

The City Record

Official Publication of the Council of the City of Cleveland



June the Eleventh, Two Thousand and Fourteen

Frank G. Jackson
Mayor

Kevin J. Kelley
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward Name

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

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Kevin J. Kelley

Ward	Name	Residence	
1	Terrell H. Pruitt	16920 Throckley Avenue	44128
2	Zack Reed	3734 East 149th Street	44120
3	Joe Cimperman	P.O. Box 91688	44101
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44105
6	Mamie J. Mitchell	12701 Shaker Boulevard, #712	44120
7	TJ Dow	7715 Decker Avenue	44103
8	Michael D. Polensek	17855 Brian Avenue	44119
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Jeffrey D. Johnson	9024 Parkgate Avenue	44108
11	Dona Brady	1272 West Boulevard	44102
12	Anthony Brancatelli	6924 Ottawa Road	44105
13	Kevin J. Kelley	5904 Parkridge Avenue	44144
14	Brian J. Cummins	3104 Mapledale Avenue	44109
15	Matthew Zone	1228 West 69th Street	44102
16	Martin J. Sweeney	3632 West 133rd Street	44111
17	Martin J. Keane	15907 Colletta Lane	44111

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

MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff

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

Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs

Martin J. Flask, Executive Assistant to the Mayor of Special Projects

Monyka S. Price, Executive Assistant to the Mayor, Chief of Education

Maureen Harper, Executive Assistant to the Mayor, Chief of Communications

Janita McGowan, Executive Assistant to the Mayor, Chief of Sustainability

Natoya J. Walker Minor, Chief of Public Affairs – Interim Director of Equal Opportunity.

OFFICE OF CAPITAL PROJECTS – Matthew L. Spronz, Director

DIVISIONS:

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

Engineering and Construction – Richard J. Switalski, Manager

Real Estate – James DeRosa, Commissioner

DEPT. OF LAW – Barbara A. Langhenry, Director, Gary D. Singletary, Chief Counsel,

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

Room 106: John Skrtic, Law Librarian, Room 100

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

Natasha Brandt, Manager, Internal Audit

DIVISIONS:

Accounts – Lonya Moss Walker, Commissioner, Room 19

Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122

City Treasury – James Hartley, Interim Treasurer, Room 115

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

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

Purchases and Supplies – Tiffany White, Commissioner, Room 128

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

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

DEPT. OF PUBLIC UTILITIES – Paul Bender, Director, 1201 Lakeside Avenue

DIVISIONS:

Cleveland Public Power – Ivan Henderson, Commissioner

Utilities Fiscal Control – Frank Badalamenti, Chief Financial Officer

Water – Alex Margevicius, Interim Commissioner

Water Pollution Control – Rachid Zoghaib, Commissioner

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

DIVISIONS:

Burke Lakefront Airport – Khalid Bahhur, Commissioner

Cleveland Hopkins International Airport – Fred Szabo, Commissioner

DEPT. OF PUBLIC WORKS – Michael Cox, Director

OFFICES:

Administration – John Laird, Manager

Special Events and Marketing – Tangee Johnson, Manager

DIVISIONS:

Motor Vehicle Maintenance – Daniel A. Novak, Commissioner

Park Maintenance and Properties – Richard L. Silva, Commissioner

Parking Facilities – Antonette Thompson, Interim Commissioner

Property Management – Tom Nagle, Commissioner

Recreation – Samuel Gissentaner, Interim Commissioner

Streets – Randell T. Scott, Interim Commissioner

Traffic Engineering – Robert Mavec, Commissioner

Waste Collection and Disposal – Randell T. Scott, Interim Commissioner

DEPT. OF PUBLIC HEALTH – George Baker, Interim Director, 75 Erieview Plaza

DIVISIONS:

Air Quality – George Baker, Commissioner

Environment – Pamela Cross, Commissioner, 75 Erieview Plaza

Health – _____, Commissioner, 75 Erieview Plaza

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

DIVISIONS:

Animal Control Services – John Baird, Chief Dog Warden, 2690 West 7th Street

Corrections – Robert Tasky, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.

Emergency Medical Service – Nicole Carlton, Acting Commissioner, 1708 South Pointe Drive

Fire – Patrick Kelly, Chief, 1645 Superior Avenue

Police – Calvin D. Williams, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director

DIVISIONS:

Administrative Services – Jesus Rodriguez, Commissioner

Fair Housing and Consumer Affairs Office – John Mahoney, Manager

Neighborhood Development – Chris Garland, Commissioner

Neighborhood Services – Louise V. Jackson, Commissioner

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

DIVISIONS:

Code Enforcement – Thomas E. Vanover, Commissioner

Construction Permitting – Narid Hussain, Commissioner

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

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

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

COMMUNITY RELATIONS BOARD – Room 11, Blaine Griffin, Director, Mayor Frank

G. Jackson, Chairman Ex-Officio; Rev. Dr. Charles P. Lucas, Jr., Vice-Chairman, Council

Member Brian Cummins, Eugene R. Miller, (Board Lawyer), Roosevelt E. Coats, Jenice

Contreras, Kathryn Hall, Yasir Hamdallah, Evangeline Hardaway, John O. Horton, Gary

Johnson, Sr., Daniel McNea, Stephanie Morrison-Hrbek, Roland Muhammad, Gia Hoa

Ryan, Peter Whitt.

CIVIL SERVICE COMMISSION – Room 119, Robert Bennett, President; Michael L.

Nelson, Sr., Vice-President; Lucille Ambroz, Secretary; Members: Pastor Gregory Jordan,

Michael Flickinger.

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

J. Kelley; Betsy Hruby, Asst. Sec'y.; Sharon Dumas, Director.

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

Mary Haas McGraw, Ozell Dobbins, Joan Shaver Washington, Tim Donovan, Elizabeth

Kukla, Secretary.

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS – Room 516,

Joseph F. Denk, Chairman; Howard Bradley, Patrick M. Gallagher, Robert Maschke, Halim

M. Saab, P.E., Alternate Members – D. Cox, P. Frank, E. P. O'Brien, Richard Pace, J.F.

Sullivan.

BOARD OF REVISION OF ASSESSMENTS – Law Director Barbara A. Langhenry,

President; Finance Director Sharon Dumas, Secretary; Council President Kevin J. Kelley.

BOARD OF SIDEWALK APPEALS – Capital Projects Director Matthew Spronz, Law

Director Barbara A. Langhenry; Council Member _____.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Barbara A. Langhenry;

Utilities Director Paul Bender; Council President Kevin J. Kelley.

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

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

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

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

Render, Genesis O. Brown.

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

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

David Perkowski, Joan Shaver Washington, Keith Sutton.

CLEVELAND BOXING AND WRESTLING COMMISSION – Robert Jones, Chairman;

Clint Martin, Mark Rivera.

MORAL CLAIMS COMMISSION – Law Director Barbara A. Langhenry; Chairman;

Finance Director Sharon Dumas; Council President Kevin J. Kelley; Councilman

Kevin Kelley.

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

Whalen, Nancy Cronin, Elvin Vauss.

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

Laura M. Bala, Robert N. Brown, Allan Dreyer, Giancarlo Calicchia, Council Member

Terrell H. Pruitt, Robert Vilkas, Donald Petit, Interim Secretary.

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

Downing, Donna Sciarappa, Council President Kevin J. Kelley; Law Director Barbara A.

Langhenry.

CLEVELAND MUNICIPAL COURT

JUSTICE CENTER – 1200 ONTARIO STREET

JUDGE COURTROOM ASSIGNMENTS

Judge Courtroom

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

Judge Pinkey S. Carr – Courtroom 12B

Judge Marilyn B. Cassidy – Courtroom 13A

Judge Michelle Denise Earley – Courtroom 12C

Judge Emanuella Groves – Courtroom 14B

Judge Anita Laster Mays – Courtroom 14C

Judge Lauren C. Moore – Courtroom 14A

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

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

Judge Angela R. Stokes – Courtroom 15C

Judge Pauline H. Tarver – Courtroom 13C

Judge Ed Wade – Courtroom 12A

Judge Joseph J. Zone – Courtroom 14D

Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Gregory A. Sims

– Chief Bailiff; Jerome M. Krakowski – Chief Probation Officer, Gregory F. Clifford – Chief

Magistrate, Victor Perez – City Prosecutor

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71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 101

WEDNESDAY, JUNE 11, 2014

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CITY COUNCIL

MONDAY, JUNE 9, 2014

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PATRICIA J. BRITT
City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2014-2017

MONDAY — Alternating

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

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

MONDAY

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

TUESDAY

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

TUESDAY — Alternating

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

1:30 P.M. — **Workforce and Community Benefits Committee:** Cleveland (CHAIR), Zone (VICE-CHAIR), J. Johnson, Polensek, Pruitt, Reed, Sweeney.

WEDNESDAY — Alternating

10:00 A.M. — **Safety Committee:** Zone (CHAIR), Conwell (VICE-CHAIR), Cimperman, Dow, K. Johnson, Keane, Polensek.

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

The following Committees meet at the Call of the Chair:

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

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio
Monday, June 9, 2014

The meeting of the Council was called to order at 7:04 p.m. with the President of Council, Kevin J. Kelley, in the Chair.

Council Members present: Dona Brady, Anthony Brancatelli, Phyllis E. Cleveland, Kevin Conwell, Brian J. Cummins, T.J. Dow, Jeffrey D. Johnson, Kevin J. Kelley, Kenneth L. Johnson, Martin J. Keane, Mamie J. Mitchell, Michael D. Polensek, Terrell H. Pruitt, Martin J. Sweeney and Matthew Zone.

Also present were: Mayor Frank G. Jackson, Chief of Staff Ken Silliman, Chief Operating Officer Darnell Brown, Chief of Government Affairs Valerie J. McCall, Chief of Communications Maureen Harper, Chief of Sustainability Jenita McGowan, and Directors Langhenry, Spronz, McGrath, Cox, Rybka, Southerington, Nichols, Griffin, Fumich, and Interim Director Baker.

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

MOTION

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

COMMUNICATIONS

File No. 795-14.
From Director Michael McGrath, Department of Public Safety, City of Cleveland. Notification of acceptance of a gift of peppermint teddy bears, to be distributed to needy children and victims of crime, from American Greetings. Received.

STATEMENT OF WORK ACCEPTANCE

File No. 794-14.
From Department of Public Works, City of Cleveland, for Highland Park Clubhouse Roof Improvements. Contractor: Industrial Energy Systems, Inc. Contract: #PI201300077. Date of Acceptance: May 8, 2014. Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 816-14—Gene A. Sardon, Sr.

Res. No. 817-14—Chester F. Foney.

Res. No. 818-14—Dorsel Evans.

Res. No. 819-14—Minnie Mae Wright.

Res. No. 820-14—Duane Anthony Smith, Jr.

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

Res. No. 821-14—Eta Phi Beta Sorority, Inc. — 60th Anniversary.

Res. No. 823-14—David Ebersole.

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

Res. No. 822-14—Kym Whitley.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 796-14.
By Council Members Pruitt and Kelley (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary to maintain the SCADA and PCCS Systems, including replacement parts, equipment, computer software, software upgrades, support software, software implementation, system changes, configurations, programming, tuning, upgrades, services and support and maintenance necessary for the operation of the systems; and authorizing the Director to enter into one or more requirement contracts with various companies to provide critical proprietary components for the systems, for the Divisions of Water, Water Pollution Control, and Cleveland Public Power, Department of Public Utilities for a period up to two years, with two options to renew for one year, the first of which is exercisable through additional legislative authority.

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

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

Section 1. That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period up to two years, with two options to renew for one year, the first of which is exercisable through additional legislative authority of the necessary items of labor and materials necessary to maintain the SCADA and PCCS Systems, including replacement parts, equipment, computer software, software upgrades, support software, software implementation, system changes, configurations, programming, tuning, upgrade, services and support and maintenance necessary for the operation of the systems, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Divisions of Water, Water Pollution Control, and Cleveland Public Power, Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That this Council determines that the within commodities are non-competitive and cannot be secured from any source other than HSQ Technology, Hach Company, Advanced Control Systems, Inc., Branch Group, Inc. dba Rexel, InvenSys Systems Inc., and RFL Electronics. Therefore, the Director of Public Utilities is authorized to make one or more written requirement contracts with HSQ Technology, Hach Company, Advanced Control Systems, Inc., Branch Group, Inc. dba Rexel, InvenSys Systems Inc., and RFL Electronics, for the requirements for a period not to exceed a period up to two years, with two options to renew for one year, the first of which is exercisable through additional legislative authority of the necessary items of materials, equipment, supplies, services, software, software integration, labor, and training necessary, as appropriate, to repair, replace, or maintain critical proprietary components of the systems, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Divisions of Water, Water Pollution Control, and Cleveland Public Power, Department of Public Utilities.

Section 3. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RQN 2002, RL 2014-21)

Section 4. That the Director of Public Utilities is authorized to sign any third party software license agree-

ments necessary to effect the purposes of this ordinance.

Section 5. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements with other governmental agencies. The Director of Public Utilities may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

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

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

Ord. No. 797-14.

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

An emergency ordinance to amend Sections 676.02 and 676.063 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, relating to secondhand dealers.

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 676.02 and 676.063 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2704-A-90, passed June 15, 1992, and Ordinance No. 329-11, passed April 25, 2011, are amended to read as follows:

Section 676.02 License Required; Display

No person, firm or corporation shall engage in the business of junk dealer or scrap metal processor or **secondhand dealer** or operate a junk cart or scrap metal processing facility unless and until licensed as provided in this chapter. Upon receipt of a junk dealer license or a scrap metal processor license or **secondhand dealer license** issued pursuant to this chapter, the licensee shall post the license or a copy thereof in a conspicuous publicly-accessible place at the licensee's place of business and at all other locations where the licensee stores junk or scrap metal or **secondhand articles**.

Section 676.063 Exempt Transactions

Sections 676.06 and 676.061 do not apply with respect to any of the following:

(a) The donation, **purchase, sale or exchange** of articles to or conducted by **charitable** nonprofit organizations;

(b) The sale or donation of common recycled matter;

(c) Sales transacted between a scrap metal dealer and an organization that is exempt from federal taxation under section 501(c)(3) of the "Internal Revenue Code of 1986," 100 Stat. 285, 26 U.S.C. 501(c)(3), as amended, and that collects, for its own fundraising purposes, scrap ferrous and nonferrous metals for recycling rather than disposal;

(d) Sales transacted between a scrap metal dealer and a government

unit or another business, including a demolition company, public utility company, or another scrap metal dealer, on the condition that the government unit or business satisfies the following criteria:

(1) In the course of providing the government unit's or business's services to others or maintaining the government unit's or business's property, whether onsite or offsite, the government unit or business generates scrap ferrous and nonferrous metals for recycling rather than disposal;

(2) If the sales transaction involves a government unit, reference to the government unit as a bona fide unit of government can be readily found by the public;

(3) If the sales transaction involves a business, the business satisfies one (1) of the following criteria:

A. The business is registered with the secretary of state;

B. The business has been issued a license under RC 5739.17;

C. The business advertises its services in a newspaper of general circulation once a week for not less than six (6) consecutive months or provides a receipt showing payment for such advertising, a telephone book, electronic media that is available to the public, or some other type of media that is owned and operated by a person other than the business and, if an individual operates the business, the individual advertising the business has a specific place of business that is not the individual's permanent home residence.

(4) The government unit provides proof of compliance with division (d)(2) of this section or the business provides proof of compliance with division (d)(3) of this section to the scrap metal dealer with whom the government unit or business transacts business.

(e) Sales transacted between a scrap metal dealer and a person whose primary business is to create products that result in bulk quantities of ferrous and nonferrous metal used for recycling rather than disposal.

(f) Sales of catalytic converters transacted between a scrap metal dealer and a motor vehicle dealer as defined in RC 4517.01. (RC 4737.043)

Section 2. That existing Sections 676.02 and 676.063 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2704-A-90, passed June 15, 1992, and Ordinance No. 329-11, passed April 25, 2011, 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 Safety, Finance.

Ord. No. 798-14.

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

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Attorney General for the 2013-14 Ohio Drug Use Prevention Program.

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

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

Section 1. That the Director of Public Safety is authorized to apply for and accept a grant in the approximate amount of \$43,333.12 and other funds that become available during the grant term, from the Ohio Attorney General to conduct the 2013-14 Ohio Drug Use Prevention Program; that the Director of Public Safety is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes set forth in the checklist for the grant acknowledgement and authorization contained in the file described below.

Section 2. That the grant acknowledgement and authorization for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 798-14-A, is made a part of this ordinance as if fully rewritten, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$43,333.12 from Fund No. 10 SF 025, is approved in all respects, and shall not be changed without additional legislative authority. (RQS 6001, RL 2014-83)

Section 3. That the Director of Public Safety shall have the authority to extend the term of the grant if the extension does not involve an increase in the dollar amount of the grant specified above.

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

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

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

Ord. No. 799-14.

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

An emergency ordinance authorizing the Director of Public Works to apply for and accept a grant from the Ohio Environmental Protection Agency for the 2014 Litter Clean Up and Tire Amnesty Program; and authorizing the Director to enter into one or more contracts with the Cuyahoga County Solid Waste District and with various agencies, entities, or individuals to implement the grant.

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

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

Section 1. That the Director of Public Works is authorized to apply for and accept a grant in the amount up to \$40,000, from the Ohio Environmental Protection Agency for the 2014 Litter Clean Up and Tire Amnesty Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the application for the grant contained in the file described below.

Section 2. That the application for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 799-14-A, is made a part of this ordinance as if fully rewritten, is approved in all respects, and shall not be changed without additional legislative authority.

Section 3. That the Director of Public Works is authorized to enter into contract with the Cuyahoga County Solid Waste District, and with various agencies, entities, or individuals to implement the grant as described in the file.

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

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

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

Ord. No. 800-14.

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

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Office of Criminal Justice Services for the 2014 Ohio Drug Law Enforcement Fund Grant; and authorizing the purchase by one or more requirement contracts of materials, equipment, supplies, and services needed to implement the grant.

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

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

Section 1. That the Director of Public Safety is authorized to apply for and accept a grant in the approximate amount of \$249,999.75, and any other funds that may become available during the grant term from the Ohio Office of Criminal Justice Services to conduct the 2014 Ohio Drug Law

Enforcement Fund Grant; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the application for the grant contained in the file described below.

Section 2. That the application for the grant, File No. 800-14-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, including the obligation of the City of Cleveland to provide cash matching funds in the amount of \$83,333.25 from Fund No. 10 SF 025, is approved in all respects and shall not be changed without additional legislative authority. (RQS 6001, RL 2014-84)

Section 3. That the Director of Public Safety shall have the authority to extend the term of the grant during the grant term.

Section 4. That the Director of Public Safety is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements during the grant term of the necessary items of materials, equipment, supplies, and services needed to implement the grant, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Public Safety. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 5. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a delivery order against the contract or contracts certified by the Director of Finance.

Section 6. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Safety may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 7. That the contract or contracts shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance and from the cash match.

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 Public Safety, Finance, Law; Committees on Safety, Finance.

**Ord. No. 801-14.
By Council Members Zone and Kelley (by departmental request).**

An emergency ordinance authorizing the Director of Public Safety to employ one or more professional consultants to perform an information technology assessment and to prepare a five-year strategic plan, for the Department of Public Safety's information technology systems.

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

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

Section 1. That the Director of Public Safety is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to perform an information technology assessment, including but not limited to, assessments of networks, operations, staff, technology and governance, and to prepare a five-year strategic plan, for the Department of Public Safety's information technology systems.

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

Section 2. That the cost of contract or contracts authorized shall be paid from Fund No. 11 SF 006, RQS 6001, RL 2014-85.

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

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

**Ord. No. 802-14.
By Council Members Zone and Kelley (by departmental request).**

An emergency ordinance authorizing the Director to enter into one or more requirement contracts for the purchase of various types of furniture for the new Midtown Police Station located at 4501 Chester Avenue and other police facilities, for the Division of Police, Department of Public Safety, for a period of one year, with two one-year options to renew, exercisable by the Director of Public Safety.

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

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

Section 1. That the Director of Public Safety is authorized to make one or more requirement contracts under

the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for a period of one year, with two one-year options to renew, exercisable by the Director of Public Safety, for the necessary items of various types of desks, tables, chairs, cabinets, and other office furniture needed for the new Midtown Police Station located at 4501 Chester Avenue and other police facilities, including labor and related materials, equipment, supplies, and services, if necessary, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Police, Department of Public Safety. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines.

Section 2. That the costs of the contract or contracts shall be paid from Fund Nos. 20 SF 517, 20 SF 524, 20 SF 532, 20 SF 539, 20 SF 545, 20 SF 551, 20 SF 553, and 20 SF 559 and shall also be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 6001, RL 2014-32)

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

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

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

**Ord. No. 803-14.
By Council Members Pruitt and Kelley (by departmental request).**

An emergency ordinance authorizing the purchase by one or more requirement contracts of pumps, electric motors, controls, transformers, circuit breakers, switchgear and appurtenances, and for materials, equipment, supplies, parts, and services necessary to test, maintain and repair water pumps, electric motors, controls, transformers, circuit breakers, switchgear and appurtenances, including but not limited to inspection, supplies, repairing, testing, labor, and installation, if necessary, for the Division of Water, Department of Public Utilities, for a period up to two years, with two options to renew for a one-year period, the first of which is exercisable through additional legislative authority.

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

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

Section 1. That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period up to two years, with two options to renew for a one-year period, the first of which is exercisable through additional legislative authority, of the necessary items of pumps, electric motors, controls, transformers, circuit breakers, switchgear and appurtenances, and for materials, equipment, supplies, parts, and services necessary to test, maintain and repair water pumps, electric motors, controls, transformers, circuit breakers, switchgear and appurtenances, including but not limited to inspection, supplies, repairing, testing, labor, and installation, if necessary, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Water, Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies under a delivery order against the contract or contracts certified by the Director of Finance. (RQN 2002, RL 2014-22)

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

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

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

**Ord. No. 804-14.
By Council Members Pruitt and Kelley (by departmental request).**

An emergency ordinance authorizing the purchase by one or more requirement contracts of various sized PVC and FRE ductline materials, for the Division of Cleveland Public Power, Department of Public Utilities, for a period up to two years, with two one-year options to renew, the first of which requires additional legislative authority.

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

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

Section 1. That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for up to two years, with two one-year options to renew, of the necessary items of various sized PVC and FRE ductline materials, including but not limited to conduit, fittings, elbows, spacers, expanders, reducers, adhesives and related materials necessary to construct electrical ductlines, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. The first of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew may be exercisable at the option of the Director of Public Utilities, without the necessity of obtaining additional authority of this Council. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a delivery order against the contract or contracts certified by the Director of Finance. (RQN 2004, RL 2014-26)

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

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

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

Ord. No. 805-14.

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

An emergency ordinance authorizing the Directors of Public Works and Finance to employ one or more temporary employment agencies to provide

professional services to supply temporary and seasonal personnel for the Department of Public Works and the Project Clean program and for the Department of Finance, for a period up to one year.

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

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

Section 1. That the Director of Public Works is authorized to employ by contract or contracts one or more temporary employment agency or agencies for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to supply temporary and seasonal personnel for the Department of Public Works and the Project Clean program, for a period up to one year.

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

Section 2. That the Director of Finance is authorized to employ by contract or contracts one or more temporary employment agency or agencies for the purpose of supplementing the regularly employed staff of the City of Cleveland to provide the professional services necessary to supply temporary and seasonal personnel for the Department of Finance, for a period up to one year.

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

Section 3. That the costs for the services contemplated shall be paid from funds appropriated for this purpose in budget year 2015.

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.

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

Ord. No. 811-14.

By Council Member Cimperman.

An emergency ordinance designating the Wagner Awning Company Building (also known as the Cleveland-Akron Bag Company Factory) as a Cleveland Landmark.

Whereas, under Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976, the Cleveland Landmarks Commission (the "Commission"), has proposed to designate the Wagner Awning Company Building (also known as the Cleveland-Akron Bag Company Factory) as a landmark; and

Whereas, the owner of the Wagner Awning Company Building (also known as the Cleveland-Akron Bag Company Factory) has been properly notified and has consented in writing to the proposed designation; and

Whereas, the Commission has recommended designation of the Wagner Awning Company Building (also known as the Cleveland-Akron Bag Company Factory) as a landmark and has set forth certain findings of fact constituting the basis for its decision; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, and safety in that the immediate protection of the historic landmark is necessary to safeguard the special historical, community, or aesthetic interest or value in the landmark; now, therefore

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

Section 1. That the Wagner Awning Company Building (also known as the Cleveland-Akron Bag Company Factory), whose street address in the City of Cleveland is 2658 Scranton Road, S. W., Cuyahoga County Auditor's Permanent Parcel Number is 008-01-061, and is also known as the following described property:

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being part of Block "A" in E. L. and R. L. Barber's Subdivision of part of Original Brooklyn Township Lot No. 71, as shown by the recorded plat in Volume 1 of Maps, Page 28 of Cuyahoga County Records, and bounded and described as follows:

Beginning at the intersection of the Northerly line of Barber Avenue, S. W. (50 feet wide), with the Westerly line of Scranton Road, S. W. (60 feet wide);

Course 1: Thence South 89 degrees 40' 15" West, along the Northerly line of Barber Avenue, S. W., 217.81 feet to a point;

Course 2: Thence North 0 degrees 19' 45" West, 126.15 feet to a point in the exterior wall of a three story brick building;

Course 3: Thence South 88 degrees 11' 34" West, along the face of the three story brick building, 64.25 feet to the Southwesterly corner of said three story brick building;

Course 4: Thence North 1 degree 48' 26" West, along the face of the three story brick building, 7 feet to a point;

Course 5: Thence South 89 degrees 45' 57" West, 8.49 feet to a point in the Easterly line of a parcel of land conveyed to Katherine S. Hahnel by deed filed for record May 2, 1986 and recorded in Volume 86-2624, Page 3 of Cuyahoga County Records;

Course 6: Thence North 0 degrees 12' 03" West, 36.43 feet to a point in the Southerly line of Auburn Avenue, S. W. (20 feet wide);

Course 7: Thence North 88 degrees 18' 31" East, along the Southerly line of Auburn Avenue, S. W., 327.58 feet to a point in the Westerly line of Scranton Road, S. W.;

Course 8: Thence South 11 degrees 31' 06" West, along the Westerly line of Scranton Road, S. W., 179.55 feet to the place of beginning; which in its entirety is a property having special character or special historical or aesthetic value as part of the development, heritage, or cultural characteristics of the City, State, or the United States, is designated a landmark under Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976.

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

Referred to Directors of City Planning Commission, Law; Committee on Development Planning and Sustainability.

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 806-14.

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

An emergency ordinance to amend the title and Sections 1 and 4 of Ordinance No. 58-14, passed January 27, 2014, relating to grants for the 2014 Transportation for Livable Communities Initiative; and to supplement the ordinance by adding new Section 3a relating to professional services.

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 title and Sections 1 and 4 of Ordinance No. 58-14, passed January 27, 2014, are amended to read as follows:

An Emergency Ordinance authorizing the Director of City Planning to apply for and accept one or more grants from the Northeast Ohio Area Coordinating Agency and the Ohio Department of Transportation for the 2014 Transportation for Livable Communities Initiative; authorizing the Director to enter into one or more contracts with various entities; and authorizing the Director to employ one or more professional consultants to implement the grant.

Section 1. That the Director of City Planning is authorized to apply for and accept one or more grants totaling \$325,000 from the Northeast Ohio Area Coordinating Agency ("NOACA") and the Ohio Department of Transportation ("ODOT") to conduct the 2014 Transportation for Livable Communities Initiative. That the Director is authorized to file all papers and execute all documents necessary to implement the Initiative, including, but not limited to, entering into a tri-party agreement with NOACA and ODOT regarding, among other things, the process for approving deliverables and payments to third parties.

Section 4. That the cost of contract or contracts authorized shall be paid from the cash match.

Section 2. That the existing title and Sections 1 and 4 of Ordinance No. 58-14, passed January 27, 2014, are repealed.

Section 3. That Ordinance No. 58-14, passed January 27, 2014, is supplemented by adding new Section 3a to read as follows:

Section 3a. That the Director of City Planning is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to conduct transportation corridor study services.

As required by ODOT, the selection of the consultants for the services must comply with Sections 153.65 through 153.71 of the Ohio Revised Code and Federal Regulations 23 CFR 172. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of City Planning, and certified by the Director of Finance.

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

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

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

Ord. No. 807-14.

By Council Members Pruitt and K. Johnson.

An emergency ordinance amending the Title and Section I of Ordinance No. 639-14 passed on May 13, 2014 as it pertains to the Mt. Pleasant Community Center Another Chance for Ohio Project through the use of Wards 1 and 4 Casino Revenue Funds.

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

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

Section 1. That the Title and Section 1. Of Ordinance No. 639-14 passed May 13, 2014 are hereby amended to read as follows:

An emergency ordinance authorizing the Director of the Department of Community Development to enter into an agreement with the Cuyahoga County Land Reutilization Corporation for the Mt. Pleasant Community Center, Another Chance for Ohio Project through the use of Ward(s) 1 and 4 Casino Revenue Funds.

Section 1. That the Director of the Department of Community Development be authorized to enter into an agreement with the Cuyahoga County Land Reutilization Corporation for the Mt. Pleasant Community Center, Another Chance for Ohio Project for the public purpose of renovating a building located at 3438 East 137th Street, Cleveland, Ohio that will be used as a community service center to

provide community services to residents residing in the City of Cleveland through the use of Wards 1 and 4 Casino Revenue Funds.

Section 2. That the Title and Section 1. Of Ordinance No. 639-14 passed May 13, 2014 is hereby repealed.

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

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

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

Ord. No. 808-14.

By Council Member Kelley. An emergency ordinance authorizing the Clerk of Council to enter into an agreement with Saint Martin De Porres High School Work Study Program to participate as a sponsor of students for work/study positions with 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 an agreement with Saint Martin De Porres High School Work Study Program to participate as a sponsor of students for work/study positions with Cleveland City Council. This agreement shall be entered into as of August 1, 2014 and shall terminate July 31, 2015. Cleveland City Council shall provide sponsorship for up to four students at a time during the term. The agreement shall be certified for \$32,000.00 and shall be certified from fund number 01, subfund 001, department 0101, object 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.

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

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

Ord. No. 812-14.

By Council Member Mitchell. An emergency ordinance designating East 101st Street from Cedar Avenue to Quebec Avenue with a secondary and honorary designation of "Jimmy Scott Way."

Whereas, Jimmy Scott, born July 1925 in Cleveland, Ohio, is an unique and influential American jazz vocalist famous for his unusually high contralto voice, which is due to Kallmann's syndrome, a rare genetic condition; and

Whereas, the citizens of Ward 6 wish to honor his legacy of award-winning jazz music; and

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

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

Section 1. That East 101st Street from Cedar Avenue to Quebec Avenue is designated with a secondary and honorary designation of "Jimmy Scott Way."

