

The City Record

Official Publication of the Council of the City of Cleveland



March the Ninth, Two Thousand and Eleven

Frank G. Jackson
Mayor

Martin J. Sweeney
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward Name

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

Ward Name Residence

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

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

First Assistant Clerk – Sandra Franklin

MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff

Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer

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

Andrew Watterson, 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 – Jonmarie Wasik, Director

DIVISIONS:

Architecture and Site Development – Robert Vilkas, Chief Architect, Manager

Engineering and Construction – _____, Manager

Real Estate – _____, Commissioner

DEPT. OF LAW – Robert J. Triozzi, Director, Barbara A. Langhenry, Chief Counsel,

Richard F. Horvath, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel,

Room 106; Michael Ruffing, Law Librarian, Room 100

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

Frank Badalamenti, Manager, Internal Audit

DIVISIONS:

Accounts – Richard W. Sensenbrenner, Commissioner, Room 19

Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122

City Treasury – _____, Treasurer, Room 115

Financial Reporting and Control – James Gentile, Controller, Room 18

Information Technology and Services – Douglas Divish, Commissioner, 205 W. St. Clair

Avenue

Purchases and Supplies – James E. Hardy, Commissioner, Room 128

Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue

Taxation – Nassim Lynch, Tax Administrator, 205 W. St. Clair Avenue

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

DIVISIONS:

Cleveland Public Power – Ivan Henderson, Commissioner

Street Lighting Bureau – _____, Acting Chief

Utilities Fiscal Control – Dennis Nichols, Commissioner

Water – _____, Commissioner

Water Pollution Control – Ollie Shaw, Commissioner

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

International Airport, 5300 Riverside Drive

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 – Leigh Stevens, Commissioner

Property Management – Tom Nagle, Commissioner

Recreation – Kim Johnson, Commissioner

Streets – _____, Commissioner

Traffic Engineering – Robert Mavec, Commissioner

Waste Collection and Disposal – Ron Owens, Commissioner

DEPT. OF PUBLIC HEALTH – Karen Butler, Interim Director, Mural Building, 75

Erievue Plaza

DIVISIONS:

Air Quality – Richard L. Nemeth, Commissioner

Environment – Willie Bess, Commissioner, Mural Building, 75 Erievue Plaza

Health – Karen K. Butler, Commissioner, Mural Building, 75 Erievue 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 – Terrence Ross, Commissioner

Fair Housing and Consumer Affairs Office – _____, Manager

Neighborhood Development – _____, Commissioner

Neighborhood Services – Louise V. Jackson, Commissioner

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

DIVISIONS:

Code Enforcement – Tyrone L. Johnson, Commissioner

Construction Permitting – Timothy R. Wolosz, Commissioner

DEPT. OF PERSONNEL AND HUMAN RESOURCES – _____, 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 Fluckinger.

SINKING FUND COMMISSION – Frank G. Jackson, President; Council President Martin

J. Sweeney; Betsy Hruby, Asst. Sec’y.; Sharon Dumas, Director.

BOARD OF ZONING APPEALS – Room 516, Carol A. Johnson, Chairman; Members; John

Myers, Ozell Dobbins, Joan Shaver Washington, Tim Donovan, Jan Huber, Secretary.

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS – Room 516, J. F.

Denk, Chairman; _____, Arthur Saunders, Alternate Members – D. Cox, P.

Frank, E. P. O’Brien, Richard Pace, J.S. Sullivan.

BOARD OF REVISION OF ASSESSMENTS – Law Director Robert J. Triozzi, President;

Finance Director Sharon Dumas, Secretary; Council President Martin J. Sweeney.

BOARD OF SIDEWALK APPEALS – Service Director Jonmarie Wasik, Law Director

Robert J. Triozzi; Council Member Eugene R. Miller.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Robert J. Triozzi; Utilities

Director Barry A. Withers; Council President Martin J. Sweeney.

CITY PLANNING COMMISSION – Room 501 – Robert N. Brown, Director; Anthony J.

Coyne, Chairman; David H. Bowen, Lillian Kuri, Lawrence A. Lumpkin, Gloria Jean

Pinkney, Norman Krumholz, Council Member Phyllis E. Cleveland.

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

Render, Genesis O. Brown.

HOUSING ADVISORY BOARD – Room 310 – Keith Brown, Terri Hamilton Brown, Vickie

Eaton-Johnson, Mike Foley, Eric Hodderson, Janet Loehr, Mark McDermott, Marcia Nolan,

David Perkowski, Joan Shaver Washington, Keith Sutton.

CLEVELAND BOXING AND WRESTLING COMMISSION – Robert Jones, Chairman;

Clint Martin, Mark Rivera.

MORAL CLAIMS COMMISSION – Law Director Robert J. Triozzi; Chairman; Finance

Director Sharon Dumas; Council President Martin J. Sweeney; Councilman Kevin

Kelley.

POLICE REVIEW BOARD – Thomas Jones, Board Chair Person; Vernon Collier, Vermel

Whalen, Nancy Cronin, Elvin Vauss.

CLEVELAND LANDMARKS COMMISSION – Room 519 – Jennifer Coleman, Chair;

Laura M. Bala, Council Member Anthony Brancatelli, Robert N. Brown, Thomas Coffey,

Allan Dreyer, William Mason, Michael Rastatter, Jr., John Torres, N. Kurt Wiebusch, Robert

Keiser, Secretary.

AUDIT COMMITTEE – Yvette M. Ittu, Chairman; Debra Janik, Bracy Lewis, Diane

Downing, Donna Sciarappa, Council President Martin J. Sweeney; Law Director Robert

J. Triozzi.

CLEVELAND MUNICIPAL COURT

JUSTICE CENTER – 1200 ONTARIO STREET

JUDGE COURTROOM ASSIGNMENTS

Judge Courtroom

Presiding and Administrative Judge Ronald B. Adrine – Courtroom 15A

Judge Marilyn B. Cassidy – Courtroom 12B

Judge Michelle Denise Earley – Courtroom 12C

Judge Emanuella Groves – Courtroom 14B

Judge Anita Laster Mays – Courtroom 14C

Judge Lynn McLaughlin-Murray – Courtroom 12A

Judge Lauren C. Moore – Courtroom 14A

Judge Charles L. Patton, Jr. – Courtroom 13D

Judge Raymond L. Pianka (Housing Court Judge) – Courtroom 13B

Judge Michael John Ryan – Courtroom 13A

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, Paul J.

Mizerak – 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

Vol. 98

WEDNESDAY, MARCH 9, 2011

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CITY COUNCIL

MONDAY, MARCH 7, 2011

The City Record
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City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2010-2013

MONDAY — Alternating

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

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

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

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

MONDAY

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

TUESDAY

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

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

WEDNESDAY — Alternating

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

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

WEDNESDAY — Alternating

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

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

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

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

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio
Monday, March 7, 2011

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

Council Members present: Brady, Brancatelli, Cimperman, Cleveland, Conwell, Cummins, Dow, J. Johnson, K. Johnson, Keane, Kelley, Miller, Mitchell, Polensek, Pruitt, Reed, Sweeney, Westbrook and Zone.

Also present were Mayor Frank G. Jackson, Darnell Brown, Chief Operating Officer, Valarie J. McCall, Chief of Government Affairs, Chris Warren, Chief of Regional Development, Maureen Harper, Chief of Communications, Andrea V. Taylor, Press Secretary, Andrew Watterson, Chief of Sustainability, Natoya J. Walker-Minor, Chief of Public Affairs — Interim Director of Office of Equal Opportunity, and Directors Wasik, Triozzi, Dumas, Withers, Smith, Cox, Interim Director Karen Butler, Flask, Rush, Rybka, Griffin, Brown, Fumich, Lucille Ambroz, Secretary, Civil Service.

Pursuant to Ordinance No. 2926-76, the opening prayer was offered by Pastor Bryant Taylor of Westside S.D.A. Church, located at 13812 Belaire Road located in Ward 18. The Pledge of Allegiance was led by Girl Scout Troop 5207 of Woodhill Estates, located in Ward 6; Troop 5214 of Sterling Library, located in Ward 5; Troop No. 5217 of Outhwaite Estates, located in Ward 5; and Cub Scout Troop 98, located in Ward 15.

MOTION

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

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 304-11.

Re: #6445219 — D1, D2, D3, D3A Stock Transfer Application — North Pointe Cuisine, Inc., Unit M1 Atrium and Patio, 1001 Lakeside Avenue. (Ward 3) Received.

File No. 305-11.

Re: #9115395 — D5 Transfer of Ownership and Location Application — 236 Euclid Retail, LLC, 240 Euclid Avenue. (Ward 3) Received.

File No. 306-11.

Re: #2405469 — D2, D2X, D3, D3A, D6 Transfer of Ownership and Location Application — East 30th Street Café, Inc., d.b.a. East 30th Street Café, 2999 Payne Avenue, Unit 145. (Ward 3) Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 307-11—Kelly Edmonds.

Res. No. 308-11—James Hamilton Baynes.

Res. No. 309-11—Willie Marvin McDonald.

Res. No. 310-11—Celeste Edwina Robinson Torian.

Res. No. 311-11—Charles Edward Brown.

CONGRATULATION RESOLUTIONS

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

Res. No. 312-11—Mrs. Mary C. Booker.

Res. No. 313-11—Boy Scout Troop 98 — 100th Anniversary.

Res. No. 314-11—Gerald Michael "Gerry" Quinn.

Res. No. 315-11—Kathleen Sheehan.

Res. No. 316-11—Sheila Murphy Crawford.

Res. No. 317-11—Fr. Thomas Mahoney.

Res. No. 318-11—Bryan C. Reed.

Res. No. 319-11—Detective Henry Ververka, Badge #507.

RECOGNITION RESOLUTIONS

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

Res. No. 320-11—Antioch Development Corporation.

Res. No. 321-11—Dr. Daisy Alford-Smith.

WELCOME RESOLUTION

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

Res. No. 322-11—The Hon. Mr. Justice Nial Fennelly.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 293-11.

By Council Members Conwell, Mitchell and Cleveland (by departmental request).

An emergency ordinance to amend Sections 135.061 and 135.063 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1871-06, passed December 11, 2006 and Ordinance No. 569-97, passed May 19, 1997, relating to uniform allowances and uniform maintenance allowances.

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 135.061 and 135.063 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1871-06, passed December 11, 2006 and Ordinance No. 569-97, passed May 19, 1997, are amended to read as follows:

Section 135.061 Uniform Allowances

(a) The Director of Public Safety is authorized to issue purchase requisitions to the Commissioner of Purchases and Supplies, against any requirements or other contract for uniforms for employees in the classifications in the Safety Department for which a collective bargaining agreement establishes a uniform allowance, in the amount established in the applicable agreements.

(b) In addition, the Director of Public Safety is authorized to issue purchase requisitions to the Commissioner of Purchases and Supplies, against any requirements or other contract for an annual uniform allowance for those uniformed employees in supervisory positions not covered under a collective bargaining agreement. The uniform allowance shall be in the same amount as the amount established by the collective bargaining agreement determined by the Director to be most closely related to the supervisory position.

Section 135.063 Uniform Maintenance Allowance

(a) The Director of Public Safety is authorized to cause payment for a uniform maintenance allowance to employees in the classifications in the Safety Department for which the applicable collective bargaining agreement establishes a maintenance allowance, in the amount established in the agreements.

(b) In addition, the Director of Public Safety is authorized to cause payment for an annual uniform maintenance allowance for those uniformed employees in supervisory positions not covered under a collective bargaining agreement. The uniform allowance shall be in the same amount as the amount established by the collective bargaining agreement determined by the Director to be most closely related to the supervisory position.

