of West 129th Street; thence southerly along the center line of West 129th Street to its intersection with the center line of Worthington Avenue S.W.; thence westerly along the center line of Worthington Avenue S.W. to its intersection with the center line of West 130th Street; thence southerly along the center line of West 130th Street to its intersection with the New York Central Railroad; thence northeasterly along the center line of the New York Central Railroad to its intersection with the dividing line between the City of Cleveland and the City of Brooklyn; thence in a general northerly direction along the dividing line between the City of Cleveland and the City of Brooklyn to its intersection with the dividing line between the City of Cleveland and Linndale Village; thence northerly, westerly, northeasterly and in a general southerly direction along the meandering dividing line between the City of Cleveland and Linndale Village to its intersection with the dividing line between the City of Cleveland and the City of Brooklyn; thence in a general northeasterly direction along the meandering dividing line between the City of Cleveland and the City of Brooklyn to its intersection with the easterly prolongation of the center line of Walford Avenue S.W. and the place of beginning.

Legal Description approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section, revised 3/25/2013

**Section 14.** That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 103.12 which shall be effective for the purpose of nominating and electing members to the City Council in the year 2013 and for all purposes on and after January 6, 2014, to read as follows:

**Section 103.12 Ward Twelve**

The boundaries of Ward 12 shall be as follows:

Beginning at the intersection of the center line of Broadview Road S.W. with the center line of Pearl Road S.W.; thence southeasterly and southerly along the center line of Broadview Road S.W. to its intersection with the center line of West Schaaf Road S.W.; thence southeasterly along the center line of West Schaaf Road S.W. to its intersection with the dividing line between the City of Cleveland and the Village of Brooklyn Heights; thence northeasterly, northerly and easterly along the dividing line between the City of Cleveland and the Village of Brooklyn Heights to its intersection with the Cuyahoga River; thence in a general northwesterly direction along the meandering center line of the Cuyahoga River, also being the dividing line between the City of Cleveland and the Village of Cuyahoga Heights, to its intersection with the

center line of Harvard Avenue S.W.; thence continuing along the dividing line between the City of Cleveland and the Village of Cuyahoga Heights northeasterly, northwesterly, northerly and easterly to its intersection with the dividing line between the City of Cleveland and the Village of Newburgh Heights; thence easterly, southerly, easterly, southerly, southeasterly, easterly and southerly along the dividing line between the City of Cleveland and the Village of Newburgh Heights, to its intersection with the dividing line between the City of Cleveland and the City of Garfield Heights; thence southerly, easterly, southerly, easterly, northeasterly, easterly, northeasterly, westerly, northwesterly and easterly along the dividing line between the City of Cleveland and the City of Garfield Heights to its intersection with the center line of the NS Railroad (formerly the New York Central Railroad); thence northeasterly along the center line of the NS Railroad (formerly the New York Central Railroad) to its intersection with the center line of Broadway Road S.E.; thence northwesterly along the center line of Broadway S.E. to its intersection with the center line of Harvard Avenue S.E.; thence easterly along the center line of Harvard Avenue S.E. to its intersection with the center line of the NS Railroad (formerly the Pennsylvania Railroad); thence northerly along the center line of the NS Railroad (formerly the Pennsylvania Railroad) to its intersection with the center line of Aetna Road S.E.; thence westerly along the center line of Aetna Road S.E. to its intersection with the center line of East 75th Street; thence northerly along the center line of East 75th Street to its intersection with the center line of Union Avenue S.E.; thence westerly along the center line of Union Avenue S.E. to its intersection with the center line of Broadway S.E.; thence northwesterly along the center line of Broadway S.E. to its intersection with the center line of East 55th Street; thence southwesterly and southerly along the center line of East 55th Street to its intersection with the centerline of Dolloff Road S.E.; thence northwesterly along the center line of Dolloff Road S.E. to its intersection with the center line of East 55th Street; thence southerly along the center line of East 55th Street to its intersection with the center line of the Wheeling and Lake Erie Railroad; thence in a generally westerly direction along the center line of the Wheeling and Lake Erie Railroad to its intersection with the center line of Interstate 77; thence northwesterly along the center line of Interstate 77 to its intersection with the center line of Broadway S.E.; thence northwesterly along the meandering center line of Broadway S.E. to its intersection with the center line of Orange Avenue S.E.; thence northwesterly along the center line of Orange Avenue S.E. to its intersection with the center line of Interstate 90; thence southwesterly along the center line of Interstate 90, Interstate 71 and Interstate 176 to its intersection with the center line of Vacated Jennings Road S.W.; thence southeasterly along the center line of Vacated Jennings Road S.W. to its intersection with the center line of Jennings Road S.W.; thence southerly along the center line of Jennings Road S.W. to its intersection with the center line of Big Creek; thence in a general westerly direction along the meandering