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.

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

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

Ord. No. 824-14.

By Council Member Mitchell.

An emergency ordinance to add the name Langston Hughes Way as a secondary and honorary name to East 86th Street.

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

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

Section 1. That, notwithstanding and as an exception to the Codified Ordinances of the City of Cleveland, 1976, the name Langston Hughes Way shall be added as a secondary and honorary name to East 86th Street.

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.

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

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

Ord. No. 825-14.

By Council Member Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for the Winking Lizard Shot in the Dark Run/Walk, on July 26, 2014, sponsored by Hermes Sports & Events, Inc.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Winking Lizard Shot in the Dark Run/Walk, on July 26, 2014. ROUTES:

4-Mile Run: Huron Road to Ontario Street, Ontario to Carnegie Avenue, Carnegie to Lorain Avenue, Lorain to Fulton Road, Fulton to West 28th Street, West 28th to Detroit Avenue,

Detroit to Superior Avenue, Superior to Huron Road, Huron to finish line at East 4th Street.

2-Mile Walk: Huron Road across Ontario Street to Superior Avenue, Superior across Veterans Memorial Bridge to West 25th Street, turn around return same route to finish line at Huron Road and East 4th Street; 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.

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

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

Ord. No. 826-14.

By Council Member Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for the Cleveland Clinic Velosano cycling event, on July 18, 19, 20, 2014, sponsored by Cleveland Clinic Foundation.

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 Cleveland Clinic Velosano cycling event, on July 18, 19, 20, 2014; start at East 6th Street and St. Clair Avenue; St. Clair East to Martin Luther King, Jr. Boulevard on Ramp (at Wheelock); MLK North to Lakeshore Boulevard; Lakeshore East to City Limit at East 185th Street; only during the start of this event will traffic be maintained, after riders get onto the first leg of the course they will have to obey all traffic regulations; 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.

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

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

Ord. No. 827-14.

By Council Member Dow.

An emergency ordinance authorizing and directing the Director of Capital Projects to issue a permit to the New Day in Hough Committee to stretch banners at the southeast and northeast corners of East 79th Street and Hough Avenue, for the period from July 12, 2014 to August 12, 2014, inclusive, publicizing the New Day in Hough.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Capital Projects is hereby authorized and directed to issue a permit to the New Day in Hough Committee to install, maintain and remove banners at the southeast and northeast corners of East 79th Street and Hough Avenue, for the period from July 12, 2014 to August 12, 2014, inclusive. Said banner shall be approved by the Director of Capital Projects, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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.

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

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

Ord. No. 828-14.

By Council Member Dow.

An emergency ordinance consenting and approving the issuance of a permit for the New Day in Hough 2K Run/Walk/Bicycle and Parade, on Saturday, August 2, 2014, sponsored by the New Day in Hough Committee.

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 New Day in Hough 2K Run/Walk/Bicycle and Parade on Saturday, August 2, 2014 the 2K Run/Walk & Bicycle assembling at Thurgood Marshall Recreation Center, go west on Hough Avenue to East 55th Street to Hough Avenue, and turn around back to Thurgood Marshall Recreation Center; the Parade route also starting at Thurgood Marshall Recreation Center, west on Hough Avenue, north on East 79th Street, north on East 79th to Addison Road, northwest on Addison to Superior Avenue, east on Superior to East 79th Street, south on East 79th to Hough Avenue, east on Hough back to Thurgood Marshall Recreation Center, 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.

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

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

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 809-14.

By Council Member Sweeney.

An emergency resolution designating the month of July, 2014 as Buy American Month

Whereas, the month of July represents the birth of our nation; and

Whereas, our nation needs a rebirth to buy American; and

Whereas, the United States trade deficit represents an insolvent imbalance in exports and imports of our country; and

Whereas, over half of the manufactured goods bought and sold in America are imported from foreign countries; and

Whereas, domestic manufacturing is a critical component of job creation and economic growth; and

Whereas, recognizing the Fourth of July is an opportunity for Americans to reflect and celebrate the founding of the United States; and

Whereas, July would be an appropriate month to designate as "Buy American Month" and send a message to our manufacturers by buying American exclusively for all of July to bring jobs back to America; 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 the month of July, 2014 as Buy American Month.

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

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

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

Res. No. 810-14.

By Council Member Cimperman.

An emergency resolution supporting Welcome House's proposed redevelopment of the Cuyahoga County Archives Building, located in the Ohio City neighborhood at 2905 Franklin Boulevard, into affordable housing for residents with developmental disabilities.

Whereas, Welcome House, Inc., a provider of housing and services to individuals with developmental disabilities throughout Cuyahoga County, has acquired the Rhodes House and Annex on Franklin Boulevard from Cuyahoga County and plans to convert it into twenty-four apartments for young adults with developmental disabilities who are aging out of the County's programs in their foster care system; and

Whereas, there is insufficient supportive housing for this needy population, and this project will help these young adults become independent and productive members of our community; and

Whereas, Welcome House's project will inject over \$5 million of investment into Ohio City and create approximately twenty permanent jobs in addition to construction jobs; and

Whereas, the City of Cleveland supports the collaboration between Welcome House, the Cuyahoga County Board of Developmental Disabilities, the Alcohol, Drug Addiction, and Mental Health Services (ADAMHS) Board, and the Department of Children and Family Services; and

Whereas, the City of Cleveland respects the work of Welcome House in providing residential services to individuals with developmental disabilities and welcomes Welcome House to the City of Cleveland and Ohio City community; and

Whereas, this Council understands the great benefit of this project and enthusiastically supports Welcome House's plans; and

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

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

Section 1. That this Council supports Welcome House's proposed redevelopment of the Cuyahoga County Archives Building, located in the Ohio City neighborhood at 2905

Franklin Boulevard, into affordable housing for residents with developmental disabilities.

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

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

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

Res. No. 813-14.

By Council Member Reed.

An emergency resolution objecting to the transfer of liquor license of a C2 and C2X Liquor Permit to 4324 Warner Road.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of liquor license of a C2 and C2X Liquor Permit from Jerry Saa, DBA P N G Supermarket, 2249 East 105th Street, 1st floor, Cleveland, Ohio 44106, Permanent Number 7644062 to Jerry Saa, DBA P N G Supermarket, 4324 Warner Road, Cleveland, Ohio 44105, Permanent Number 76440620001; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of liquor license of a C2 and C2X Liquor Permit from Jerry Saa, DBA P N G Supermarket, 2249 East 105th Street,

1st floor, Cleveland, Ohio 44106, Permanent Number 7644062 to Jerry Saa, DBA P N G Supermarket, 4324 Warner Road, Cleveland, Ohio 44105, Permanent Number 76440620001; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 814-14.

By Council Member Cimperman.

An emergency resolution withdrawing objection to the renewal of a D1, D2, D3 and D3A Liquor Permit at 815 Superior Avenue, and repealing Resolution No. 919-13, objecting to said renewal.

Whereas, this Council objected to the renewal of a D1, D2, D3 and D3A Liquor Permit to M2K & Family, Inc., 815 Superior Avenue, Cleveland, Ohio 44114, Permanent Number 6212901 by Resolution No. 919-13, adopted by the Council on July 10, 2013; and

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

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

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

Section 1. That objection to the renewal of a D1, D2, D3 and D3A Liquor Permit to M2K & Family, Inc., 815 Superior Avenue, Cleveland, Ohio 44114, Permanent Number 6212901, be and the same is hereby withdrawn and Resolution No. 919-13, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

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

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

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 1382-13.

By Council Member Cimperman.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 675.061, establishing a mobile vending permit within the Central Business District; and amending Sections 675.01, 675.04, and 675.09, as amended by Ordinance No. 1657-11, passed November 28, 2011.

Approved by Directors of Capital Projects, Finance, Law; Passage recommended by Committees on Public Service, Legislation, Finance, when amended, as follows:

1. In Section 1, at amended Section 675.04(b), line 1, strike "on the highways, streets or sidewalks" and insert "**upon or from a fixed location on a sidewalk**"; and in line 3, strike "Sections 675.06 or 675.061" and insert "**Section 675.06**"; and in 675.04(c), line 3, strike "675.06" and insert "**675.061**".

2. In Section 1, at amended Section 675.061(a), line 1, strike "(b)" and insert "**(c)**"; and in line 6, after "limited to" insert a comma; in 675.061(a)(2), line 1, strike "streets" and insert "**highways, streets or sidewalks**"; and in 675.061(f), line 1, strike "operate on a public sidewalk" and insert "**operate upon or from a fixed location on a sidewalk**".

3. In Section 1, at amended Section 675.09(p)(1), line 2, strike "(m)" and insert "**(n)**"; and in 675.09(p)(2), line 1, strike "(n)" and insert "**(o)**".

4. In Section 2, line 1, strike "675.9" and insert "**675.09**".

Amendments agreed to.

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

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

Ord. No. 1606-13.

By Council Member J. Johnson and Conwell.

An emergency ordinance establishing the Grantwood Allotments Historic District (Map Change No. 2471, Sheet No. 8).

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

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

Ord. No. 78-14.

By Council Member Brancatelli.

An emergency ordinance to amend Section 347.16 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1092-99, passed October 25, 1999, restricting the hours of operation of retail sales from drive-through lanes of a drive-through establishment abutting a residential use.

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

1. In Section 1, at amended Section 347.16(a)(2), line 2, after "Traffic" insert "**which adverse effects have significantly increased due to technology upgrades in both lighting and sound systems**".

2. In Section 1, at amended Section 347.16(h), line 5, after "2000," insert "**The amendment to the Regulations in division (g)(6) as provided in Ordinance No. 78-14, which amendment changed the prohibited hours of operation from 11:00 p.m. to 6:00 a.m. to 9:30 p.m. to 6:00 a.m., shall not apply to drive-through establishments that are legally existing as of the effective date of Ordinance No. 78-14.**"

Amendments agreed to.

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

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

Ord. No. 219-14.

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

An emergency ordinance giving consent of the City of Cleveland to the State of Ohio and the County of Cuyahoga for the widening and reconstruction of East 105th Street from Quebec Avenue to Chester Avenue, and construction of new roadway connecting the intersection of IR-490 and East 55th Street to the intersection of East 105th Street and Quebec Avenue; authorizing the Director of Capital Projects to enter into any relative agreements; and to apply for and accept an allocation of County Motor Vehicle License Tax Funds for the improvement.

Approved by Directors of Capital Projects, City Planning Commission, Finance, Law; Passage recommended by Committees on Municipal Services and Property, Development, Planning and Sustainability, Finance, when amended, as follows:

1. In Section 2, insert new division (c) to read as follows:

"(c) The Director of Capital Projects is authorized to request that ODOT and the County include items related to public utility work, including waterline removal and replacement and associated appurtenances, specific sewer material, and specific proprietary items necessary for Cleveland Public Power in the Improvement, and the Director is authorized to agree to pay 100% of the cost of the additional work."

2. In Section 11, line 2, strike "with ODOT and the County".

3. Insert new Section 12 to read as follows:

"Section 12. That the costs for the additional items authorized in Section 2(c) of this ordinance shall be paid from the fund or funds to which are credited any gift or grant accepted under this ordinance and any funds deemed appropriate by the Director of Finance."

4. Renumber existing Sections 12, 13 and 14 to new "**Section 13**", "**Section 14**", and "**Section 15**".

Amendments agreed to.

The rules were suspended. Yeas 12. Nays 3. Read second time. Read third time in full. Passed. Yeas 12. Nays 3.

Those voting yea: Council Members Kelley, Brady, Brancatelli, Cleveland, Conwell, Dow, K. Johnson, Keane, Mitchell, Pruitt and Sweeney, Zone.

Those voting nay: Council Members Cummins, J. Johnson and Polensek.

Absent: Council Members Cimperman and Reed.

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

Ord. No. 262-14.

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

An emergency ordinance authorizing the Director of City Planning to apply for and accept a grant from the Ohio Department of Transportation and a grant from the Northeast Ohio Area-wide Coordinating Agency for the Safe Routes to Schools program; authorizing the Director to accept cash donations from various entities; and authorizing the Director to employ one or more professional consultants to design a school travel plan under the grant.

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

1. In Section 4, at the end, add the following sentence: **"After receipt of the \$20,000 matching funds, the Department of City Planning shall provide a written report to all members of Council identifying the entities who contributed and the respective amounts."**

2. Insert new Section 6 to read as follows:

"Section 6. The Director shall provide notice of meetings of the Safe Routes to School Coordination Committee to the Chair of the Transportation Committee and Chair of the Development, Planning and Sustainability Committee, and to the Council member or members in whose ward or wards the routes are being planned for input relative to the specific characteristic of their wards."

3. Renumber existing Sections 6 and 7 to new **"Section 7"** and **"Section 8"**.

Amendments agreed to.

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

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

Ord. No. 270-14.

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

An emergency ordinance authorizing the Director of Public Works to enter into contract with the Cleveland Municipal Football Association to conduct a city-wide football program.

Approved by Directors of Public Works, Finance, Law; Passage recommended by Committees on Municipal Services and Property, Finance.

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

Ord. No. 459-14.

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

An emergency ordinance to amend Section 131.35 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 599-11, passed June 6, 2011, relating to the rental of athletic complexes.

Approved by Directors of Public Works, Finance, Law; Passage recommended by Committees on Municipal Services and Properties, Finance.

Amendments made at Council meeting of June 9, 2014, by Council Member Dow, seconded by Council Member Sweeney. Amendment approved. Yeas 15. Nays 0.

1. To amend Section 1, at Section 131.35(h), line 5, at the end, by inserting **"Any funds received through the renting of the League Park complex shall be used only for the operation and maintenance of, and equipment and improvements for, the League Park complex."**

Amendments agreed to.

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

Ord. No. 527-14.

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

An emergency ordinance to amend Sections 1 through 5 of Ordinance No. 533-12, passed June 4, 2012, relating to authorizing public improvement and professional service contracts for constructing, rehabilitating, renovating, replacing or improving public facilities, buildings, and other similar structures, to remove the exclusion relating to the relocation of Fire Station 36, for the Departments of Public Works and Capital Projects.

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

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

Ord. No. 562-14.

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

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide technical support and maintenance of core information technology activities, and other related services, for a period of one year, with three one-year options to renew, the second of which requires additional legislative authority.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committee on Transportation, Finance.

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

Ord. No. 602-14.

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

An emergency ordinance authorizing the Director of Public Health to enter into contracts with various agencies or entities to provide AIDS-

related services; authorizing the employment of one or more professional consultants to provide evaluation services; and authorizing the Director to enter into one or more contracts with various agencies, entities, or individuals to implement the grant.

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

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

Ord. No. 603-14.

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

An emergency ordinance authorizing the Director of Public Health to enter into one or more contracts with various agencies or entities to provide AIDS-related services, in conjunction with the HOPWA Grant; and authorizing the employment of one or more professional consultants to provide evaluation services.

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

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

Ord. No. 609-14.

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

An emergency ordinance to amend Section 4 of Ordinance No. 444-10, passed June 7, 2010, as amended by Ordinance No. 1052-12, passed October 8, 2012, relating to the public improvement of repairing or replacing transmission mains and appurtenances and authorizing an agreement with the Ohio Department of Transportation regarding their public improvement on Northfield Road.

Approved by Directors of Public Utilities, Finance, Law; Passage recommended by Committees on Utilities, Finance.

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

Ord. No. 610-14.

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

An emergency ordinance to amend the title and Section 3 of Ordinance No. 705-13, passed May 20, 2013, relating to the public improvement by requirement contract of repairing and constructing roadways, bus pads, sidewalks, driveway aprons, curbs, curb ramps, brick streets, and appurtenances for an eighteen-month period; and to supplement the Ordinance by adding new Section 2a, to allow for the use of County Motor Vehicle License Tax Funds.

Approved by Directors of Capital Projects, Finance, Law; Passage recommended by Committees on Municipal Services and Properties, Finance.

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

Ord. No. 612-14.

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

An emergency ordinance giving consent of the City of Cleveland to the State of Ohio for replacement of the bridge at Wetzel Avenue over Stickney Creek and the bridge at Brooklawn Avenue over Big Creek in the City of Cleveland; and authorizing the Director of Capital Projects to enter into any relative agreements.

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

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

Ord. No. 613-14.

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

An emergency ordinance giving consent of the City of Cleveland to the State of Ohio for the resurfacing of East 90th Street from Holton Avenue to Buckeye Road (SR-87) in the City of Cleveland; to apply for and accept one or more grants from the Ohio Development Services Agency and the Ohio Department of Transportation; to enter into any agreements necessary to implement the improvement; and to cause payment to the State for the City's share of the improvement.

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

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

Ord. No. 616-14.

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

An emergency ordinance authorizing the Director of Capital Projects to issue permits to The Cleveland Clinic Foundation to encroach into the public rights-of-way at various locations, throughout the Cleveland Clinic Ring Bus Electrical Infrastructure Project area bounded by East 86th Street, Chester Avenue, Cedar Avenue and Stokes Boulevard by installing, using, and maintaining electrical duct banks.

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

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

Ord. No. 623-14.

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

An emergency ordinance determining the method of making the public improvement of resurfacing West 25th Street from I-71 to Detroit Avenue; authorizing the Director of

Capital Projects to enter into one or more public improvement contracts to construct the improvement; employing one or more professional consultants to design the improvement; authorizing other agreements with various entities, including entering into a Local Project Administration agreement with the Ohio Department of Transportation; and accepting grants, gifts, or funds from public or private entities to implement the improvement.

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

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

Ord. No. 633-14.

By Council Member Conwell.

An emergency ordinance designating the Pilgrim Church of Christ (formerly Episcopal Church of the Incarnation) as a Cleveland Landmark.

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

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

Ord. No. 673-14.

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

An emergency ordinance authorizing the Director of Public Utilities to enter into one or more requirement contracts without competitive bidding with Motorola Solutions Inc. for radio equipment and accessories, and other materials, equipment, supplies, and services necessary to ensure the uninterrupted operation and maintenance of the 800 MHz Project 25 radio system, for the Office of Radio Communications, Department of Public Utilities, for a period not to exceed five years.

Approved by Directors of Public Utilities, Finance, Law; Passage recommended by Committees on Utilities, Finance.

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

Ord. No. 677-14.

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

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with AirServ Corp. for the lease of space located in the passenger terminal building at Cleveland Hopkins International Airport providing skycap services for Southwest Airlines and Delta Airlines, for the Department of Port Control, for a period of two years, with three one-year options to renew, the last of which is exercisable through additional legislative authority.

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

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

Ord. No. 681-14.

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

An emergency ordinance to vacate a portion of W. 26th Place.

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

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

Ord. No. 685-14.

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

An emergency ordinance to amend Section 3 of Ordinance No. 754-13, passed September 30, 2013, relating to a lease agreement with the International Women's Air and Space Museum, Inc.

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

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

Ord. No. 687-14.

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from The United States Conference of Mayors for the 2014-15 Lead Safe for Kids Sake Program; and authorizing the Director to enter into one or more contracts with various agencies, entities, or individuals to implement the grant.

Approved by Directors of Public Health, Finance, Law; Passage recommended by Committees on Health and Human Services, Finance.

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

Ord. No. 697-14.

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

An emergency ordinance to amend the title and Sections 1, 2, 3, 4, and 8 of Ordinance No. 399-12, as amended; to supplement the ordinance by adding new Sections 11 through 17; and to renumber existing Sections 11 and 12 to new Sections 18 and 19, relating to the Walworth Road Infrastructure Improvement.

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

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

Ord. No. 719-14.

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

An emergency ordinance authorizing the Director of Capital Projects to execute a deed of easement granting to the East Ohio Gas Company dba Dominion East Ohio certain easement

rights in property located along East Boulevard needed for its Mainline Replacement Project, and declaring that the easement rights granted are not needed for the City's use.

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

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

Ord. No. 722-14.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for the City's use located at 16005 Chagrin Boulevard in the City of Shaker Heights, to Amsdell Storage Ventures XVIII, LLC, or its designee, for purposes of redevelopment.

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

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

Ord. No. 723-14.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell a portion of City-owned property no longer needed for the City's use located at the northeast corner of Villaview Boulevard and Mozina Drive to Bill Dagg, or his designee, for the business expansion of Muldoon's Saloon and Eatery.

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

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

Ord. No. 724-14.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell a portion of City-owned property no longer needed for the City's use located at 10526-32 Chester Avenue to the Cleveland Clinic Foundation for its CCL-3 substation improvement project.

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

The rules were suspended. Yeas 14. Nays 1. Read second time. Read third time in full. Passed. Yeas 14. Nays 1.

Those voting yea: Council Members Kelley, Brady, Brancatelli, Cleveland, Cummins, Conwell, Dow, K. Johnson, Keane, Mitchell, Polensek, Pruitt, Sweeney and Zone.

Those voting nay: Council Members J. Johnson.

Absent: Council Members Cimperman and Reed.

Ord. No. 725-14.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell Permanent Parcel No. 021-18-024, City-owned property no longer needed for the City's use and located in the vicinity of West 121st Street, to Lakeside Supply Company, or its designee, for purposes of business expansion.

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

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

Ord. No. 727-14.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase property located at 3918 Daisy Avenue for future parking lot expansion at the 2nd District Police Station, for the Department of Public Safety.

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

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

Ord. No. 729-14.

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

An emergency ordinance authorizing the Director of Community Development to transfer Permanent Parcel No. 116-19-010 located at 18521 St. Clair Avenue, to the control, possession, and use of the Department of Economic Development for inclusion into a consolidated site to be used for future redevelopment in the Collinwood and Nottingham neighborhoods.

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

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

Ord. No. 730-14.

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

An emergency ordinance authorizing the Director of Port Control to execute a deed of easement granting to the Cleveland Electric Illuminating Co. certain easement rights in property located at Cleveland Hopkins International Airport, and declaring that the easement rights granted are not needed for the City's public use; and proffering certain representations for purposes of the Trust

Indenture from the City of Cleveland to The Bank of New York Mellon Trust Company, National Association, as successor trustee and authorizing the Director of Port Control to apply to the bond trustee for land release.

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

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

Ord. No. 731-14.

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

An emergency ordinance determining the method of making the public improvement of constructing, reconstructing, and replacing cemetery facilities, buildings, structures and grounds; and authorizing the Director of Public Works or Capital Projects, as appropriate, to enter into one or more public improvement contracts for the making of the improvement; and authorizing the director to employ one or more professional consultants to design the improvement.

Approved by Directors of Public Works, Capital Projects, City Planning Commission, Finance, Law; Passage recommended by Committees on Municipal Services and Properties, Finance, when amended, as follows:

1. In Section 2, line 2; Section 3, line 2; and in Section 5, line 3, strike "499-14" in all three places and insert "498-14".

Amendment agreed to.

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

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

Ord. No. 732-14.

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

An emergency ordinance determining the method of making the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving recreation facilities, and other recreation buildings and other similar structures, on City-owned and City-leased park property, including site improvements and appurtenances; authorizing the Director of Public Works or Capital Projects, as appropriate, to enter into one or more contracts for the making of the improvements, including professional services and contract or contracts for the making of the improvement to parks and to proceed with the improvement to recreation facilities not otherwise improved by the direct employment of the necessary labor, for the Departments of Public Works and Capital Projects.

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

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

Ord. No. 733-14.

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

An emergency ordinance determining the method of making the public improvement of constructing, reconstructing, and replacing public facilities, buildings, and other similar structures, including site improvements and appurtenances; and authorizing the Director of Public Works or Capital Projects, as appropriate, to enter into one or more public improvement contracts for the making of the improvement; and authorizing the director to employ one or more professional consultants to design the improvement.

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

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

Ord. No. 734-14.

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

An emergency ordinance determining the method of making the public improvement of constructing, rehabilitating, renovating, replacing, or otherwise improving safety facilities, buildings, and other similar structures, including site improvements and appurtenances; and authorizing the Director of Public Safety or Capital Projects, as appropriate, to enter into one or more public improvement contracts for the making of the improvement; and authorizing the director to employ one or more professional consultants to design the improvement.

Approved by Directors of Public Safety, Capital Projects, City Planning Commission, Finance, Law; Passage recommended by Committees on Safety, Finance.

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

Ord. No. 736-14.

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

An emergency ordinance authorizing the acquisition, acceptance, and recording of certain easement interests from Cuyahoga Metropolitan Housing Authority for ingress and egress to Fire Station No. 26, for the Department of Public Safety.

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

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

Ord. No. 737-14.

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

An emergency ordinance authorizing the Director of Capital Projects to enter into an agreement with Shoreway Building LLC to allow and accept the improvements to West 76th

Street from Battery Park Boulevard to the West 76th tunnel entrance at Father Frascati Drive, as a gift to the City.

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

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

Ord. No. 740-14.

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

An emergency ordinance authorizing the Director of Public Safety to enter into one or more requirement contracts without competitive bidding with ZOLL Medical Corporation for the purchase of ZOLL X Series Monitor/Defibrillator, and accessories, for the Divisions of Emergency Medical Service and Fire, Department of Public Safety, for a period of one year, with two one-year options to renew, the last of which requires additional legislative authority.

Approved by Directors of Public Safety, Finance, Law; Passage recommended by Committees on Safety, Finance.

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

Ord. No. 741-14.

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

An emergency ordinance authorizing the Director of Community Development to apply, accept, and expend a grant from the Ohio Development Services Agency for the 2014 State Home Weatherization Assistance Program; authorizing the Director of Community Development to enter into an agreement with Cuyahoga County and/or municipalities within Cuyahoga County to provide weatherization assistance; and to enter into contracts necessary to implement the program.

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

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

Ord. No. 742-14.

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

An emergency ordinance to amend Ordinance Nos. 912-07, 606-12, and 1099-13, as amended and enacted by various ordinances, relating to the 2006 Bridge Maintenance Program, professional services for material testing and general engineering services, and the resurfacing of West 130th Street, to add additional funding sources.

Approved by Directors of Capital Projects, Finance, Law; Passage recommended by Committees on Municipal Services and Properties, Finance.

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

Ord. No. 743-14.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to apply for and accept a grant from the Cuyahoga County Corrections Planning Board for the 2014-15 Domestic Intervention, Education & Training Program.

Approved by Directors of Finance, Law; Passage recommended by Committee on Finance.

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

Ord. No. 745-14.

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

An emergency ordinance authorizing the Director of Public Health to accept a grant from the Ohio Environmental Protection Agency for financial assistance for the operation of the Division of Air Quality; authorizing the director to enter into one or more contracts for various services, equipment and supplies, and contracts with various agencies or entities necessary to operate the Division of Air Quality; determining the method of constructing, rehabilitating, renovating, replacing, or otherwise improving air monitoring sites and other similar structures on city-owned and city-leased property; and authorizing the director to enter into one or more contracts to construct the improvement to design it.

Approved by Directors of Public Health, Finance, Law; Passage recommended by Committees on Health and Human Services, Finance.

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

Ord. No. 746-14.

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

An emergency ordinance authorizing the Director of Economic Development to apply for and accept a grant from Cuyahoga County to create a SBA Muni-County Supplemental Equity Pool; and authorizing the director to enter into one or more contracts with Cuyahoga County and various small businesses to implement the grant.

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

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

Ord. No. 747-14.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with The Westside Industrial Retention and Expansion Network to provide economic development assistance to finance the administration of the Cleveland Industrial Retention Initiative.

Approved by Directors of Economic Development, Finance, Law; Passage

recommended by Committees on Development Planning and Sustainability, Finance.

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

Ord. No. 748-14.

By Council Member Kelley (by departmental request).

An emergency ordinance to terminate Contract No. PS 2013-014 with Recovery Resources, Inc. and to enter into contract with Moore Counseling and Mediation Services, Inc. to provide services under the Substance Abuse and Mental Health Services Administration grant.

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

1. In the title, strike lines 2 and 3 in their entirety and insert **"To enter into"**.

2. Strike the first two whereas clauses in their entirety.

3. Strike Section 1 in its entirety and renumber existing Sections 2, 3 and 4 to new **"Section 1"**, **"Section 2"**, and **"Section 3"**.

4. In existing Section 2, line 3, strike "fulfill the obligations of Recovery Resources, Inc."

Amendments agreed to.

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

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

Ord. No. 749-14.

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

An emergency ordinance authorizing the Directors of Finance and Public Safety to enter into one or more requirement contracts without competitive bidding with the Department of Mental Health and Addiction Services for pharmaceutical supplies, services and equipment, for the various divisions of City government, for a period not to exceed one year, with an option to renew for one additional year, exercisable by the Directors of Finance and Public Safety.

Approved by Directors of Public Safety, Finance, Law; Passage recommended by Committees on Safety, Finance.

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

Ord. No. 751-14.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of turnout gear and hoses, nozzles and fittings, for the Division of Fire, Department of Public Safety, for a term of one-year, with a one-year option to renew exercisable by the Director of Public Safety.

Approved by Directors of Public Safety, Finance, Law; Passage recommended by Committees on Safety, Finance.

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

Ord. No. 752-14.

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

An emergency ordinance authorizing the Director of Capital Projects to make alterations and modifications in Contract No. 20130000070 with Perk Company, Inc. for the Year 2013 Concrete Requirements by City Ward, a part of which is improvements to West 117th Street, for the Mayor's Office of Capital Projects.

Approved by Directors of Capital Projects, Finance, Law; Passage recommended by Committees on Municipal Services and Properties, Finance.

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

Ord. No. 753-14.

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

An emergency ordinance determining the method of making the public improvement of reconstructing the East Stadium Bridge; authorizing the Director of Capital Projects to enter into one or more public improvement contracts for the making of the improvement; authorizing professional services for design; authorizing the Commissioner of Purchases and Supplies to acquire for right-of-way purposes real property; authorizing the Director to apply for and accept gifts and grants from any public or private entity; authorizing the Director to enter into any agreements to implement this ordinance; authorizing the Director to accept cash contributions; to apply for and accept an allocation of County Motor Vehicle License Tax Funds for the County portion of the improvement.

Approved by Directors of Capital Projects, Finance, Law; Passage recommended by Committees on Municipal Services and Properties, Finance, when amended, as follows:

1. In the title, lines 3 and 4, strike "reconstructing the East Stadium Bridge" and insert **"reconstructing, rehabilitating, or replacing the two existing pedestrian bridges that connect Mall C to the Stadium"**.

2. In Section 1, lines 2 and 3, strike "reconstructing the East Stadium Bridge over CSX Railroad, Norfolk Southern Railroad, and the Greater Cleveland Regional Transit Authority" and insert **"reconstructing, rehabilitating, or replacing the two existing pedestrian bridges that connect Mall C to the Stadium, over AMTRAK,"**.