Section 2. That existing Sections 135.061 and 135.063 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1871-06,

passed December 11, 2006 and Ordinance No. 569-97, passed May 19, 1997, 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.

Ord. No. 295-11.

By Council Members Conwell, Brancatelli, Cleveland and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with SDC University Circle Developer LLC, or its designee, to construct a Courtyard by Marriott Hotel at 2021 Cornell Road; to provide for payments to the Cleveland City School District; and to declare certain improvements to real property to be a public purpose.

Whereas, under Section 5709.41 of the Revised Code, improvements to real property may be declared to be a public purpose where fee title to the real property was, at one time, held by the City of Cleveland and the real property is then leased or conveyed by the City; and

Whereas, under the authority of Ordinance No. 189-11, the City approved both the acquisition and conveyance of fee title to certain real property, which is more particularly described in the documents set forth in the file described in this ordinance (the "Real Property"); and

Whereas, under Section 5709.41 of the Revised Code, the improvements declared to be a public purpose may be exempt from real property taxation; and

Whereas, under Section 5709.41 of the Revised Code, the owners of the improvements may be required to make annual service payments in lieu of taxes that would have been paid had the improvement not been exempt; and

Whereas, under Section 5709.41 of the Revised Code, the exemption may exceed 75% of the improvements for up to 30 years when a portion of the service payments so collected are distributed to the Cleveland City School District ("District") in an amount equal to the amount the District would have received had the improvement not been exempt; and

Whereas, the District has been notified of the intent to enter into the agreement authorized by this ordinance in compliance with Sections 5709.41(C)(4) and 5709.83 of the Revised Code; 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 improvements to be constructed by SDC University Circle Developer LLC, or its designee ("Redeveloper"), as more fully described in File No. 295-11-A ("Improvements") on the Real Property, are declared to be a public purpose for purposes of Section 5709.41 of the Revised Code.

Section 2. That sixty percent (60%) of the Improvements are declared exempt from real property taxation

for a period of 30 years; and that in no event shall the exemption period extend beyond 2041.

Section 3. That, under Section 5709.41 of the Revised Code, Redeveloper (or the owners of the Improvements) shall make service payments for a period of 30 years in lieu of the exempt taxes to the Cuyahoga County Treasurer; the payments shall be charged and collected in the same manner, and shall be in an amount not less than the taxes that would have been paid had the Improvements not been exempt from taxation.

Section 4. That a portion of the service payments collected under Section 3 of this ordinance shall be distributed by the Cuyahoga County Treasurer to the Treasurer of the District in the amount of the taxes that would have been payable to the District had the Improvement not been exempt from taxation.

Section 5. That the Director of Economic Development is authorized to enter into an agreement or agreements with Redeveloper to provide for the exemption and service payments described in this ordinance, including agreements securing the payments described in Section 3 of this ordinance, which agreement or agreements shall contain those terms contained in the file mentioned above.

Section 6. That under Section 5709.43 of the Revised Code, there is established an Urban Redevelopment Tax Increment Equivalent Fund ("TIF Fund") which shall be used as a debt reserve for bond financing and other economic development purposes as determined by the Director of Economic Development.

Section 7. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in open meetings of this Council, and any of its committees that resulted in formal action were in meetings open to the public in compliance with the law.

Section 8. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Economic Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

Ord. No. 301-11.

By Council Member Sweeney (by departmental request).

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

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

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

Section 1. That the Director of Finance, on behalf of the Cleveland Municipal Court, is authorized to

enter into one or more contracts with Court Community Service for professional services necessary to arrange community service for persons the Court refers for a period of one year, commencing January 1, 2011, with one (1) option, exercisable by the Director of Finance, to renew for an additional one-year term. The cost of the contract shall not exceed \$255,000, and if the option is exercised, the cost for the optional year shall not exceed \$261,000.

Section 2. That the Director of Finance, on behalf of the Cleveland Municipal Court, is authorized to enter into one or more contracts with Court Community Service for professional services necessary to arrange community service for persons the Court refers in the Cleveland Work Crew Program for a period of one year, commencing January 1, 2011, with one (1) option, exercisable by the Director of Finance, to renew for an additional one-year term, and cancelable on thirty days' written notice by the director. The cost of the contract shall not exceed \$147,000, and if the option is exercised, the cost for the optional year shall not exceed \$149,900.

Section 3. The cost of the contracts shall be paid from the fund or funds appropriated for this purpose in budget year 2011, RQS 0115, RL 2011-28.

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

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

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 294-11.

By Council Members Cleveland, Brancatelli and Sweeney (by departmental request).

An emergency ordinance to amend Sections 10, 38, 56, 74, and 84 of Ordinance No. 1289-10, passed September 27, 2010; and to amend the ordinance by adding new Sections 84a., 84b., 84c., and 84d., relating to the sale of real property as part of the Land Reutilization Program located on scattered sites to St. John's West Family Homes, L.P.

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 10, 38, 56, 74, and 84 of Ordinance No. 1289-10, passed September 27, 2010, are amended to read as follows:

Section 10. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-22-016

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being Parcel "E" in the Lot Split and Consolidation for BFR Partners Company, LLC of part of Original Ten Acre Lots Nos. 67, 68, 69 & 70 as shown by the recorded plat in Volume 341, Page 31 of Cuyahoga County Map Records, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 38. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-22-095

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being Parcel "A" in the Dedication Plat for Stanley Tolliver Avenue, S.E. and Lot Split and Consolidation for BFR Partners Co., LLC of part of Original Ten Acre Lots Nos. 66, 67, 68, 69 & 70 as shown by the recorded plat in Volume 350, Page 34 of Cuyahoga County Map Records, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 56. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-22-125

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being Parcel "C" in the Dedication Plat for Stanley Tolliver Avenue, S.E. and Lot Split and Consolidation for BFR Partners Co., LLC of part of Original Ten Acre Lots Nos. 66, 67, 68, 69 & 70 as shown by the recorded plat in Volume 350, Page 34 of Cuyahoga County Map Records, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 74. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-23-001

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being Parcel "A" in the Lot Split and Consolidation for BFR Partners Company, LLC of part of Original Ten Acre Lots Nos. 67, 68, 69 & 70 as shown by the recorded plat in Volume 346, Page 57 of Cuyahoga County Map Records, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 84. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-23-041

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being Parcel "D" in the Lot Split & Consolidation for BFR Partners Company, LLC of part of Original Ten Acre Lots Nos. 67, 68, 69 and 70 as shown by the recorded plat in Volume 346, Page 55 of Cuyahoga County Map Records, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 2. That existing Sections 10, 38, 56, 74, and 84 of Ordinance No. 1289-10, passed September 27, 2010, are repealed.

Section 3. That Ordinance No. 1289-10, passed September 27, 2010 is supplemented by adding new Sections 84a., 84b., 84c., and 84d. to read as follows:

Section 84a. That under Section 183.021 of the codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below to St. John's West Family Homes, L.P.

Section 84b. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-23-042

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being Parcel "C" in the Lot Split & Consolidation for BFR Partners Company, LLC of part of

Original Ten Acre Lots Nos. 67, 68, 69 & 70 as shown by the recorded plat in Volume 346, Page 55 of Cuyahoga County Map Records, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 84c. That under Section 183.021 of the codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized to sell the real property, more fully described below to St. John's West Family Homes, L.P.

Section 84d. That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 103-23-044

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being Parcel "B" in the Lot Split & Consolidation for BFR Partners Company, LLC of part of Original Ten Acre Lots Nos. 67, 68, 69 & 70 as shown by the recorded plat in Volume 346, Page 55 of Cuyahoga County Map Records, as appears by said plat, be the same more or less, but subject to all legal highways.

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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 296-11.

By Council Member Cleveland.

An emergency ordinance authorizing the issuance of a Temporary Sidewalk Occupancy Permit to Joe Sheppard to engage in peddling in Ward 5.

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 to engage in peddling to Joe Sheppard outside of the Central Business District, and has determined that it is in the public interest to allow Joe Sheppard peddle in Ward 5; 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 675.07 of the Codified Ordinances to allow to Joe Sheppard to engage in mobile peddling in the public rights of way of Ward 5 at 2824 East 69th Street, north of Kinsman Road.

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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 297-11.

By Council Member Cimperman.

An emergency ordinance authorizing Elvis O. Serrano to engage in mobile peddling in Ward 3.

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

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District and has determined that it is in the public interest to allow each of said persons to engage in peddling 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, pursuant to Section 675.08 of the Codified Ordinances, this Council hereby consents to allow Elvis O. Serrano to engage in mobile peddling in the public right 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 herein may be revoked at any time by this Council.

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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 298-11.

By Council Member Conwell.

An emergency ordinance authorizing Elvis O. Serrano to engage in mobile peddling in Ward 9.

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

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District and has determined that it is in the public interest to allow each of said persons to engage in peddling in Ward 9; 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, pursuant to Section 675.08 of the Codified Ordinances, this Council hereby consents to allow Elvis O. Serrano to engage in mobile peddling in the public right of way in Ward 9.

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 herein may be revoked at any time by this Council.

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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

Ord. No. 299-11.

By Council Member Cummins.

An emergency ordinance authorizing Elvis O. Serrano to engage in mobile peddling in Ward 14.

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

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District and has determined that it is in the public interest to allow each of said persons to engage in peddling in Ward 14; 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, pursuant to Section 675.08 of the Codified Ordinances, this Council hereby consents to allow Elvis O. Serrano to engage in mobile peddling in the public right of way in Ward 14.

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 herein may be revoked at any time by this Council.

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 19. Nays 0. Read second time. Read third time in full. Passed. Yeas 19. Nays 0.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 300-11.

By Council Member Cleveland.

An emergency resolution objecting to a New C2 Liquor Permit at 3609 Community College Boulevard.

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C2 Liquor Permit at Community Supermarket, Inc., DBA Mike's Food Market, 3609 Community College Boulevard, Cleveland, Ohio 44115, Permanent Number 1669840; 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 C2 Liquor Permit at Community Supermarket, Inc., DBA Mike's Food Market, 3609 Community College Boulevard, Cleveland, Ohio 44115, Permanent Number 1669840, 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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 302-11.

By Council Member Cimperman.

An emergency resolution withdrawing objection to the transfer liquor license of a D5 Liquor Permit at 1222 Prospect Avenue and repealing Resolution No. 146-11, objecting to said transfer.

Whereas, this Council objected to a D5 Liquor Permit to Club Center Lounge, Inc., DBA Xecutive Lounge, 1222 Prospect Avenue by Resolution No. 146-11 adopted by the Council on January 31, 2011; and

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

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

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

Section 1. That objection to a D5 Liquor Permit to Club Center Lounge, Inc., DBA Xecutive Lounge, 1222 Prospect Avenue, Cleveland, Ohio 44115, Permanent Number 15721860001 be and the same is hereby withdrawn and Resolution No. 146-11, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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

The rules were suspended. Yeas 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

Res. No. 303-11.

By Council Member Zone.

An emergency resolution designating West 81st Street between Franklin Boulevard and Detroit Avenue a residential permit parking area.