center line of Big Creek to its intersection with the center line of Pearl Road S.W.; thence southwesterly along the center line of Pearl Road S.W. to its intersection with the center line of Broadview Road S.W. and the place of beginning.

Legal Description approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section revised 3-18-2013 and checked

**Section 15.** That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 103.13 which shall be effective for the purpose of nominating and electing members to the City Council in the year 2013 and for all purposes on and after January 6, 2014, to read as follows:

**Section 103.13 Ward Thirteen**

The boundaries of Ward 13 shall be as follows:

Beginning at the intersection of the center line of the Wheeling and Lake Erie Railroad with the center line of Pearl Road S.W.; thence southwesterly along the center line of Pearl Road S.W. to its intersection with the center line of Broadview Road S.W.; thence southeasterly and southerly along the center line of Broadview Road S.W. to its intersection with the center line of West Schaaf Road S.W.; thence southeasterly along the center line of West Schaaf Road S.W. to its intersection with the dividing line between the City of Cleveland and the Village of Brooklyn Heights; thence southeasterly and southwesterly along the dividing line between the City of Cleveland and the Village of Brooklyn Heights to its intersection with the dividing line between the City of Cleveland and the City of Parma; thence westerly along the dividing line between the City of Cleveland and the City of Parma to its intersection with the center line of Ridge Road S.W. and the dividing line between the City of Cleveland and the City of Brooklyn; thence northerly, easterly, northerly, westerly, northerly, westerly, northeasterly, northwesterly, westerly, northwesterly, southwesterly, southeasterly, southwesterly, northeasterly, northwesterly, southwesterly, northwesterly, northerly, easterly along the dividing line between the City of Cleveland and the City of Brooklyn to its intersection with the center line of Ridge Road S.W.; thence northwesterly along the center line Ridge Road S.W. to its intersection with the center line of the main line tracks of the Wheeling and Lake Erie Railroad; thence southeasterly along the center line of the main line tracks of the Wheeling and Lake Erie Railroad to its intersection with the center line of Pearl Road, S.W. and the place of beginning.

Legal Description approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section Revised 3/1/2013 and checked

**Section 16.** That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 103.14 which shall be effective for the purpose of nominating and electing members to the City Council in the year 2013 and for all purposes on and after January 6, 2014, to read as follows:

**Section 103.14 Ward Fourteen**

The boundaries of Ward 14 shall be as follows:

Beginning at the intersection of the center line of Interstate 71, Interstate 176 and the center line of Vacated Jennings Road S.W.; thence southeasterly