3. In Section 8, line 3; and in Section 9, line 2, after "Authority," insert **"AMTRAK,"** in both places.

Amendments agreed to.

The rules were suspended. Yeas 13. Nays 2. Read second time. Read third time in full. Passed. Yeas 13. Nays 2.

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

Those voting nay: Council Members J. Johnson and Polensek.

Absent: Council Members Cimperman and Reed.

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

Ord. No. 754-14.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Director of Finance to employ one or more consultants, computer software developers, or vendors or one or more firms of consultants, computer software developers, or vendors necessary to implement various projects under the current Information Technology Capital Strategic Plan, including but not limited to, software and application acquisition, project management, design, installation, implementation, integration, testing, training and other related issues; and to enter into various written standard purchase and requirement contracts for materials, equipment, supplies, and services needed to implement this ordinance.

Approved by Directors of Finance, Law; Passage recommended by Committee on Finance.

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

Ord. No. 755-14.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to enter into an Option to Purchase Agreement with Ohio City, Inc. or its designee, in connection with the sale of City-owned property at 1960 West 26th Street.

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

1. In the title, at the end, strike the period and insert: **"; and authorizing the Director of Economic Development to enter into an agreement with Ohio City, Inc., or its designee, regarding financing of the purchase of the property, if the option to purchase is exercised,"**.

2. Insert new Sections 7 to 12 to read as follows:

"Section 7. That, if the Option to Purchase authorized in this ordinance is exercised, the Director of Economic Development is authorized to enter into an agreement with Ohio City, Inc., or its designee, regarding financing of the purchase of the property (the "Agreement"), and other associated costs.

Section 8. That the terms of the Agreement shall be according to the terms set forth in the Summary described in the above-mentioned file.

Section 9. That the Director of Economic Development is authorized to accept such collateral as the director determines is sufficient in order to secure repayment under the Agreement. Any Agreement, security instrument, or other document shall be prepared and approved by the Director of Law.

Section 10. That the Director of Economic Development is authorized to accept monies in repayment under the Agreement and to deposit the monies in Fund No. 14 SF 040.

Section 11. That the Director of Economic Development is authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal

regulations and the fees are appropriated to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. The fees shall be deposited to and expended from Fund No. 17 SF 634.

Section 12. That the Agreement and other appropriate documents needed to effectuate this ordinance shall be prepared by the Director of Law."

3. Renumber existing Sections 7, 8, and 9 to new "Section 13", "Section 14", and "Section 15".

Amendments agreed to.

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

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

Ord. No. 756-14.

By Council Member Zone.

An emergency ordinance authorizing the Director of Economic Development to enter into one or more agreements with Samco Properties, Ltd., for the exchange of properties located in an area bounded by West 117th Street to the West, Lake Avenue to the East, West 116th Street to the West, and Clifton Boulevard to the South.

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

1. In the title, strike lines 5, 6, 7, and 8 in their entirety and insert "exchange of properties located in the vicinity of West 117th Street to the West, Lake Avenue to the North, West 116th Street to the East, and Clifton Boulevard to the South."

2. In the first Whereas clause, after "467-14" insert ", passed June 2, 2014."

Amendments agreed to.

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

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

Ord. No. 757-14.

By Council Member Zone.

An emergency ordinance authorizing the Director of Economic Development to enter into a development agreement with Brickhaus Partners, LLC, or an assignee controlled by Brickhaus Partners, LLC, for the sale and redevelopment of certain parcels owned or to be owned by the City located in the area bounded by West 117th Street to the West, the front or northerly property line of parcels on the South Side of Lake Avenue, and West 116th Street to the East.

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

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

Ord. No. 773-14.

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

An emergency ordinance determining the method of making the public improvement of reconstructing Old Pearl Road Bridge over Big Creek; authorizing the Director of Capital Projects to enter into one or more public improvement contracts for the making of the improvement; authorizing professional services for design; authorizing the Commissioner of Purchases and Supplies to acquire real property for right-of-way purposes; authorizing the Director to apply for and accept gifts or grants, and apply for and receive loans from any public or private entity; authorizing any agreements; and authorizing the Director to accept cash contributions; to apply for and accept an allocation of County Motor Vehicle License Tax Funds for the County portion of the improvement; and giving consent of the City of Cleveland to the County of Cuyahoga to participate in the cost of the improvement.

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

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

Ord. No. 791-14.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an amendment to the Agreement with Flats East Development to implement the Flats East Bank Project, including the relating Guaranty (Debt Service Reserve and Completion) document and any other related document as necessary; and authorizing an amendment to the agreement with the United States Department of Housing and Urban Development relating to their HUD 108 financing of the Project, and any other related document as necessary, to change certain terms of the agreements to allow flexibility with respect to the borrower's collateral.

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

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

SECOND READING ORDINANCES PASSED

Ord. No. 1417-13.

By Council Members Miller and J. Johnson.

An ordinance expanding the East Saint Clair Design Review District to include the north and south sides of Saint Clair between Eddy Road and E. 152nd Street as shown on the attached map (Map Change No. 2463).

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

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

Ord. No. 631-14.

By Council Member Zone.

An ordinance changing the Use, Area and Height Districts of lands on the north side of Breakwater Avenue between West 65th Street and West 58th Street from GI-B3 to Multi-Family Residential, a 'C' Area District and a '2' Height District (Map Change No. 2491).

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

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

Ord. No. 632-14.

By Council Member Zone.

An ordinance changing the Use and Area Districts of a parcel located on the northwest corner of Stone Avenue and West 54th Street to Two Family Residential and a 'B' Area District (Map Change No. 2489).

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

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

SECOND READING EMERGENCY RESOLUTION ADOPTED

Res. No. 738-14.

By Council Member Kelley (by departmental request).

An emergency resolution to adopt and declare a Tax Budget for the City of Cleveland for the year 2015 and submit it to the County Budget Commission as required by State Law, Chapter 5705 of the Revised Code.

Approved by Directors of Finance, Law; Adoption recommended by Committee on Finance.

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

MOTION

On the motion of Council Member Brady, the absences of Council Members Joe Cimperman and Zack Reed are hereby authorized. Seconded by Council Member K. Johnson.

The Council Meeting adjourned at 8:09 p.m. to meet at the call of the chair.



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

June 4, 2014

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, June 4, 2014 at 10:40 a.m. with Director Langhenry presiding.

Present: Director Langhenry, Acting Directors Shaw, Saunders, Director Cox, Interim Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and Rybka.

Absent: Mayor Jackson and Director Dumas.

Others: Matthew Spronz, Director, Mayor's Office of Capital Projects.

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

Tiffany White, Commissioner, Division of Purchases & Supplies.

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

Resolution No. 225-14.

By Director Bender.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 247-13, passed by the Council of the City of Cleveland on March 25, 2013, Middough Inc., is selected from a list of firms determined after a full and complete canvass by the Director of Public Utilities as the firm to be employed by contract to supplement the regularly employed staff of several departments of the City of Cleveland to perform the professional services necessary to provide electrical engineering services for the Cleveland Public Power Expansion Program, on an as-needed basis for a period of two years, for the Division of Cleveland Public Power, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities is authorized to enter into contract with Middough Inc. based on its proposal dated September 27, 2013, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services as contained in the proposal, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the work shall commence upon the date of execution of this contract, and shall provide for the furnishing of professional services as described in the proposal for an aggregate fee of \$1,459,924.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following sub-consultants is approved:

<u>SUB-CONSULTANTS</u>	<u>WORK PERCENTAGE</u>
R. Engineering Team, LLC (CSB/M)	\$113,150.00 7.75%
Stephen Hovancsek & Associates, Inc. (CSB)	\$119,289.00 8.17%
R.G. Vanderweil Engineers, LLP	\$454,724.00 31.15%

Yeas: Director Langhenry, Acting Directors Shaw, Saunders, Director Cox, Interim Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and Rybka.
Nays: None.
Absent: Mayor Jackson and Director Dumas.

Resolution No. 226-14.

By Director Bender.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Section 129.294 of the Codified Ordinances of Cleveland Ohio, 1976, AECOM Technical Services, Inc. is selected from a list of firms determined after a full and complete canvass by the Director of Public Utilities as the firm to be employed by contract to provide professional consulting services for the General Engineering Services VIII project, and other services including, but not limited to, engineering design, preparing feasibility studies and engineering analyses, plan review, planning, construction monitoring and inspection, environmental site assessment, identification of surface and sub-surface conditions, preparation of reports for regulatory agencies, specialized technical assistance, close circuit television inspection of sewers, and other related professional consulting services, on an as needed basis, for a period of two years, for the Divisions of Water and Water Pollution Control, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities is authorized to enter into a contract with AECOM Technical Services, Inc. based upon its proposal dated, March 28, 2014, which contract shall be prepared by the Director of Law, shall provide that the compensation for the professional services described in the proposal shall not exceed \$3,741,350.00, and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following sub-consultants by AECOM Technical Services, Inc. for the above-mentioned professional services is approved:

<u>SUB-CONSULTANT</u>	<u>WORK PERCENTAGE</u>
CAD Concepts, Inc. (CSB/FBE)	\$ 77,350.00 2.07%
Robert P. Madison International, Inc. (CSB/MBE)	\$ 72,200.00 1.93%
RNR Consulting, Inc. (CSB/MBE)	\$ 63,350.00 1.69%
Sigma of Ohio, LLC (CSB)	\$207,150.00 5.54%
Somat Engineering of Ohio, Inc. (CSB)	\$358,100.00 9.57%
KS Associates, Inc. (FBE)	\$ 98,500.00 2.63%

MWH	\$387,100.00 10.35%
C&K Industrial Services, Inc.	\$109,750.00 2.93%

Yeas: Director Langhenry, Acting Directors Shaw, Saunders, Director Cox, Interim Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and Rybka.
Nays: None.
Absent: Mayor Jackson and Director Dumas.

Resolution No. 227-14.

By Director Bender.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Warren Roofing & Insulating Co. under Contract No. PI2014-18 for the public improvement of repairing or replacing roofs and appurtenances, including but not limited to roofing systems for the Nottingham Filter Building Roof Replacement, for the Division of Water, Department of Public Utilities, is approved:

<u>Subcontractor</u>	<u>Work Percentage</u>
Scaffco Scaffolding & Supply Company, Inc.	\$11,365.00 0.614%

Yeas: Director Langhenry, Acting Directors Shaw, Saunders, Director Cox, Interim Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and Rybka.

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

Resolution No. 228-14.

By Director Bender.

Whereas, Board of Control Resolution No. 63-14, adopted February 12, 2014, authorized the Director of Public Utilities to enter into a contract with The Ryan Company, Inc., for the public improvement of the Harvard Substation Project, including the 10% contingency allowance, all items, for the Division of Cleveland Public Power, Department of Public Utilities; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 63-14, adopted February 12, 2014, affirming and approving the bid of The Ryan Company, Inc. as lowest responsible bid for the Harvard Substation is rescinded.

Be it further resolved that all bids received on November 8, 2013, under the authority of Ordinance No. 556-08, passed June 9, 2008, for the Harvard Substation Project, for the Division of Cleveland Public Power, Department of Public Utilities, are rejected.

Yeas: Director Langhenry, Acting Directors Shaw, Saunders, Director Cox, Interim Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and Rybka.

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

Resolution No. 229-14.

By Director Bender.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on April 16, 2014

for an estimated quantity of diving and underwater inspection services, for the Division of Water, Department of Public Utilities, under the authority of Ordinance No. 1109-13, passed September 23, 2013, are rejected.

Yeas: Director Langhenry, Acting Directors Shaw, Saunders, Director Cox, Interim Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 230-14.

By Director Bender.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Terrace Construction Company, Inc. for the public improvement of the Large Valve Renewal Phase I, including a \$284,702.93 contingency allowance, all items, for the Division of Water, Department of Public Utilities, received on January 15, 2014, under the authority of Ordinance No. 444-10, passed June 7, 2010 as amended by Ordinance No. 1052-12, passed on October 8, 2012, upon a unit basis for the improvement in the aggregate amount of \$3,131,732.18, is affirmed and approved as the lowest responsible bid, and the Director of Public Utilities is authorized to enter into a contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following sub-contractors by Terrace Construction Company, Inc. for the above-mentioned public improvement is approved:

<u>SUBCONTRACTOR</u>	<u>WORK PERCENTAGE</u>
Rockport Construction & Materials, Inc. (CSB/FBE)	\$ 98,011.00 3.13%
The Vallejo Company (CSB/MBE)	\$841,989.00 26.89%

Yeas: Director Langhenry, Acting Directors Shaw, Saunders, Director Cox, Interim Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 231-14.

By Director Bender.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Terrace Construction Co., Inc. for the public improvement of rehabilitating and repairing sewer connections at various locations, base bid items including 10% contingency allowance, for the Division of Water Pollution Control, Department of Public Utilities, received on April 4, 2014, under the authority of Section 129.292 of the Codified Ordinances of Cleveland, Ohio, 1976, upon a unit basis for the improvements to be performed as ordered during a period of two (2) years starting upon execution of a contract or the day following the expiration of the currently effective contract for the goods or services, at the unit prices set forth in the bid,

which on the basis of the estimated work to be done would amount to \$1,162,612.00, is affirmed and approved as the lowest responsible bid, and the Director of Public Utilities is requested to enter into a public improvement by requirement contract for the improvement.

The public improvement by requirement contract shall further provide that the contractor will perform all the City's requirements for the work as may be ordered under delivery orders separately certified against the Public Improvement by requirement contract, whether the same shall be more or less than the total estimate of work to be performed under the contract.

Be it further resolved by the Board of Control that the employment of the following subcontractors by Terrace Construction Co., Inc. for the above-mentioned public improvement by requirement contract is approved:

<u>SUBCONTRACTOR</u>	<u>CSB/MBE/FBE AMOUNT/PERCENTAGE</u>
Rockport Construction & Material	CSB/FBE \$240,000.00 (20.64%)
Vallejo Co.	CSB/MBE \$108,800.00 (9.36%)

Yeas: Director Langhenry, Acting Directors Shaw, Saunders, Director Cox, Interim Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 232-14.

By Director Bender.

Whereas, Board of Control Resolution No. 592-13, adopted October 9, 2013, authorized the Director of Public Utilities to enter into contract with Osburn Associates, Inc., for an estimated quantity of PVC and FRE ductline materials, including but not limited to conduits, fittings, elbows, spacers, expanders, reducers, adhesives and related materials necessary to construct electrical ductlines, Group B, item 4, Group C, all items, and Group P, all items, for the Division of Cleveland Public Power, Department of Public Utilities; and

Whereas, by its May 9, 2014 email, Osburn Associates, Inc. notified the City that because of the amount of time elapsed since it submitted its bid, its bid prices were outdated and it could no longer honor them; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that Board of Control Resolution No. 592-13, adopted October 9, 2013, affirming and approving the bid of Osburn Associates, Inc. as lowest and best for Group B, item 4, Group C, all items, and Group P, all items, is rescinded.

Be it further resolved that all bids received on June 28, 2013 under the authority of Ordinance No. 362-11, passed May 9, 2011, for an estimated quantity of PVC and FRE ductline materials, Group B, item 4, Group C, all items, and Group P, all items, for the Division of Cleveland Public Power, Department of Public Utilities, are rejected.

Yeas: Director Langhenry, Acting Directors Shaw, Saunders, Director Cox, Interim Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 233-14.

By Director Smith.

Whereas, by Resolution No. 548-07, adopted October 3, 2007, under the authority of Ordinance No. 1761-A-06, passed by the Council of the City of Cleveland on December 4, 2006, this Board of Control set the fee for a permit to taxicabs to operate out-bound services from Cleveland Hopkins International Airport for the five-year period coincident with the initial five-year period of the third-party taxi management concession agreement, with one renewal option, entered into under Ordinance No. 1761-A-06 and expiring October 3, 2012; and

Whereas, the City, through its Director of Port Control, exercised its option, authorized by Ordinance No. 1761-A-06 and Ordinance No. 1455-12, passed by the Council of the City of Cleveland on December 4, 2006 and December 3, 2012, respectively, to renew the third-party taxi management concession agreement for a period of five years starting upon expiration of the initial term, and desires to confirm and set the taxicab permit fee for a portion of the renewal period of the agreement; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 1761-A-06 and Ordinance No. 1455-12, passed by the Council of the City of Cleveland on December 4, 2006 and December 3, 2012, respectively, the per trip fee charged by the Department of Port Control to permit taxicab companies to operate outbound services from Cleveland Hopkins International Airport from October 4, 2012 to May 31, 2014 is confirmed, ratified and set as the fee for that period.

Be it further resolved by the Board of Control of the City of Cleveland that the permit fee that the Director of Port Control proposes to assess and collect from taxicab companies to operate outbound services from Cleveland Hopkins International Airport for a period not to exceed two years from and after June 1, 2014 is set as follows:

Taxicab Permit Fee	\$3.50 per trip
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Yeas: None.

Nays: Director Langhenry, Acting Directors Shaw, Saunders, Director Cox, Interim Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and Rybka.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 234-14.

By Director Smith.

Whereas, under the authority of Ordinance No. 1968-07, passed by the Council of the City of Cleveland on March 10, 2008, and Board of Control Resolution No. 452-11, adopted September 14, 2011, the City through its Director of Port Control, entered into Contract No. PS2012*001 with

Hyland Software, Inc. ("Consultant"), to provide professional services necessary to design, configure and install a centralized document management system ("System") for the various divisions of the Department of Port Control for a period of two years, with two one-year options to renew; and

Whereas, the City has determined the need to upgrade the System to access stored documents via the intranet, import and index documents from other applications, provide electronic document routing and ongoing maintenance and customer support; and

Whereas, the Consultant has proposed by its letter dated May 20, 2014 to perform the additional work necessary for an amount of \$29,347.06; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Port Control is authorized to enter into a first modification to City Contract No. PS2012*001 between the City of Cleveland and Hyland Software, Inc. to upgrade the System to access stored documents via the intranet, import and index documents from other applications, provide electronic document routing and ongoing maintenance and customer support as set forth in Consultant's letter dated May 20, 2014. The amount to be paid for all services shall be increased by \$29,347.06 from \$203,836.84 to a total amount not to exceed \$233,183.90.

Yeas: Director Langhenry, Acting Directors Shaw, Saunders, Director Cox, Interim Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and Rybka.

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

Resolution No. 235-14.

By Director Smith.

Resolved, by the Board of Control of the City of Cleveland that all bids received for the purchase of recycle bins for the Department of Port Control, received April 25, 2014, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio 1976 are rejected.

Yeas: Director Langhenry, Acting Directors Shaw, Saunders, Director Cox, Interim Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and Rybka.

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

Resolution No. 236-14.

By Directors Cox and Spronz.

Whereas, the City of Cleveland through its Directors of Public Works and Capital Projects entered into City Contract No. CT 0103-PS2013-193 in the amount of \$100,000.00 on September 24, 2013 with R. E. Warner and Associates, Inc. for the engineering services necessary to supplement the regularly employed staff of several departments of the City in order to perform professional engineering services necessary to implement public improvement projects in the City of Cleveland; and

Whereas, the City desires to modify Contract No. CT 0103-PS2013-193 by adding landscape architectural and site construction administration services in the amount of \$75,000.00 on an as needed basis; and

Whereas, R. E. Warner and Associates, Inc. has proposed by its May 9, 2014 letter to perform the above mentioned additional services; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 792-13 passed by the Council of the City of Cleveland May 10, 2013, that the Directors of Public Works and Capital Projects are authorized to enter into a first modification to Contract No. CT 0103-PS2013-193 with R. E. Warner and Associates, Inc. to provide the additional landscape architectural and site construction administration services necessary to supplement the regularly employed staff of several departments of the City for an additional amount not to exceed \$75,000.00 increasing the total compensation under the contract to \$175,000.00

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

McKnight & Associates, LTD.
CSB — \$0 — 0.00%

Yeas: Director Langhenry, Acting Directors Shaw, Saunders, Director Cox, Interim Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and Rybka.

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

Resolution No. 237-14.

By Directors Cox and Spronz.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of E.B. Katz, Inc. (CSB/LPE) for the public improvement of Rockefeller Park Greenhouse Heating Improvements, for Base Bid Items A - D and Optional Items 1-3 for the Division of Architecture and Site Development, Department of Public Works received on May 7, 2014, under the authority of Ordinance No. 533-12, passed on June 4, 2012, upon a gross price basis for the improvement in the aggregate amount of \$665,000.00 is affirmed and approved as the lowest responsible bid; and the Director of the Department of Public Works is authorized to enter into contract for the improvements with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by E.B. Katz, Inc. (CSB/LPE) for the aforementioned public improvement is approved.

<u>SUBCONTRACTOR</u>	<u>AMOUNT PERCENTAGE</u>
D.E. Williams Electric, Inc. (CSB/MBE)	\$0.00 T.B.D.%
Einheit Electric Construction (CSB)	\$0.00 T.B.D.%
Hammond Corporation (CSB/FBE)	\$0.00 T.B.D.%
Low Voltage Specialist (non-certified)	\$0.00 T.B.D.%

Thermo-Tec Insulation, Inc. (CSB/FBE) \$0.00
T.B.D.%

Yeas: Director Langhenry, Acting Directors Shaw, Saunders, Director Cox, Interim Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and Rybka.

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

Resolution No. 238-14.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 138-11-025 located on Miles Avenue; and

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

Whereas, 131 Miles LLC has proposed to the City to purchase and develop the parcel for commercial development; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with 131 Miles LLC for the sale and development of Permanent Parcel No. 138-11-025 located on Miles Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$18,000.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Director Langhenry, Acting Directors Shaw, Saunders, Director Cox, Interim Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and Rybka.

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

Resolution No. 239-14.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 128-26-037 located at 2989 East 111th Street; and

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

Whereas, Judy McCaleb and Michael McCaleb have proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 4 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Judy McCaleb and Michael McCaleb for the sale and development of Permanent Parcel No. 128-26-037 located at 2989 East 111th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Director Langhenry, Acting Directors Shaw, Saunders, Director Cox, Interim Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 240-14.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 007-31-129 located at 3238 West 31st Street; and

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

Whereas, Eligio Perez has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Eligio Perez for the sale and development of Permanent Parcel No. 007-31-129 located at 3238 West 31st Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Director Langhenry, Acting Directors Shaw, Saunders, Director Cox, Interim Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 241-14.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 120-05-013 located at 12017 Oakland Avenue; and

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

Whereas, Jacqueline M. Harris-Dickson has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 9 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Jacqueline M.

Harris-Dickson for the sale and development of Permanent Parcel No. 120-05-013 located at 12017 Oakland Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Director Langhenry, Acting Directors Shaw, Saunders, Director Cox, Interim Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 242-14.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 020-12-150 located on McGowan Avenue; and

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

Whereas, Gloria C. Kelly has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 16 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Gloria C. Kelly for the sale and development of Permanent Parcel No. 020-12-150 located on McGowan Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Director Langhenry, Acting Directors Shaw, Saunders, Director Cox, Interim Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

Resolution No. 243-14.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 108-20-075 located at 856 East 95th Street; and

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

Whereas, Henry Shepard, Jr. has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 9 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Henry Shepard, Jr. for the sale and development of Permanent Parcel No. 108-20-075 located at 856 East 95th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$1.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Director Langhenry, Acting Directors Shaw, Saunders, Director Cox, Interim Director Baker, Directors McGrath, Rush, Southerington, 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 Com-

mission 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, JUNE 23, 2014

9:30 A.M.

Calendar No. 14-080: 5320 Herman Avenue (Ward 15)

Case Development, owner, proposes to erect one of 7 fee simple townhouses in a B1 Two Family Residential District; owner appeals for relief from the strict application of the following Sections of the Cleveland Codified Ordinances:

1. Section 353.01 allows a maximum height of 35 feet in a '1' Height District and 36 feet are proposed.

2. Section 355.04 allows a maximum gross floor area equal to 1/2 the total lot area or in this case 5,107 square feet and 5,404 square feet are proposed.

3. Section 357.04 which requires a 20 foot front yard setback along Herman Ave and a 2 foot front yard is proposed.

4. Section 357.05 requires a 5 foot side street setback along W. 54th Street and 1 1/2 is proposed.

5. Section 357.15 which states that a residence building may be erected in the rear of a main building in any use district if required front, rear and side yards are provided, the distance between such building is not less than 40 feet and if a free and unobstructed entranceway is provided for access from the street to the rear building; in this case 23 feet is proposed between the front and rear building. (Filed May 15, 2014)

Calendar No. 14-081: 5322 Herman Avenue (Ward 15)

Case Development, owner, proposes to erect one of 7 fee simple townhouses in a B1 Two Family Residential District; owner appeals for relief from the strict application of the following Sections of the Cleveland Codified Ordinances:

1. Section 353.01 allows a maximum height of 35 feet in a '1' Height District and 36 feet are proposed.

2. Section 355.04 allows a maximum gross floor area equal to 1/2 the total lot area or in this case 5,107 square feet and 5,404 square feet are proposed.

3. Section 357.04 which requires a 20 foot front yard setback along Herman Ave and a 2 foot front yard is proposed.

4. Section 357.05 requires a 5 foot side street setback along W. 54th Street and 1 1/2 is proposed.

5. Section 357.15 which states that a residence building may be erected in the rear of a main building in any use district if required front, rear and side yards are provided, the distance between such building is not less than 40 feet and if a free and unobstructed entranceway is provided for access from the street to the rear building; in this case 23 feet is proposed between the front and rear building. (Filed May 15, 2014)

Calendar No. 14-082: 5324 Herman Avenue (Ward 15)

Case Development, owner, proposes to erect one of 7 fee simple townhouses in a B1 Two Family Residential District; owner appeals for relief from the strict application of the following Sections of the Cleveland Codified Ordinances:

1. Section 353.01 allows a maximum height of 35 feet in a '1' Height District and 36 feet are proposed.

2. Section 355.04 allows a maximum gross floor area equal to 1/2 the total lot area or in this case 5,107 square feet and 5,404 square feet are proposed.

3. Section 357.04 which requires a 20 foot front yard setback along Herman Ave and a 2 foot front yard is proposed.

4. Section 357.05 requires a 5 foot side street setback along W. 54th Street and 1 1/2 is proposed.

5. Section 357.15 which states that a residence building may be erected in the rear of a main building in any use district if required front, rear and side yards are provided, the distance between such building is not less than 40 feet and if a free and unobstructed entranceway is provided for access from the street to the rear building; in this case 23 feet is proposed between the front and rear building. (Filed May 15, 2014)

Calendar No. 14-083: 5326 Herman Avenue (Ward 15)

Case Development, owner, proposes to erect one of 7 fee simple townhouses in a B1 Two Family Residential District; owner appeals for relief from the strict application of the following Sections of the Cleveland Codified Ordinances:

1. Section 353.01 allows a maximum height of 35 feet in a '1' Height District and 36 feet are proposed.

2. Section 355.04 allows a maximum gross floor area equal to 1/2 the total lot area or in this case 5,107 square feet and 5,404 square feet are proposed.

3. Section 357.04 which requires a 20 foot front yard setback along Herman Ave and a 2 foot front yard is proposed.

4. Section 357.05 requires a 5 foot side street setback along W. 54th Street and 1 1/2 is proposed.

5. Section 357.15 which states that a residence building may be erected in the rear of a main building in any use district if required front, rear and side yards are provided, the distance between such building

is not less than 40 feet and if a free and unobstructed entranceway is provided for access from the street to the rear building; in this case 23 feet is proposed between the front and rear building. (Filed May 15, 2014)

Calendar No. 14-084: 1311 West 54th Street (Ward 15)

Case Development, owner, proposes to erect one of 7 fee simple townhouses in a B1 Two Family Residential District; owner appeals for relief from the strict application of the following Sections of the Cleveland Codified Ordinances:

1. Section 353.01 allows a maximum height of 35 feet in a '1' Height District and 45 feet are proposed.

2. Section 355.04 allows a maximum gross floor area equal to 1/2 the total lot area or in this case 5,107 square feet and 5,404 square feet are proposed.

3. Section 357.04 which requires a 20 foot front yard setback along Herman Ave and a 1/2 foot front yard is proposed.

4. Section 357.08 (b) (1) requires a minimum rear yard equal to 42 feet and 8 feet are proposed.

5. Section 357.15 which states that a residence building may be erected in the rear of a main building in any use district if required front, rear and side yards are provided, the distance between such building is not less than 40 feet and if a free and unobstructed entranceway is provided for access from the street to the rear building; in this case 23 feet is proposed between the front and rear building. (Filed May 15, 2014)

Calendar No. 14-085: 1313 West 54th Street (Ward 15)

Case Development, owner, proposes to erect one of 7 fee simple townhouses in a B1 Two Family Residential District; owner appeals for relief from the strict application of the following Sections of the Cleveland Codified Ordinances:

1. Section 353.01 allows a maximum height of 35 feet in a '1' Height District and 45 feet are proposed.

2. Section 355.04 allows a maximum gross floor area equal to 1/2 the total lot area or in this case 5,107 square feet and 5,404 square feet are proposed.

3. Section 357.04 which requires a 20 foot front yard setback along Herman Ave and a 1/2 foot front yard is proposed.

4. Section 357.08 (b) (1) requires a minimum rear yard equal to 45 feet and 28 feet are proposed.

5. Section 357.15 which states that a residence building may be erected in the rear of a main building in any use district if required front, rear and side yards are provided, the distance between such building is not less than 40 feet and if a free and unobstructed entranceway is provided for access from the street to the rear building; in this case 23 feet is proposed between the front and rear building. (Filed May 15, 2014)

Calendar No. 14-086: 1315 West 54th Street (Ward 15)

Case Development, owner, proposes to erect one of 7 fee simple townhouses in a B1 Two Family Residential District; owner appeals for

relief from the strict application of the following Sections of the Cleveland Codified Ordinances:

1. Section 353.01 allows a maximum height of 35 feet in a '1' Height District and 45 feet are proposed.

2. Section 355.04 allows a maximum gross floor area equal to 1/2 the total lot area or in this case 5,107 square feet and 5,404 square feet are proposed.

3. Section 357.04 which requires a 20 foot front yard setback along Herman Ave and a 1/2 foot front yard is proposed.

4. Section 357.08 (b) (1) requires a minimum rear yard equal to 39 feet and 31 feet are proposed.

5. Section 357.15 which states that a residence building may be erected in the rear of a main building in any use district if required front, rear and side yards are provided, the distance between such building is not less than 40 feet and if a free and unobstructed entranceway is provided for access from the street to the rear building; in this case 23 feet is proposed between the front and rear building. (Filed May 15, 2014)

Calendar No. 14-088: 3819 W. 140th Street (Ward 16)

Kathi Santa, owner, proposes to expand her nonconforming motorcycle parts store to include motor vehicle repair on a corner parcel in a C1 Local Retail Business District; owner appeals for relief from the strict application of the following Sections of the Cleveland Codified Ordinances:

1. Section 343.11 (1) which states that a motor vehicle service garage is first permitted in a General Retail Business District.