Whereas, the Director of Public Service has received verified petitions by residents living in 80% of the living units on West 81st Street; and

Whereas, the Director of Public Service has completed a survey of the above mentioned streets and the surrounding areas and has determined that said streets have serious issues of motor vehicle congestion, particularly by long-term parking of cars on neighborhood streets by non-residents, combined with a lack of driveways and garages in the neighborhood; and

Whereas, the Director of Public Service has therefore determined that West 81st Street between Franklin Boulevard and Detroit Avenue is eligible for residential permit parking and has recommended to Council that it designate said street as a residential permit parking area; and

Whereas, Council Member Zone concurs in said Director's recommendation; and

Whereas, West 81st Street between Franklin Boulevard and Detroit Avenue has otherwise met the objective criteria set forth in Chapter 461 of the Codified Ordinances of Cleveland, Ohio, 1976; and

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

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

Section 1. That this Council hereby designates West 81st Street between Franklin Boulevard and Detroit Avenue a residential permit parking area, twenty-four (24) hours per day, seven (7) days per week.

Section 2. That this resolution is hereby declared to be an emergency measure and, provided it received 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 19. Nays 0. Read second time. Read third time in full. Adopted. Yeas 19. Nays 0.

**SECOND READING
EMERGENCY ORDINANCE**

Ord. No. 140-11.

By Council Member Sweeney (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, 2011 until December 31, 2011.

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

1. In Section 1, strike lines 9 and 10 in their entirety and insert **"The sum of Six Hundred Six Million, Two Hundred Sixteen Thousand, Nine Hundred Thirty Four Dollars (\$606,216,934) from the Enterprise Funds;"**.

2. In Section 1, at "GENERAL FUND" at "Judicial Branch", strike "40,337,301" and insert **40,442,884**."

3. In Section 1, at "GENERAL FUND" at "Executive Branch", at "General Government" strike "8,166,796" and insert **8,164,367**"; at "Department of Law", strike "8,155,643" and insert **8,255,643**"; at "Department of Finance", strike "13,822,539" and insert **13,778,506**"; at "Department of Public Safety", strike "302,369,902" and insert **302,424,902**"; at "Department of Parks, Recreation & Properties", strike "36,805,346" and insert **36,860,346**"; at "Department of Building & Housing", strike "9,166,268" and insert **9,230,812**"; at "Nondepartmental", strike "40,856,411" and insert **40,522,746**"; and at "Total Executive Branch", strike "465,314,229" and insert **465,208,646**."

4. In Section 1, at "GENERAL FUND" at "Enterprise Funds", strike "607,256,934" and insert **606,216,934**."

5. In Section 1, at "GENERAL FUND" strike "TOTAL PRELIMINARY APPROPRIATIONS FOR 2011" and strike "1,289,296,972" and insert **TOTAL APPROPRIATIONS FOR 2011** and insert **1,288,256,972**."

6. In Section 1, at "GENERAL FUND" at "JUDICIAL BRANCH", at "Municipal Court - Judicial Division", strike "22,500,543" and insert **22,606,126**"; at "I. Personnel and Related Expenses" strike "19,957,184" and insert **20,062,767**"; and at "TOTAL JUDICIAL BRANCH", strike "40,337,301" and insert **40,442,884**."

7. In Section 1, at "GENERAL FUND" at "GENERAL GOVERNMENT", at "Boxing and Wrestling Commission", strike "10,130" and insert **7,701**"; at "I. Personnel and Related Expenses" strike "10,130" and insert **7,701**"; and at "TOTAL GENERAL GOVERNMENT", strike "8,166,796" and insert **8,164,367**."

8. In Section 1, at "GENERAL FUND" at "DEPARTMENT OF LAW", at "Department Law", strike "8,155,643" and insert **8,255,643**"; at "II. Other Expenses" strike "1,726,057" and insert **1,826,057**"; and at "TOTAL DEPARTMENT OF LAW", strike "8,155,643" and insert **8,255,643**."

9. In Section 1, at "GENERAL FUND" at "DEPARTMENT OF FINANCE", at "Information Systems Services", strike "3,874,263" and insert **3,830,230**"; at "II. Other Expenses" strike "1,843,302" and insert **1,799,269**"; and at "TOTAL DEPARTMENT OF FINANCE", strike "13,822,539" and insert **13,778,506**."

10. In Section 1, at "GENERAL FUND" at "DEPARTMENT OF PUBLIC SAFETY", at "Division of Animal Control Services", strike "1,159,469" and insert **1,214,469**"; at "II. Other Expenses" strike "296,321" and insert **351,321**"; and at "TOTAL DEPARTMENT OF PUBLIC SAFETY", strike "302,369,902" and insert **302,424,902**."

11. In Section 1, at "GENERAL FUND" at "DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES", at "Division of Recreation", strike "12,992,797" and insert **13,047,797**"; at "II. Other Expenses" strike "3,494,274" and insert **3,549,274**"; and at "TOTAL DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES", strike "36,805,346" and insert **36,860,346**."

12. In Section 1, at "GENERAL FUND" at "DEPARTMENT OF BUILDING AND HOUSING", at "Building and Housing Dir Office", strike "1,763,471" and insert **1,828,015**"; at "I. Personnel and Related Expenses", strike "1,405,973" and insert **1,420,517**"; at "II. Other Expenses" strike "357,498" and insert **407,498**"; and at "TOTAL BUILDING AND HOUSING", strike "9,166,268" and insert **9,230,812**."

13. In Section 1, at "GENERAL FUND" at "NONDEPARTMENTAL", at "Other Administrative", strike "18,287,031" and insert **17,953,366**"; at "II. Other Expenses" strike "18,287,031" and insert **17,953,366**"; and at "TOTAL NONDEPARTMENTAL", strike "40,856,411" and insert **40,522,746**."

14. In Section 1, at "GENERAL FUND" at "TOTAL EXECUTIVE BRANCH", strike "465,314,229" and insert **465,208,646**."

15. In Section 1, at "ENTERPRISE FUNDS" at "DEPARTMENT OF PUBLIC UTILITIES" at "Division of Fiscal Control", strike "3,339,992" and insert **3,244,992**"; at "II. Other Expenses" strike "512,964" and insert **417,964**."

16. In Section 1, at "ENTERPRISE FUNDS" at "DEPARTMENT OF PUBLIC UTILITIES" at "Division of Water Pollution Control", strike "22,172,000" and insert "21,227,000", at "II. Other Expenses" strike "11,521,260" and insert "10,576,260"; and at "TOTAL DEPARTMENT OF PUBLIC UTILITIES", strike "437,354,651" and insert "436,314,651".

17. In Section 1, at "ENTERPRISE FUNDS" at "TOTAL ENTERPRISE

FUNDS", STRIKE "607,256,934" and insert "606,216,934".
Amendments agreed to.

LAI D ON THE TABLE

Ord. No. 1453-10.
By Council Members Conwell and Sweeney (by departmental request).
An emergency ordinance to authorize the Director of Public Safety to enter into contracts for the towing,

storage and salvaging of vehicles, for the Division of Police, for a period of two years, with one two-year option to renew, exercisable through additional legislative authority.

Without objection, Ordinance No. 1453-10 was relieved of further consideration of all committees and laid on the table pursuant to the Rules of Council.

The rules were suspended. Yeas 19. Nays 0. Ordinance No. 1453-10. Laid on the Table.

**APPROPRIATION FOR THE YEAR 2011
(SECOND READING EMERGENCY ORDINANCE)
ORDINANCE NO. 140-11**

Ord. No. 140-11.

By Council Member Sweeney (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, 2011 until December 31, 2011.

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, 2011, the following sums be and they are hereby appropriated viz:

The sum of Five Hundred Twelve Million, Three Hundred Two Thousand, Two Hundred Sixty Four Dollars (\$512,302,264) from the General Fund;

The sum of Sixty Seven Million, Five Hundred Two Thousand, Nine Hundred Fifty Three Dollars (\$67,502,953) from the Special Revenue Funds;

The sum of Twenty Eight Million, Nine Hundred Forty Five Thousand, Seven Hundred Thirteen Dollars (\$28,945,713) from the Internal Service Funds;

The sum of Six Hundred Six Million, Two Hundred Sixteen Thousand, Nine Hundred Thirty Four Dollars (\$606,216,934) from the Enterprise Funds;

The sum of Nine Million, Six Hundred Thirty Seven Thousand, Six Hundred Nineteen Dollars (\$9,637,619) from the Trust and Agency Funds;

The sum of Sixty Three Million, Six Hundred Fifty One Thousand, Four Hundred Eighty Nine Dollars (\$63,651,489) 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	\$ 6,650,734
Judicial Branch	40,442,884
EXECUTIVE BRANCH	
General Government	8,164,367
Department of Aging	893,378
Department of Personnel	1,845,302
Department of Consumer Affairs	227,583
Department of Law	8,255,643
Department of Finance	13,778,506
Department of Port Control	279,654
Department of Public Service	35,779,491
Department of Public Health	5,442,018
Department of Public Safety	302,424,902
Department of Parks, Recreation & Properties	36,860,346
Department of Building & Housing	9,230,812
Department of Economic Development	1,503,898
Nondepartmental	40,522,746
TOTAL EXECUTIVE BRANCH	\$ 465,208,646
TOTAL GENERAL FUND	\$ 512,302,264
Special Revenue Funds	67,502,953
Internal Service Funds	28,945,713
Enterprise Funds	606,216,934
Trust and Agency Funds	9,637,619
Debt Service Funds	63,651,489
TOTAL APPROPRIATIONS FOR 2011	\$ 1,288,256,972

GENERAL FUND

LEGISLATIVE BRANCH

Council and Clerk of Council		\$ 6,650,734
I. Personnel and Related Expenses	4,652,849	
II. Other Expenses	1,997,885	
TOTAL LEGISLATIVE BRANCH		\$ 6,650,734

JUDICIAL BRANCH

Municipal Court — Judicial Division		\$ 22,606,126
I. Personnel and Related Expenses	20,062,767	
II. Other Expenses	2,543,359	
Municipal Court — Clerk's Division		14,379,822
I. Personnel and Related Expenses	9,053,376	
II. Other Expenses	5,326,446	
Municipal Court — Housing Division		3,456,936
I. Personnel and Related Expenses	3,312,602	
II. Other Expenses	144,334	
TOTAL JUDICIAL BRANCH		\$ 40,442,884

EXECUTIVE BRANCH

GENERAL GOVERNMENT

Office of the Mayor		\$ 2,321,947
I. Personnel and Related Expenses	2,193,331	
II. Other Expenses	128,616	
Landmarks Commission		180,113
I. Personnel and Related Expenses	175,531	
II. Other Expenses	4,582	
Board of Building Standards and Appeals		120,127
I. Personnel and Related Expenses	109,885	
II. Other Expenses	10,242	
Board of Zoning Appeals		202,011
I. Personnel and Related Expenses	189,281	
II. Other Expenses	12,730	
Civil Service Commission		1,186,698
I. Personnel and Related Expenses	552,379	
II. Other Expenses	634,319	
Community Relations Board		1,185,246
I. Personnel and Related Expenses	1,117,508	
II. Other Expenses	67,738	
City Planning Commission		1,598,609
I. Personnel and Related Expenses	1,492,636	
II. Other Expenses	105,973	
Boxing and Wrestling Commission		7,701
I. Personnel and Related Expenses	7,701	
Office of Equal Opportunity		584,237
I. Personnel and Related Expenses	564,385	
II. Other Expenses	19,852	
Office of Budget & Management-Budget Admin.		777,678
I. Personnel and Related Expenses	759,078	
II. Other Expenses	18,600	
TOTAL GENERAL GOVERNMENT		\$ 8,164,367

DEPARTMENT OF AGING

Department of Aging		\$	893,378
I. Personnel and Related Expenses	767,120		
II. Other Expenses	126,258		
TOTAL DEPARTMENT OF AGING		\$	893,378

DEPARTMENT OF PERSONNEL

Office of Personnel		\$	1,845,302
I. Personnel and Related Expenses	1,038,290		
II. Other Expenses	807,012		
TOTAL DEPARTMENT OF PERSONNEL		\$	1,845,302