ly along the center line of Vacated Jennings Road S.W. to its intersection with the center line of Jennings Road S.W.; thence southerly along the center line of Jennings Road S.W. to its intersection with the center line of Big Creek; thence in a general westerly direction along the meandering center line of Big Creek to its intersection with the center line of main line tracks of the Wheeling and Lake Erie Railroad; thence in a general northwesterly direction along the center line of the main line tracks of the Wheeling and Lake Erie Railroad to its intersection with the dividing line between the City of Cleveland and the City of Brooklyn; thence northwesterly, northeasterly, northwesterly and southwesterly along the dividing line between the City of Cleveland and the City of Brooklyn to its intersection with the easterly prolongation of the centerline of Walford Avenue S.W.; thence westerly along the center line of Walford Avenue S.W. and its easterly prolongation to its intersection with the center line of West 97th Street; thence northerly along the center line of West 97th Street to its intersection with the center line of Maywood Avenue S.W.; thence easterly and northeasterly along the center line of Maywood Avenue S.W. to its intersection with the center line of West 88th Street; thence northerly along the center line of West 88th Street to its intersection with the center line of Denison Avenue S.W.; thence northwesterly along the center line of Denison Avenue S.W. to its intersection with the center line of West 92nd Street; thence northerly along the center line of West 92nd Street to its intersection with the center line of Lorain Avenue; thence southwesterly along the center line of Lorain Avenue to its intersection with the center line of West 95th Street; thence northerly along the center line of West 95th Street to its intersection with the center line of South Marginal Road; thence easterly along the center line of South Marginal Road to its intersection with the center line of Clark Avenue S.W.; thence easterly along the center line of Clark Avenue S.W. to its intersection with the center line of West 65th Street; thence southerly along the center line of West 65th Street to its intersection with the center line of Storer Avenue S.W.; thence easterly along the center line of Storer Avenue S.W. to its intersection with the center line of West 41st Street; thence northerly along the center line of West 41st Street to its intersection with the center line of Clark Avenue S.W.; thence easterly along the center line of Clark Avenue S.W. to its intersection with the center line of West 38th Street; thence northerly along the center line of West 38th Street to its intersection with the center line of Walton Avenue S.W.; thence easterly along the center line of Walton Avenue S.W. to its intersection with the center line of West 25th Street; thence southwesterly along the center line of West 25th Street to its intersection with the center line of Interstate 71; thence easterly and northwesterly along the center line of Interstate 71 and Interstate 176 to its intersection with center line of Vacated Jennings Road S.W. and the place of beginning.

Legal Description approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section revised 3-19-2013

**Section 17.** That the Codified Ordinances of Cleveland, Ohio, 1976, are

supplemented by enacting new Section 103.15 which shall be effective for the purpose of nominating and electing members to the City Council in the year 2013 and for all purposes on and after January 6, 2014, to read as follows:

**Section 103.15 Ward Fifteen**

The boundaries of Ward 15 shall be as follows:

Beginning at the intersection of the irregular shore line of Lake Erie and the center line of the Cuyahoga River; thence southeasterly along the center line of the Cuyahoga River to its intersection with the center line of the Old Riverbed and Ship Channel; thence in a general southeasterly direction along the center line of the Old Riverbed and Ship Channel to its intersection with the northwesterly prolongation of the center line of West 29th Street; thence southeasterly along the northwesterly prolongation and the center line of West 29th Street to its intersection with the center line of the West Memorial Shoreway; thence southwesterly and westerly along the center line of the West Memorial Shoreway to its intersection with the center line of West 45th Street; thence southerly along the center line of West 45th Street to its intersection with the center line of Tillman Avenue N.W.; thence southwesterly along the center line of Tillman Avenue N.W. to its intersection with the center line of West 49th Street; thence southerly along the center line of West 49th Street to its intersection with the center line of Detroit Avenue N.W.; thence southwesterly along the center line of Detroit Avenue N.W. to its intersection with the center line of West 50th Street; thence southerly, southeasterly and southerly along the center line of West 50th Street to its intersection with the center line of Lorain Avenue; thence southwesterly along the center line of Lorain Avenue to its intersection with the center line of West 53rd Street; thence southerly along the center line of West 53rd Street to its intersection with the center line of Clark Avenue S.W.; thence westerly along the center line of Clark Avenue S.W. to its intersection with the center line of the South Marginal Road N.W.; thence westerly and northwesterly along the center line of the South Marginal Road N.W. to its intersection with the center line of the Interstate 90; thence southwesterly along the center line of Interstate 90 to its intersection with the center line of West 106th Street; thence northerly along the center line of West 106th Street to its intersection with the center line of Madison Avenue N.W.; thence easterly along the center line of Madison Avenue N.W. to its intersection with the center line of West 99th Street; thence northerly along the center line of West 99th Street and its northerly prolongation to its intersection with the center line of Detroit Avenue N.W.; thence northeasterly along the center line of Detroit Avenue N.W. to its intersection with the center line of West 95th Street; thence northerly along the center line of West 95th Street to its intersection with the center line of Desmond Avenue N.W.; thence northeasterly along the center line of Desmond Avenue N.W. to its intersection with the center line of West 95th Street; thence northwesterly along the center line of West 95th Street to its intersection with the center line of Clifton Blvd. N.W.; thence northwesterly along the center line of Clifton Blvd. N.W. to its intersection