2. Section 343.14 (d) which states that for corner properties, service bays shall be oriented to a street characterized by commercial or industrial uses as opposed to residential or Local Retail uses and the proposed service doors are to face Sacramento Avenue (a residential street).

3. Section 325.03 states that off-street parking spaces shall be a minimum of 180 square feet and the proposed spaces are 36 square feet.

4. Section 349.04 (f) requires one parking space per 100 square feet of floor area; at 1610 square feet of floor area sixteen spaces are required and none are proposed.

5. Section 343.14 (a) (1) requires a six-foot high privacy fence along any property line abutting a Residence District and none is proposed.

6. Section 352.11 requires an eight-foot wide landscaping transitions strip is required where the property abuts a Residential District and none are proposed.

7. Section 352.12 states that a scaled landscaping plan is required and none is proposed. (Filed May 21, 2014).

Calendar No. 14-090: 1300 W. Schaaf Road (Ward 12)

Lisa S. Cortese, owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02 (d) of the Cleveland Codified Ordinances from a Notice of Violation, #V14011529, issued by the Cleveland Department of Building and Housing on April 25, 2014 for exterior maintenance,

for storage of construction vehicles and materials including but not limited to bricks and stone on a parcel zoned One Family Residential. (Filed May 23, 2014)

Calendar No. 14-091: 3321-27 West 63 Street (Ward 3)

Nick Arraj and Scott Rusa, owners, propose to establish use as storage for motor vehicles pending dismantling on 2 parcels located in a C1 Semi-Industry District. The owners appeal for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 354.04 (C) (4) which states that the operation of dismantling of motor vehicles, or storage of motor vehicles pending wrecking or dismantling is first permitted in a General Industry District and these parcels are located in Semi-Industry. Said parcels shall have a minimum of 50,000 square feet and in this case 9,240 square feet are provided. Such premises shall be enclosed within a minimum 7 foot high solid masonry wall or slightly solid, nontransparent, well-maintained substantial fence; existing fence is 6 foot high chain link with approximately 1 foot of barbed wire.

2. Section 349.04 (j) states that the parking area must equal 15% of the total lot area plus 1 space per employee and none is proposed.

3. Section 349.07(a) requires that the off-street parking spaces 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, asphalt or other surfacing materials approved by the Director of Building and Housing and the existing surface is gravel. (Filed May 27, 2014)

Calendar No. 14-093: 2138 West 25 Street (Ward 3)

Loren Naji, owner, proposes to change use from store to art gallery with events, receptions and with a maximum of 299 occupants on a parcel located in a C3 Semi-Industry District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 349.01 (c) states that whenever the existing use of a building or structure shall hereafter be changed to a new use, parking facilities shall be provided as required for such new use. However, if the building or structure was erected prior to July 2, 1971, additional parking facilities are mandatory only in the amount by which the requirements for the new use exceed those for the existing use.

2. Section 349.04 (e) requires a total parking area equal to 3 times the gross floor area minus a credit for the previous store use. A gross floor area of 6,585 square feet requires a parking area in the amount of 19,755 square feet, minus the credit of 3,900 square feet (13 credited parking spaces for store use times 300 square feet per credited space per Section 337.17), equals a required parking area of 15,855 square feet. A parking area with four spaces totaling approximately 640 square feet is provided.

3. Section 349.05 (a) (b) states that the required accessory off-street parking must be located on

the same lot as the use for which it is provided, or in the same ownership or control as the subject use or building. (Filed May 29, 2014)

Postponed from May 27, 2014

Calendar No. 14-021: 4108 Clinton Avenue (Ward 3)

Alexandru Bardan, owner, appeals to erect a 12' x 26' one story frame attached garage addition to an existing two-family residence located in a B1 Two-Family Residential District and contrary to Section 355.04 (b) of the Cleveland Codified Ordinances the maximum gross floor area shall not exceed 50 percent of the lot area of 1,828 square feet and 2,395 square feet are proposed; and subject to Section 357.08 (b) (1) the required rear yard is 24 feet and 10 feet are proposed; and pursuant to Section 357.09 (2) (A) and (B) no building shall be erected less than 10 feet from a main building on an adjoining lot within a Residence District and 4 feet are proposed and the minimum required interior side yard of 3 feet is allowed and 2 feet are proposed and the total width of both interior side yards on the same premises must be 10 feet and 4 feet are proposed; and subject to the limitations set forth in Section 357.13 (c) (2) the eaves shall not project more than 2 feet into the interior side yard and the proposed eaves are 3 inches from property line. (Filed 2-20-2014 - no testimony taken)

Third postponement requested by the Councilman in order to allow for time for block club meeting.

Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, JUNE 9, 2014

At the meeting of the Board of Zoning Appeals on Monday, June 9, 2014, the following appeals were scheduled for hearing before the Board.

The following appeals were **APPROVED:**

Calendar No. 14-72: 2058 West 26th Street

LFM Real Estate, owner, proposed to erect a 3-story single family dwelling on a 32' x 59' lot in B1 Two Family Residential District.

Calendar No. 14-73: 2060 West 26th Street

LFM Real Estate, owner, proposed to erect a 3-story single family dwelling on a 32' x 59' lot in B1 Two Family Residential District.

Calendar No. 13-67: 5400 Herman Avenue

Argentina Rocco, owner, appealed to include a 24' x 40' outdoor patio with a 38' x 40' legal nonconforming tavern in a B2 Two Family Residential District.

The following appeals were **DENIED:**

None.

The following appeal was **WITHDRAWN:**

Calendar No. 14-59: 13407 Kinsman Road

Emerald Development & Economic Network, Inc., owner, appealed to construct a parking lot in a B1 Residence Office District.

The following appeals were **DISMISSED:**

None.

The following appeals were **POSTPONED:**

Calendar No. 14-066: 4157 Lorain Avenue

Thomas Papouras, owner Postponed to August 4, 2014

Calendar No. 14-069: 3781 West 152nd Street

Elias Fernandez, owner Postponed to August 4, 2014

Calendar No. 14-052: 2543 West 18th Place

Mary O. Skoropy, owner Postponed to June 30, 2014

The following appeals were heard by the Board on June 2, 2014 and the decisions were adopted and approved on June 9, 2014;

The following appeals were **APPROVED:**

Calendar No. 14-70: 6770 Brookpark Road

Tom Schroeder (corrected to Tom Scheiman), owner, and B.A. Sweeties tenant appeals to install a 178.5 square foot free standing pole and monument sign.

Calendar No. 14-71: 1220 Huron Road

Playhouse Square Plaza LLC, owner, appealed to change the use of floors 2-11 from business use to 80 residential apartments.

Calendar No. 14-18: 950 Main Avenue

Flats East Bank, owner, appealed to install a temporary tent through the summer months.

Calendar No. 14-42: 16006 Waterloo Road

16006 Waterloo Road Partners, LLC, owner, and Erin Corcoran, tenant, appealed to change use of an existing store to a tattoo establishment and gallery.

The following appeals were **DENIED:**

None.

The following appeals were **WITHDRAWN:**

None.

The following appeal was **DISMISSED:**

Calendar No. 14-067: 10818 Ashbury Avenue

KM Progressive Building Remodelers LLC appealed a Violation Notice issued by the Division of the Environment.

Secretary

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

Re: Report of the Meeting of
June 4, 2014

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-77-14.

RE: Appeal of Woodland East 93rd Street Corp., Owner of the Property, located on the premises known as 6610 Euclid Avenue from a NOTICE OF VIOLATION — FIRE CODE, dated March 13, 2014, of the Chief of the Division of Fire, 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 requested variance for the sprinkler system requirement in the interior of the cooler and freezer, and to require that sprinkler heads be installed in any manner, side wall or overhead, but be compliant with the code to adequately protect the cooler and freezer. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

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

* * *

Docket A-78-14.

RE: Appeal of Herbert Acevedo, Owner of the Residential Property, located on the premises known as 3130 West 44th Street from a LIMITATION ON THE PERMIT, dated April 15, 2014 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 required by the Board at this time.

* * *

Docket A-79-14.

RE: Appeal of Barbara Rohman, Owner of the One Dwelling Unit Single-Family Residence One Story Frame Property, located on the premises known as 3275 West 58th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated March 18, 2014 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-79-14 has been POSTPONED; to be rescheduled for July 02, 2014.

* * *

Docket A-80-14.

RE: Appeal of JL Company LLC, Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Wood Frame/Siding/Masonry Veneer Property, located on the premises known as 1754

Algonac Road from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated March 19, 2014 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; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action, noting that failure to meet the dates will immediately Remand the property to the Department of Building and Housing. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

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

* * *

Docket A-81-14.

RE: Appeal of Johnathan & Deirdra Nash, Owners of the One Dwelling Unit Single-Family Residence One & One/half Story Frame Property, located on the premises known as 8115 Melrose Avenue from a NOTICE OF VIOLATION — POOR WORKMANSHIP, dated March 17, 2014, 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 appeal request for additional time due to the inaction of the Appellants; the property is REMANDED at this time to the Department of Building and Housing supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

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

* * *

Docket A-82-14.

RE: Appeal of Buckeye Development, Owner of the MXD Mixed Uses - Multiple Uses In One Building Two Story Masonry Walls/Wood Floors Property, located on the premises known as 10299 Shaker Boulevard from a NOTICE OF VIOLATION — POOR WORKMANSHIP, dated March 17, 2014, 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 appeal request for additional time due to the inaction of the Appellant; the property is REMANDED at this time to the Department of Building and Housing supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

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

* * *

Docket A-83-14.

RE: Appeal of Joyce M. Ledford, Owner of the Two Dwelling Units Two-Family Residence Two &

One/half Story Frame Property, located on the premises known as 3425 Regent Road from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated April 03, 2014 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-83-14 has been POSTPONED; to be rescheduled for June 18, 2014.

* * *

EXTENSION OF TIME:

Docket A-23-14.

Luigi Mazzone & Elena Mazzone (Deceased) - 3272 Fulton Road:

A motion is in order at this time to DENY the request for an Extension of Time based on testimony presented by the Appellant; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action without additional time formally rewarded by the Board. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

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

* * *

APPROVAL OF RESOLUTIONS:

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

- A-69-14 — George Caraman
- A-73-14 — Lonnell Kirkman
- A-76-14 — Naomi Brock

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

* * *

Separate motions were entered by Mr. Gallagher 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-71-14 — Mark A. Stasek
- A-74-14 — Douglas Hufford

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

* * *

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

- A-75-14 — Donald Andreasik

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

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

- A-95-14 — AJAPPJR Uptown 2 LLC

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

* * *

APPROVAL OF MINUTES:

Separate motions were entered by Mr. Gallagher and seconded by Mr. Bradley 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):

May 21, 2014

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

* * *

JOSEPH F. DENK
Chairman

PUBLIC NOTICE

REQUEST FOR PROPOSAL

Department of Public Safety, City of Cleveland seeks proposals for Towing (Non-Commercial) and Towing (Commercial - includes storage for commercial vehicles).

Proposals due by June 30, 2014, 3:00 p.m.

For more information, go to www.city.cleveland.oh.us.

June 4, 2014, June 11, 2014, June 18, 2014 and June 25, 2014

NOTICE OF PUBLIC HEARING

NONE

CITY of CLEVELAND BIDS

For All Departments

Scaled 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, JUNE 20, 2014

File No. 72-14 — Window Washing Services (Re-Bid), 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 THURSDAY, JUNE 12, 2014 AT 1:30 P.M. CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114

June 4, 2014 and June 11, 2014

THURSDAY, JUNE 26, 2014

File No. 73-14 — Towing/Winching Services, for the Division of Motor Vehicle Maintenance, Department of Public Works, as authorized by Section 131.64 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING FRIDAY, JUNE 13, 2014 AT 11:00 A.M. MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105

File No. 74-14 — Labor and Materials Necessary to Maintain and Repair Heating, Ventilation and Air Conditioning Systems, for the Various Division of Port Control, Department of Port Control, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING FRIDAY, JUNE 13, 2014 AT 10:00 A.M.

CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OH 44135-3193

June 4, 2014 and June 11, 2014

WEDNESDAY, JULY 2, 2014

File No. 75-14 — 2014 Plumbing Supplies & Equipment, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 428-14, passed by the Council of the City of Cleveland, April 14, 2014. THERE WILL BE A NON-MANDATORY PRE-BID MEETING TUESDAY, JUNE 24, 2014 AT 11:00 A.M. CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

File No. 76-14 — 2014 Miscellaneous Sized Steel, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 1501-13, passed by the Council of the City of Cleveland, November 18, 2013.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING TUESDAY, JUNE 24, 2014 AT 11:30 A.M. CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

June 11, 2014 and June 18, 2014

THURSDAY, JULY 3, 2014

File No. 77-14 — Health Center Renovations-Window Replacement McCafferty Health Centers Improvements, for the Division of Architecture and Site Development, Department of Public Works and the Mayor's Office of Capital Projects, as authorized by Ordinance No. 792-13, passed by the Council of the City of Cleveland, May 23, 2013.

*THERE WILL BE A NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF TWENTY FIVE DOLLARS (\$25.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR A MONEY ORDER (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS).

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, JUNE 19, 2014 AT 10:00 A.M. CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 517A, CLEVELAND, OHIO 44114.

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

June 11, 2014 and June 18, 2014

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 393-14.

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

An emergency resolution declaring the intent to vacate a portion of East 38th Place.

Whereas, this Council is satisfied that there is good cause to vacate a portion of East 38th Place, as described; and

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

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

Section 1. That this Council declares its intent to vacate a portion of the following described real property:

A portion of East 38th Place

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a portion of East 38th Place (16.00 feet wide) in the Frederick Kinsman's Re-Allotment of part of Original 100 Acre Lot Numbers 278 and 279 as shown in Volume 3 of Maps, Page 30 of Cuyahoga County Records further described as follows: Being all that portion of East 38th Place (16.00 Feet Wide) extending from the south line of Trumbull Street S.E. (60.00 Feet wide) southerly to its intersection with the Limit Access right of way of Interstate 77.

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

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

Adopted June 2, 2014.
Effective June 4, 2014.

Res. No. 394-14.

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

An emergency resolution declaring the intent to vacate a portion of Hinde Court S.E.

Whereas, this Council is satisfied that there is good cause to vacate a portion of Hinde Court S.E., as described; and

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

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

Section 1. That this Council declares its intent to vacate a portion of the following described real property:

The Vacation of a Portion of Hinde Court S.E.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a portion of Hinde Court S.E. (10.00 feet wide) in the TG. Clewell & T.M. Irvine Re-Allotment of part of Original 100 Acre

Lot Number 322 as shown in Volume 7 of Maps, Page 22 of Cuyahoga County Records further described as follows:

Being all that portion of Hinde Court S.E. (10.00 feet wide) extending from the East line of East 65th Street (60.00 feet wide) to the West line of East 66th Street (50.00 feet wide).

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

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

Adopted June 2, 2014.
Effective June 4, 2014.

Res. No. 758-14.

By Council Member Cimperman.

An emergency resolution withdrawing objection to the renewal of a D2, D2X, D3, D3A and D6 Liquor Permit at 618 Prospect Avenue, and repealing Resolution No. 916-13, objecting to said renewal.

Whereas, this Council objected to the renewal of a D2, D2X, D3, D3A and D6 Liquor Permit to DNA Level C, LLC, 618 Prospect Avenue, Cleveland, Ohio 44115, Permanent Number 2215582 by Resolution No. 916-13, adopted by the Council on July 10, 2013; and

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

Whereas, this resolution constitutes an emergency measure 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 objection to the renewal of a D2, D2X, D3, D3A and D6 Liquor Permit to DNA Level C, LLC, 618 Prospect Avenue, Cleveland, Ohio 44115, be and the same is hereby withdrawn and Resolution No. 916-13, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted June 2, 2014.
Effective June 4, 2014.

Res. No. 759-14.

By Council Member Cleveland.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 2625 East 55th Street, and repealing Resolution No 73-14, objecting to said transfer.

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to R & H Gas, Inc., DBA East 55th Street Shell, 2625 East

55th Street, Cleveland, Ohio 44104, Permanent No. 7148708 by Resolution No. 73-14 adopted by the Council on January 13, 2014; and

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

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

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

Section 1. That objection to the transfer of location of a C1 and C2 Liquor Permit to R & H Gas, Inc., DBA East 55th Street Shell, 2625 East 55th Street, Cleveland, Ohio 44104, Permanent No. 7148708, be and the same is hereby withdrawn and Resolution No. 73-14, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted June 2, 2014.
Effective June 4, 2014.

Res. No. 760-14.

By Council Member Keane.

An emergency resolution withdrawing objection to the renewal of a C1, C2 and D6 Liquor Permit at 4695 Rocky River Drive, and repealing Resolution No. 947-13, objecting to said renewal.

Whereas, this Council objected to the renewal of a C1, D2 and D6 Liquor Permit to Badih, Inc., 4695 Rocky River Drive, Cleveland, Ohio 44135, Permanent Number 0362714 by Resolution No. 947-13, adopted by the Council on July 10, 2013; and

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

Whereas, this resolution constitutes an emergency measure 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 objection to the renewal of a C1, C2 and D6 Liquor Permit to Badih, Inc., 4695 Rocky River Drive, Cleveland, Ohio 44135, Permanent Number 0362714, be and the same is hereby withdrawn and Resolution No. 947-13, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted June 2, 2014.
Effective June 4, 2014.

Res. No. 789-14.

By Council Member Pruitt.

An emergency resolution supporting the City of Cleveland's application for Congestion Mitigation and Air Quality (CMAQ) funds for the Johnson Mill Run Trail project, to the Northeast Ohio Area-wide Coordinating Agency (NOACA) and the Ohio Department of Transportation (ODOT) for funding consideration by the Ohio Association of Regional Councils (OARC).

Whereas, the United States Congress has set aside monies for Congestion Mitigation and Air Quality (CMAQ) projects through the State of Ohio, Department of Transportation (ODOT) and administered by the Northeast Ohio Area-wide Coordinating Agency (NOACA); and

Whereas, Local Public Agencies (LPAs) can apply for these monies and be selected for funding by the Ohio Association of Regional Councils (OARC), who has been charged with management of a statewide CMAQ program by ODOT; and

Whereas, the Johnson Mill Run Trail, an environment-enhancing, off-road, paved, multi-purpose bike and pedestrian shared-use path, is a transportation activity eligible to receive federal CMAQ funding; and

Whereas, if requested funds are granted, the City of Cleveland shall be responsible for at least twenty (20%) percent of the eligible costs; 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 empowers the City of Cleveland, as Contractual Agent and LPA, to prepare and execute an application for CMAQ funds for the Johnson Mill Run Trail project, and to submit same to the NOACA for consideration of funding by OARC.

Section 2. That the total cost of the project is estimated to be \$3,993,801.98, of which the LPA, if awarded the funds, commits to pay at least twenty (20%) percent (hereinafter known as the local portion) of the actual cost, estimated to be \$799,760.40. The local portion shall be funded by the LPA using City of Cleveland general obligation bonds or subordinated income tax bonds. The LPA further agrees to pay One Hundred Percent (100%) of the cost over and above the maximum amount provided by the OARC and for all non-participating costs associated project development activities.

Section 3. Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal laws, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described Project; (3) if necessary, maintain the right-of-way, keeping it free of obstructions; and (4) if necessary, hold said right-of-way inviolate for public highway purposes.

Section 4. If the application is approved for funding, the City of Cleveland, as Contractual Agent and LPA, is hereby empowered to enter into a contract with the Director of

the Ohio Department of Transportation necessary to complete the above described project.

Section 5. 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 June 2, 2014.
Effective June 4, 2014.

Res. No. 790-14.

By Council Members Zone, Cimperman, Cummins, Kelley, Cleveland, Brancatelli, Pruitt, Mitchell, J. Johnson, Conwell, Keane and Polensek.

An emergency resolution declaring June, 2014 Immigrant Heritage Month.

Whereas, generations of immigrants from every corner of the globe have helped to build our country's economy and create the unique character of our nation; and

Whereas, immigrants continue to grow businesses, innovate, strengthen our economy and create jobs for Americans in the United States and here in Cleveland; and

Whereas, immigrants have provided the United States with unique social and cultural influences, fundamentally enriching the extraordinary character of our nation; and

Whereas, immigrants have been tireless leaders, not only in securing their own rights and access to equal opportunity, but also in campaigning to create a more just society for all Americans; and

Whereas, despite these and many other contributions, the role of immigrants in building and enriching our nation has been overlooked and undervalued throughout history, continuing to this day; and

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

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

Section 1. That this Council declares June, 2014 Immigrant Heritage Month.

Section 2. That the Clerk is directed to transmit a copy of this resolution to Global Cleveland, John Petrea of Welcome.us and Clarence Anthony of the National League of Cities.

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 June 2, 2014.
Effective June 4, 2014.

Ord. No. 572-14.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the issuance of bonds by the City for the purpose of refunding a portion of the City's currently outstanding

Public Power System Revenue Bonds for restructuring; authorizing hedge agreements; authorizing a supplemental indenture and certain other documents related thereto; and authorizing and approving related matters.

Whereas, the City of Cleveland, Ohio (the "City"), a municipal corporation and political subdivision in and of the State of Ohio, is authorized and empowered pursuant to Article XVIII of the Constitution of the State of Ohio and the Charter of the City, among other things: (a) to own and operate the public utility hereinafter defined and referred to as "Cleveland Public Power"; (b) to make, from time to time, such additions, extensions, improvements, replacements and alterations to Cleveland Public Power as it may deem advisable; (c) to borrow money for the purpose of providing funds for such additions, extensions, improvements, replacements and alterations and to refund obligations issued for such purpose; (d) to issue its bonds and notes in anticipation thereof, in evidence of money borrowed for such purpose in the manner and on the terms set forth in the Indenture, as hereinafter defined, and to issue Series 2014 Refunding Bonds to refund, in advance or otherwise, such bonds or notes; and (e) to secure any bonds, or notes issued in anticipation thereof, by a pledge of and lien on the Net Revenues, as hereinafter defined, of Cleveland Public Power; and

Whereas, by and pursuant to Ordinance No. 1516-91, duly passed on July 24, 1991 (the "Original Bond Legislation"), this Council authorized the issuance of Public Power System Improvement First Mortgage Revenue Bonds, dated September 1, 1991 in the aggregate principal amount of \$66,930,000 consisting of Series 1991A Bonds in the aggregate amount of \$13,895,000 for the purposes of paying Capital Costs and Series 1991B Bonds in the aggregate amount of \$53,035,000 for the purpose of refunding all of the outstanding revenue bonds that had previously been issued for Cleveland Public Power (collectively herein the "Series 1991 Bonds"), all as defined in the Original Bond Legislation; and

Whereas, the Series 1991 Bonds were issued under and secured on a parity with any Additional Bonds by a Trust Indenture, dated as of September 1, 1991 (the "Original Indenture"), between the City and Star Bank, N.A., Cincinnati, Ohio, as Trustee, now known as U.S. Bank National Association (the "Trustee"); and

Whereas, the Original Bond Legislation provides, in Section 12 thereof, that the City may issue Additional Bonds on a parity with the Series 1991 Bonds for certain purposes including the payment of Capital Costs and the refunding of obligations issued for that purpose; and

Whereas, pursuant to Ordinance No. 1133-93, duly passed on June 7, 1993, this Council authorized the issuance of Additional Bonds, entitled Public Power System First Mortgage Revenue Bonds, Series 1994A (the "Series 1994A Bonds"), in the aggregate principal amount of \$179,775,000, for the purpose of providing funds for Capital Costs and to refund notes issued for such purpose; and

Whereas, pursuant to Ordinance No. 55-94, duly passed on June 6, 1994, this Council authorized the issuance of

Additional Bonds, entitled Public Power System First Mortgage Revenue Bonds, Series 1994B (the "Series 1994B Bonds") in the aggregate principal amount of \$39,330,000, for the purpose of providing funds for the payment of a judgment involving the City and Cleveland Public Power and to refund notes issued for such purposes (the Series 1994A Bonds and the Series 1994B Bonds are hereinafter collectively referred to as the "Series 1994 Bonds"); and

Whereas, pursuant to Ordinance No. 1003-95, duly passed on June 19, 1995, this Council authorized the issuance of Additional Bonds entitled Public Power System First Mortgage Revenue Bonds, Series 1996, Sub-Series 1 (the "Series 1996 Bonds") in the aggregate principal amount of \$123,720,000, for the purpose of providing funds for the refunding of a portion of the Series 1994A Bonds; and

Whereas, pursuant to Ordinance No. 816-98, duly passed on June 8, 1998, this Council authorized the issuance of Additional Bonds entitled Public Power System Revenue Bonds, Series 1998 (the "Series 1998 Bonds") in the aggregate principal amount of \$44,840,000, for the purpose of providing funds for the refunding of a portion of the Series 1991 Bonds and a portion of the Series 1994A Bonds; and

Whereas, further pursuant to Ordinance No. 816-98, this Council authorized the issuance of Additional Bonds entitled Public Power System Refunding Revenue Bonds, Series 2001 (the "Series 2001 Bonds") in the aggregate principal amount of \$41,925,000, for the purpose of providing funds for the current refunding of a portion of the Series 1991 Bonds; and

Whereas, pursuant to Ordinance No. 290-06, duly passed on March 20, 2006, this Council authorized the issuance of Additional Bonds entitled Public Power System Refunding Revenue Bonds, Series 2006A-1 (the "Series 2006A-1 Bonds") in the aggregate principal amount of \$95,265,000, for the purpose of providing funds for the current refunding of a portion of the Series 1996 Bonds; and

Whereas, further pursuant to Ordinance No. 290-06, this Council authorized the issuance of Additional Bonds entitled Public Power System Refunding Revenue Bonds, Series 2006A-2 (the "Series 2006A-2 Bonds") in the aggregate principal amount of \$12,295,000, for the purpose of providing funds for the advance refunding of a portion of the Series 1994A Bonds; and

Whereas, further pursuant to Ordinance No. 290-06, this Council authorized the issuance of Additional Bonds entitled Public Power System Refunding Revenue Bonds, Series 2006B (the "Series 2006B Bonds") in the aggregate principal amount of \$20,325,000, for the purpose of providing funds for the current refunding of a portion of the Series 1996 Bonds (the Series 2006A-1 Bonds, the Series 2006A-2 Bonds and the Series 2006B Bonds are hereinafter collectively referred to as the "Series 2006 Bonds"); and

Whereas, further pursuant to Ordinance No. 290-06, the City entered into the Amended and Restated Trust Indenture (Sixth Supplemental Indenture), dated as of August 17, 2006, amending, supplementing, restating and superseding the Original Indenture as previously amended and supplemented; and

Whereas, pursuant to Ordinance No. 64-08, this Council authorized the issuance of Additional Bonds entitled Public Power System Refunding Revenue Bonds, Series 2008A (the "Series 2008A Bonds") in the aggregate principal amount of \$21,105,000, for the purpose of providing funds for the current refunding of a portion of the Series 2006B Bonds; and

Whereas, pursuant to Ordinance No. 63-08, this Council authorized the issuance of Additional Bonds entitled Public Power System Revenue Bonds, Series 2008B (the "Series 2008B Bonds") in the aggregate principal amount of \$72,607,880.25, for the purpose of providing funds for Capital Costs; and

Whereas, pursuant to Ordinance No. 895-10, this Council amended Ordinance No. 64-08 and authorized the issuance of Additional Bonds entitled Public Power System Refunding Revenue Bonds, Series 2010 (the "Series 2010 Bonds") in the aggregate principal amount of \$23,915,000, for the purpose of providing funds for the current refunding of all of the Series 1998 Bonds; and

Whereas, further pursuant to Ordinance No. 895-10, this Council authorized the issuance of Additional Bonds entitled Public Power System Refunding Revenue Bonds, Series 2012 (the "Series 2012 Bonds") in the aggregate principal amount of \$15,325,000, for the purpose of providing funds for the current refunding of all of the Series 2001 Bonds; and

Whereas, this Council has determined that the City may achieve further benefits by refunding certain Outstanding Bonds through the issuance and sale of Additional Bonds ("Series 2014 Refunding Bonds") and thereby restructuring the Outstanding Bonds to better serve the purposes of Cleveland Public Power and its customers and the process for achieving those benefits may evolve over a period of several years; and

Whereas, this Ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department and providing for the immediate preservation of the public peace, property, health or safety in that authorizing the Series 2014 Refunding Bonds to refund Outstanding Bonds is necessary to enable Cleveland Public Power to take advantage of favorable market conditions on a timely basis to achieve a desirable debt restructuring; now, therefore,

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

Section 1. Definitions. In addition to the words and terms defined in the Amended and Restated Indenture as previously amended and supplemented, which shall have the same meaning herein as therein unless otherwise defined herein or unless the context or use otherwise indicates, the following words and terms as used in this Ordinance, the Indenture and the Series 2014 Refunding Bonds (each as hereinafter defined) shall have the following meanings unless the context or use otherwise indicates. Words importing the singular number shall include the plural number, and vice versa, and the terms "hereof," "herein," "hereby," "hereto," and "hereunder" and similar terms refer to this Series 2014 Refunding Bond Legislation and the Indenture, unless the context otherwise indicates. The use of 2014 in the definition of the Bonds,

Bond Legislation, Certificate of Award and other defined terms shall not be construed to require the issuance of the Series 2014 Refunding Bonds of any series in calendar year 2014. The Director of Finance shall replace 2014 with the calendar year in which the bonds are actually issued and may make further designations in nomenclature as may be appropriate.

"Amended and Restated Indenture" means the Amended and Restated Trust Indenture (Sixth Supplemental Indenture), dated as of August 17, 2006, between the City and the Trustee, supplementing, amending, restating and superseding the Original Indenture as previously amended and supplemented, as the same has been and may further be duly supplemented, amended or modified from time to time in accordance with the provisions thereof.

"Credit Support Instrument" means an insurance policy, surety, letter of credit, standby bond purchase agreement or other credit enhancement, support or liquidity device used to enhance the security or liquidity of any Series 2014 Refunding Bonds or any Hedge Agreements in accordance with the Indenture.

"Financial Advisor" means any financial advisory firm or firms retained by the Director of Finance of the City, from time to time, in connection with the Series 2014 Refunding Bonds or any Hedge Agreement.

"Hedge Agreement" has the meaning given in Section 4 of this Series 2014 Refunding Bond Legislation.

"Indenture" means the Amended and Restated Indenture as amended and supplemented by the Seventh Supplemental Indenture, the Eighth Supplemental Indenture, the Ninth Supplemental Indenture, the Tenth Supplemental Indenture, the Eleventh Supplemental Indenture and the Twelfth Supplemental Indenture, as the same may be further supplemented, amended or modified from time to time in accordance with the provisions thereof.