DEPARTMENT OF CONSUMER AFFAIRS

Consumer Affairs		\$	227,583
I. Personnel and Related Expenses	207,172		
II. Other Expenses	20,411		
TOTAL DEPARTMENT OF CONSUMER AFFAIRS		\$	227,583

DEPARTMENT OF LAW

Department Law		\$	8,255,643
I. Personnel and Related Expenses	6,429,586		
II. Other Expenses	1,826,057		
TOTAL DEPARTMENT OF LAW		\$	8,255,643

DEPARTMENT OF FINANCE

Finance Administration		\$	831,157
I. Personnel and Related Expenses	795,802		
II. Other Expenses	35,355		
Division of Accounts			1,904,684
I. Personnel and Related Expenses	1,272,057		
II. Other Expenses	632,627		
Division of Assessments and Licenses			3,650,569
I. Personnel and Related Expenses	2,404,663		
II. Other Expenses	1,245,906		
Division of Treasury			536,723
I. Personnel and Related Expenses	451,384		
II. Other Expenses	85,339		
Division of Purchases and Supplies			577,916
I. Personnel and Related Expenses	544,244		
II. Other Expenses	33,672		
Bureau of Internal Audit			963,610
I. Personnel and Related Expenses	523,950		
II. Other Expenses	439,660		
Division of Financial Reporting and Control			1,318,620
I. Personnel and Related Expenses	1,295,765		
II. Other Expenses	22,855		
Information Systems Services			3,830,230
I. Personnel and Related Expenses	2,030,961		
II. Other Expenses	1,799,269		
Information Tech & Planning			164,997
I. Personnel and Related Expenses	159,397		
II. Other Expenses	5,600		
TOTAL DEPARTMENT OF FINANCE		\$	13,778,506

DEPARTMENT OF PORT CONTROL

Division of Harbors		\$ 279,654
I. Personnel and Related Expenses	96,016	
II. Other Expenses	183,638	
TOTAL DEPARTMENT OF PORT CONTROL		<u>\$ 279,654</u>

DEPARTMENT OF PUBLIC SERVICE

Public Service Administration		\$ 395,504
I. Personnel and Related Expenses	385,642	
II. Other Expenses	9,862	
Division of Architecture		459,362
I. Personnel and Related Expenses	434,562	
II. Other Expenses	24,800	
Division of Waste Collection and Disposal		26,421,297
I. Personnel and Related Expenses	14,506,830	
II. Other Expenses	11,914,467	
Division of Engineering and Construction		4,686,346
I. Personnel and Related Expenses	4,251,456	
II. Other Expenses	434,890	
Division of Traffic Engineering		3,816,982
I. Personnel and Related Expenses	2,937,916	
II. Other Expenses	879,066	
TOTAL DEPARTMENT OF PUBLIC SERVICE		<u>\$ 35,779,491</u>

DEPARTMENT OF PUBLIC HEALTH

Public Health Administration		\$ 893,589
I. Personnel and Related Expenses	578,308	
II. Other Expenses	315,281	
Division of Health		3,074,097
I. Personnel and Related Expenses	1,847,879	
II. Other Expenses	1,226,218	
Division of Environment		1,071,820
I. Personnel and Related Expenses	915,401	
II. Other Expenses	156,419	
Division of Air Quality		402,512
I. Personnel and Related Expenses	121,412	
II. Other Expenses	281,100	
TOTAL DEPARTMENT OF PUBLIC HEALTH		<u>\$ 5,442,018</u>

DEPARTMENT OF PUBLIC SAFETY

Public Safety Administration		\$ 3,407,745
I. Personnel and Related Expenses	2,313,273	
II. Other Expenses	1,094,472	
Division of Police		171,140,327
I. Personnel and Related Expenses	161,891,896	
II. Other Expenses	9,248,431	
Division of Fire		90,219,820
I. Personnel and Related Expenses	87,106,345	
II. Other Expenses	3,113,475	
Division of Emergency Medical Services		21,712,969
I. Personnel and Related Expenses	19,071,747	
II. Other Expenses	2,641,222	
Division of Animal Control Services		1,214,469
I. Personnel and Related Expenses	863,148	
II. Other Expenses	351,321	

Division of Correction		14,729,572
I. Personnel and Related Expenses	11,277,068	
II. Other Expenses	3,452,504	
TOTAL DEPARTMENT OF PUBLIC SAFETY		\$ 302,424,902
DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES		
Parks, Recreation, and Properties Administration		\$ 702,141
I. Personnel and Related Expenses	558,670	
II. Other Expenses	143,471	
Division of Research, Planning, and Development		633,345
I. Personnel and Related Expenses	579,388	
II. Other Expenses	53,957	
Division of Recreation		13,047,797
I. Personnel and Related Expenses	9,498,523	
II. Other Expenses	3,549,274	
Division of Parking Facilities-On Street		1,288,578
I. Personnel and Related Expenses	1,227,804	
II. Other Expenses	60,774	
Division of Property Management		8,584,510
I. Personnel and Related Expenses	5,771,656	
II. Other Expenses	2,812,854	
Division of Park Maintenance and Properties		12,603,975
I. Personnel and Related Expenses	8,141,526	
II. Other Expenses	4,462,449	
TOTAL PARKS, RECREATION, AND PROPERTIES		\$ 36,860,346
DEPARTMENT OF BUILDING AND HOUSING		
Building and Housing Dir Office		\$ 1,828,015
I. Personnel and Related Expenses	1,420,517	
II. Other Expenses	407,498	
Division of Code Enforcement		5,910,492
I. Personnel and Related Expenses	5,725,174	
II. Other Expenses	185,318	
Division of Construction Permit		1,492,305
I. Personnel and Related Expenses	1,476,379	
II. Other Expenses	15,926	
TOTAL BUILDING AND HOUSING		\$ 9,230,812
DEPARTMENT OF ECONOMIC DEVELOPMENT		
Economic Development		\$ 1,503,898
I. Personnel and Related Expenses	1,475,212	
II. Other Expenses	28,686	
TOTAL DEPARTMENT OF ECONOMIC DEVELOPMENT		\$ 1,503,898
NONDEPARTMENTAL		
County Auditor Deductions		\$ 3,096,000
II. Other Expenses	3,096,000	
Other Administrative		17,953,366
II. Other Expenses	17,953,366	
Transfer to Other Funds		19,473,380
II. Other Expenses	19,473,380	
TOTAL NONDEPARTMENTAL		\$ 40,522,746
TOTAL EXECUTIVE BRANCH		\$ 465,208,646
TOTAL GENERAL FUND		\$ 512,302,264

SPECIAL REVENUE FUND

Restricted Income Tax Fund		\$ 33,516,941
I. Capital	7,961,277	
II. Debt Service	25,555,664	
Street Construction, Maintenance & Repair Fund		25,486,012
I. Personnel and Related Expenses	14,445,498	
II. Other Expenses	11,040,514	
Schools Recreation & Cultural Activities Fund		1,000,000
II. Other Expenses	1,000,000	
Rainy Day Fund		7,500,000
II. Other Expenses	7,500,000	
TOTAL SPECIAL REVENUE FUNDS		<u>\$ 67,502,953</u>

INTERNAL SERVICE FUND

Information Systems Services-Telephone Exchange		\$ 6,272,536
I. Personnel and Related Expenses	1,146,980	
II. Other Expenses	5,125,556	
Division of Motor Vehicle Maintenance		19,452,035
I. Personnel and Related Expenses	5,647,635	
II. Other Expenses	13,804,400	
Division of Printing and Reproduction		2,330,886
I. Personnel and Related Expenses	833,135	
II. Other Expenses	1,497,751	
City Storeroom and Central Warehouse		890,256
I. Personnel and Related Expenses	113,336	
II. Other Expenses	776,920	
TOTAL INTERNAL SERVICE FUNDS		<u>\$ 28,945,713</u>

ENTERPRISE FUNDS

DEPARTMENT OF PUBLIC UTILITIES

Utilities Administration		\$ 2,689,468
I. Personnel and Related Expenses	2,001,495	
II. Other Expenses	687,973	
Radio		2,049,191
I. Personnel and Related Expenses	422,122	
II. Other Expenses	1,627,069	
Division of Fiscal Control		3,244,992
I. Personnel and Related Expenses	2,827,028	
II. Other Expenses	417,964	
Division of Water		243,810,000
I. Personnel and Related Expenses	77,114,602	
II. Other Expenses	166,695,398	
Division of Water Pollution Control		21,227,000
I. Personnel and Related Expenses	10,650,740	
II. Other Expenses	10,576,260	
Division of Cleveland Public Power		163,294,000
I. Personnel and Related Expenses	28,777,766	
II. Other Expenses	134,516,234	
TOTAL DEPARTMENT OF PUBLIC UTILITIES		<u>\$ 436,314,651</u>

DEPARTMENT OF PORT CONTROL

Divisions of Cleveland Hopkins & Burke Lakefront Airports — Operations		\$ 139,070,442
I. Personnel and Related Expenses	32,651,987	
II. Other Expenses	106,418,455	
TOTAL DEPARTMENT OF PORT CONTROL		<u>\$ 139,070,442</u>

DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES		
Division of Cemeteries		\$ 1,765,537
I. Personnel and Related Expenses	1,269,679	
II. Other Expenses	495,858	
Golf Course Fund		1,126,015
I. Personnel and Related Expenses	602,550	
II. Other Expenses	523,465	
Division of Parking Facilities-Off Street Parking		9,861,074
I. Personnel and Related Expenses	1,129,418	
II. Other Expenses	8,731,656	
Division of Convention Center		2,457,734
I. Personnel and Related Expenses	1,132,193	
II. Other Expenses	1,325,541	
Division of Convention Center & Stadium-West Side Market		1,081,481
I. Personnel and Related Expenses	421,903	
II. Other Expenses	659,578	
Division of Convention Center & Stadium-Stadium		14,500,000
II. Other Expenses	14,500,000	
Division of Property Management — East Side Market		40,000
II. Other Expenses	40,000	
TOTAL PARKS, RECREATION, & PROPERTIES		<u>\$ 30,831,841</u>
TOTAL ENTERPRISE FUNDS		<u><u>\$ 606,216,934</u></u>
AGENCY FUND		
Central Collection Agency		\$ 9,637,619
I. Personnel and Related Expenses	5,962,009	
II. Other Expenses	3,675,610	
TOTAL AGENCY FUND		<u>\$ 9,637,619</u>
DEBT SERVICE FUND		
Sinking Fund Commission		\$ 63,651,489
I. Personnel and Related Expenses	179,432	
II. Other Expenses	868,800	
III. Debt Service	62,603,257	
TOTAL DEBT SERVICE FUNDS		<u>\$ 63,651,489</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 2010 is hereby appropriated to such fund for the payment of unpaid obligations lawfully incurred in 2011 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 2011 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.

**Schedule of Changes
(Published pursuant to Section 39 of the Charter)**

The following changes are made to provide for reductions/increases in various departments of City Government: to correct the total of the 2011 Appropriation Ordinance No. 140-11.