with the center line of West 102nd Street; thence southwesterly along the center line of West 102nd Street to its intersection with the center line of Nanford Road N.W.; thence southeasterly along the center line of Nanford Road N.W. to its intersection with the center line of Baltic Road N.W.; thence northeasterly along the center line of Baltic Road N.W. to its intersection with the center line of West Blvd. N.W.; thence southeasterly along the center line of West Blvd. N.W. to its intersection with the center line of the New York Central Railroad; thence southwesterly along the center line of the New York Central Railroad to its intersection with the center line of Detroit Avenue N.W.; thence northwesterly along the center line of Detroit Avenue N.W. to its intersection with the center line West 110th Street; thence southwesterly along the center line of West 110th Street to its intersection with the center line of Franklin Blvd. N.W.; thence westerly along the center line of Franklin Blvd. N.W. to its intersection with the center line of West 112th Street; thence southerly along the center line of West 112th Street to its intersection with the center line of Madison Avenue N.W.; thence westerly along the center line of Madison Avenue N.W. to its intersection with the dividing line between the City of Cleveland and the City of Lakewood; thence northerly along the dividing line between the City of Cleveland and the City of Lakewood to its intersection with the irregular shore line of Lake Erie; thence in a general southeasterly and northeasterly direction along the meandering irregular shore line of Lake Erie to its intersection with the center line of the Cuyahoga River and the place of beginning.

Legal Description approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section revised 3-25-13

**Section 18.** That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 103.16 which shall be effective for the purpose of nominating and electing members to the City Council in the year 2013 and for all purposes on and after January 6, 2014, to read as follows:

**Section 103.16 Ward Sixteen**

The boundaries of Ward 16 shall be as follows:

Beginning at the intersection of the center line of West 140th Street and the dividing line between the City of Cleveland and the City of Lakewood; thence southerly along the centerline of West 140th Street to its intersection with the center line of Triskett Avenue N.W.; thence southwesterly along the center line of Triskett Avenue N.W. to its intersection with the center line of Gramatan Avenue N.W.; thence southeasterly and easterly along the center line of Gramatan Avenue N.W. to its intersection with the center line of the west Service Road; thence northerly along the centerline of the west Service Road to its intersection with the center line Cayuga Court N.E.; thence easterly along the center line of Cayuga Court N.E. to its intersection with the center line of West 140th Street; thence southerly along the centerline of West 140th Street to its intersection with the main line tracks of the NS Railroad; thence southwesterly along the center line of the said main line tracks of the NS Railroad to its intersection with the dividing line

between the City of Cleveland and the City of Brook Park; thence continuing along the dividing line between the City of Cleveland and the City of Brook Park, easterly, northeasterly (along the center line of the East Bound High Speed Track of the NS Railroad), easterly (along the irregular southerly Limited Access Line of Interstate 480) to its intersection with the southeasterly right of way line of the NS Railroad; thence northeasterly and easterly along the southeasterly and southerly right of way line of the NS Railroad to its intersection with the center line of West 130th Street (as relocated); thence southwesterly along the center line of West 130th Street (as relocated) to its intersection with the dividing line between the City of Cleveland and the City of Parma; thence easterly along the dividing line between the City of Cleveland and the City of Parma to its intersection with the dividing line between the City of Cleveland and the City of Brooklyn; thence northerly along the dividing line between the City of Cleveland and the City of Brooklyn to its intersection with the center line of the main line tracks of the NS Railroad; thence southwesterly along the center line of the main line tracks of the NS Railroad to its intersection with the center line of West 130th Street; thence northerly along the center line of West 130th Street to its intersection with the center line of Worthington Avenue S.W.; thence easterly along the center line of Worthington Avenue S.W. to its intersection with the center line of West 129th Street; thence northerly along the center line of West 129th Street to its intersection with the center line of Lorain Avenue; thence northeasterly along the center line of Lorain Avenue to its intersection with the center line of West 120th Street; thence northwesterly along the center line of West 120th Street to its intersection with the center line of Geraldine Avenue N.W.; thence easterly along the center line of Geraldine Avenue N.W. to its intersection with the center line of West 117th Street; thence northerly along the center line of West 117th Street to its intersection with the center line of Berea Road N.W.; thence southwesterly along the center line of Berea Road N.W. to its intersection with the dividing line between the City of Cleveland and the City of Lakewood; thence northwesterly and westerly along the dividing line between the City of Cleveland and the City of Lakewood to its intersection with the center line of West 140th Street; and the place of beginning.