"Outstanding Bonds" as used in this Ordinance, means Additional Bonds issued and outstanding, from time to time, under the Indenture. On the date of introduction of this Ordinance, the Outstanding Bonds (and the respective principal amounts then currently outstanding including the original principal amount of any outstanding Capital Appreciation Bonds) consisted of the following series of Public Power System Revenue Bonds: Series 2006A (\$107,560,000), Series 2008A (\$21,105,000), Series 2008B (\$70,757,880.25), Series 2010 (\$23,470,000), and Series 2012 (\$9,510,000).

"Refunded Bonds" means those Outstanding Bonds designated in the Series 2014 Refunding Certificate of Award to be refunded from proceeds of the Series 2014 Refunding Bonds.

"Series 2014 Refunding Bond Legislation" means this Ordinance, constituting part of the Twelfth Supplemental Indenture.

"Series 2014 Refunding Bond Purchase Agreement" means one or more Bond Purchase Agreements between the City and the Original Purchaser of the Series 2014 Refunding Bonds, authorized in Section 6 hereof.

"Series 2014 Refunding Certificate of Award" means the one or more certificates authorized pursuant to Section 6 hereof.

"Series 2014 Escrow Agent" means the Trustee, acting as escrow agent under the Series 2014 Escrow Agreement with respect to the Refunded Bonds.

"Series 2014 Escrow Agreement" means the escrow agreement (which may consist of multiple escrow agreements with appropriate distinguishing definitions if the Series 2014 Refunding Bonds are issued in more than one series) between the City and the Series 2014 Escrow Agent authorized pursuant to Section 7 hereof.

"Series 2014 Escrow Fund" means the escrow fund established in the Series 2014 Escrow Agreement.

"Series 2014 Refunding Bonds" means the City's Public Power System Refunding Revenue Bonds Series 2014 authorized pursuant to Section 3 hereof.

"Taxable Bonds" means any Series 2014 Refunding Bonds the interest on which is included in gross income for federal income tax purposes.

"Tax-Exempt Bonds" means Series 2014 Refunding Bonds bearing interest excluded from gross income for federal income tax purposes.

"Twelfth Supplemental Indenture" means the Twelfth Supplemental Indenture (which may consist of more than one Supplemental Indenture with appropriate distinguishing designations if the Series 2014 Bonds are issued in more than one series), provided for in Section 8 hereof between the City and the Trustee, including this Series 2014 Refunding Bond Legislation as part thereof, as the same may be duly supplemented, amended or modified from time to time in accordance with the provisions hereof.

Section 2. Authority. This Series 2014 Refunding Bond Legislation is adopted pursuant to Sections 3, 4 and 12 of Article XVIII of the Constitution of the State, and the City's Charter.

Section 3. Authorization of Series 2014 Refunding Bonds. This Council finds and determines it is necessary and proper and in the best interest of the City to authorize the issuance of the Series 2014 Refunding Bonds for the purpose of refunding one or more series of the Outstanding Bonds, or designated maturities thereof, for the purpose of restructuring the debt service on Outstanding Bonds in a manner that the Director of Finance determines, based on the written advice of a Financial Advisor, to serve the City's best interests. The Series 2014 Refunding Bonds may be issued in one or more separate series so long as the one or more series issued in the aggregate meet the requirements of the preceding sentence. The principal amount of each series of Series 2014 Refunding Bonds is to be the amount set forth in the Series 2014 Refunding Certificate of Award authorized in Section 6 and shall be the amount determined by the Director of Finance, based on the written advice of a Financial Advisor, to be necessary (i) to refund the Refunded Bonds, (ii) to fund any deposit to the Bond Service Reserve Fund or the Renewal and Replacement Fund required under the Indenture, (iv) to pay costs of any Credit Support Instruments, (v) to pay identified amounts owed under any Hedge Agreements, and (vi) to pay costs of issuing the Series 2014 Refunding Bonds and refunding the Refunded Bonds. The proceeds from the sale of each series of Series 2014 Refunding Bonds shall be allocated, deposited

and applied as provided in Section 7 of this Ordinance.

The Series 2014 Refunding Bonds may be issued in one or more separate series, each bearing a distinctive designation, provided that the Series 2014 Refunding Bonds of each series satisfy the requirements of this Series 2014 Refunding Bond Legislation and the Indenture. Separate series of Series 2014 Refunding Bonds may be issued at the same or different times. The Series 2014 Refunding Bonds of each series shall be designated as provided in the applicable Certificate of Award (including replacing references to 2014 to the calendar year in which the obligations are issued). A separate Certificate of Award and a separate Supplemental Indenture may be delivered for each series. Costs of issuance of the Series 2014 Refunding Bonds and any required deposit to the Bond Service Reserve Fund attributable to the Series 2014 Refunding Bonds shall, in each case, be included in the costs funded from the proceeds of the Series 2014 Refunding Bonds. The Series 2014 Refunding Bonds shall constitute Bonds for all purposes of the Indenture.

This Council finds and determines that the issuance of the Series 2014 Refunding Bonds to restructure Outstanding Bonds serves a proper, public, municipal purpose by reducing the cost at which Cleveland Public Power can provide electric power.

Section 4. Authorization of Hedging Arrangements. This Council finds that by engaging in interest rate hedging arrangements from time to time, the City may reduce its cost of borrowing by optimizing the relative amounts of fixed and variable rate obligations and minimizing the risk of variations in its debt service costs. Certain types of hedging arrangements (referred to in this Series 2014 Refunding Bond Legislation as "swaptions") may enable the City to obtain savings prior to the issuance of Series 2014 Refunding Bonds by providing for an upfront payment to the City by a financial institution or other organization that is the counterparty to the hedge arrangement in consideration of the City's giving the counterparty the option to make effective at a future date an interest rate exchange transaction with the City. To permit the City to have the flexibility to undertake interest rate swap, swaption, rate cap, rate collar and other hedging transactions from time to time, and to establish the procedures for approving those transactions, this Council authorizes the signing and delivery of one or more agreements (each, a "Hedge Agreement") and any related agreements necessary for the consummation of the transactions contemplated by each Hedge Agreement. The authorizations in this Section are supplemental to and not in derogation of any authority provided by any other ordinance of this Council concerning hedging arrangements, and are all subject to the requirements and restrictions of the Indenture.

Upon the determination of the Director of Finance, based on the written advice of a Financial Advisor, that it is to the financial advantage of the City and in the City's best interests that a hedging arrangement be undertaken by the City with respect to any Bonds issued or to be issued under the Indenture, the Director of Finance may authorize one or more

interest rate hedge transactions in accordance with the applicable Hedge Agreement; provided that (a) the counterparty shall be rated at the time of signing the Hedge Agreement not lower than A+ or A1 by at least one rating agency or its obligations under the Hedge Agreement shall be guaranteed or insured by an entity rated at the time of signing the Hedge Agreement not lower than A+ or A1 by at least one rating agency, and (b) the term of each hedge transaction shall not exceed the final maturity of the Bonds to which the hedge relates or (in the case of an option) will relate. The requirements of this paragraph are in addition to, and not in place or in derogation of, any other applicable requirements of the Indenture.

The Director of Finance shall negotiate the terms of each Hedge Agreement with a counterparty satisfying the credit criteria in this Series 2014 Refunding Bond Legislation and the Indenture. The City shall receive a written opinion of a Financial Advisor that the upfront payment or the periodic payments, as the case may be, to be made by the counterparty to the City, or by the City to the counterparty, shall be fair value for the Hedge Agreement, given the credit of the counterparty and the terms and conditions of the Hedge Agreement. The Director of Finance shall determine the terms and conditions of the Hedge Agreement, including without limitation, the time or times and procedures for the exercise by the counterparty or the City, as the case may be, of its option under the Hedge Agreement, whether the obligations of the City under the Hedge Agreement shall be secured by a Credit Support Instrument, and the rates to be paid by the counterparty to the City and by the City to the counterparty under the Hedge Agreement in the event of the exercise of the option. The approval of each interest rate hedge transaction by the Director of Finance shall be conclusively evidenced by the signing and delivery of the applicable Hedge Agreement by the Director of Finance.

The City's obligations under any Hedge Agreement shall be payable from the Net Revenues and the Pledged Funds as permitted by the Indenture, and may be payable also from other funds permitted by law to be used for the purpose, as identified by the Director of Finance in the Hedge Agreement. Those payments may be secured by a pledge of the Net Revenues and the Pledged Funds to the extent permitted by the Indenture, all as determined by the Director of Finance and set forth in the Hedge Agreement. The obligation of the City to make payments under any Hedge Agreement does not and shall not represent or constitute a general obligation, debt, bonded indebtedness or a pledge of the faith and credit of the City or the State of Ohio. Nothing gives any party to any Hedge Agreement the right to have excises, ad valorem or other taxes levied by the City or the State of Ohio for the payment of any amounts due under any Hedge Agreement.

Section 5. Terms of Series 2014 Refunding Bonds. The Series 2014 Refunding Bonds shall contain the terms provided in or determined pursuant to, the Indenture, this Series 2014 Refunding Bond Legislation, the Series 2014 Refunding Certificate of

Award and the Twelfth Supplemental Indenture. Each series of Series 2014 Refunding Bonds may be secured by a separate Supplemental Indenture, or a single Supplemental Indenture may secure more than one series of Series 2014 Refunding Bonds, and the authorization in this Series 2014 Refunding Bond Legislation for the Twelfth Supplemental Indenture shall encompass the authorization for those one or more Supplemental Indentures, regardless of their designation.

(a) General. In the event that the Director of Finance, based on the written advice of a Financial Advisor, determines that the City's best interests will be served by causing a series of Series 2014 Refunding Bonds to be Variable Rate Bonds, then the Director of Finance is authorized to so specify in the Series 2014 Refunding Certificate of Award. If the Director of Finance so determines, then the method and procedure by which the variable rate of interest to be borne by the Series 2014 Refunding Bonds of that series shall be determined as provided in the Twelfth Supplemental Indenture, whether by reference to a market index, by a remarketing agent or otherwise, provided that no series of variable rate Series 2014 Refunding Bonds shall bear interest at a rate in excess of twenty-five percent (25%) per year (including any Series 2014 Refunding Bonds held by a provider of a Credit Support Instrument). The Director of Finance may determine that the terms of a variable rate series of Series 2014 Refunding Bonds may or may not permit the holders to tender their variable rate Series 2014 Refunding Bonds for purchase by the City. If the Director of Finance designates any series of Series 2014 Refunding Bonds as Variable Rate Bonds, and if the Holders of that series of Series 2014 Refunding Bonds are to be entitled to tender those Series 2014 Refunding Bonds for purchase, then the Director of Finance shall also designate for those variable rate Series 2014 Refunding Bonds (and may designate others, from time to time, in substitution therefor) the tender agent or agents and the remarketing agent or agents, which designations shall be based on the determination of the Director of Finance, based on the written advice of a Financial Advisor, that the parties so designated possess the requisite resources and experience to provide the services required of them and that the terms on which the designated parties have agreed to provide such services are fair and commercially reasonable. The Director of Finance is authorized to enter into agreements in connection with the delivery of the Series 2014 Refunding Bonds, and from time to time thereafter so long as the Series 2014 Refunding Bonds are outstanding, with providers of Credit Support Instruments, tender agents (which may be the Trustee), remarketing agents (which may be any of the Original Purchasers) and others as may be determined by the Director of Finance to be necessary or appropriate to provide for the method of determining the variable interest rates, permitting holders the right of tender and providing for payment of the purchase price of, or debt service on, the variable rate Series 2014 Refunding Bonds.

The Director of Finance, in connection with the original issuance of any series of Series 2014 Refunding

Bonds, and regardless of whether that series of Series 2014 Refunding Bonds bears interest at variable or fixed rates, is authorized to contract for a Credit Support Instrument, and to pay the costs of it from proceeds of the Series 2014 Refunding Bonds, if the Director determines, based on the written advice of a Financial Advisor, that the Credit Support Instrument will result in a savings in the cost of the financing to the City.

In the event that the Director of Finance, based on the written advice of a Financial Advisor, determines that the City's best interests will be served by causing a series of Series 2014 Refunding Bonds to be Capital Appreciation Bonds, then the Director of Finance is authorized to so specify in the Series 2014 Refunding Certificate of Award. If the Director of Finance so determines, then the authorizations and limitations in this Section 5 and Section 6 shall be interpreted and applied in a manner that the Director of Finance determines to be consistent with the character of Capital Appreciation Bonds.

(b) Form; Exchange and Transfer. All Series 2014 Refunding Bonds shall be issued in fully registered form. The Series 2014 Refunding Bonds initially shall be delivered only in book-entry form, shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository, and shall not be transferable or exchangeable (except for transfer to another Depository or its nominee) without further action by the City pursuant to the provisions of the Twelfth Supplemental Indenture. No Series 2014 Refunding Bonds shall be exchanged for or transferable into a coupon Revenue Bond or Bonds except to the extent that the Indenture permits such exchanges or transfers.

If any Depository determines not to continue to act as a Depository for the Series 2014 Refunding Bonds of any series for use in a book entry system, the Director of Finance and the Trustee may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Director of Finance and the Trustee do not or are unable to do so, the Director of Finance and the Trustee, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Series 2014 Refunding Bonds of any series from the Depository, and authenticate and deliver registered Bond certificates to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of action or inaction of the City, of those persons requesting such issuance.

The Director of Finance is authorized to enter into any agreements determined by the Director to be necessary in connection with the book entry system for the Series 2014 Refunding Bonds, after determining that those agreements will not endanger the funds or securities of the City under the Indenture (as evidenced by the Director's signing of those agreements).

(c) Dates; Denominations. The Series 2014 Refunding Bonds of each series shall be dated as of the date or dates provided in the Series 2014

Refunding Certificate of Award for that series. The Series 2014 Refunding Bonds of each series shall be issued in the denominations permitted in the Twelfth Supplemental Indenture.

(d) Interest and Place of Payment. The Series 2014 Refunding Bonds of each series shall bear interest at their respective interest rates specified in the Series 2014 Refunding Certificate of Award (or, in the case of variable rate Series 2014 Refunding Bonds, determined pursuant to the Twelfth Supplemental Indenture) for that series. The Series 2014 Refunding Bonds of each series shall bear interest from the most recent date to which interest has been paid or duly provided for or, if no interest has been paid or duly provided for, from their date. The principal and any redemption premium and the interest payable on each series of Series 2014 Refunding Bonds shall be payable at the times, to the persons and in the manner set forth in, or referenced by, the Supplemental Indenture, including, without limitation, provisions thereof permitting special arrangements for payments to the Depository.

(e) Maturities. The Series 2014 Refunding Bonds of each series shall mature on the Principal Retirement Dates and in accordance with the Principal Retirement Schedule specified in the Series 2014 Refunding Certificate of Award, consistent with this Series 2014 Refunding Bond Legislation and the Indenture and subject to any provisions for their optional or mandatory redemption specified in the Series 2014 Refunding Certificate of Award pursuant to this Series 2014 Refunding Bond Legislation.

(f) Optional and Mandatory Redemption. The Series 2014 Refunding Bonds of each series may be subject to redemption prior to maturity at the option of the City, if and to the extent so provided in the Series 2014 Refunding Certificate of Award for that series. Any Series 2014 Refunding Bonds so determined to be subject to optional redemption and maturing by their stated terms after the earliest optional redemption date shall be subject to redemption at the option of the City on or after the earliest optional redemption date in whole or in part on any date at the redemption prices provided in the Series 2014 Refunding Certificate of Award and in accordance with the Indenture. The Series 2014 Refunding Bonds designated in the Series 2014 Certificate of Award as Term Bonds subject to mandatory sinking fund redemption shall be redeemed prior to maturity on each Mandatory Redemption Date designated in the Series 2014 Refunding Certificate of Award in the aggregate amount of the Mandatory Sinking Fund Installment to be paid on such Mandatory Redemption Date, all as provided in the Series 2014 Refunding Certificate of Award and in accordance with the Indenture.

(g) Signing. The Series 2014 Refunding Bonds shall be signed by the Mayor and the Director of Finance, and approved as to form by the Director of Law. Any or all of the signatures of those officials may be facsimiles. The Series 2014 Refunding Bonds shall bear the corporate seal of the City or a facsimile thereof.

(h) Numbering. The Series 2014 Refunding Bonds shall be numbered as determined by the Director of Finance.

Section 6. Award and Sale of Series 2014 Refunding Bonds. The Director of Finance is authorized to sign and deliver a Series 2014 Refunding Certificate of Award for the Series 2014 Refunding Bonds. In the event the Series 2014 Refunding Bonds are issued in more than one series sold at different times, a separate Series 2014 Refunding Certificate of Award shall be signed and delivered for each separately delivered series. Each series of Series 2014 Refunding Bonds shall bear such designation as the Director of Finance determines to be appropriate (including, without limitation, changing 2014 to the year in which the series is issued). The sale of the Series 2014 Refunding Bonds shall be awarded to the firm or firms (collectively, the "Original Purchaser") identified in the Certificate of Award, following consultation with the Director of Public Utilities and the Director of Finance. Each Series 2014 Refunding Certificate of Award shall determine the following, based on the written advice of a Financial Advisor, consistent with this Series 2014 Refunding Bond Legislation and the Indenture:

(a) the aggregate principal amount of Series 2014 Refunding Bonds issued;

(b) the Purchase Price to be paid to the City by the Original Purchaser, which amount shall be not less than: (i) 97% of the amount determined by adding to the aggregate principal amount of the Series 2014 Refunding Bonds any aggregate original issue premium and subtracting from that amount any aggregate original issue discount, plus (ii) any accrued interest on the Series 2014 Refunding Bonds from their date to the date of their delivery to the Original Purchaser;

(c) whether any Series 2014 Refunding Bonds are to be subject to optional redemption prior to maturity, and, if so, the earliest optional redemption date for those Series 2014 Refunding Bonds that are subject to prior redemption, which shall be not later than ten years from the first interest payment date of the applicable series, and the applicable Optional Redemption Price, which shall be not greater than 102% of the principal amount redeemed;

(d) the Principal Retirement Dates, the Term Maturity Dates (if any), and the Mandatory Redemption Dates (if any) on which principal of the Series 2014 Refunding Bonds is to be paid, which shall be not later than thirty-one (31) years from their respective dates of issuance;

(e) whether the Series 2014 Refunding Bonds are Tax-Exempt Bonds or Taxable Bonds;

(f) the specified interest rates to be borne by Series 2014 Refunding Bonds bearing interest at a fixed rate, the weighted average of which shall not exceed seven percent (7%) as to Series 2014 Refunding Bonds of any series that are Tax-Exempt Bonds, or nine percent (9%) as to Series 2014 Refunding Bonds of any series that are Taxable Bonds, or the method by which the interest rate is to be determined for Series 2014 Refunding Bonds bearing interest at variable rates, consistent with Section 6 (Series 2014 Refunding Bonds of the same series and same maturity may bear interest at different interest rates);

(g) the particular Outstanding Bonds or portions thereof to be Refunded Bonds;

(h) the title and series designation for the Series 2014 Refunding Bonds;

(i) the amount, if any, of proceeds of the sale of the Series 2014 Refunding Bonds to be deposited in the Bond Service Reserve Fund in order to cause the balance therein to equal the Bond Reserve Requirement, if and to the extent required by the Amended and Restated Indenture, and any determination as to whether there shall be a special reserve fund for the Series 2014 Refunding Bonds of any series, separate from the common Bond Service Reserve Fund, or a Credit Facility from a Qualified Credit Facility Provider, or any other instrument in lieu of a funded reserve fund, all as may be permitted by the Indenture;

(j) the Paying Agent; and

(k) whether any Series 2014 Refunding Bonds are to be secured by or payable from a Credit Support Instrument.

It is determined that the terms of the Series 2014 Refunding Bonds as so determined and specified in the Series 2014 Refunding Certificate of Award within the limitations set forth in this Series 2014 Refunding Bond Legislation and as permitted or required by the Indenture will be in the best interest of the City and consistent with all legal requirements.

The Director of Finance is authorized to enter into one or more Series 2014 Refunding Bond Purchase Agreements with the Original Purchaser of Series 2014 Refunding Bonds setting forth the conditions for delivery of the Series 2014 Refunding Bonds that are consistent with this Series 2014 Refunding Bond Legislation, the Series 2014 Refunding Certificate of Award, and the Indenture and that are determined by the Director of Finance, based on the written advice of a Financial Advisor, to be customary for comparable revenue bonds issued by governmental entities, including, without limitation, representations as to the accuracy and completeness of information contained in the Official Statement of the City described in Section 11.

Section 7. Allocation of Purchase Price for the Series 2014 Refunding Bonds; Refunding of Refunded Bonds; Escrow Agreements. The net proceeds from the sale of the Series 2014 Refunding Bonds (consisting of the Purchase Price less bond insurance premiums and other costs of Credit Support Instruments) shall be received and receipted for by the Director of Finance or by the Trustee on the City's behalf and shall be allocated, deposited and credited as follows, all pursuant to and in accordance with the Indenture: (a) to the Interest Payment Account in the Bond Service Fund, that portion, if any, representing accrued interest on the Series 2014 Refunding Bonds from their date to the date of their delivery; (b) to the Bond Service Reserve Fund, the amount, if any, necessary to cause the balance therein to equal the Bond Reserve Requirement; (c) to the Renewal and Replacement Fund, the amount, if any, necessary to cause the balance therein to equal the Renewal and Replacement Fund Required Balance; (d) to the Series 2014 Escrow Fund, the amount necessary to provide for the defeasance of the Refunded Bonds; (e) to the counterparty under any Hedge Agreement, any payment determined by the Director

of Finance to be paid from the proceeds of the Refunding Bonds, including any termination payment in the event that the Director of Finance determines it is in the best interests of the City to terminate a Hedge Agreement relating to Outstanding Bonds; and (f) to an account to be created under the Indenture for the payment of costs of issuance, such amounts as are needed to pay costs of issuing the Series 2014 Refunding Bonds and refunding the Refunded Bonds. The proceeds from the sale of the Series 2014 Refunding Bonds are appropriated and shall be used for the purposes for which the Series 2014 Refunding Bonds are issued as provided in this Series 2014 Refunding Bond Legislation.

The Director of Finance is authorized to sign and deliver, in the name and on behalf of the City, a Series 2014 Escrow Agreement between the City and the Trustee, as Series 2014 Escrow Agent, providing for, among other matters: the investment and holding in escrow of the proceeds of the Series 2014 Refunding Bonds to be applied to the refunding of the Refunded Bonds; the application of the moneys derived from those investments to the payment of the Bond Service Charges on those Refunded Bonds; and the irrevocable call for redemption of the Refunded Bonds to be called for redemption prior to maturity. The Director of Finance shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Series 2014 Escrow Agreement from proceeds of the Series 2014 Refunding Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose. Provision shall be made in the Series 2014 Escrow Agreement to give the Trustee any written notice of redemption required under Article III of the Original Indenture. The Director of Finance, the Director of Public Utilities and other appropriate City officials shall sign all documents and take all other actions necessary or appropriate on the part of the City to effect such refunding in accordance with the Indenture and to cause the Refunded Bonds to be deemed paid and discharged, including without limitation, the retention of an independent firm of accountants to verify the mathematical accuracy of the calculations relating to the escrow.

Section 8. Twelfth Supplemental Indenture. In order to secure the payment of Bond Service Charges as and when due and payable, the Director of Finance and the Director of Public Utilities are hereby authorized, in the name and on behalf of the City, to make, execute, acknowledge and deliver to the Trustee, a Twelfth Supplemental Indenture, approved as to form and correctness by the Director of Law, not inconsistent with this Series 2014 Refunding Bond Legislation, the Series 2014 Refunding Certificate of Award and the Indenture and not substantially adverse to the City as may be approved by the officers executing the same on behalf of the City. The determination by such officers that the Twelfth Supplemental Indenture is not substantially adverse to the City shall be conclusively evidenced by the execution of the Twelfth Supplemental Indenture by such officers. This Series 2014 Refunding Bond Legislation shall

constitute a part of the Twelfth Supplemental Indenture as therein provided and for all purposes thereof, including, without limitation, the application to this Series 2014 Refunding Bond Legislation of the provisions of the Twelfth Supplemental Indenture relating to amendment, modification, supplementation and severability.

Section 9. Tax Covenants. With respect to Series 2014 Refunding Bonds that are to be issued and sold as Tax-Exempt Bonds, the City covenants that it will use, and will restrict the use and investment of, the proceeds of the Tax-Exempt Bonds in such manner and to such extent as may be necessary so that (a) the interest on the Tax-Exempt Bonds will be excluded from gross income for federal income tax purposes, and (b) in the case of any Tax-Exempt Bonds qualifying as bonds, the interest on which is not treated as an item of tax preference under Section 57 of the Code ("Non-AMT Bonds"), such Tax-Exempt Bonds will be treated as Non-AMT Bonds.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Tax-Exempt Bonds to be and to remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Tax-Exempt Bonds to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Director of Finance, or any other officer of the City having responsibility for issuance of the Tax-Exempt Bonds, is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the City with respect to the Tax-Exempt Bonds as the City is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in Section 148(f)(4)(C) of the Code or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting the favorable tax treatment or status of the Tax-Exempt Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments of penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross

income and the intended tax status of the Tax-Exempt Bonds, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Tax-Exempt Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Tax-Exempt Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Tax-Exempt Bonds.

Each covenant made in this Section 9 with respect to the Tax-Exempt Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Tax-Exempt Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Tax-Exempt Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Tax-Exempt Bonds.

Section 10. Additional Documents. The Director of Finance, the Director of Public Utilities and other City officials, as appropriate, are authorized to sign and deliver such instruments, certificates and documents as are necessary or appropriate to consummate the transactions authorized by this Series 2014 Refunding Bond Legislation, the Series 2014 Refunding Bond Purchase Agreement, the Twelfth Supplemental Indenture, the Indenture, the Series 2014 Escrow Agreement and any Hedge Agreements.

The Director of Finance, the Director of Public Utilities, the Director of Law and other City officials, as appropriate, are authorized to make the necessary arrangements on behalf of the City to establish the date, location, procedure and conditions for the delivery of each series of Series 2014 Refunding Bonds to the Original Purchaser and to take all actions necessary to effect due signing, authentication and delivery of each series of Series 2014 Refunding Bonds under the terms of this Series 2014 Refunding Bond Legislation, the Twelfth Supplemental Indenture, the Series 2014 Refunding Bond Purchase Agreement and the Indenture. The Clerk of Council or other appropriate official of the City shall furnish the Original Purchaser a true transcript of proceedings certified by the Clerk or other official, of all proceedings had with reference to the issuance of the Series 2014 Refunding Bonds along with such information for the records as is necessary to determine the regularity and validity of the issuance of the Series 2014 Refunding Bonds.

Section 11. Official Statements; Continuing Disclosure. The Director of Finance, the Director of Public Utilities and other City officials as deemed appropriate, are each authorized, on behalf of the City and in their official capacities, to (i) prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, disclosure documents in the form of a preliminary official statement relating to the issuance of the Series 2014 Refunding Bonds of one or more series, and (ii) determine, and certify

or otherwise represent, when each preliminary official statement as so prepared is a "deemed final" official statement (except for permitted omissions) by the City as of its date for purposes of Securities and Exchange Commission ("SEC") Rule 15c2-12(b)(1). The distribution and use of one or more preliminary official statements are hereby authorized and approved.

Those officers and each of them are also authorized, on behalf of the City and in their official capacities, to complete each preliminary official statement with such modifications, changes and supplements as those officers shall approve or authorize for the purpose of preparing and determining, and to certify or otherwise represent, that the official statement as so revised is a final official statement for purposes of SEC Rule 15c2-12(b)(3) and (4). Those officers each are further authorized to use and distribute, or authorize the use and distribution of, one or more final official statements and supplements thereto in connection with the original issuance of the Series 2014 Refunding Bonds as may, in their judgment, be necessary or appropriate. Those officers each are further authorized to sign and deliver, on behalf of the City and in their official capacities, each final official statement and such certificates in connection with the accuracy of each preliminary official statement and each final official statement and any amendments thereto as may, in their judgment, also be necessary or appropriate. The Director of Finance is authorized to contract for services for the production and distribution of preliminary and final official statements, including by printed and electronic means.

For the benefit of the holders and beneficial owners from time to time of the Series 2014 Refunding Bonds, the City agrees, in accordance with, and as an obligated person with respect to the Series 2014 Refunding Bonds under, SEC Rule 15c2-12, to provide or cause to be provided such financial information and operating data and notices, in such manner, as may be required for purposes of SEC Rule 15c2-12. In order to describe and specify certain terms of the City's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Director of Finance is authorized to prepare, or cause to be prepared, and to sign and deliver, in the name and on behalf of the City, a continuing disclosure agreement or certificate, which shall constitute the continuing disclosure agreement made by the City for the benefit of the holders and beneficial owners of the Series 2014 Refunding Bonds in accordance with SEC Rule 15c2-12. The performance of that agreement shall be subject to the availability of funds and their annual appropriation to meet costs the City would be required to incur to perform it.

Section 12. Lien of Pledge. The Net Revenues are subject to the lien of the pledge under the Indenture without any physical delivery of the Net Revenues or further act, and the lien of such pledge is valid and binding against all parties having claims of any kind against the City (irrespective of whether such parties have notice of such pledge and create a perfected security interest for all purposes of Chapter 1309, Ohio Revised

Code) without the necessity for separation of delivery of the Net Revenues or for the filing or recording of the Indenture or any other resolution or instrument by which such pledge is created or any certificate, statement or other document with respect to such pledge. The pledge of the Net Revenues under the Indenture shall be effective and the money therefrom and thereof may be applied to the purposes for which pledged without necessity for any further act of appropriation.

Section 13. Financial Advisors and Consultants. The Director of Finance may obtain the services of one or more Financial Advisors, from time to time, to assist the Director of Finance in making any of the determinations required by this Series 2014 Refunding Bond Legislation to be determined by the Director of Finance or to negotiate any Hedge Agreements. The Director of Finance may rely on the written advice of any Financial Advisor so retained. The Director of Public Utilities and Director of Finance may obtain the services of one or more feasibility consultants, from time to time, to provide reports in connection with the issuance and sale of any Series 2014 Refunding Bonds or the delivery of any Hedge Agreements concerning the utilization and operation of Cleveland Public Power, debt service coverage, rates and charges or other matters. Any Financial Advisor or consultant employed under the authority of this Series 2014 Refunding Bond Legislation shall be disinterested in the transaction and be independent of the underwriters or counterparties and any other party interested in the transaction.

Section 14. Appointment of Successor Trustee. The Director of Finance is hereby authorized to appoint a successor Trustee on behalf of the City in the event that the current Trustee shall resign or be removed, or be dissolved or otherwise become incapable of acting as Trustee under the Indenture, or in case it shall be taken under the control of any public officer or officers or of a receiver appointed by a court, in accordance with the provisions of Section 6.08 of the Original Indenture.