	DIFFERENCE
2011 Mayor's Estimate Ordinance	
GENERAL FUND	
Legislative Branch	\$ 0
Judicial Branch	105,583
EXECUTIVE BRANCH	
General Government	(2,429)
Department of Law	100,000
Department of Finance	(44,033)
Department of Public Safety	55,000
Department of Parks, Recreation & Properties	55,000
Department of Building & Housing	64,544
Nondepartmental	(333,665)
TOTAL EXECUTIVE BRANCH	(105,583)
TOTAL GENERAL FUND	0
Enterprise Funds	(1,040,000)
TOTAL APPROPRIATIONS FOR 2011	\$ (1,040,000)
GENERAL FUND	
JUDICIAL BRANCH	
Municipal Court - Judicial Division	\$ 105,583
I Personnel and Related Expenses	105,583
TOTAL JUDICIAL BRANCH	\$ 105,583
EXECUTIVE BRANCH	
GENERAL GOVERNMENT	
Boxing and Wrestling Commission	\$ (2,429)
I. Personnel and Related Expenses	(2,429)
TOTAL GENERAL GOVERNMENT	\$ (2,429)
DEPARTMENT OF LAW	
Department Law	\$ 100,000
II. Other Expenses	100,000
TOTAL DEPARTMENT OF LAW	\$ 100,000
DEPARTMENT OF FINANCE	
Information Systems Services	\$ (44,033)
II. Other Expenses	(44,033)
TOTAL DEPARTMENT OF FINANCE	\$ (44,033)
DEPARTMENT OF PUBLIC SAFETY	
Division of Animal Control Services	\$ 55,000
II. Other Expenses	55,000
TOTAL DEPARTMENT OF PUBLIC SAFETY	\$ 55,000
DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES	
Division of Recreation	\$ 55,000
II. Other Expenses	55,000
TOTAL PARKS, RECREATION, AND PROPERTIES	\$ 55,000

DEPARTMENT OF BUILDING AND HOUSING

Building and Housing Dir Office		\$ 64,544
I. Personnel and Related Expenses	14,544	
II. Other Expenses	50,000	
TOTAL BUILDING AND HOUSING		\$ 64,544

NONDEPARTMENTAL

Other Administrative		\$ (333,665)
II. Other Expenses	(333,665)	
TOTAL NONDEPARTMENTAL		\$ (333,665)
TOTAL EXECUTIVE BRANCH		\$ (105,583)
TOTAL GENERAL FUND		\$ 0

ENTERPRISE FUNDS

DEPARTMENT OF PUBLIC UTILITIES

Division of Fiscal Control		\$ (95,000)
II. Other Expenses	(95,000)	
Division of Water Pollution Control		\$ (945,000)
II. Other Expenses	(945,000)	
TOTAL DEPARTMENT OF PUBLIC UTILITIES		\$ (1,040,000)
TOTAL ENTERPRISE FUNDS		\$ (1,040,000)

Ordinance No. 140-11 is herein published following the Public Hearing and before the third reading and final passage and reflects the necessary amendments required by this schedule.

MOTION

The Council Meeting adjourned at 8:05 p.m. to meet on Monday, March 14, 2011 at 7:00 p.m. in the Council Chambers.



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 2, 2011

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, March 2, 2011, at 10:50 a.m. with Director Triozzi presiding.

Present: Directors Triozzi, Withers, Acting Directors Dangerfield, Thompson, Butler, Directors Flask, Rush, Interim Director Walker-Minor, Directors Nichols, Fumich and Rybka.

Absent: Mayor Jackson and Director Dumas.

Others: James E. Hardy, Commissioner, Purchases and Supplies.

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

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

Resolution No. 63-11.

By Director Withers.
Whereas, Resolution No. 153-08, adopted April 2, 2008, under the authority of Ordinance No. 775-07, passed July 11, 2007, and Resolution No. 558-10, adopted December 29, 2010, under the authority of Ordinance No. 775-07, passed July 11, 2007, as amended by Ordinance No. 513-10, passed May 10, 2010, the City, through its Director of Public Utilities, entered into City Contract No. 67994 with CH2M Hill, Inc. for professional consulting services to assist in the planning and management of the Meter Automation and Replacement Program, for a revised fee of \$7,799,986.59, for the Division of Water, Department of Public Utilities; and

Whereas, by its February 15, 2011 letter, CH2M Hill, Inc. requested the City's approval for an additional sub-consultant; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following additional sub-consultant by CH2M Hill, Inc. for the above-mentioned Meter Automation and Replacement Program is approved:

Sub-consultant

Work Percentage

Five Point Partners, LLC \$500,000.00
6.410%

Yeas: Directors Triozzi, Withers, Acting Directors Dangerfield, Thompson, Butler, Directors Flask, Rush, Interim Director Walker-Minor, Directors Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 64-11.

By Director Withers.
Whereas, under the authority of Ordinance No. 270-08, passed by the Council of the City of Cleveland on May 5, 2008, and Board of Control Resolution No. 314-10, adopted July 28, 2010, the City of Cleveland entered into City Contract No. PI2010*54 with Shook, Inc. Northern Division for the public improvement of the Crown Filter Rehabilitation Project No. 601 in the amount of \$2,194,399.90, for the Division of Water, Department of Public Utilities; and

Whereas, Resolution No. 314-10 incorrectly cited the bid due date for the contract approved; and

Whereas, by its February 14, 2011 letter, Shook, Inc. Northern Division notified the City of its intentions of using the subcontractors and/or suppliers listed for the work described on the respective Schedule 2; and

Whereas, the Director of the Office of Equal Opportunity has approved the additional sub-contractors and sub-contractors amounts; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 314-10, adopted by this Board July 28, 2010, approving the bid of Shook, Inc. Northern Division for the public improvement of the Crown Filter Rehabilitation Project No. 601 is amended by deleting "March 14, 2010", in the first paragraph, where appearing, and substituting "May 14, 2010".

Be it further resolved that the employment of the following subcontractors by Shook, Inc. Northern Division under Contract No. PI2010*54 for the public improvement of the Crown Filter Rehabilitation Project No. 601, for the Division of Water, Department of Public Utilities, is approved:

<u>SUBCONTRACTOR</u>	<u>WORK PERCENTAGE</u>
Cook Paving & Construction Co., Inc.	\$ 5,000.00 0.228%
Precision Environmental Co.	\$ 3,650.00 0.166%
Sampson Maintenance	\$49,950.00 2.276%
VIP Electric	\$22,000.00 1.003%

Be it further resolved that all other provisions of Resolution No. 314-10 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Directors Triozzi, Withers, Acting Directors Dangerfield, Thompson, Butler, Directors Flask, Rush, Interim Director Walker-Minor, Directors Nichols, Fumich and Rybka.

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

Resolution No. 65-11.

By Director Withers.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Craun-Liebing Co. for an estimated quantity of labor and materials necessary to repair and maintain pump stations, items 1, 4 and 5, for the Division of Water Pollution Control, Department of Public Utilities, for a period of two years starting upon the later of execution of a contract or the day following expiration of the currently effective contract for the goods and/or services, received on December 2, 2010, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$126,500.00 (2%, Net 10 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 goods and/or services, which contract shall provide for the initial order, the cost of which shall be certified to the contract in an amount not less than \$40,000.00.

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

Yeas: Directors Triozzi, Withers, Acting Directors Dangerfield,

Thompson, Butler, Directors Flask, Rush, Interim Director Walker-Minor, Directors Nichols, Fumich and Rybka.

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

Resolution No. 66-11.

By Director Withers.
Be it resolved, by the Board of Control of the City of Cleveland that all bids received on December 2, 2010 for labor and materials necessary to repair and maintain pump stations, items 2 and 3, for the Division of Water Pollution Control, Department of Public Utilities, under the authority of Section 181.101 of Codified Ordinances of Cleveland, Ohio, 1976, are rejected.

Yeas: Directors Triozzi, Withers, Acting Directors Dangerfield, Thompson, Butler, Directors Flask, Rush, Interim Director Walker-Minor, Directors Nichols, Fumich and Rybka.

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

Resolution No. 67-11.

By Director Withers.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Phillips Contractors Supply, LLC for an estimated quantity of repair parts for pumps, saws and small engines, items 1-7, 9 and 10, for the Division of Water, Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on December 16, 2010 under the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$86,160.00 (Net 30), 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 goods and/or services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$5,150.00.

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 Triozzi, Withers, Acting Directors Dangerfield, Thompson, Butler, Directors Flask, Rush, Interim Director Walker-Minor, Directors Nichols, Fumich and Rybka.

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

Resolution No. 68-11.

By Director Withers.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Ohio Machinery Co. dba Ohio CAT for an estimated quantity of the purchase of various types of safety equipment required for OSHA/PERRP compliance, Group 2, items A-F, for the various Divisions of the Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective

contract for the goods or services, received on October 29, 2010 under the authority of Ordinance No. 870-10, passed August 18, 2010, which on the basis of the estimated quantity would amount to \$210,000.00 (0%), 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 goods and/or services, which shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$12,500.00.

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 Triozzi, Withers, Acting Directors Dangerfield, Thompson, Butler, Directors Flask, Rush, Interim Director Walker-Minor, Directors Nichols, Fumich and Rybka.

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

Resolution No. 69-11.

By Director Withers.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Allstate Industrial, Inc. for an estimated quantity of the purchase of various types of safety equipment required for OSHA/PERRP compliance, Group 3, items A, H, J, K and M, for the various Divisions of the Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on October 29, 2010 under the authority of Ordinance No. 870-10, passed August 18, 2010, which on the basis of the estimated quantity would amount to \$102,000.00 (Net 30), 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 goods and/or services, which shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$12,500.00 for the Division of Water and in an amount not less than \$10,000.00 for the Division of Water Pollution Control.

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 Triozzi, Withers, Acting Directors Dangerfield, Thompson, Butler, Directors Flask, Rush, Interim Director Walker-Minor, Directors Nichols, Fumich and Rybka.

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

Resolution No. 70-11.

By Director Withers.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Northstar Contracting, Inc. for an estimated quantity of small water meters, items 4, 22 and 26, for the Division of Water,

Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, with one option to renew for one year, received on November 19, 2010 under the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$91,108.50 (0%), 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 goods and/or services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$6,277.80.

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 Triozzi, Withers, Acting Directors Dangerfield, Thompson, Butler, Directors Flask, Rush, Interim Director Walker-Minor, Directors Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 71-11.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Badger Meter, Inc. for an estimated quantity of small water meters, items 1, 3, 6-13, 20, 29 and 30, for the Division of Water, Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, with one option to renew for one year, received on November 19, 2010 under the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$7,401,125.00 (Net 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 goods and/or services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$383,336.00.

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 Triozzi, Withers, Acting Directors Dangerfield, Thompson, Butler, Directors Flask, Rush, Interim Director Walker-Minor, Directors Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 72-11.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Elster AMCO Water, Inc.

for an estimated quantity of small water meters, items 2, 5, 14-19, 21, 23-25, 27 and 28, for the Division of Water, Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, with one option to renew for one year received on November 19, 2010 under the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$6,647,650.00 (Net 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 goods and/or services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$360,030.00.

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 Triozzi, Withers, Acting Directors Dangerfield, Thompson, Butler, Directors Flask, Rush, Interim Director Walker-Minor, Directors Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 73-11.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Northstar Contracting, Inc. for an estimated quantity of large water meters, items 3, 4, 17-22, 49 and 50, for the Division of Water, Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, with one option to renew for one year, received on November 19, 2010 under the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$329,689.57 (0%), 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 goods and/or services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$17,062.00.

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 Triozzi, Withers, Acting Directors Dangerfield, Thompson, Butler, Directors Flask, Rush, Interim Director Walker-Minor, Directors Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 74-11.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Elster AMCO Water, Inc. for an estimated quantity of large water meters, items 29-31, 34, 35, 38, 39, 44-48, 52 and 53, for the Division of Water, Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, with one option to renew for one year, received on November 19, 2010 under the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$1,144,050.00 (Net 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 goods and/or services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$68,950.00.