Legal Description approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section, revised 3/22/2013

**Section 19.** That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 103.17 which shall be effective for the purpose of nominating and electing members to the City Council in the year 2013 and for all purposes on and after January 6, 2014, to read as follows:

**Section 103.17 Ward Seventeen**

The boundaries of Ward 17 shall be as follows:

Beginning at the intersection of the center line of West 140th Street and the dividing line between the City of Cleveland and the City of Lakewood; thence southerly along the centerline of West 140th Street to its intersection with the center line of Triskett

Avenue N.W.; thence southwesterly along the center line of Triskett Avenue N.W. to its intersection with the center line of Gramatan Avenue N.W.; thence southeasterly and easterly along the center line of Gramatan Avenue N.W. to its intersection with the center line of the west Service Road; thence northerly along the centerline of the west Service Road to its intersection with the center line Cayuga Court N.E.; thence easterly along the center line of Cayuga Court N.E. to its intersection with the center line of West 140th Street; thence southerly along the centerline of West 140th Street to its intersection with the main line tracks of the NS Railroad; thence southwesterly along the center line of the said main line tracks of the NS Railroad to its intersection with the dividing line between the City of Cleveland and the City of Brook Park; thence along the irregular dividing line between the City of Cleveland and the City of Brook Park in a general southwest direction and along the westerly right of way line of the Berea Freeway Route 237 (also the dividing line between the City of Cleveland and the City of Brook Park) to the most southeast corner of the City of Cleveland Corporate Limit; thence in a general westerly and northerly direction along the irregular southerly and westerly dividing lines between the City of Cleveland and the City of Brook Park to its intersection with the original center line of Brookpark Road S.W.; thence easterly along the original center line of Brookpark Road S.W. to its intersection with the dividing line between the City of

Cleveland and the City of Fairview Park; thence in a general northerly direction along the irregular dividing line between the City of Cleveland and the City of Fairview Park to its intersection with the original center line of the Rocky River; thence continuing in a general northerly direction along the irregular original center line of the Rocky River which is also the dividing line between the City of Cleveland and the Cities of Fairview Park, Rocky River and Lakewood to its intersection with the westerly prolongation of the center line of Riverside Drive N.W. ; thence easterly along said westerly prolongation of Riverside Drive N.W. to its intersection with the center line of Rocky River Drive N.W.; thence southeasterly along the center line of Rocky River Drive N.W. to the intersection of the center line of Fischer Road N.W. which is also the dividing line between the City of Cleveland and the City of Lakewood; thence northeasterly, easterly, northerly and easterly along the dividing line between the City of Cleveland and the City of Lakewood to its intersection with center line of West 140th Street and the place of beginning.

Legal Description approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section, revised 3/22/2013

**Section 20.** 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 March 26, 2013.  
 Effective March 28, 2013.

**COUNCIL COMMITTEE MEETINGS**

**Monday, April 1, 2013  
 11:00 a.m.**

**Public Service Committee:** Present: Miller, Chair; Dow, K. Johnson, Keane, Polensek, Pruitt, Sweeney. *Authorized Absence:* Cummins, Vice Chair; Cleveland.

**2:00 p.m.**

**Finance Committee:** Present: Kelley, Chair; Sweeney, Vice Chair; Brady, Brancatelli, Cleveland, Keane, Miller, Mitchell, Pruitt, Westbrook, Zone.

**Wednesday, April 3, 2013  
 10:00 a.m.**

**Public Safety Committee:** Present: Conwell, Chair; Polensek, Vice Chair; Brady, Dow, Miller, Mitchell, Zone. *Authorized Absence:* Cleveland, Cummins.

**1:30 p.m.**

**Public Utilities Committee:** Present: Pruitt, Chair; Brady, Vice Chair; Dow, Kelley, Miller, Polensek, Westbrook. *Unauthorized Absence:* Conwell, Cummins.

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O—Ordinance; R—Resolution; F—File  
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