Section 15. Open Meeting Determination. It is found and determined that all formal actions of the Council concerning and relating to the adoption of this Series 2014 Refunding Bond Legislation were adopted in an open meeting of the Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all applicable legal requirements.

Section 16. Separability. Each section of this Series 2014 Refunding Bond Legislation and each subdivision of any section is declared to be independent, and the finding or holding of any section or subdivision of any section to be invalid or void shall not be deemed or held to affect the validity of any other section or subdivision of this Series 2014 Refunding Bond Legislation.

Section 17. Recitals. It is determined and recited that all acts, conditions and things necessary to be done precedent to and in the issuing of the Series 2014 Refunding Bonds in order to make the same legal, valid and binding special obligations issued by

the City of Cleveland, Ohio will have happened, been done and performed or will happen, be done and performed in regular and due form as required by law; and that no limitation of indebtedness or taxation, either statutory or constitutional, is applicable to the issuance of the Series 2014 Refunding Bonds.

Section 18. Effectiveness. This Ordinance shall remain in effect for the authorization of Series 2014 Refunding Bonds issued hereunder for three years from its date of adoption.

Section 19. Emergency. This Ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed May 19, 2014.

Effective May 20, 2014.

Ord. No. 300-14.
By Council Members Zone and Kelley (by departmental request).
An emergency ordinance authorizing the Chief of Police, with concurrence of the Director of Public Safety, to enter into an agreement with University Hospitals Health System to exercise the authority permitted under division (D) of Section 4973.17 of the Revised Code; to set forth standards and criteria governing interaction and cooperation between police officers for the hospital and officers in the Cleveland Division of Police; and, to permit certain UHHS Police services within such areas of the City as may be authorized by the City's Chief of Police.

Whereas, division (D) of Section 4973.17 of the Revised Code authorizes the Secretary of State, upon application of a hospital that is operated by a public or nonprofit hospital agency that employs and maintains its own proprietary police department or security department, to appoint and commission persons designated by the hospital to act as police officers for the hospital; and

Whereas, the persons appointed as police officers for a hospital shall not engage in any duties or activities as police officers for the hospital unless requirements set forth in division (D) of Section 4973.17 of the Revised Code are met; and

Whereas, the statute requires that the chief of police of the municipal corporation the hospital is located in grant approval to the hospital to permit the appointed officers to engage in police duties and activities; and requires that the hospital enter into a written agreement with the chief of police of the municipal corporation to set forth certain standards and criteria governing interaction and cooperation between the hospital and municipal police departments; and

Whereas, under division (D) of Section 4973.17 of the Revised Code the chief of police may grant approval for the hospital's police to act as a police officers outside hospital property in the municipal corporation when engaging directly in the discharge of the person's duties as police officers for the hospital.

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 Chief of Police, with concurrence of the Director of Public Safety, is authorized to enter into an agreement with University Hospitals Health System ("UHHS") pursuant to Division (D) of 4973.17 of the Ohio Revised Code to permit UHHS police officers meeting the criteria under Division (D) to exercise the authority permitted under that Section; to set forth the standards and criteria to govern the interaction and cooperation between police officers for UHHS and officers in the Cleveland Division of Police; and, within the limits set by the City's Chief of Police, to permit UHHS police officers to act as police officers outside UHHS property within the municipal corporation when engaging directly in the discharge of their duties as police officers for UHHS.

Section 2. That the agreement may contain a provision that it may be amended from time to time as the Chief of Police with concurrence of the Director of Public Safety, and UHHS deem necessary.

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

Passed June 2, 2014.

Effective June 4, 2014.

Ord. No. 358-14.
By Council Members K. Johnson and Brancatelli (by departmental request).

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to Downtown Cleveland Alliance to encroach into the public right-of-way of Huron Road by installing, using, and maintaining the Huron Road Plaza.

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

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

Section 1. That the Director of Capital Projects is authorized to issue a permit, revocable at the will of Council, to Downtown Cleveland Alliance ("Permittee"), to encroach into the public right-of-way of Huron Road by installing, using, and maintaining the Huron Road Plaza including, but not limited to planting beds, benches, tables and chairs, a flag pole, bike racks and public art, lighting and waste and recycling receptacles on and within the Huron Road Plaza at the following location:

HURON PLAZA PERMIT AREA
 Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a parcel of land lying within the right of way of Huron Road S.E. (99 feet wide) and being adjacent to the southeasterly

line of lands conveyed to the Cleveland-Cuyahoga County Port Authority by deed recorded in AFN #201304020463 of Cuyahoga County Records, and adjacent to the southeasterly line of lands conveyed to Howell Building, LLC by deed recorded in AFN #200105250575 of Cuyahoga County Records and being more particularly described as follows:

Beginning at the intersection of the northwesterly line of Huron Road S.E. (99 feet wide) and the northeasterly line of East 9th Street (99 feet wide), said point being witnessed by a drill hole found South 32 degrees, 23 minutes East, 1.43 feet therefrom and the PRINCIPAL PLACE OF BEGINNING for the parcel described herein:

Course 1)

Thence along the northwesterly line of Huron Road S.E., North 64 degrees, 08 minutes, 11 seconds East a distance of 240.00 feet to a point;

Course 2)

Thence South 25 degrees, 51 minutes, 49 seconds East a distance of 29.37 feet to the northwesterly curb of Huron Road S.E.;

Course 3)

Thence following said curb southerly to its intersection with the northerly curb of Prospect Avenue;

Course 4)

Thence following said curb westerly to a point located 49.50 feet north-easterly from the centerline of East 9th Street;

Course 5)

Thence along a line parallel to the centerline of East 9th Street, North 25 degrees, 37 minutes, 22 seconds West a distance of 29.36 feet to the Principal Place of Beginning as described by Christopher J. Dempsey, Professional Surveyor No. 6914, Dempsey Surveying Company on January 29, 2014. Legal Description approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section.

Section 2. That Permittee may assign the permit only with the prior written consent of the Director of the Mayor's Office of Capital Projects. That the encroaching structure(s) permitted by this ordinance shall conform to plans and specifications first approved by the Manager of Engineering and Construction. That Permittee shall obtain all other required permits, including but not limited to Building Permits, before installing the encroachment(s).

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

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

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

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

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 362-14.

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 2014-15 Cities Readiness Initiative Program; authorizing one or more contracts with the Cuyahoga County Board of Health; and authorizing the purchase or lease of television and radio advertising time and other media.

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

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

Section 1. That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$514,278, and any other funds that may become available during the grant term from the Ohio Department of Health to conduct the 2014-15 Cities Readiness Initiative ("CRI") Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

Section 2. That the summary for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 362-14-A, is made a part of this ordinance as if fully rewritten, is approved in all respects, and shall not be changed without additional legislative authority.

Section 3. That the Director of Public Health shall have the authority to extend the term of the grant during the grant term.

Section 4. That the Director of Public Health shall deposit the grant accepted under this ordinance into a fund or funds designated by the Director of Finance to implement the program as described in the file and appropriated for that purpose.

Section 5. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Health may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process. The contracts will be paid from the fund or funds to which are credited any grant funds accepted under this ordinance.

Section 6. That the Director of Public Health is authorized to enter into one or more contracts with the Cuyahoga County Board of Health to implement the grant as described in the file.

Section 7. That the Director of Public Health is authorized to make one or more written contracts under the Charter and the Codified Ordinances

of Cleveland, Ohio, 1976, for the purchase or lease, during the grant term, of television and radio advertising time and other media, for the Department of Public Health.

Section 8. That the costs of the contract or contracts authorized by this ordinance shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance.

Section 9. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 388-14.

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

An emergency ordinance to change the name of a portion of Bulkley Boulevard, aka Cleveland Memorial Shoreway West to Edgewater Parkway.

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

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

Section 1. That, notwithstanding and as an exception to the Codified Ordinances of Cleveland, Ohio, 1976, the name of a portion of Bulkley Boulevard, aka Cleveland Memorial Shoreway West shall be changed to Edgewater Parkway, limits further described as follows:

Being all that portion of Bulkley Boulevard, aka Cleveland Memorial Shoreway West extending from West 25th Street, westerly to its westerly terminus.

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

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 424-14.

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

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to Flats East Development, L.L.C. to encroach into the public rights-of-way of and beneath Old River Road, Front Avenue, West 11th Street, and Main Avenue by installing, using, and maintaining concrete building foundations and pilings.

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

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

Section 1. That the Director of Capital Projects is authorized to issue a permit, revocable at the will of Council, to Flats East Development, L.L.C., 2816 North Moreland Avenue, Cleveland, Ohio 44120 ("Permittee"), to encroach into the public rights-of-way of and beneath Old River Road, Front Avenue, West 11th Street, and Main Avenue by installing, using, and maintaining concrete building foundations and pilings, at the following locations:

Legal Description of Encroachment "A"

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Alfred Kelly's Subdivision of part of two acre lot numbers 191-193, as recorded in Volume M, Page 484 of Cuyahoga County Records and being further bounded and described as follows.

Beginning at a point at the intersection of the southerly line of proposed Front Avenue (72' wide) and the westerly line of proposed West 11th Street (72' wide), said point also being the northerly most point of lands now or formerly conveyed to Flats East Development LLC, and known as being Parcel A-2 as recorded in Volume 364, Page 87 of Cuyahoga County Map Records; Thence along said westerly line of West 11th, South 34°21'45" East, a distance of 111.19 feet to the TRUE PLACE OF BEGINNING of the parcel of land hereinafter described, thence clockwise along the following four (4) courses and distances.

Thence North 55°38'15" East, a distance of 2.50 feet to a point;

Thence South 34°21'45" East, a distance of 253.09 feet to a point;

Thence South 55°38'15" West, a distance of 2.50 feet to a point on said westerly line of West 11th Street;

Thence along said westerly line of West 11th Street, North 34°21'45" West, a distance of 253.09 feet to the TRUE PLACE OF BEGINNING and containing 0.0145 Acres (633 Sq. Ft.) of land, more or less, and subject to all easements, restrictions and covenants of record, as surveyed under the supervision of Joseph R. Ciuni, P.S. number 7394, for Glaus, Pyle, Schomer, Burns & DeHaven, Inc., dba GPD Group, in January of 2014.

Basis of Bearing: the Ohio State Plane Coordinate System, Grid North, NAD83, North Zone, U.S Foot

Legal Description of Encroachment "B"

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Alfred Kelly's Subdivision of part of two acre lot numbers 191-193, as recorded in Volume M, Page 484 of Cuyahoga County Records and being further bounded and described as follows.

Beginning at a point at the intersection of the southerly line of proposed Front Avenue (72' wide) and the westerly line of proposed West 11th Street (72' wide), said point also being the northerly most point of lands now or formerly conveyed to Flats East Development LLC, and known as being Parcel A-2 as recorded in Volume 364, Page 87 of Cuyahoga County Map Records; Thence along said westerly line of West 11th, South 34°21'45" East, a distance of

396.80 feet to a point; Thence along the arc of a curve deflecting to the left and having the following properties: Delta = 17°54'13", Radius = 73.50 feet, Tangent = 11.58 feet, Chord = 22.87 feet, Chord Bearing = South 17°21'32" West for an arc distance of 22.97 feet to a point on the northerly line of proposed Old River Road (70' width), said point also being the most southeasterly corner of lands now or formerly conveyed to Flats East Development LLC, and known as being Parcel A-1 as recorded in Volume 364, Page 87 of Cuyahoga County Map Records; Thence along said northerly line of Old River Road, South 65°26'11" West, a distance of 30.42 feet to the TRUE PLACE OF BEGINNING of parcel of the land hereinafter described, thence clockwise along the following six (6) courses and distances.

1. Thence South 24°33'49" East, a distance of 2.50 feet to a point;

2. Thence South 65°26'11" West, a distance of 7.69 feet to a point;

3. Thence along the arc of a curve deflecting to the right and having the following properties: Delta = 15°12'40", Radius = 332.50 feet, Tangent = 44.40 feet, Chord = 88.02 feet, Chord Bearing = South 73°02'31" West for an arc distance of 88.27 feet.

4. Thence North 09°21'09" West, a distance of 2.50 feet to a point on said northerly line of Old River Road;

5. Thence along said northerly line of Old River Road and along the arc of a curve deflecting to the left and having the following properties: Delta = 15°12'40", Radius = 330.00 feet, Tangent = 44.06 feet, Chord = 87.35 feet, Chord Bearing = North 73°02'31" East for an arc distance of 87.61 feet to a point;

6. Thence continuing along said northerly line of Old River Road, North 65°26'11" East, a distance of 7.69 feet to the TRUE PLACE OF BEGINNING and containing 0.0054 Acres (239 Sq. Ft.) of land, more or less, and subject to all easements, restrictions and covenants of record, as surveyed under the supervision of Joseph R. Ciuni, P.S. number 7394, for Glaus, Pyle, Schomer, Burns & DeHaven, Inc., dba GPD Group, in January of 2014.

Legal Description of Encroachment "C"

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Alfred Kelly's Subdivision of part of two acre lot numbers 191-193, as recorded in Volume M, Page 484 of Cuyahoga County Records and being further bounded and described as follows.

Beginning at a point at the intersection of the southerly line of proposed Front Avenue (72' wide) and the westerly line of proposed West 11th Street (72' wide), said point also being the northerly most point of lands now or formerly conveyed to Flats East Development LLC, and known as being Parcel A-2 as recorded in Volume 364, Page 87 of Cuyahoga County Map Records; Thence along said southerly line of Front Avenue and along the arc of a curve deflecting to the left and having the following properties: Delta = 01°12'00", Radius = 1284.00 feet, Tangent = 13.45 feet, Chord = 26.89 feet, Chord Bearing = South 50°32'31" West for an arc distance of 26.89 feet to the TRUE PLACE OF BEGINNING

of the parcel of land hereinafter described, thence clockwise along the following ten (10) courses and distances.

1. Thence continuing along said southerly line of Front Avenue and along the arc of a curve deflecting to the left and having the following properties: Delta = 10°15'08", Radius = 1284.00 feet, Tangent = 1115.18 feet, Chord = 229.45 feet, Chord Bearing = South 44°48'57" West for an arc distance of 229.75 feet to a point;

2. Thence continuing along said southerly line of Front Avenue and along the arc of a curve deflecting to the left and having the following properties: Delta = 77°11'54", Radius = 73.50 feet, Tangent = 58.67 feet, Chord = 91.71 feet, Chord Bearing = South 16°11'46" West for an arc distance of 99.03 feet to a point on the northerly line of proposed Old River Road (70' Wide);

3. Thence along said northerly line of Old River Road and along the arc of a curve deflecting to the right and having the following properties: Delta = 24°56'16", Radius = 75.00 feet, Tangent = 16.58 feet, Chord = 32.39 feet, Chord Bearing = South 31°48'05" East for an arc distance of 32.64 feet to a point;

4. Thence continuing along said northerly line of Old River Road and along the arc of a curve deflecting to the left and having the following properties: Delta = 18°40'07", Radius = 330.00 feet, Tangent = 54.24 feet, Chord = 107.05 feet, Chord Bearing = South 53°36'17" East for an arc distance of 107.52 feet to a point;

5. Thence South 27°03'40" West, a distance of 2.50 feet to a point;

6. Thence along the arc of a curve deflecting to the right and having the following properties: Delta = 18°40'07", Radius = 332.50 feet, Tangent = 54.65 feet, Chord = 107.86 feet, Chord Bearing = North 53°36'17" West for an arc distance of 108.34 feet to a point;

7. Thence along the arc of a curve deflecting to the right and having the following properties: Delta = 26°21'27", Radius = 77.50 feet, Tangent = 18.15 feet, Chord = 35.34 feet, Chord Bearing = North 31°05'30" West for an arc distance of 35.65 feet to a point;

8. Thence along the arc of a curve deflecting to the left and having the following properties: Delta = 79°54'14", Radius = 71.00 feet, Tangent = 59.47 feet, Chord = 91.18 feet, Chord Bearing = North 16°20'30" East for an arc distance of 99.02 feet to a point;

9. Thence along the arc of a curve deflecting to the right and having the following properties: Delta = 10°19'13", Radius = 1286.50 feet, Tangent = 116.18 feet, Chord = 231.41 feet, Chord Bearing = North 44°46'55" East for an arc distance of 231.72 feet to a point;

10. Thence South 40°03'29" East, a distance of 2.50 feet to the TRUE PLACE OF BEGINNING and containing 0.0271 Acres (1,180 Sq. Ft.) of land, more or less, and subject to all easements, restrictions and covenants of record, as surveyed under the supervision of Joseph R. Ciuni, P.S. number 7394, for Glaus, Pyle, Schomer, Burns & DeHaven, Inc., dba GPD Group, in January of 2014.

Basis of Bearing: the Ohio State Plane Coordinate System, Grid North, NAD83, North Zone, U.S Foot

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

Section 2. That Permittee may assign the permit only with the prior written consent of the Director of the Mayor's Office of Capital Projects. That the encroaching structure(s) permitted by this ordinance shall conform to plans and specifications first approved by the Manager of Engineering and Construction. That Permittee shall obtain all other required permits, including but not limited to Building Permits, before installing the encroachment(s).

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

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

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

Passed June 2, 2014.

Effective June 4, 2014.

Ord. No. 462-14.

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Commission on Minority Health for the 2014-15 Local Office on Minority Health Grant; and authorizing the Director to enter into one or more contracts with other agencies, entities, or individuals to implement the grant.

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

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

Section 1. That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$60,000, and any other funds that may become available during the grant term from the Ohio Commission on Minority Health to conduct the 2014-15 Local Office on Minority Health Grant; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

Section 2. That the summary for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 462-14-A, is made a part of this ordinance as if fully rewritten, is approved in all respects, and shall not be changed without additional legislative authority.

Section 3. That the Director of Public Health shall have the authority to extend the term of the grant during the grant term.

Section 4. That the Director of Public Health shall deposit the grant accepted under this ordinance into a fund or funds designated by the Director of Finance to implement the program as described in the file and appropriated for that purpose.

Section 5. That the Director of Public Health is authorized to enter into one or more contracts with other agencies, entities, or individuals to implement the grant as described in the file.

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

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 467-14.

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

An emergency ordinance authorizing the Director of Building and Housing to enter into one or more contracts with Lou Ritenour Decorators, Inc. dba WR Restoration, or its designee, for professional services necessary to provide professional and technical services relating to the historic documentation, assessments, and the preserving and salvaging of architectural elements and materials of the former Fifth Church of Christ, Scientist, located at 11623 Lake Avenue, and to enter into contract for demolition of the property.

Whereas, under Ordinance No. 229-02, Cleveland City Council authorized the City of Cleveland to acquire the former Fifth Church of Christ, Scientist, located at 11623 Lake Avenue, Cleveland, Ohio (the "Property"); and

Whereas, the Property is vacant, deteriorated, and has been condemned by the City of Cleveland Department of Building and Housing; and

Whereas, prior to demolition of the Property, the Cleveland Landmarks Commission must consider the demolition's effect on the neighborhood, consider plans aimed at remedying the loss of the Landmark structure, and issue a Certificate of Appropriateness to allow the demolition; and

Whereas, the Department of Building and Housing requests to contract for professional services needed to comply with Cleveland Landmarks Commission requirements for approval to demolish the Property; and

Whereas, the Department of Building and Housing has authority under Section 138.07 of the Codified Ordinances of Cleveland, Ohio, 1976 to demolish condemned properties; and

Whereas, the Department of Building and Housing requests to enter into contract for the demolition of the Property; and

Whereas, the Department of Economic Development has agreed to

provide funds for the professional services and the demolition in an amount not to exceed \$250,000 in the aggregate; and

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

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

Section 1. That the Director of Building and Housing is authorized to enter into one or more contracts with Lou Ritenour Decorators, Inc. dba WR Restoration, or its designee, for professional services necessary to provide technical services relating to the historic documentation, providing various assessments, preserving and salvaging architectural elements and materials of the former Fifth Church of Christ, Scientist, located at 11623 Lake Avenue (the "Property"), and for related services, in the amount not to exceed \$167,000, for the Department of Building and Housing.

Section 2. That under Section 138.07 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Building and Housing is authorized to enter into contract for the demolition of the Property.

Section 3. That the contracts authorized under this Ordinance will be prepared by the Director of Law, approved by the Director of Building and Housing, and certified by the Director of Finance.

Section 4. That the cost of the contracts authorized in Sections 1 and 2 of this Ordinance will be paid from Fund No. 10 SF 961, which will be created by the Director of Finance for the Department of Building and Housing, and may not exceed \$250,000 in the aggregate.

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

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 474-14.

By Council Member Cimperman.

An emergency ordinance to amend Section 607.15 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1497-03, passed October 13, 2003, to prohibit the sale and distribution of alternative nicotine products, including electronic cigarettes, to children.

Whereas, the Ohio General Assembly passed HB 144 on February 12, 2014 that will go into effect on June 3, 2014 to include alternative nicotine products, including electronic cigarettes, within the restrictions that currently apply to the sale or distribution to, and possession or use by, minors of cigarettes and other tobacco products; and

Whereas, the City of Cleveland already prohibits the sale or distribution of cigarettes or other tobacco products to children, and this Council is compelled to also prohibit the sale or distribution of alternative nicotine products in order to protect Cleveland's children from

the harmful health effects of nicotine vapor inhaled while smoking electronic cigarettes; and

Whereas, electronic cigarettes are particularly appealing to children as currently sold without proof of age in flavors like fruit, bubble gum and soda pop, and may lead to nicotine addiction among young people; and

Whereas, electronic cigarettes now account for more than forty percent of all poison center calls about cigarette-type products, according to the Centers for Disease Control and Prevention; and

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

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

Section 1. That Section 607.15 of the Codified Ordinances of Cleveland, Ohio 1976, as amended by Ordinance No. 1497-03, passed October 13, 2003, is amended as follows:

Section 607.15 Illegal Distribution of Cigarettes, Other Tobacco Products or Alternative Nicotine Products

(a) As used in this section:

(1) A. "Alternative nicotine product" means, subject to division (a)(4)(B) of this section, an electronic cigarette or any other product or device that consists of or contains nicotine that can be ingested into the body by any means, including, but not limited to, chewing, smoking, absorbing, dissolving, or inhaling.

B. "Alternative nicotine product" does not include any of the following:

(i) Any cigarette or other tobacco product;

(ii) Any product that is a "drug" as that term is defined in 21 U.S.C. 321(g)(1);

(iii) Any product that is a "device" as that term is defined in 21 U.S.C. 321(h).

(iv) Any product that is a "combination product" as described in 21 U.S.C. 353(g).

(2) "Child" has the same meaning as in section 2151.011 of the Ohio Revised Code.

(3) "Cigarette" includes clove cigarettes and hand-rolled cigarettes.

(4) "Distribute" means to furnish, give, or provide cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes to the ultimate consumer of the cigarettes, other tobacco products, or papers used to roll cigarettes.

(5) A. "Electronic cigarette" means, subject to division (a)(5)(B) of this section, any electronic product or device that produces a vapor that delivers nicotine or any other substance to the person inhaling from the device to simulate smoking and that is likely to be offered to or purchased by consumers as an electronic cigarette, electronic cigar, electronic cigarillo, or electronic pipe.

B. "Electronic cigarette" does not include any item, product, or device described in the definition of alternative nicotine product contained in of this section.

(6) Tobacco product" means any product that is made from tobacco, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, or snuff.

(7) "Vending machine" has the same meaning as "coin machine" in section 2913.01 of the Revised Code.

(b) No manufacturer, producer, distributor, wholesaler or retailer of cigarettes, other tobacco products, or papers used to roll cigarettes, and no agent, employee or representative of a manufacturer, producer, distributor, wholesaler or retailer of cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes, and no other person shall do any of the following:

(1) Give, sell or otherwise distribute cigarettes, other tobacco products alternative nicotine products, or papers used to roll cigarettes to any child;

(2) Give away, sell or distribute cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes in any place that does not have posted in a conspicuous place a sign stating that giving, selling or otherwise distributing cigarettes, other tobacco products, alternative nicotine products or papers used to roll cigarettes to a person under eighteen (18) years of age is prohibited by law;

(3) Knowingly furnish any false information regarding the name, age, or other identification of any child with purpose to obtain cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes for that child;

(4) Manufacture, sell, or distribute in this City any pack or other container of cigarettes or alternative nicotine products containing fewer than twenty (20) cigarettes or any package of roll-your-own tobacco containing less than six-tenths (0.6) of one (1) ounce of tobacco;

(5) Sell cigarettes or alternative nicotine products in a smaller quantity than that placed in the pack or other container by the manufacturer;

(6) Sell other tobacco products in a smaller quantity than was intended for retail when the product was packaged by the manufacturer.

(c) No person shall sell or offer to sell cigarettes, other tobacco products, or alternative nicotine products by or from a vending machine except in the following locations:

(1) An area either:

A. Within a factory, business, office, or other place not open to the general public; or

B. To which persons under the age of eighteen (18) years are not generally permitted access;

(2) In any other place not identified in division (b)(1) of this section, upon all of the following conditions:

A. The vending machine is located within the immediate vicinity, plain view, and control of the person who owns or operates the place, or an employee of such person, so that all cigarettes, other tobacco product, and alternative nicotine product purchases from the vending machine will be readily observed by the person who owns or operates the place or an employee of such person. For the purpose of this section, a vending machine located in any unmonitored area, including an unmonitored coat-room, restroom, hallway, or outer waiting area, shall not be considered within the immediate vicinity, plain view, and control of the person who owns or operates the place, or an employee of such person.

B. The vending machine is inaccessible to the public when the place is closed.

(d) The following are affirmative defenses to a charge under division (b)(1) of this section:

(1) The child was accompanied by a parent, spouse who is eighteen (18) years of age or older, or legal guardian of the child;

(2) The person who gave, sold, or distributed cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes to a child under division (b)(1) of this section is a parent, spouse who is eighteen (18) years of age or older, or legal guardian of the child.

(e) It is not a violation of division (b)(1) or (2) of this section for a person to give or otherwise distribute to a child cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes while the child is participating in a research protocol if all of the following apply:

(1) The parent, guardian, or legal custodian of the child has consented in writing to the child participating in the research protocol.

(2) An institutional human subjects protection review board, or equivalent entity, has approved the research protocol.

(3) The child is participating in the research protocol at the facility or location specified in the research protocol.

(f) (1) Whoever violates division (b)(1), (2), (4), or (5) or division (c) is guilty of illegal distribution of cigarettes, other tobacco products, or alternative nicotine products. Except as otherwise provided in this division, illegal distribution of cigarettes, other tobacco products, or alternative nicotine products is a misdemeanor of the fourth degree. If the offender has previously been convicted of a violation of division (b)(1), (2), (4), or (5) or division (c) of this section or divisions (B)(1), (2), (4), or (5) or (C) of RC 2927.02, then illegal distribution of cigarettes or other tobacco products is a misdemeanor of the third degree.

(2) Whoever violates division (b)(3) of this section is guilty of permitting children to use cigarettes, other tobacco products, or alternative nicotine products. Except as otherwise provided in this division, permitting children to use cigarettes, other tobacco products, or alternative nicotine products is a misdemeanor of the fourth degree. If the offender previously has been convicted of a violation of division (b)(3) of this section or division (B)(3) of RC 2927.02, permitting children to use cigarettes, other tobacco products, or alternative nicotine products is a misdemeanor of the third degree.

(g) Any cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes that are given, sold, or otherwise distributed to a child in violation of this section and that are used, possessed, purchased, or received by a child in violation of section 2151.87 of the Revised Code are subject to seizure and forfeiture as contraband under Chapter 2981 of the Revised Code.

Section 2. That existing Section 607.15 of the Codified Ordinances of Cleveland, Ohio 1976, as amended by Ordinance No. 1497-03, passed October 13, 2003, is repealed.

Section 3. That the amendments to Section 607.15 shall take effect sixty days after the effective date of this ordinance.

Section 4. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take

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

Passed June 2, 2014.

Effective June 4, 2014.

Ord. No. 500-14.

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

An emergency ordinance authorizing the Directors of Public Works and Finance to enter into one or more contracts with the Cleveland Metropolitan School District to conduct recreational, cultural, and extracurricular programs for the benefit of school children during the 2013-14 school year.

Whereas, under Ordinance No. 1025-A-95, passed June 28, 1995, tax revenues from levying the parking facility tax and increases in the motor vehicle lessor tax and the admission tax can be used to fund recreational, cultural, and extracurricular programs within the Cleveland School system; and

Whereas, the Joint Board established by Ordinance No. 1025-A-95 has recommended that a portion of the tax proceeds be used to fund a number of recreational, cultural, and extracurricular programs for City school children during the 2013-14 school year, including dance, drama, instrumental, vocal, cheerleading, aquatic, sports, and academic enrichment programs; 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 Directors of Public Works and Finance are authorized to enter into one or more contracts with the Cleveland Metropolitan School District to conduct various recreational, cultural and extracurricular programs for the benefit of City school children during the 2013-14 school year, under the program description contained in File No. 500-14-A. The cost of the contract or contracts shall not exceed \$950,000 and shall be paid from Fund No. 11 SF 035, Request No. RQS 7001, RL 20142014-22.

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

Passed June 2, 2014.

Effective June 4, 2014.

Ord. No. 501-14.

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

An emergency ordinance authorizing the Director of Public Works to enter into one or more contracts with the National Youth Sports Program to provide a youth summer sports, nutrition, health, and life skills development program for 2014 at 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 the Director of Public Works is authorized to enter into one or more contracts with the National Youth Sports Program for the public purpose of providing Cleveland youths with a summer sports, nutrition, health, and life skills development program for 2014 at Case Western Reserve University.

Section 2. That the cost of the contract or contracts shall not exceed \$150,000 and shall be paid from Fund No. 01-7004-6380, Request No. RQS 7004, RL 2014-27.

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

Passed June 2, 2014.

Effective June 4, 2014.

Ord. No. 526-14.

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

An emergency ordinance authorizing the Director of Port Control to lease Docks 28B, 30, and 32, excluding the warehouses on Docks 30 and 32, to the Cleveland Browns Stadium Company LLC for surface parking and staging special event programming for ten Cleveland Browns home games, any NFL playoff games and up to nine other events a year, for a period of one year, with a one-year option to renew, subject to additional legislative authority.

Whereas, the City of Cleveland owns Docks 28B, 30, and 32, which, excluding the warehouses on Docks 30 and 32, are no longer needed for the City's public use; and

Whereas, the Cleveland Browns Stadium Company LLC ("Browns") has proposed to lease Docks 28B, 30, and 32, excluding the warehouses on Docks 30 and 32, for surface parking and staging special event programming for ten Cleveland Browns home games, any NFL playoff games and up to nine other events a year; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Port Control is authorized to lease to the Browns, Docks 28B, 30, and 32, excluding the warehouses on Docks 30 and 32 ("Leased Premises") comprising approximately 1,700 parking spaces for surface parking and staging special event programming for ten Cleveland Browns home games, any NFL playoff games and up to nine other events a year. The City will retain one or more ingress and egress easements

over the Leased Premises for the purpose of accessing the warehouses on Docks 30 and 32.