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 Triozzi, Withers, Acting Directors Dangerfield, Thompson, Butler, Directors Flask, Rush, Interim Director Walker-Minor, Directors Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 75-11.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Badger Meter, Inc. for an estimated quantity of large water meters, items 1, 2, 5-16, 23-26, 32, 33, 36, 37, 40-43 and 51, for the Division of Water, Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, with one option to renew for one year, received on November 19, 2010 under the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$836,633.22 (Net 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 goods and/or services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$42,005.82.

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 Triozzi, Withers, Acting Directors Dangerfield, Thompson, Butler, Directors Flask, Rush, Interim Director Walker-Minor, Directors Nichols, Fumich and Rybka.

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

Resolution No. 76-11.

By Director Withers.
 Be it resolved by the Board of Control of the City of Cleveland that the bid of Itron, Inc. for an estimated quantity of large water meters, items 27 and 28, for the Division of Water, Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, with one option to renew for one year, received on November 19, 2010 under the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$18,284.35 (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 goods and/or services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$18,284.35.

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 Triozzi, Withers, Acting Directors Dangerfield, Thompson, Butler, Directors Flask, Rush, Interim Director Walker-Minor, Directors Nichols, Fumich and Rybka.

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

Resolution No. 77-11.

By Director Flask.
 Whereas, under the authority of Ordinance No. 1606-07, passed by the Cleveland City Council on October 15, 2007, the City of Cleveland, through the Director of Safety entered into an agreement with Intergraph Corporation, City Contract No. 67459, for a period of one year with two options to renew for an additional one-year period, for maintenance and technical support services for the Computer Aided Dispatch System and Mobile System, for the Divisions of Police, Fire, and EMS, Department of Public Safety; and

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

Whereas, under the authority of Section 181.102 C.O., the City intends to enter into an agreement with Intergraph Public Safety Inc. to obtain the professional maintenance and technical support services necessary to maintain the Computer Aided Dispatch System and Mobile System for one year starting January 1, 2011; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under division (e) of Section 181.102 C.O., the compensation to be paid for maintenance and technical support

services to be performed under the above-mentioned prospective agreement with Intergraph Corporation is fixed at an amount not to exceed \$296,928.00.

Yeas: Directors Triozzi, Withers, Acting Directors Dangerfield, Thompson, Butler, Directors Flask, Rush, Interim Director Walker-Minor, Directors Nichols, Fumich and Rybka.

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

Resolution No. 78-11.

By Director Flask.
 Whereas, under the authority of Ordinance No. 1609-07, passed by the Cleveland City Council on October 15, 2007, the City of Cleveland, through the Director of Public Safety, entered into an agreement with New World Systems Corporation, City Contract No. 67608, for a period of one year with two options to renew for an additional one-year period, for maintenance and technical support services for the Record Management System, for the Divisions of Police, Fire and EMS, Department of Public Safety; and

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

Whereas, under the authority of Section 181.102 C.O., the City intends to enter into an agreement with New World Systems Corporation, to obtain the professional maintenance and technical support services necessary to maintain the Record Management System, for a period of eighteen months starting January 1, 2011; now; therefore,

Be it resolved by the Board of Control of the City of Cleveland that under division (e) of Section 181.102 C.O., the compensation to be paid for maintenance and technical support services to be performed under the above-mentioned prospective agreement with New World Systems Corporation, is fixed at an amount not to exceed \$150,560.00.

Yeas: Directors Triozzi, Withers, Acting Directors Dangerfield, Thompson, Butler, Directors Flask, Rush, Interim Director Walker-Minor, Directors Nichols, Fumich and Rybka.

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

Resolution No. 79-11.

By Director Cox.
 Whereas, Ordinance No. 1202-10, passed by Cleveland City Council on September 27, 2010, authorizes the Director of Public Works to lease approximately 3,050 sq. feet of property in Willard Park to the Cuyahoga County Board of Developmental Disabilities for a term not exceeding five years with one five year option to renew at a consideration determined by the Board of Control to be fair market value, for an urban garden to provide employment to adults with developmental disabilities; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 1202-10, passed by Cleveland City Council on September 27, 2010, the cost of \$1.00 for the lease of approximately 3,050 square feet of proper-

ty within Willard Park to the Cuyahoga County Board of Developmental Disabilities for establishment of an urban garden to be used for education and employment of adults with developmental disabilities is determined to be fair market value, exclusive of utilities.

Yeas: Directors Triozzi, Withers, Acting Directors Dangerfield, Thompson, Butler, Directors Flask, Rush, Interim Director Walker-Minor, Directors Nichols, Fumich and Rybka.

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

Resolution No. 80-11.

By Director Cox.
 Be it resolved by the Board of Control of the City of Cleveland, that all bids received on February 3, 2011 for City of Cleveland — Gateway East and Gateway North Parking Garage Improvements for the Department of Public Works, pursuant to the authority of Ordinance Nos. 808-09 and 617-10 and 306-10, passed by the Council of the City of Cleveland on June 8, 2009 and May 10, 2010 and June 7, 2010 are rejected.

Yeas: Directors Triozzi, Withers, Acting Directors Dangerfield, Thompson, Butler, Directors Flask, Rush, Interim Director Walker-Minor, Directors Nichols, Fumich and Rybka.

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

Resolution No. 81-11.

By Director Rybka.
 Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 1187-10, passed by the Council of the City of Cleveland on September 13, 2010, amended by Ordinance No. 1328-10, passed October 4, 2010, Westlake Reed Leskosky is selected from a list of firms determined after a full and complete canvass by the Director of Community Development as the firm to be employed by contract to supplement the regularly employed staff of several departments of the City of Cleveland to perform the professional services necessary for the public improvement of stabilizing the former Fifth Church of Christ building at 11623 Lake Avenue, for the Division of Architecture and Site Development, Mayor's Office of Capital Projects.

Be it further resolved that the Director of Community Development is authorized to enter into contract with Westlake Reed Leskosky, based on its proposal dated December 30, 2010, and its March 1, 2011 letter and which contract shall be prepared by the Director of Law, shall provide for the furnishing of professional services as described in the proposal for an aggregate not-to exceed fee of \$12,915.00, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control that the employment of the following sub-consultants by Westlake Reed Leskosky is approved:

<u>Sub-Consultant</u>	<u>Percentage Amount</u>
Sandhu & Associates	19.5% — CSB/MBE \$2,520.00

Yeas: Directors Triozzi, Withers, Acting Directors Dangerfield, Thompson, Butler, Directors Flask, Rush, Interim Director Walker-Minor, Directors Nichols, Fumich and Rybka.

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

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

Application blanks must be properly filled out on the official form prescribed by the Civil Service Commission and filed at the office of the commission not later than the final closing date stated 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, MARCH 21, 2011

9:30 A.M.

Calendar No. 11-3: 5900 Detroit Avenue (Ward 15)

Bob Muschamp, owner, appeals for a deck on the premises of a mixed use building with two dwelling units on a 50.80' x 111.41' lot in a General Retail Business District, contrary to Section 349.04(f) no parking is proposed and four (4) parking spaces are required for 320 square feet of patron floor area, and the deck is one (1) foot from the front property line where Front Yard Regulations in Section 357.04(a) require eighteen (18) feet; and the proposed deck is subject to approval of the Landmarks Commission; and the expansion/addition of a nonconforming use requires the Board of Zoning Appeals approval in accordance with Section 359.01(a) of the Cleveland Codified Ordinances.

Calendar No. 11-25: 4363 Jennings Road (Ward 12)

Richard Whitt, owner, appeals to establish use of property for outdoor

storage of contracting and landscaping vehicles, equipment and contracting materials, and to establish use of a building on the premises as a "barn" on a 40' x 240' irregular shaped parcel in an A1 One-Family District; subject to the limitations of Section 337.02 the proposed use is not permitted and first permitted in a Semi-Industry District, provided it is surrounded by a 7 foot high screening fence as required in Section 345.03(c)(33); no grading plan nor drainage location is provided, contrary to Section 349.07(a) that requires all vehicle maneuvering areas to be properly graded for drainage so that and all water is drained within the lot; and Section 358.06(b) requires that all fences be uniform in material and color, with the finished or decorative side of fence facing outward toward the adjoining property or street; and contrary to Sections 358.08-12, no landscaping is proposed where the property adjoins the residential district and a 10 foot wide, landscaped transition strip that provides at least 75 percent year round opacity is required, pursuant to the Cleveland Codified Ordinances.

Calendar No. 11-26: 3837 Ridge Road (Ward 15)

WHS Realty Services, Inc., owner, and Salim Hasrouni tenant, appeal to add entertainment/dance hall use to an existing tavern/restaurant on an irregular shaped parcel in a Semi-Industry District; subject to the limitations of Section 347.12(a)(1), the property abuts a B1 Two-Family District where the proposed use is not permitted within 500 feet of a residence district, and a 10 foot wide transition landscape strip is required where none is provided contrary to Sections 352.08-352.12 of the Cleveland Codified Ordinances.

Calendar No. 11-28: 9208 Detroit Avenue (Ward 16)

Brian Lyons, owner, appeals to establish use as a bar with entertainment in an existing one-story building on a 60.26' x 201.17' corner parcel in a General Retail Business District; subject to Section 347.12 and regulations for location, the proposed use may not be established on a lot or lots within 500 feet of a residence district and a required total parking area according to Section 349.04(c) is three times the gross floor area or 24 off-street parking spaces; and accessory off-street parking spaces, driveways and maneuvering areas shall be properly graded for drainage so that all water is drained within the lot providing such parking spaces, surfaced with concrete, asphaltic concrete, asphalt or other surfacing materials approved by the Director of Building and Housing, maintained in good condition and free of debris and trash and provided with wheel or bumper guards, located so that no part of a parked vehicle extends beyond a parking space; and landscaped strips shall be separated by curbing according to Section 352.05(g) and a 6 foot wide, side street, frontage landscaping strip is required at the parking lot where it borders the street, as stated in Sections 352.08 through 352.11 of the Cleveland Codified Ordinances.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, MARCH 7, 2011

At the meeting of the Board of Zoning Appeals on Monday, March 7, 2011, the following appeals were heard by the Board.

The following appeal was **Approved:**

Calendar No. 11-14: 1549 East 84th Street
Susan Whatley appealed to erect 32 linear feet of 4 foot high chain link fence along the front setback of a lot in B1 Two-Family and D2 Multi-Family District; subject to condition.

The following appeal was **Withdrawn:**

Calendar No. 11-17: 1611 Clark Avenue
Daniel Seguin appealed to change use from two dwelling units to a three family dwelling in a B1 Two-Family District.

The following appeals were **Dismissed:**

None.

The following appeals were **Postponed:**

Calendar No. 11-15: 4243 Fulton Road postponed to March 28, 2011.

Calendar No. 11-22: 3190 West 44th Street postponed to March 28, 2011

Calendar No. 10-194: 4300 Bradley Road postponed to April 18, 2011.

Calendar No. 10-259: 4300 Bradley Road postponed to April 18, 2011.

Calendar No. 10-260: 4300 Bradley Road postponed to April 18, 2011.

The following appeals heard by the Board on February 28, 2011 were adopted and approved on March 7, 2011.

The following appeal was **Approved:**

Calendar No. 10-251: 2606 Martin Luther King Drive
Church of God in Christ, Inc. appealed to construct an addition to a legal nonconforming church in a General Retail Business District.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of
March 2, 2011

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-261-10.

RE: Appeal of Roukukria M. Roddy, Owner of the One Dwelling Units Single-Family Residence Two & One-half Story Frame Property

located on the premises known as 3607 Archwood Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated March 23, 2010 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 six (6) months in which to complete abatement of the violations. 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. Sullivan.