Section 2. That the term of the lease and easements shall be for a period of one year, with a one-year option to renew, subject to additional legislative authority.

Section 3. That the rent for the first year of the Leased Premises shall be as follows:

Year One. For the right to use 1,700 parking spaces for the ten (10) game season, all playoff games and 5 special events, the Browns shall pay to the City a rent of \$70,342. For each of the four additional special events the Browns may request, the rent shall be \$7,034.00 per event.

That the one-year option to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the one-year option to renew is exercised, the rent for the second year of the Leased Premises shall be as follows:

Year Two. For the right to use 1,700 parking spaces for the ten (10) game season, all playoff games and up to an additional 9 special events, the Browns shall pay the following:

a. 450 spaces shall be free of charge

b. 550 spaces shall be available for the ten (10) game season and all playoff games at a rate of \$5.00 per space or \$2,750 per game

c. 700 spaces shall be available for the ten (10) game season and all playoff games at a rate of \$7.50 per space or \$5,250 per game

d. 1,700 spaces shall be available for the nine (9) special events at a rate of \$7,034 per event.

Section 4. That the lease may authorize the Browns to make improvements to the Leased Premises subject to the approval of appropriate City agencies and officials.

Section 5. That the lease shall contain a provision to allow the City to terminate for development purposes upon notice to the Browns.

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

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

Passed June 2, 2014.

Effective June 4, 2014.

Ord. No. 536-14.

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

An emergency ordinance authorizing the Director of Economic Development to enter into one or more agreements with the Cleveland-Cuyahoga County Port Authority to serve as Local Sponsor for the Crescent Avenue Environmental Restoration project made eligible under the Great Lakes Restoration Initiative; authorizing the Director to cause payment to the Port Authority to partially fund the feasibility study; and to enter into a Project Agreement, and other related agreements, with the Port Authority and applicable agencies of both the State of Ohio and the United States needed to implement the project.

Whereas, the City wishes to participate with the Cleveland-Cuyahoga County Port Authority ("Port Authority") and the Ohio Environmental Protection Agency ("Ohio EPA") and the United States Environmental Protection Agency ("US EPA") in remediating the Old River Channel and the Crescent Avenue Site (PPN 003-01-011), and addressing bulkheading concerns in the former slip area under the Great Lakes Restorative Initiative (collectively the "Crescent Avenue GLRI project") in order to secure a No Further Action letter; and

Whereas, the Great Lakes Towing Company has expressed interest in acquiring the site for their future expansion and there will also be opportunities for expanded green-space; and

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

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

Section 1. That the Director of Economic Development is authorized to enter into one or more agreements with the Port Authority to serve as the Local Sponsor for the Crescent Avenue GLRI project. The agreement provides, among other things, that the City agrees to participate in and to support the application for GLRI funding for the Crescent Avenue GLRI Project

Section 2. That the Crescent Avenue GLRI project is more fully described in File No. 536-14-A.

Section 3. That this Council authorizes payment to the Port Authority from the City, as Local Sponsor for the Crescent Avenue GLRI Project, to partially fund the feasibility study required under Crescent Avenue GLRI project, payable from Fund No. 17 SF 965, RQS 9501, RL 2014-50.

Section 4. That notwithstanding and as an exception to any section of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Economic Development is authorized to enter into and execute a project agreement with the Port Authority and applicable agencies of both the State of Ohio and the United States needed to implement the Crescent Avenue GLRI project. The project agreement shall provide, among other things, terms regarding the feasibility study required under the GLRI program, the City's cash match, access to the Crescent Avenue Site for the implementation of the GLRI Project, and other provisions regarding the implementation of the Crescent Avenue GLRI project.

Section 5. That the Director of Economic Development is authorized to enter into other agreements with appropriate entities necessary to implement this ordinance.

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

Passed June 2, 2014.

Effective June 4, 2014.

Ord. No. 559-14.
By Council Members Cimperman and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Cuyahoga County Board of Health for the 2014-15 Public Health Emergency Preparedness Grant Program.

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

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

Section 1. That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$169,269, and any other funds as they become available during the grant term, from the Cuyahoga County Board of Health to conduct the 2014-15 Public Health Emergency Preparedness Grant Program; that the Director of Public Health is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes set forth in the administrative summary for the grant contained in the file described below.

Section 2. That the summary for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 559-14-A, is made a part of this ordinance as if fully rewritten, is approved in all respects, and shall not be changed without additional legislative authority.

Section 3. That the Director of Public Health shall have the authority to extend the term of the grant during the grant term.

Section 4. That the Director of Public Health shall deposit the grant accepted under this ordinance into a fund or funds designated by the Director of Finance to implement the program as described in the file and appropriated for that purpose.

Section 5. That, unless expressly prohibited by the grant agreement, under Section 108(b) of the Charter, purchases made under the grant agreement may be made through cooperative arrangements with other governmental agencies. The Director of Public Health may sign all documents and do all things that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process. The contracts will be paid from the fund or funds to which are credited any grant funds accepted under this ordinance.

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

Passed June 2, 2014.
 Effective June 4, 2014.

Ord. No. 560-14.
By Council Members Keane and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into one or more requirement contracts with Siemens Industry, Inc. for labor and materials necessary to

maintain, repair and expand the existing Apogee building automation system, for the Division of Cleveland Hopkins International Airport, Department of Port Control, for a period not to exceed two years, with two one-year options to renew, the first of which requires additional legislative authority.

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

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

Section 1. That this Council has determined that the within services are non-competitive and cannot be secured from any source other than Siemens Industry, Inc. Therefore, the Director of Port Control is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period not to exceed two years, with two one-year options to renew, the first of which requires additional legislative authority, of the necessary items of labor and materials necessary to maintain, repair, and expand the existing Apogee building automation system, which includes, but is not limited to, interior and exterior lighting systems, HVAC control and alarming for mechanical equipment and lighting controls, boilers, chillers, cooling towers, pumps, and air handlers, for the Division of Cleveland Hopkins International Airport, Department of Port Control. The first of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew may be exercisable at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 3001, RL 2014-12)

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

Passed June 2, 2014.
 Effective June 4, 2014.

Ord. No. 561-14.
By Council Members Keane and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into a Multi-Phased Option to Lease Agreement and resulting Lease Agreements with Cumberland TCC, LLC, for property commonly known as the Harbor West Docks, and three sites at North Coast Harbor for future development.

Whereas, the City of Cleveland owns certain specific development sites at North Coast Harbor that for the purpose of this ordinance shall be referred to as Site A- the Voinovich parking lot off of East Ninth Street Pier, Site B- the Skate Park area north of the Rock and Roll Hall of Fame Museum ("RRHF"), Site C- the Grass and Steps located between the Great Lakes Science Center ("GLSC") and the RRHF, plus certain development sites north of First Energy Stadium consisting of Site D- Dock 32, Site E- Dock 30 and Site F - Dock 28B, totaling approximately 21 acres of real property ("Project Site"); and

Whereas, Cumberland TCC, LLC, a Delaware limited liability company owned by CUMBERLAND LAKEFRONT, LLC, an Ohio limited liability company ("Cumberland") and HIGH STREET CLEVELAND LAKEFRONT, INC., a Delaware corporation wholly owned by TRAMMELL CROW COMPANY, LLC, a Delaware limited liability company ("TCC", and together with the Cumberland, "Developer") would like to enter into a Multi-Phased Option to Lease Agreement ("Option Agreement") with the City in order for Developer to market the Project Site for future development; and

Whereas, Developer's plan envisions approximately 1,000 residential apartments, 80,000 square feet of commercial office space, and 40,000 square feet of retail and restaurant space ("Project") and has multiple end-users interested in locating their respective businesses to the Project Site; and

Whereas, Developer's plan further envisions the creation of a walkable neighborhood served by public parks and trails and the addition of water-based recreational facilities accessible throughout the year to the general public; and

Whereas, Developer's plan will advance the City of Cleveland's goals as set forth in the Cleveland Downtown Lakefront Development Plan adopted April 20, 2012 by the Cleveland City Planning Commission by using the following Design Principles:

1. Create a Walkable, Dense & Mixed Use Urban Fabric
2. Design for All Seasons
3. Focus on a Water Plan
4. Learn from Cleveland Precedents
5. Pursue Incremental Development

The Development will comply with all applicable FAA Requirements, including height restrictions; and"

Whereas, Developer agrees to undertake the following development at the Project Site ("Development Objectives") according to the following Phases:

Phase 1:

Area A (Voinovich Parking Lot, approximately 1 acre)

Development may include retail uses such as a restaurant, public restrooms, and facilities supporting waterfront attractions. Building height may be one or two stories.

Area B (Skate Park, approximately 1/2 acre)

Development may include restaurants, and general retail. Building height may be two or three stories.

Area C (Parcel between Rock and Roll Hall of Fame Museum and Great Lakes Science Center, approximately 1 acre)

Development may include restaurants, general retail, a hotel, and/or facilities supporting Great Lakes Science Center and Rock and Roll Hall of Fame.

Area D (Dock 32, approximately 6 acres)

Development may include at least 200 residential units, at least 60,000 square feet of office space, parking, restaurants, and general retail. Building height may be six stories.

Phase 2:

Area E (Dock 30, approximately 6 acres)

Development may include at least 350 residential units, office, general retail, and parking. Building may be eight stories.

Phase 3:

Area F (Dock 28B, approximately 6 acres)

Development may include at least 350 residential units, office, general retail, and parking. Building height may be ten stories;

and;

Whereas, each identified Phase of the Project will be subject to a separate Lease Agreement between the City and separate to-be-formed Delaware limited liability companies controlled by Developer, each of which will be executed pursuant to the terms and conditions contained in the Option Agreement; and

Whereas, the recommendation to select Developer was the result of a thorough and open competitive process; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 (Purchases and Supplies) and 183 (Real Estate Transactions) of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Port Control is authorized to enter into the Option Agreement and related Lease Agreements with Developer for the Project Site as illustrated by the map placed in File No. 561-14-B. A copy of the approved legal description will be placed in the file when it is obtained.

Section 2. That following the date the Option Agreement is fully executed or six months from the passage date of this ordinance, whichever is earlier ("Effective Date"), the Developer shall have the right to exercise its option to lease each Phase of the Project pursuant to the Option Agreement as follows:

Phase I: Developer shall have the option to lease Sites A-D for a period of one (1) year following the Effective Date.

Phase II: Developer shall have the option to lease Site E for a period of three (3) years following the Effective Date.

Phase III: Developer shall have the option to lease Site F for a period of four (4) years following the Effective Date.

In the event the Developer is diligently working toward completion of the development of a Phase, then the date for exercise of the option to lease for that Phase of the Project may be extended for an additional period of

one (1) year, exercisable by the Director of Port Control, with prior notification to the President of City Council.

Section 3. That, as consideration for the Option Agreement, Developer is willing to invest in preliminary designs, architectural plans, site condition reports, utility analysis, hotel and residential feasibility studies, Phase I environmental survey, soil borings, geotechnical testing, and title searches and surveys of the Project Site with an estimated cost to Developer of \$784,000.

As further consideration for the Option Agreement, Developer shall provide the Director of Port Control with either copies or co-ownership rights as requested, to all environmental, survey, title and other site condition reports procured with regard to the Project Site.

Section 4. That upon securing one or more financing proposals, Developer may exercise its option to lease for a particular Phase of the Project, retaining any options for the remaining Phases within the Project. Upon exercise by Developer of its option to lease a particular Phase of the Project, the Director of Port Control is authorized to enter into a Lease Agreement for that Phase of the Project.

Section 4A. Developer agrees not to assign or transfer its rights in any Phase of the Project to another entity not controlled by the Developer as managing entity prior to Completion. Completion is defined as the issuance of Certificate of Occupancy for each building within a Phase and is further defined in the Legislative Summary placed in the file mentioned above. Upon Completion, Developer shall have the ability to transfer and assign their interest in the leasehold to an unrelated entity provided that the new entity will assume all their responsibilities and is approved by the Director of Port Control. The Director of Port Control is authorized to enter into a Lease Assignment and Assumption Agreement for each Phase of the Project with a to-be-determined entity.

Section 5. That the Option Agreement and related Lease Agreements shall contain the primary terms and conditions found in the Legislative Summary and placed in the above-mentioned file, and made a part of this Ordinance as if fully rewritten, which terms and conditions are approved in all respects.

Section 6. That the Option Agreement and related Lease Agreements shall be prepared by the Director of Law, and approved by the Director of Port Control and Board of Control.

Section 7. That the Director of Port Control, the Director of Law, and other appropriate City officials are authorized to execute the Option Agreement and any other documents, instruments and certificates, and take any other actions which may be necessary or appropriate to effect the Option Agreement and related Lease Agreements authorized by this Ordinance and are authorized to sign and deliver and accept delivery of such documents, instruments and certificates as shall be necessary or appropriate to consummate the transactions authorized by this Ordinance.

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.

Passed June 2, 2014.

Effective June 4, 2014.

Ord. No. 600-14.

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

An emergency ordinance authorizing the Director of Community Development to enter into one or more contracts with Cleveland Action to Support Housing, Inc. (CASH) for administrative costs to implement housing rehabilitation, new housing construction and commercial redevelopment loan programs.

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

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

Section 1. That the Director of Community Development is authorized to enter into one or more contracts with Cleveland Action to Support Housing, Inc. (CASH) for administrative costs to implement housing rehabilitation, new housing construction and commercial redevelopment loan programs in the City of Cleveland.

Section 2. That the aggregate cost of the contracts shall not exceed \$75,768.00, and shall be paid from Fund No. 14 SF 040, RQS 8006, RL 2014-39.

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

Passed June 2, 2014.

Effective June 4, 2014.

Ord. No. 601-14.

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

An emergency ordinance authorizing the Director of Community Development to enter into or amend contracts with various agencies to provide housing, commercial, industrial and real estate development activities.

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

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

Section 1. That the Director of Community Development is authorized to enter into or amend contracts with various agencies to provide housing, commercial, industrial and real estate development activities.

Section 2. That the cost of the contracts authorized in this ordinance shall not exceed \$1,408,104 and any prior years balances from Fund Nos. 14 SF 038, 14 SF 039, and 14 SF 040, RQS 8006, RL 2014-40.

Section 3. That the Director of Community Development is authorized to accept program income and use this and other program income to finance

additional housing, commercial, industrial, real estate development and other CDBG eligible activities, and the program income is appropriated for those purposes.

Section 4. That the Director of Community Development is authorized to enter into or amend contracts with the agencies administering the housing, commercial, industrial and real estate activities that generated program income in an amount not to exceed that generated program income and to be paid from the revolving fund in Fund 14.

Section 5. That the Director of Community Development is authorized to enter into or amend contracts with for-profit or non-profit organizations serving as the fiscal agent for the various agencies to provide housing, commercial, industrial, and real estate development activities.

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

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 604-14.
By Council Members Brancatelli and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Community Development and, if applicable, other City Directors to enter into contract with various agencies to provide social service programs, including the senior transportation program, authorizing the Director of Community Development to enter into one or more written agreements with the Director of Public Works to lease space from the Greater New Calvary Baptist Church to provide facilities for recreation activities, and with other Directors if necessary.

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

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

Section 1. That the Director of Community Development, and if necessary, appropriate Directors, are authorized to enter into or amend contracts with various agencies to provide social service programs, including the senior transportation program.

Section 2. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, and as amended, the Director of Public Works is authorized to lease from the Greater New Calvary Baptist Church, a gym located at 822 East 150th Street, Cleveland, Ohio, for a period of one year.

Section 3. That the rent for the lease shall be \$9,900 per year; that the lease may provide for the City to pay for the installation and operating cost of utility services to the leased premises; that the lease shall be for the purpose of providing a facility for recreation activities; and that the lease shall be prepared by the Director of Law.

Section 4. That, prior to expending funds under this ordinance, the Director of Community Development must enter into one or more written agreements with the Director of Public Works and any other applicable City Director for the purposes described in this ordinance.

Section 5. That the Director of Community Development is authorized to accept program income and use this and other program income to finance additional social service activities and the program income is appropriated for those purposes.

Section 6. That the cost of the contracts authorized by this ordinance shall not exceed \$1,494,464 plus any prior year's balances from Fund Nos. 14 SF 038, 14 SF 039, and 14 SF 040, RQS 8006, RL 2014-41.

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

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 605-14.
By Council Members Brancatelli and Kelley (by departmental request).

An emergency ordinance appropriating Community Development Block Grant funds and Emergency Solutions Grant funds for expenses of the Senior Homeowners Assistance Program (SHAP), CHORE, and Homeless Services Programs.

Whereas, the City of Cleveland has received a Community Development Block Grant, Year 40, from the United States Government; 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 Community Development Block Grant funds in the amount of Two Hundred Eighty Thousand Dollars (\$280,000) from Fund No. 14 SF 040 are appropriated for costs of the Department of Aging incurred in Fund 19 associated with conducting the Senior Homeowners Assistance Program ("SHAP"), and CHORE in conjunction with the Community Development Block Grant Program. (RQS 8006, RL 2014-0051)

Section 2. That Emergency Solutions Grant funds in the amount of Sixty Thousand Dollars (\$60,000) from Fund No. 19 SF 681 are appropriated for costs of the Department of Aging incurred in Fund 19 associated with conducting the Homeless Services Program. (RQS 8006, RL 2014-0051)

Section 3. That prior to expending funds under this ordinance, the Director of Aging and the Director of Community Development shall enter into a memorandum of understanding for this program.

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

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

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 606-14.
By Council Members Brancatelli and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contracts for Commercial Revitalization and rebate, grant, and/or loan agreements with Storefront Renovation Program applicants, and to enter into agreements for eligible costs to community development corporations for implementation of the Storefront Renovation and Commercial Revitalization Programs.

Whereas, the City has created a Storefront Renovation Program to encourage exterior rehabilitation of buildings in targeted areas in the City of Cleveland; and

Whereas, the City is creating a Commercial Revitalization Program to further encourage rehabilitation, increase the availability of goods and services for low and moderate income residents, and create employment in the City; and

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

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

Section 1. That the Director of Community Development is authorized to enter into rebate, grant, and/or loan agreements with Storefront Renovation Program applicants, and contracts for eligible administrative costs, consulting, or professional services, and expenses to community development corporations for implementation of the Commercial Revitalization and Storefront Renovation Programs. The Director is also authorized to provide compensating balance deposits to a designated lender(s) via Cleveland Action to Support Housing (CASH) or other designee in return for below market interest rate commercial loans to be used in the Storefront Renovation Program.

Section 2. That the Director of Community Development is authorized to enter into contracts with Commercial Revitalization Program applicants.

Section 3. That the Director of Community Development is authorized to accept program income monies in repayment from community development corporations under the Storefront Renovation Program and to utilize this program income, other Community Development Block Grant program income and Kiosk program income in a revolving fund for additional Commercial Revitalization and Storefront Renovation Program expenditures, and such program income is appropriated for that purpose.

Section 4. That the City is authorized to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of loans, costs, and fees under the City's Storefront Renovation Program and Commercial Revitalization Program.

Section 5. That the Director of Community Development is authorized to enter into forbearance agreements with any recipient of a validly existing loan, administered by the City for Commercial Revitalization or Storefront Renovation.

Section 6. That the Director of Community Development is authorized to collect from persons or entities with whom the City is entering into loan agreements or forbearance agreements an amount equal to any amount spent for services related to such agreements, such as title searches, credit bureau reports and document filing fees. Such fees shall be deposited into Fund No. 14.

Section 7. That the total of the contracts, grant agreements, loan agreements, and rebate agreements authorized may not exceed \$192,640, plus amounts deposited in the revolving fund established in Section 3 of this ordinance and any prior years balances and will be paid from Fund No. 14 SF 040, Request No. RQS 8006, RL 2014-038.

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 the after the earliest period allowed by law.

Passed June 2, 2014.

Effective June 4, 2014.

Ord. No. 607-14.

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

An emergency ordinance appropriating Community Development Block Grant funds and Federal HOME funds for the operation of the Low Interest Loan and Grant Programs; and to enter into one or more contracts with various agencies to implement these programs.

Whereas, the City of Cleveland has received a Community Development Block Grant, Year 40 and 2014 Federal HOME grant funds, from the United States Government; and

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

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

Section 1. That the Director of Community Development is authorized to expend funds from CDBG Fund No. 14 SF 040 in the amount of \$216,836, and Federal HOME Program Fund No. 19 SF 680 in the amount of \$824,000, and prior years balances for the operation of Low Interest Loan and Grant Home Repair Programs, including all related services. Programs include: Senior Home Owners Assistance Program (SHAP), Afford-A-Home (AAH),

Repair-A-Home (RAH), Corrective Action Grant, Housewarming, Furnace Repair, Home Maintenance Assistance Program (HMAP), Lead Hazard Abatement, Tree Removals and Gutter Cleaning Program. Request No. RQS 8006, RL 2014-055.

Section 2. That the Director of Community Development is authorized to enter into one or more contracts with various non-profit agencies, rehabilitation service providers, tenants, homeowners, and entities providing services necessary to process loans and grants to implement the Low Interest Loan and Grant Programs in the City of Cleveland.

Section 3. That the Director of Community Development is authorized to accept monies in repayment under the programs and to utilize the repayments, and other program income in a revolving fund for additional expenditures under these programs and administrative expenses, which repayments and program income are appropriated for those purposes.

Section 4. That the City is authorized to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of loans made under this program.

Section 5. That the Director of Community Development is authorized to enter into forbearance agreements with any recipient of a validly existing loan administered by the City, and to charge and accept fees to cover costs incurred in the preparation of loan documents, closing, and servicing costs. Such fees shall be deposited into Fund No. 14 and are hereby appropriated for the purposes of the Low Interest Loan and Grant Program.

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

Passed June 2, 2014.

Effective June 4, 2014.

Ord. No. 608-14.

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

An emergency ordinance authorizing the Director of Public Safety to enter into an agreement with the Cuyahoga County Solid Waste District to accept funding in support of the Department of Public Safety's Environmental Crimes Task Force needed to purchase supplies, equipment, and vehicles to assist in the investigation, enforcement, and prosecution of persons illegally dumping trash and waste.

Whereas, there is an acknowledged problem of illegal dumping of scrap tires, solid waste, and construction debris within the City of Cleveland; and

Whereas, the City has established an Environmental Crimes Task Force ("City Task Force") comprised of the offices of Public Safety, Public Health, Building and Housing, Law, and others working collaboratively with the City Task Force to combat illegal dumping in the City; and

Whereas, the City's Department of Public Safety is establishing an environmental crimes unit that will investigate illegal dumping crimes and seek prosecution for those crimes; and

Whereas, under Resolution No. 140423 of the Cuyahoga County Solid Waste District (the "District"), the District authorized payment in an amount not to exceed \$50,000 to the City of Cleveland Department of Public Safety to provide financial support for the City Task Force to address the problem of illegal dumping within the City of Cleveland from May 1, 2014 through December 31, 2015; and

Whereas, the City wishes to accept the funding from the District; and

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

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

Section 1. That the Director of Public Safety is authorized to enter into an agreement with the District to accept funding in an amount not to exceed \$50,000 to purchase supplies, equipment, and vehicles needed for environmental crimes enforcement from May 1, 2014 through December 31, 2015, and those funds are appropriated for this purpose.

Section 2. That, unless expressly prohibited by the agreement, under Section 108(b) of the Charter, purchases made under the agreement may be made through cooperative arrangements with other governmental agencies. The Director of Public Safety may sign all documents and do all things that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process. The contracts will be paid from the fund or funds to which are credited any funds accepted under this ordinance.

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

Passed June 2, 2014.

Effective June 4, 2014.

Ord. No. 611-14.

By Council Member Kelley (by departmental request).

An emergency ordinance approving the collective bargaining agreement with the City, County and Waste Paper Drivers Union, Local No. 244, affiliated with the International Brotherhood of Teamsters; and to amend Section 16 of Ordinance No. 385-14, passed March 31, 2014, relating to compensation for various classifications.

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

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

Section 1. That under division (B) of Section 4117.10 of the Revised Code, this Council approves the collective bargaining agreement with the City, County and Waste Paper Drivers Union, Local No. 244, affiliated with the

International Brotherhood of Teamsters, under the terms contained in File No. 611-14-A, for the period from April 1, 2013 through March 31, 2016, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit under the following schedule:

Increase	Approximate Date of Increase*
1%	April 1, 2013
2%	April 1, 2014
2%	April 1, 2015

* Wage increases shall be effective as follows:

- (a) If April 1st falls in the first week of a pay period, then the wage increase shall be effective commencing at the beginning of that pay period; or
- (b) If April 1st falls in the second week of a pay period, then the wage increase shall be effective commencing at the beginning of the next pay period.

Section 2. That Section 16 of Ordinance No 385-14, passed March 31, 2014, is amended to read as follows:

Section 16. City, County and Waste Paper Drivers Union, Local No. 244, affiliated with the International Brotherhood of Teamsters. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Airport Maintenance Man.....	\$19.09	\$19.47
2. Animal Control Officer.....	17.64	18.00
3. Concrete Mixer Driver.....	23.69	24.16
4. Ground Maintenance Truck Driver.....	24.85	25.34
5. Ground Maintenance Truck Driver II.....	19.73	20.12
6. Hostler.....	15.66	15.97
7. Parking Enforcement Officer.....	15.55	15.87
8. Section Supervisor (part-time/seasonal).....	10.00	16.93
9. Snow Removal Vehicle Operator (part-time/seasonal)	17.10	17.44
10. Street Carry-all Driver.....	24.85	25.34
11. Street Maintenance Equipment Leader.....	25.81	26.32
12. Street Equipment Maintenance Specialist.....	24.85	25.34
13. Tanker Truck Driver.....	24.85	25.34
14. Traffic Controller.....	15.55	15.87
15. Truck Driver.....	19.99	20.39
16. Waste Collection Driver.....	19.71	20.10
17. Waste Collection Roll Off Driver.....	23.66	24.12

Section 3. That existing Section 16 of Ordinance No. 385-14, passed March 31, 2014, is repealed.

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

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 618-14.
By Council Members Brancatelli and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with the Greater Cleveland Media Development Corporation dba Greater Cleveland Film Commission to assist with the operations of the organization.

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

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

Section 1. That the Director of Economic Development is authorized to enter into a grant agreement with the Greater Cleveland Media Development Corporation dba Greater Cleveland Film Commission to assist with the operations of the organization.

Section 2. That the costs of the grant shall not exceed \$200,000 and shall be paid from Fund No. 17 SF 652, Request No. RQS 9501, RL 2014-53.

Section 3. That the Director of Law is authorized to prepare the grant agreement and other documents that

may be appropriate to complete the transaction.

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

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 619-14.
By Council Members Brancatelli and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with The Greater Cleveland Sports Commission to provide financial assistance to organize and administer programs for marketing the City of Cleveland as a venue for sporting events and to actively market the Public Auditorium as a premier site for the hosting of major events.

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

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

Section 1. That the Director of Economic Development is authorized to enter into a grant agreement with The Greater Cleveland Sports Commission to provide financial assistance to organize and administer programs for marketing the City of Cleveland as a venue for sporting events and to actively market the Public Auditorium as a premier site for the hosting of major events.

Section 2. That the costs of the grant shall not exceed an amount of \$200,000 and shall be paid from Fund No. 17 SF 652, RQS 9501, RL 2014-54.

Section 3. That the agreement and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

Section 4. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately

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

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 620-14.
By Council Members Zone and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to lease certain property known as the Central Prison Unit located on part of the 6th floor of Police Headquarters in the Justice Center to Cuyahoga County along with use of one elevator and sally port use to permit the County's Sheriff's Department to house prisoners in conjunction with the Sheriff's booking, housing, and other related services for City Prisoners under a separate underlying agreement.

Whereas, the City and Cuyahoga County are in the process of entering into or have already entered into a written agreement pursuant to Cleveland City Ordinance No. 299-14 to have the County's Sheriff Department take over from the City's Division of Correction the booking, housing and other related services for individuals designated "City Prisoners" for a per diem rate per City Prisoner ("the Underlying Agreement"); and

Whereas, in conjunction with the Underlying Agreement, the City desires to lease to the County the City's Central Prison Unit facilities located on part of the 6th floor of Police Headquarters in the Justice Center to permit the County Sheriff's Department to use the space for the booking, housing and provision of related services for prisoners in the Sheriff's custody.

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Safety is authorized to lease to Cuyahoga County certain City-owned space known as the Central Prison Unit located on part of the 6th floor of Police Headquarters in the Justice Center along with one dedicated elevator for prisoner use and use of one sally port in the Police Headquarters building which the Director determines are suitable and appropriate for lease and operation by another party for the public purpose of permitting the County's Sheriff's Department to provide booking, housing, and other related prisoner services in conjunction with the Underlying Agreement.

Section 2. That the lease authorized by this ordinance shall continue until such time as the Underlying Agreement is terminated, unless terminated at an earlier time pursuant to terms of the lease agreement entered into.

Section 3. That the property described above shall be leased at a rental of \$1.00 per year.

Section 4. That the City may reimburse the County in an amount not to exceed \$250,000.00 for improvements specified in the lease agreement and

pursuant to the terms of the lease agreement entered into.

Section 5. That other terms and conditions of the lease are substantially contained in the draft agreement placed in File No. 620-14-A.

Section 6. That the lease shall be prepared by the Director of Law and shall contain any terms and conditions as are required to protect the interests of the City.

Section 7. That the Director of Public Safety, the Director of Law, and other appropriate City officials are authorized to execute any other documents and certificates, and take any other actions which may be necessary or appropriate to effect the lease authorized by this ordinance.

Section 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.

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 621-14.
By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Director of Human Resources to employ one or more consultants or firms of consultants to provide professional services necessary to analyze health care providers, benefits, and claims, and to evaluate proposals received for benefit management services, for a period of one year, with two one-year options to renew, the second of which requires additional legislative authority.

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

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

Section 1. That the Director of Human Resources is authorized to employ by contract or contracts one or more consultants or firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to analyze health care providers, benefits, and claims, and to evaluate proposals received for benefit management services for a period of one year, with two one-year options to renew, the second of which requires additional legislative authority.

The selection of the consultants or firms of consultants for the services shall be made by the Board of Control on the nomination of the Director of Human Resources from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Human Resources for the purpose of compiling a list. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Human Resources, and certified by the Director of Finance.

Section 2. That the cost of the contract or contracts authorized shall be paid from Fund No. 70 SF 201, RQS 0402, RL 2014-62.