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

* * *

Docket A-275-10.

RE: Appeal of Jennifer Franklin, Owner of the One Dwelling Unit Single-Family Residence Two & One/half Story Frame Property and One Story Garage - Detached; Wood Frame located on the premises known as 2292 East 89th Street from a CONDEMNATION ORDER — MAIN STRUCTURE & GARAGE, dated May 25, 2010 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 thirty (30) days in which to demolish the garage and six (6) months in which to submit plans, obtain permits and begin work, and twelve (12) months 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. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

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

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Docket A-276-10.

RE: Appeal of Clover Construction C/O Neil T. Clough, Owner of the Property located on the premises known as 2070 West 65th Street from a FIRE DAMAGE, dated June 14, 2010 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 abate all violations on the property, and to permit the Appellant to continue using the existing permits. 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, Saab, Bradley, Maschke, Sullivan. Nays: None. Absent: Mr. Gallagher.

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Docket A-279-10.

RE: Appeal of Cleveland RPM Management, LLC, Owner of the Two Dwelling Units Two-Family

Residence Two & One/half Story Frame Property located on the premises known as 11403 Fairport Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated April 15, 2010 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 thirty (30) days in which to obtain permits and six (6) months in which to abate all violations with additional time, if required. 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. Maschke.

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

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Docket A-280-10.

RE: Appeal of Great American Fest LLC, Owner of the Property located on the premises known as 12617 St. Clair Avenue from a LIMITATION ON THE PERMIT, dated June 28, 2010 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 abatement of the violations, requiring that the building be boarded and weather tight within fourteen (14) 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. Bradley and seconded by Mr. Saab.

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

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Docket A-282-10.

RE: Appeal of Judith Newell, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property located on the premises known as 14116 Christine Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated June 23, 2010 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 six (6) months in which to store the vehicle in the present condition, flat tires and unlicensed, noting that the Appellant is attempting to sell the vehicle; and that the toys can remain as long as the kids are there; and to find that the fence, by testimony, does not belong to the Appellant and that the adjoining neighbor should either be cited or monitored by the Building Department to abate that violation. 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, Saab, Bradley, Maschke, Sullivan. Nays: None. Absent: Mr. Gallagher.

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Docket A-283-10.

RE: Appeal of Medics, Inc., Owner of the B Business - Offices, Laboratories, Adult School Property located on the premises known as 1464 East 105th Street from a NOTICE OF VIOLATION — ELEVATOR, dated June 16, 2010 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-283-10 has been POSTPONED; to be rescheduled for March 16, 2011.

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Docket A-285-10.

RE: Appeal of Andrea Jones, Owner of R-3 Residential - Non-transient; Townhomes (Independent Egress) Two & One/half Story Frame Property located on the premises known as 3521 East 117th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated March 30, 2010 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-285-10 has been POSTPONED; to be rescheduled for March 16, 2011.

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Docket A-286-10.

RE: Appeal of Ruth a. Lampkin, Owner of the One Dwelling Unit Single-Family Residence Two & One/half Story Frame Property located on the premises known as 2312 East 95th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated June 11, 2010 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 thirty (30) days in which to obtain permits and remove the porches to abate that hazard, and six (6) months 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. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bradley.

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

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Docket A-287-10.

RE: Appeal of Tammy & Danon White, Owners of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property located on the premises known as 1465 East 175th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated June 23, 2010 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 the hazard of the porch and the hazardous condition of the steps. 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. Saab.

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

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Docket A-288-10.

RE: Appeal of Kevin Williams, Owner of the One Dwelling Unit Single-Family Residence One & One-half Story Frame Property located on the premises known as 3399 East 145th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated April 23, 2010 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 thirty (30) days in which to complete abatement of the violations. 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. Saab.

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

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Docket A-289-10.

RE: Appeal of Roberta Eisner, Owner of the One Dwelling Unit Single-Family Residence One & One-half Story Frame Property located on the premises known as 3608 West 114th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated June 23, 2010 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-289-10 has been POSTPONED; to be rescheduled for March 16, 2011.

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Docket A-292-10.

RE: Appeal of Stoney Point Investment, Owner of the Two Dwelling Units Two-Family Residence Two Story Masonry Walls/Wood Floors Property located on the premises known as 3026 East 125th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated April 13, 2010 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 four (4) months 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. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Maschke.

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

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Docket A-293-10.

RE: Appeal of William Costakis, Owner of the Two Dwelling Units Two-Family Residence One & One-half Story Frame Property located on the premises known as 3288 West 123rd Street from a NOTICE OF VIOLATION — FIRE DAMAGE, dated June 28, 2010 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 thirty (30) 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. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

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

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Docket A-462-10.

RE: Appeal of Clover Construction C/O Neil T. Clough, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property located on the premises known as 6707 Colgate Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated November 22, 2010 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 six (6) months in which to complete abatement of the violations, noting that the Appellant has already purchased the materials and obtained permits and is ready to begin work. 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. Sullivan and seconded by Mr. Bradley.

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

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Docket A-463-10.

RE: Appeal of Clover Construction C/O Neil T. Clough, Owner of the Property located on the premises known as 2070 West 65th Street from a FIRE DAMAGE, dated June 14, 2010 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 abate all violations on the property, and to permit the Appellant to continue using the existing permits. 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, Saab, Bradley, Maschke, Sullivan. Nays: None. Absent: Mr. Gallagher.

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Docket A-20-11.

RE: Appeal of Potter's Industries Inc., Owner of the Property located on the premises known as 2380 West 3rd Street from an ADJUDICATION ORDER, dated December 17, 2010 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 variance required for the firewall rating less than five (5) feet from the property line; to permit the construction as presented, but to require that foundation documentation indicating adequacy for stress and strain due to frost, be presented for review and accepted by both the Building Department and the Board to permit a variance for that issue. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Sullivan.

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

* * *

Docket A-23-11.

RE: Appeal of St. Vincent Charity Medical Center, Owner of the Property located on the premises known as 2351 East 22nd Street from an ADJUDICATION ORDER, dated October 06, 2010 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 variance and permit the materials for the sign proposed, noting that the building is in a noncombustible unoccupied condition and will be demolished within the next six (6) months. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Bradley.

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

* * *

Docket A-56-11.

RE: Appeal of Hidaya Ayyad, Owner of the Property located on the premises known as 1909 West 25th Street from an ADJUDICATION ORDER, dated February 28, 2011 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).
No action.

* * *

APPROVAL OF RESOLUTIONS:

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

- A-252-10 — Branden Powell
- A-255-10 — Wilson A. Leece II
- A-256-10 — Barbara Rosser
- A-262-10 — Raymond P. Marciano

- A-264-10 — Reginald Jolly
- A-265-10 — Benson & Lisa Dunlap
- A-267-10 — Brian Robinson
- A-268-10 — Carmeka Robinson-Asford
- A-271-10 — Cap Management, LLC
- A-277-10 — Vonette Wesson
- A-278-10 — Annette Campbell
- A-472-10 — John Brewer
- A-15-11 — Taryll T. Luster

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

* * *

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):

February 16, 2011

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

* * *

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."

FRIDAY, MARCH 18, 2011

File No. 24-11 — West 14th Street Sewer Relining Project, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 594-10, passed by the Council of the City of Cleveland, June 7, 2010.

THERE WILL BE A **NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND OR MONEY ORDER ONLY (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED).**

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, MARCH 11, 2011 AT 11:00 A.M. THE DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

File No. 25-11 — Constructing & Installing Replacement Sewers & Rehabilitating & Repairing Sewers at Various Locations, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 129.292 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND OR MONEY ORDER ONLY (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED).**

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, MARCH 11, 2011 AT 12:00 P.M. THE DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

March 2, 2011 and March 9, 2011

WEDNESDAY, MARCH 23, 2011

File No. 31-11 — Reclaimed or Virgin Asphalt Concrete, for the Division of Streets, Department of Public Works, as authorized by Ordinance No. 6-11, passed by the Council of the City of Cleveland, February 7, 2011.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, MARCH 10, 2011 AT 10:00 A.M. THE CLEVELAND CITY HALL, DIVISION OF STREETS, 601 LAKESIDE

AVENUE, CONFERENCE ROOM 25, CLEVELAND, OHIO 44114.

File No. 32-11 — Grinding of Pavement, for the Division of Streets, Department of Public Works, as authorized by Ordinance No. 1605-10, passed by the Council of the City of Cleveland, December 6, 2010.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, MARCH 10, 2011 AT 11:30 A.M. THE CLEVELAND CITY HALL, DIVISION OF STREETS, 601 LAKESIDE AVENUE, CONFERENCE ROOM 25, CLEVELAND, OHIO 44114.

File No. 28-11 — Paint and Paint Supplies, for the Various Divisions of City Government, Department of Finance, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FOR TUESDAY, MARCH 15, 2011 AT 10:00 A.M. CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

March 2, 2011 and March 9, 2011

THURSDAY, MARCH 24, 2011

File No. 30-11 — Various Ford Passenger/Police Vehicle Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Public Works, as authorized by Ordinance No. 1330-A-10, passed by the Council of the City of Cleveland, December 10, 2010.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, MARCH 11, 2011 AT 10:00 A.M. THE MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

File No. 29-11 — Labor and Materials for Maintenance of Uninterruptible Power Supply Systems, Backup Generators, Components, Appurtenance, Specialized Batteries, Fuel Testing, Fuel Conditioning and Recycling, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1600-10, passed by the Council of the City of Cleveland, December 6, 2010.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FOR THURSDAY, MARCH 10, 2011 AT 10:00 A.M. CARL B. STOKES PUBLIC UTILITIES BUILDING, 4TH FLOOR ATRIUM CONFERENCE ROOM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

March 2, 2011 and March 9, 2011

FRIDAY, MARCH 25, 2011

File No. 26-11 — Ridge Road Streets Facility Renovations, for the Division of Architecture and Site Development, Department of Public Works, as authorized by Ordinance No. 1724-09, passed by the Council of the City of Cleveland, February 8, 2010.

THERE WILL BE A **NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS** IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND OR MONEY ORDER ONLY (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED).

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** TUESDAY, MARCH 15, 2011 AT 10:00 A.M. THE CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, DIVISION OF ARCHITECTURE, ROOM 517, CLEVELAND, OHIO 44114.

File No. 33-11 — Automotive Parts, Including Labor, Materials and Installation, for the Various Divisions of Port Control, Department of Port Control, as authorized by Ordinance No. 190-07, passed by the Council of the City of Cleveland, March 12, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, MARCH 10, 2011 AT 10:00 A.M. THE DEPARTMENT OF PORT CONTROL, CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135-3193.

March 2, 2011 and March 9, 2011

WEDNESDAY, MARCH 30, 2011

File No. 27-11 — Plumbing Supplies, for the Various Divisions of City Government, Department of Finance and as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FOR WEDNESDAY, MARCH 16, 2011 AT 10:30 A.M. CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

March 2, 2011 and March 9, 2011

FRIDAY, MARCH 25, 2011

File No. 34-11 — Pearldale Avenue Sewer Repair and Relining Project, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 398-09, passed by the Council of the City of Cleveland, June 1, 2009.

THERE WILL BE A **NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS** IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND OR MONEY ORDER ONLY (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED).

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, MARCH 18, 2011 AT 11:00 A.M. THE DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

March 9, 2011 and March 16, 2011

WEDNESDAY, APRIL 6, 2011

File No. 35-11 — Manufacturing Road Sewer Replacement Project, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 597-10, passed by the Council of the City of Cleveland, June 7, 2010.

THERE WILL BE A **NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS** IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND OR MONEY ORDER ONLY (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED).

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, MARCH 18, 2011 AT 11:30 A.M. THE DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

File No. 37-11 — Office Supplies, for the Various Divisions of City Government, Department of Finance, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FOR THURSDAY, MARCH 24, 2011 AT 10:30 A.M. CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

March 9, 2011 and March 16, 2011

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 258-11.
By Council Members Cimperman, Cummins, J. Johnson and Mitchell.
An emergency resolution urging the United States Congress to amend the Continuing Resolution for FY 2011 to restore funding for public broadcasting.

Whereas, the U.S. House has voted in favor of a Continuing Resolution to fund government for the remainder of FY 2011; and

Whereas, the Continuing Resolution for FY 2011 eliminates all federal funding for public broadcasting; and

Whereas, federal funding for public broadcasting provides an important share of funding for WVIZ/PBS and 90.3 WCPN ideastream, here in northeast Ohio; and

Whereas, these public broadcasting stations deliver educational and commercial-free programming that expands children's minds, documentaries that open up new worlds to all of us, trusted news and information, and programs that expose us to worlds of music, theater, dance and art; and

Whereas, an amendment to restore federal funding for public broadcasting has been introduced and congress will vote on this matter in the next several days; and

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

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

Section 1. That this Council hereby urges the United States Congress to amend the Continuing Resolution for FY 2011 to restore funding for public broadcasting.

Section 2. That the Clerk of Council is hereby directed to forward copies of this resolution to all members of the United States Congress.

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 February 28, 2011.
Effective March 1, 2011.

Res. No. 259-11.

By Council Members Conwell, Westbrook, Dow, Mitchell, Zone, Pruitt, Cleveland, Brady, Cummins, J. Johnson, Brancatelli and Kelley.

An emergency resolution objecting to Senate Bill 5 which would eliminate collective bargaining for state employees and reform collective bargaining rules for local government employees.

Whereas, Senate Bill 5 (S.B. 5) recently introduced in the Ohio Senate, seeks to rewrite Ohio's collective bargaining law; and

Whereas, as originally introduced, S.B. 5 would ban collective bargaining for all state employees and sharply curtail binding arbitration rules for local governments; and

Whereas, this Council agrees that S.B. 5 is a direct attack on public-sector workers and will lead to lower wages and benefits that will hurt Ohio families; and

Whereas, this Council understands that 61% of Americans oppose measures such as S.B. 5; and

Whereas, this Council believes that the serious budget crisis facing the state should not be used as an excuse to eliminate the long established collective bargaining rights of hard working public servants; and

Whereas, the City of Cleveland has shown that a more effective way of addressing economic crisis is to openly engage workers, clearly explain the crisis, while honoring union rights and respecting public servants; and

Whereas, state government should look to Cleveland as an example of a city that has been able to successfully balance its budget while maintaining respect for workers and manage through the current economic crisis; and

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

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

Section 1. That this Council hereby objects to Senate Bill 5 which would eliminate collective bargaining for state employees and reform collective bargaining rules for local government employees.

Section 2. That the Clerk of Council is hereby directed to forward a copy of this resolution to Governor John Kasich and all members of the Ohio Senate and House of Representatives.

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 February 28, 2011.
Effective March 1, 2011.

**Res. No. 260-11.
By Council Members Dow, Conwell, Mitchell, Zone, Reed, Polensek, Sweeney, Pruitt, Westbrook, Keane, Cummins, J. Johnson, Brady and Kelley.**

An emergency resolution objecting to the state's decision to close the Northeast Behavioral Healthcare facility in Cleveland.

Whereas, the Ohio Department of Mental Health has announced it will close its Cleveland campus of Northcoast Behavioral Healthcare; and

Whereas, the state has now determined that the \$8 million in capital funds originally for the development of a new hospital on Euclid Avenue will be allocated to other facilities; and

Whereas, the City has already spent considerable time and money working with the state to prepare a site for a new behavioral healthcare facility on Euclid Avenue; and

Whereas, closing the current facility and the decision to not open a new facility will create a hardship to Cleveland-area residents in need of behavioral health care treatment and will eliminate nearly 200 jobs; and

Whereas, the state's decision to close Cleveland's facility and not fund a new facility will leave the citizens of northeast Ohio, especially inner-city residents in need of treatment, with little or no means to access help; and

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

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

Section 1. That this Council hereby objects to the state's decision to close the Northeast Behavioral Healthcare facility in Cleveland.

Section 2. That the Clerk of Council is hereby directed to forward a copy of this resolution to Governor John Kasich and the members of the Ohio General Assembly representing northeast Ohio.

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 February 28, 2011.
Effective March 1, 2011.

**Res. No. 262-11.
By Council Member Cummins.
An emergency resolution objecting to a New C1 Liquor Permit at 3259 West 25th Street.**

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 Liquor Permit at Heidi Avancini, DBA Stinks Bait Tackle & Convenience, 3259 West 25th Street, Cleveland, Ohio

44109, Permanent Number 0335638; 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 Heidi Avancini, DBA Stinks Bait Tackle & Convenience, 3259 West 25th Street, Cleveland, Ohio 44109, Permanent Number 0335638; 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 February 28, 2011.
Effective March 1, 2011.

**Res. No. 263-11.
By Council Member Polensek.
An emergency resolution objecting to a New C1 Liquor Permit at 15222 Waterloo Road.**

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C2 Liquor Permit at Waterloo Gas & Go., Inc., 15222 Waterloo Road, Cleveland, Ohio 44110, Permanent Number 9427085; 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 C2 Liquor Permit at Waterloo Gas & Go, Inc., 15222 Waterloo Road, Cleveland, Ohio 44110, Permanent Number 9427085; 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 February 28, 2011.
Effective March 1, 2011.

**Res. No. 264-11.
By Council Member Cleveland.
An emergency resolution withdrawing objection to the transfer of a Liquor License to 6206 Woodland Avenue and repealing Resolution No. 95-11, objection to said transfer.**

Whereas, this Council objected to a C2 Liquor Permit to 6206 Woodland Avenue by Resolution No. 95-11 adopted by the Council on January 24, 2011; and

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

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

municipal department; now, therefore,

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

Section 1. That objection to a C2 Liquor Permit to Woodland Supermarket, Inc., 6206 Woodland Avenue, Cleveland, Ohio 44104, Permanent Number 9761591, be and the same is hereby withdrawn and Resolution No. 95-11, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted February 28, 2011.

Effective March 1, 2011.

Res. No. 265-11.

By Council Member Reed.

An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit at 10808 Dove Avenue, 1st Floor and repealing Resolution No. 1092-10, objecting to said transfer.

Whereas, this Council objected to a C2 and C2X Liquor Permit to 10808 Dove Avenue, 1st floor by Resolution No. 1092-10 adopted by the Council on August 18, 2010; and

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

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

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

Section 1. That objection to a C2 and C2X Liquor Permit to 10808 Dove Avenue, 1st floor, owned by Ocean, Inc., 10808 Dove Avenue, 1st floor, Cleveland, Ohio 44105, Permanent Number 6503136, be and the same is hereby withdrawn and Resolution No. 1092-10, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal 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 February 28, 2011.

Effective March 1, 2011.

Res. No. 266-11.

By Council Member Sweeney.

An emergency resolution objecting to a New C2 Liquor Permit at 14606 Puritas Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C2 Liquor Permit at Adams Adams Puritas LLC, DBA N & N Beverage, 14606 Puritas Avenue, Cleveland, Ohio 44135, Permanent Number 0049527; 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 C2 Liquor Permit at Adams Adams Puritas LLC, DBA N & N Beverage, 14606 Puritas Avenue, Cleveland, Ohio 44135, Permanent Number 0049527; 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 February 28, 2011.

Effective March 1, 2011.

Ord. No. 253-11.

By Council Member Sweeney.

An emergency ordinance authorizing the Clerk of Council to enter into a month to month agreement with Louise Laffitte professional services to assist with legislative and policy research for Cleveland City Council.

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

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

Section 1. That the Clerk of Council is authorized to enter into a month to month agreement with Louise Laf-

fitte for professional services to assist with legislative and various Council matters for Cleveland City Council. This agreement shall begin March 1, 2011 and shall be initially certified for \$3,840.00 from fund number 01, subfund 001, account 6320.

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 February 28, 2011.

Effective March 1, 2011.

Ord. No. 255-11.

By Council Member Cimperman. An emergency ordinance authorizing Israel Schachner to engage in mobile peddling in Ward 3.

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

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District and has determined that it is in the public interest to allow each of said persons to engage in peddling 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, pursuant to Section 675.08 of the Codified Ordinances, this Council hereby consents to allow Israel Schachner to engage in mobile peddling in the public right 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 herein may be revoked at any time by this Council.

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 February 28, 2011.

Effective March 1, 2011.

Ord. No. 261-11.

By Council Member Conwell.

An emergency ordinance consenting and approving the issuance of a permit for the 2011 Hudson Relays, on April 23, 2011, sponsored by Case Western Reserve University.

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 2011 Hudson Relays sponsored by Case Western Reserve, on April 23, 2011, starting at "The Rock;" next to Fribley, near the bottom of the elephant steps; in front of Carlton Commons, top of stairs; top of Edgehill at Overlook; in front of the Greenhouse Restaurant; corner of Euclid and Adelbert (runner must pass baton after crossing Euclid, in front of Severance Hall); in front of the Peter B. Lewis building, corner of Bellflower and Ford; just past the driveway of the tiny lot at the southeastern edge of the Northside Residential Village on Juniper Road; in front of Pierce house in the Northside Residential Village; in front of Clark Hall on the Mather Quad; back at "The Rock"; President's Last Lap Only; the last runner (President) receives the baton at the rock by Adelbert hall and runs into the Quad up the Pardee side and around the back to the rock down the Yost side; 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 February 28, 2011.
Effective March 1, 2011.

Miller, Mitchell, Polensek, Pruitt, Westbrook.

2:00 p.m.

Finance Committee: Present: Sweeney, Chair; Kelley, Vice Chair; Brady, Brancatelli, Cleveland, Keane, Miller, Mitchell, Polensek, Pruitt, Westbrook.

**Tuesday, March 8, 2011
9:30 a.m.**

Community and Economic Development Committee: Present: Brancatelli, Chair; Cimperman, Cummins, J. Johnson, Pruitt, Westbrook. *Authorized Absence:* Dow, Vice Chair; Miller, Zone.

**Wednesday, March 9, 2011
10:00 a.m.**

Public Safety Committee: Present: Conwell, Chair; Polensek, Vice Chair; Brady, Cummins, Dow, Miller, Mitchell. *Authorized Absence:* Cleveland, Zone. Pro tempore: Keane

1:30 p.m.

Public Utilities Committee: Present: Kelley, Chair; Brady, Vice Chair; Conwell, Cummins, Polensek, Westbrook. *Authorized Absence:* Dow, Miller, Pruitt. Pro tempore: Mitchell, Zone.

COUNCIL COMMITTEE MEETINGS

**Thursday, March 3, 2011
9:00 a.m.**

General Fund Budget Hearings: Present: Sweeney, Chair; Kelley, Vice Chair; Cleveland, Brady, Brancatelli, Keane, Miller, Mitchell, Polensek, Pruitt, Westbrook.

**Monday, March 7, 2011
1:30 p.m.**

City Planning Committee & Finance Committee: Present in Planning: Cleveland, Chair; Westbrook, Vice Chair; Brady, Conwell, Dow, Keane, Zone.
Present in Finance: Sweeney, Chair; Kelley, Vice Chair; Brady, Brancatelli, Cleveland, Keane,

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