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

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 626-14.
By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to enter into contract without competitive bidding with Iron Mountain/National Underground Storage, a division of Iron Mountain Information Management, Inc. for the lease of space for the storage of records, and the purchase of services related to the storage of records, for a period of one year, with a one-year option to renew, exercisable by the Director of Finance.

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

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

Section 1. That notwithstanding any provisions of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Finance, on behalf of the Clerk of the Cleveland Municipal Court, is authorized to enter into a rental agreement with Iron Mountain/National Underground Storage, a division of Iron Mountain Information Management, Inc., for the rental of space for the storage of records of the Cleveland Municipal Court. The rental agreement shall be for a period of one year commencing January 1, 2015, with one option to renew for an additional one-year period, exercisable by the Director of Finance.

Section 2. That the rental agreement shall be prepared by the Director of Law.

Section 3. That it is determined that the within commodities are non-competitive and incidental to the lease of space authorized by Section 1 of this ordinance, and cannot be secured from any source other than Iron Mountain/National Underground Storage, a division of Iron Mountain Information Management, Inc. Therefore, the Director of Finance, on behalf of the Cleveland Municipal Court, is authorized to make a written requirement contract with Iron Mountain/National Underground Storage, a division of Iron Mountain Information Management, Inc. for miscellaneous services related to the storage of records, such as the provision of storage boxes, filing, file retrieval, file delivery, faxing, photocopying, data entry, the destruction of records, and other file request services, for a period of one year, with one option to renew for an additional one-year period, exercisable by the Director of Finance, and cancelable on thirty days written notice by the director, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Cleveland Municipal Court.

Section 4. That the cost of the rental agreement and related services and the other contract or contracts authorized by this ordinance shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQS 0116, RL 2014-29)

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

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 627-14.

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

An emergency ordinance to amend the title and Section 1 of Ordinance No. 1589-13, passed November 25, 2013, relating to environmental lead investigations of eligible children's residences.

Whereas, under Ordinance No. 1589-13, passed November 25, 2013, this Council authorized the City to perform environmental lead investigations of residences of Medicaid-eligible children during the Children's Lead Poisoning Prevention Program's grant term; and

Whereas, the City received reimbursements for these investigations from the grant; and

Whereas, the grant has been discontinued, however, the Ohio Department of Health is still providing reimbursements to the City for investigations the City performs; and

Whereas, in addition to the investigations of children's residences that are Medicaid-eligible, the Ohio Department of Health is also providing reimbursements to the City for investigations of residences of non-Medicaid-eligible children and will provide more funding; 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 title and Section 1 of Ordinance No. 1589-13, passed November 25, 2013, are amended to read as follows:

An Emergency Ordinance authorizing the Director of Public Health to enter into contract with the Ohio Department of Health to perform environmental lead investigations of residences of Medicaid-eligible and non-Medicaid-eligible children.

Section 1. That the Director of Public Health is authorized to enter into contract with the Ohio Department of Health, under which the City will perform environmental lead investigations for lead hazards in residences occupied by Medicaid-eligible and non-Medicaid-eligible children from July 1, 2013 to June 30, 2015. The contract shall provide that the City will receive compensation for performing

the lead investigations in an amount not to exceed \$222,000 to be deposited into Fund No. 10 SF 304. The Director of Finance is authorized to receive and accept the compensation on behalf of the City and the Director of Public Health is authorized to sign the documents necessary to enter into the contract.

Section 2. That the existing title and Section 1 of Ordinance No. 1589-13, passed November 25, 2013, 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.

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 629-14.

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

An emergency ordinance authorizing the Director of Economic Development to apply for and accept grants from JobsOhio and/or the Ohio Development Services Agency or other entity for environmental assessment assistance to implement the proposed redevelopment of the East 69th & Euclid Block site; authorizing the director to employ one or more consultants or one or more firms of consultants who employ an Ohio VAP-Certified professional to provide perform an environmental assessment of the site; authorizing agreements with Lassi Enterprises LLC and the Cleveland-Cuyahoga County Port Authority to allow the Ohio VAP-Certified professional access onto and to perform an environmental assessment of the properties; and authorizing the Director of Community Development to transfer certain properties within the Block site to the control, possession, and use of the Department of Economic Development for future redevelopment.

Whereas, the East 69th Street and Euclid Avenue Block Site ("Block Site") currently consist of seventeen parcels; three of which are owned by Lassi Enterprises, LLC, four are privately-owned residences, two parcels are owned by the Cleveland-Cuyahoga County Port Authority; and the remaining eight are in the City's Residential Land Bank; and

Whereas, Block Site is located in one of Cleveland's strongest economic development areas and a prime location for future development along the Health Tech Corridor; and

Whereas, in order to prepare the Block Site for future development, the City must assemble, assess, and remediate the parcels comprising the Block Site; and

Whereas, this Council authorizes the Director of Economic Development to apply for and accept grants providing financial assistance for an environmental assessment to be done on thirteen of the seventeen parcels, excluding those four privately-owned residential parcels; and

Whereas, the Department of Community Development desires to transfer certain property under its control to the Department of Economic Development; and

Whereas, Section 183.14 of the Codified Ordinances of Cleveland, Ohio, 1976, requires that such transfer be preceded by an ordinance of Council approving the transfer; and

Whereas, the property to be transferred will become a component of the City of Cleveland's industrial land reutilization program, and, as such, will be regulated by Chapter 5722 of the Revised Code and Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, regarding acquisition and disposition of the property; and

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

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

Section 1. That the Director of Economic Development is authorized to apply for and accept a grant from JobsOhio and/or the Ohio Development Services Agency, or other entity in an amount up to \$200,000, for environmental assessment assistance to implement the proposed redevelopment of the Block Site, as described in the file described below. That the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grants; and that the funds are appropriated for the purposes described in the file described below and in any subsequent grant amendments, which amendments will be filed with Council.

Section 2. That the executive summary and the project site map for the grants, File No. 629-14-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, are approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the Director of Economic Development is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants who employ an Ohio VAP-Certified professional for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to implement the grant project.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Economic Development from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Economic Development for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control.

Section 4. That the Director of Economic Development is authorized to enter into one or more agreements with Lassi Enterprises, LLC and with the Cleveland-Cuyahoga County Port Authority to allow the Ohio VAP-Certified professional hired by the City under this ordinance, access onto the three Lassi Enterprises-owned parcels within the Block Site and access onto the two Cleveland-Cuyahoga Port Authority-owned parcels within the Block Site and to perform an environmental assessment of the five properties.

Section 5. That the contract or contracts authorized by this ordinance shall be prepared by the Director of

Law, approved by the Director of Economic Development, and certified by the Director of Finance.

Section 6. That under Section 183.14 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Community Development is authorized to transfer Permanent Parcel Nos. 118-08-025, 118-08-027, 118-08-028, 118-08-032, 118-08-033, 118-08-034, 118-08-036, and 118-08-046 to the control, possession, and use of the Department of Economic Development.

Section 7. That on consummation of the transfer referenced above, the directors participating in the transaction shall initial and date a copy of

this ordinance and deliver the copy to the custody of the Division of Property Management of the Department of Public Works.

Section 8. That on consummation of the sale of the Block Site to a future developer, the Directors of Economic Development and Community Development agree that \$20,000 of the sale price and fifty percent (50%) of the remaining net proceeds shall be deposited into Fund No. 17 SF 965, Industrial Commercial Land Bank Fund, and that fifty percent (50%) of the remaining net proceeds will be deposited into Fund No. 14 SF 039 (CDBG, Year 39).

Section 9. That the cost of the contract or contracts authorized will be paid from the fund or subfunds that are credited the proceeds of the grants accepted under this ordinance.

Section 10. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 641-14.

By Council Member Kelley (by departmental request).

An emergency ordinance to amend Sections 4, 51, 52, and 53 of Ordinance No. 385-14, passed March 31, 2014, relating to compensation for various classifications.

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 4, 51, 52, and 53 of Ordinance No. 385-14, passed March 31, 2014, are amended to read as follows:

Section 4. Employees of Council – Salary.

That the Clerk of Council, with the approval of the President of Council, shall fix the salary of the employees of Council within the limits established in the following schedule for each classification:

	Minimum	Maximum
1. Administrative Assistant.....	\$21,851.06	\$75,668.09
2. Administrative Secretary.....	20,800.00	75,668.09
3. Assistant Legislative Clerk.....	20,800.00	59,318.03
4. Chief City Archivist.....	21,851.06	79,830.83
5. Chief Legislative Secretary.....	21,851.06	79,830.83
6. Council Receptionist.....	20,800.00	47,898.49
7. Deputy City Archivist.....	20,800.00	75,688.09
8. Deputy Clerk.....	21,851.06	75,688.09
9. Director of Communications.....	24,974.46	79,830.83
10. Director of Policy Research.....	24,974.46	79,830.83
11. Executive Assistant – Administration.....	24,974.46	79,830.83
12. Executive Assistant – Councilmembers.....	20,800.00	46,359.00
13. Executive Assistant to the Clerk of Council.....	24,974.46	79,830.83
14. Financial Assistant.....	20,800.00	47,898.49
15. Chief Financial Officer.....	21,851.06	79,830.83
16. Financial Officer.....	20,800.00	75,688.09
17. First Assistant Clerk.....	24,975.91	79,830.83
18. Information and Technology Administrator.....	21,851.06	75,688.09
19. Information Systems Engineer.....	24,974.46	79,830.83
20. Legislative Assistant.....	20,800.00	63,864.66
21. Legislative Committee Clerk.....	20,800.00	63,864.66
22. Legislative Secretary.....	20,800.00	63,864.66
23. Personnel and Human Resources Assistant.....	20,800.00	75,688.09
24. Personnel and Human Resources manager.....	21,851.06	79,830.83
25. Planning and Development Advisor.....	55,000.00	79,565.97
26. Policy Research Analyst.....	21,851.06	75,688.09
27. Public Relations Manager.....	21,851.06	79,830.83
28. Sergeant-at-Arms.....	20,800.00	43,914.68
29. Special Council.....	41,416.04	85,249.26

Section 51. Municipal Court Employees.

That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Deputy Bailiff.....	\$27,491.00	\$59,612.94
2. Deputy Bailiff Administrative Assistant I.....	34,167.00	52,206.42
3. Deputy Bailiff Administrative Assistant II.....	39,167.00	69,175.71
4. Deputy Bailiff Alcohol & Drug Treatment Coordinator/Drug Court Case Manager.....	48,750.00	74,489.64
5. Deputy Bailiff Assistant Chief of Security.....	48,750.00	74,489.64
6. Deputy Bailiff Assistant Jury Commissioner.....	44,167.00	66,849.68
7. Deputy Bailiff Central Scheduler.....	27,492.00	55,459.77
8. Deputy Bailiff Chief Bailiff.....	42,000.00	98,046.19
9. Deputy Bailiff Chief Court Reporter.....	52,500.00	80,219.61

10.	Deputy Bailiff Chief Deputy Bailiff	58,333.00	89,132.90
11.	Deputy Bailiff Chief Magistrate	71,667.00	109,506.14
12.	Deputy Bailiff Chief of Security	48,750.00	80,678.19
13.	Deputy Bailiff Chief Probation Officer.....	58,333.00	98,046.19
14.	Deputy Bailiff Chief Social Worker.....	48,750.00	80,219.61
15.	Deputy Bailiff Clerical Staff.....	27,492.00	55,459.77
16.	Deputy Bailiff Clerk Typist.....	24,525.00	52,378.31
17.	Deputy Bailiff Clerk Typist Supervisor	39,167.00	59,846.38
19.	Deputy Bailiff Court Reporter.....	36,509.00	63,829.77
20.	Deputy Bailiff Court Administrator	79,167.00	120,966.08
21.	Deputy Bailiff Database Administrator II	52,500.00	91,400.06
22.	Deputy Bailiff Data Processor I	27,083.00	41,383.13
23.	Deputy Bailiff Deputy Chief Court Reporter	48,750.00	74,489.64
24.	Deputy Bailiff Deputy Court Administrator	71,667.00	109,506.14
25.	Deputy Bailiff Deputy Director Central Scheduling....	48,750.00	74,489.64
26.	Deputy Bailiff Deputy Director Information Technology	64,167.00	98,046.19
27.	Deputy Bailiff Director Central Scheduling.....	52,500.00	97,644.07
28.	Deputy Bailiff Director Information Technology	71,667.00	109,506.14
29.	Deputy Bailiff Drug Court Coordinator.....	52,500.00	80,219.61
30.	Deputy Bailiff Finance Director.....	52,500.00	80,219.61
31.	Deputy Bailiff HR/Personnel Director.....	58,333.00	89,132.90
32.	Deputy Bailiff Intake Coordinator.....	34,167.00	52,206.42
33.	Deputy Bailiff Jury Commissioner	48,750.00	74,489.64
34.	Deputy Bailiff Law Clerk	20,000.00	25,466.54
35.	Deputy Bailiff Magistrate	58,333.00	97,644.07
36.	Deputy Bailiff Magistrate Project Coordinator	39,167.00	66,849.68
37.	Deputy Bailiff Network Engineer I.....	39,167.00	59,846.38
38.	Deputy Bailiff Network Engineer II.....	44,167.00	73,799.92
39.	Deputy Bailiff Network Engineer III.....	52,500.00	80,219.61
40.	Deputy Bailiff Office Manager.....	48,750.00	74,489.64
41.	Deputy Bailiff Private Secretary.....	33,554.00	43,255.99
42.	Deputy Bailiff Probation Officer Supervisor	48,750.00	74,489.64
43.	Deputy Bailiff Probation Systems Administrator/Trainer.....	48,750.00	74,489.64
44.	Deputy Bailiff Probation Training Coordinator.....	44,167.00	66,849.68
45.	Deputy Bailiff Program Analyst I.....	39,167.00	59,846.38
46.	Deputy Bailiff Program Analyst II.....	52,500.00	80,219.61
47.	Deputy Bailiff Project Manager II.....	64,167.00	98,046.19
48.	Deputy Bailiff Psychiatric Social Worker.....	34,167.00	52,206.42
49.	Deputy Bailiff Psychology Assistant.....	27,083.00	41,383.13
50.	Deputy Bailiff Public Information Officer	48,750.00	80,678.19
51.	Deputy Bailiff Special Projects Officer	48,750.00	74,489.64
52.	Deputy Bailiff Supervisor.....	44,167.00	66,849.68
53.	Deputy Bailiff System Analyst II.....	52,500.00	80,219.61
54.	Deputy Bailiff Technical Support Specialist I.....	27,083.00	47,344.30
55.	Deputy Bailiff Technical Support Specialist II.....	39,167.00	59,846.38
56.	Deputy Bailiff Technical Support Specialist III.....	44,167.00	66,849.68
57.	Deputy Bailiff Warrant Officer	27,492.00	59,846.38
58.	Probation Officer General	34,035.00	63,853.12
59.	Personal Bailiff	63,969.00	81,453.68

Section 52. Housing Court Employees.

That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

		Minimum	Maximum
1.	Chief Housing Court Specialist.....	\$52,158.83	\$87,958.42
2.	Housing Court Administrative Assistant.....	23,063.94	56,089.80
3.	Housing Court Administrator.....	64,815.84	98,856.25
4.	Housing Court ADR Specialist.....	42,178.00	85,692.31
5.	Housing Court Chief Bailiff.....	38,884.00	89,786.52
6.	Housing Court Chief Magistrate.....	71,667.00	119,321.64
7.	Housing Court Coordinator	23,064.00	53,466.46
8.	Housing Court Court Reporter	23,715.99	59,329.48
9.	Housing Court Deputy Bailiff	22,173.84	55,455.03
10.	Housing Court Deputy Bailiff - Uniformed.....	22,173.84	55,455.03
11.	Housing Court Deputy Bailiff Supervisor.....	42,815.88	71,182.27
12.	Housing Court Deputy Bailiff/Finance Officer	38,544.06	71,448.96
13.	Housing Court Deputy Bailiff/Judicial Clerk	21,993.75	51,855.93
14.	Housing Court Deputy Bailiff/Staff Attorney.....	29,585.00	71,300.28
15.	Housing Court Magistrate.....	42,178.32	93,359.58
16.	Housing Court Magistrates' Personal Bailiff.....	23,063.94	52,126.91
17.	Housing Court Personal Bailiff	63,969.00	90,156.78
18.	Housing Court Project Coordinator.....	31,050.00	68,717.31
19.	Housing Court Receptionist.....	23,064.00	35,785.62
20.	Housing Court Scheduler	23,063.94	52,126.91

21.	Housing Court Secretary.....	20,815.92	38,914.02
22.	Housing Court Specialist.....	34,000.00	70,380.00
23.	Housing Court Specialist - Mediation Coordinator.....	29,585.48	59,956.65
24.	Housing Court Student Aide.....	10.70	11.00

Section 53. Clerk of Court Employees.

That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Chief Deputy Clerk — Full Time.....	\$20,800.00	\$96,257.15
2. Chief Deputy Clerk — Part Time.....	9.00	26.53
3. Clerk of Court Student Aide.....	9.00	10.00
4. Deputy Clerk.....	20,800.00	96,257.20

Section 2. That existing Sections 4, 51, 52, and 53 of Ordinance No. 385-14, passed March 31, 2014, 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.

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 643-14.

By Council Member Cimperman.
An emergency ordinance designating West 13th Street between Abbey and University Roads with a secondary and honorary designation of "Victoria and Michael Sokolowski Way".

Whereas, in 1923 Victoria and Michael Sokolowski founded a Polish restaurant on a bank of the Cuyahoga in Cleveland; and,

Whereas, today, the family-owned Sokolowski's University Inn serves edible homages to the city's immigrant-driven industrial past, dishing sturdy comfort foods like cabbage rolls that once fueled the city's growth; and,

Whereas, what began as a tavern when the Tremont neighborhood was flush with blue-collar steelworkers, expanded to cafeteria-style service in the 50s, and has evolved, more recently into a touchstone restaurant for Polish families in search of their culinary roots; and

Whereas, Sokolowski's University Inn was just named a 2014 winner of the James Beard Foundation's "American Classics" Award for its timeless appeal and quality food that reflects the character of the community; and

Whereas, the citizens of Cleveland want to honor the legacy of Victoria and Michael Sokolowski and the Sokolowski family with a street sign designation of "Victoria and Michael Sokolowski Way"; and,

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

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

Section 1. That West 13th Street between Abbey and University Roads is designated with a secondary and honorary designation of "Victoria and Michael Sokolowski Way".

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

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 665-14.

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

An emergency ordinance authorizing the Director of Port Control to make alterations and modifications in Contract No. PI 2013-58 with Independence Excavating, Inc. for improvements to the Burke Lakefront Airport Runway 6L-24R Safety Area, for the Department of Port Control.

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

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

Section 1. That the Director of Port Control is authorized to make the following alterations and modifications in Contract No. PI 2013-58 with Independence Excavating, Inc. for improvements to the Burke Lakefront Airport Runway 6L-24R Safety Area, for the Department of Port Control:

Subsidiary Additions

• **Subgrade Stabilization**

During the excavation for Taxiway A, super-saturated subgrade was encountered due to the blockage of two (2) outfalls. Various methods were employed to correct the soil bearing issues associated with the saturated subgrade. During the excavation of the east-side taxiway pavement, unsuitable subgrade in the form of rubbish was encountered. In an effort to mitigate these issues, the typical pavement section was revised to include subgrade fabric and an increased aggregate depth. A portion of the additional material and labor associated with these items were paid under Contingency Authorization #1.

• **Drainage Improvements**

Drainage improvements were required to remove blockages of two outfalls on the west side of the airfield (see aforementioned section above). The improvements included re-routing of outfall #1 and installation of extra pipe sections for outfall #2.

• **Utility Relocation**

The project called for re-grading of the affected runway safety area. During the grading effort, discovered

was that there was little to no fill over the existing utilities including the primary power to the Runway 24R Glide Slope, control power to the Runway 24R Localizer, and the Taxiway F edge light circuit. This item will lower and re-grade the existing utilities to the proper depth or reroute them out of the runway safety area as necessary, the grades and increased the depth of the typical roadway section. A portion of these costs have been contained in Contingency Authorization #1.

Total Subsidiary Additions:	\$ 1,613,253.41
Original Contract Amount:	\$16,218,732.16
Total Subsidiary Additions:	+ 1,613,253.41
TOTAL REVISED CONTRACT AMOUNT:	\$17,831,985.57

which alteration has been recommended in writing by the Director of Port Control, countersigned by the Mayor, and consented to by the surety on the contract, which price to be paid has been agreed upon in writing and signed by the Director of Port Control and the contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$1,613,253.41 to be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106, 60 SF 112, 60 SF 115, 60 SF 116, 60 SF 117, 60 SF 119, 60 SF 121, 60 SF 122, 60 SF 128, 60 SF 130, 60 SF 141, 60 SF 160, 60 SF 60 SF 314 and any funds or subfunds which are credited any federal grants or PFCs authorized for the above purpose and the proceeds from the sale of any airport revenue bonds issued for the purpose which includes the above improvement. RQS 3001, RL 2014-36.

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

Passed June 2, 2014.
Effective June 4, 2014.

**Ord. No. 675-14.
By Council Members Zane and Kelley (by departmental request).**

An emergency ordinance authorizing the Director of Public Safety to enter into one or more contracts with CI Technologies, Inc. for the acquisition of one or more IAPro and Blue Team software licenses, and for Human Resource integration, data conversion, training, and other related services, for the Division of Police, Department of Public Safety, and maintenance for a period of one year, with two one-year options to renew, the second of which requires additional legislative authority.

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

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

Section 1. That the Director of Public Safety is authorized to enter into one or more contracts with CI Technologies, Inc. for professional services necessary for the acquisition of one or more IAPro and Blue Team software licenses, and for Human Resource integration, data conversion, training, and other related services, for the Division of Police, Department of Public Safety on the basis of its proposal dated February 20, 2014, in the total sum of \$63,800, for the Division of Police, Department of Public Safety, and maintenance for a period of one year, with two one-year options to renew, the second of which requires additional legislative authority. The contract or contracts shall be paid from Fund No. 10 SF 025, Request No. RQS 6001, RL 2014-25.

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

Passed June 2, 2014.
Effective June 4, 2014.

**Ord. No. 676-14.
By Council Member Kelley (by departmental request).**

An emergency ordinance authorizing the purchase by one or more requirement contracts of various electrical materials, supplies, and equipment for the various divisions of City government, for a period of two years, with a one-year option to renew, exercisable by the Director of Finance.

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 is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a two-year term, with a one-year option to renew, of the necessary items of various electrical materials, supplies, and equipment for the various divisions of the City government, exercisable by the Director of Finance. Bids shall be taken in a manner that permits an award to be made for all items as a

single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 1505-RL 2014-17)

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

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

Passed June 2, 2014.
Effective June 4, 2014.

**Ord. No. 682-14.
By Council Members Brancatelli and Kelley (by departmental request).**

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 138.09 relating to accepting gifts and grants to abate public nuisance properties.

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 138.09 to read as follows:

Section 138.09 Accepting Gifts and Grants to Abate Public Nuisance Properties

(a) The Director of Building and Housing is authorized to apply for and accept grants and gifts of funds, materials, equipment, supplies, and services from public or private entities, to be used for abating properties found to be unsafe and declared a public nuisance under the provisions of Sections 367.05 or 3103.09 of these Codified Ordinances. The Director shall report the acceptance of each gift to the Clerk of the City Council.

(b) The Director may accept the gift if the donor has provided written notification to the Director of the intent to make the gift, specifying the type of gift, and stating the value thereof. If any gift or grant accepted under this section causes administra-

tive expenses to exceed fifteen percent (15%) of the value of the gift or grant, additional legislative authority is necessary before receiving the gift or grant.

(c) The Director is further authorized to pay cash matching funds if required to receive grant funding. The matching funds shall be paid from funds appropriated for the use of the Department of Building and Housing.

(d) The Director is further authorized to file all papers and execute all documents necessary to receive the funds under the grants and gifts and, upon acceptance of the grants or gifts under this section, the grant or gift funds shall be appropriated for the purposes of this section.

(e) If the Director finds that a structure is found to be unsafe and declared a public nuisance under the provisions of Sections 367.05 or 3103.09, the Director is authorized to enter into contract to abate the nuisance under Section 138.07 of these Codified Ordinances using gifts or grants accepted under this section.

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

Passed June 2, 2014.
Effective June 4, 2014.

**Ord. No. 683-14.
By Council Members Brancatelli and Kelley (by departmental request).**

An emergency ordinance authorizing the Director of Community Development to employ one or more professional consultants to provide grant writing services; and authorizing the Director of Community Development to apply for and accept the Lead Hazard Reduction Demonstration or Lead Hazard Control Grant and the Healthy Homes Grant both from the U.S. Department of Housing and Urban Development; authorizing the purchase by one or more standard and requirement contracts of materials, equipment, supplies, and services necessary to implement the grants and for the rental of furniture and other household articles to supply and accommodate displaced persons; and authorizing one or more contracts with various entities, agencies, or individuals to implement the grants.

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

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

Section 1. That the Director of Community Development is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide grant writing services needed to assist the City with preparing the applications needed to receive the grants identified in this ordinance.

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

Section 2. That the Director of Community Development is authorized to apply for and accept either the Lead Hazard Reduction Demonstration or Lead Hazard Control Grant, in the amount of up to approximately \$3,500,000 and to apply for and accept the Healthy Homes grant in the amount of up to approximately \$400,000, and any other funds that may become available during the grant terms, both from the U.S. Department of Housing and Urban Development to conduct the Lead Hazard Reduction Demonstration or Lead Hazard Control Grant and the Healthy Homes Programs; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grants; and that the funds are appropriated for the purposes described in the Executive Summary contained in the file below.

Section 3. That the Executive Summary, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 683-14-A, are made a part of this ordinance as if fully rewritten, are approved in all respects, and shall not be changed without additional legislative authority.

Section 4. That the Director of Community Development shall have the authority to extend the term of the grants during the grant terms.

Section 5. That the Director of Community Development shall deposit the grants accepted under this ordinance into a fund or funds designated by the Director of Finance to implement the programs as described in the file and appropriated for those purposes.

Section 6. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase or rental under the contract, each of which purchases or rentals shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance.

Section 7. That the Director of Community Development is authorized to make one or more written standard purchase and/or written requirement purchase contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the period during the grant terms, for each or all of the following items: materials, equipment, supplies, and services needed to implement the grant and for the rental of furniture and other household articles to supply and accommodate displaced persons during lead abatement performed under the grants as described in the file, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Department of Community Development. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines.

Section 8. That the costs of the contract or contracts shall be charged against the proper appropriation

accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance.

Section 9. That, unless expressly prohibited by the grant agreements, under Section 108(b) of the Charter, purchases made under the grant agreements may be made through cooperative arrangements with other governmental agencies. The Director of Community Development may sign all documents and do all things that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 10. That the Director of Community Development is authorized to enter into one or more contracts with or make payments to various entities, agencies, or individuals to implement the grants as described in the file.

Section 11. That the costs of the contract or contracts authorized by this ordinance shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance, except for the professional services for grant writing authorized in Section 1 of this ordinance, which shall be paid from Fund No. 14 SF 039, RQS 8006, RL 2014-71.

Section 12. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed June 2, 2014.

Effective June 4, 2014.

Ord. No. 684-14.

By Council Member Kelley (by departmental request).

An emergency ordinance to amend Section 555.08 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1020-04, passed August 11, 2004, relating to fees for testing and sealing weights and measures.

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

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

Section 1. That Section 555.08 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1020-04, passed August 11, 2004, is amended to read as follows:

Section 555.08 Fees

(a) For all inspections required in this section, the Commissioner of Assessments and Licenses shall collect a fee for testing and/or sealing weights and measures. All charges shall conform to the following schedule:

For the sealing of computer scales	\$ 35.00 each
For the sealing of counter scales	\$ 20.00 each
For the sealing of pre-package scales	\$ 50.00 each
For the sealing of spring scales	\$ 20.00 each
For the sealing of druggist prescription scales	\$ 20.00 each
For the sealing of overhead beams	\$ 35.00 each
For the sealing of dormant scales	
(0 - 2,000 pounds)	\$ 50.00 each
(2,001 - 5,000 pounds)	\$ 55.00 each
(over 5,001 pounds)	\$ 65.00 each
For the sealing of platform scales	
(0 - 100 pounds)	\$ 30.00 each
(101 - 400 pounds)	\$ 40.00 each
(over 401 pounds)	\$ 55.00 each
For the sealing of timing devices	\$ 40.00 per site

For the sealing of dryer timing devices	
(1-15 dryers)	\$ 40.00
(16-30 dryers)	\$ 50.00
(over 30 dryers)	\$ 65.00
For the sealing of car washes, air hoses, vacuums	\$ 10.00 each
For the sealing of parking time clocks and recorders	\$ 30.00 each
For the sealing of retail motor fuel dispenser	\$ 30.00 each
For the sealing of retail kerosene dispenser	\$ 30.00 each
For the sealing of vehicle tank meters	
(0-6,500 gallons)	\$ 80.00 each
(6,501 gallons and up)	\$105.00 each
For the sealing of linear measures, mechanical	\$ 20.00 each
For the sealing of jewelry scales	\$ 30.00 each
For the sealing of heavy scales (truck, hopper, crane)	\$125.00 each
For the sealing of scanners	
(0-3 scanners)	\$ 50.00 per location
(4 or more)	\$110.00 per location
Prepackage Check Weighing Fee	\$ 35.00 per lot
For the sealing of bulk fuel rack meters	\$ 80.00 each
Charge for the time used in work of sealers in special service	\$ 50.00 per hour
	(or any portion of an hour)
	per sealer

(b) If an inspection fee prescribed by this section is not received by the Bureau of Weights and Measures within forty-five (45) days from the date it is due, a penalty of fifty percent (50%) of any fee shall be imposed in addition to the original fee.

(c) No weight and/or measure of any kind shall be tested and/or sealed by the Commissioner unless full payment has been received for any previous testing and/or sealing of the weight and/or measure.

Section 2. That Section 555.08 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1020-04, passed August 11, 2004, is repealed.

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

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 686-14.
By Council Members K. Johnson and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Works to apply for and accept a grant from the Cleveland Foundation for the 2014 Cleveland Nights Program.

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

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

Section 1. That the Director of Public Works is authorized to apply for and accept a grant in the amount of \$80,000, from the Cleveland Foundation to conduct the 2014 Cleveland Nights Program; that the Director is authorized to file all papers and execute all documents necessary to

receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

Section 2. That the summary for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 686-14-A, is made a part of this ordinance as if fully rewritten, is approved in all respects, and shall not be changed without additional legislative authority.

Section 3. That, unless expressly prohibited by the grant agreement, under Section 108(B) of the Charter, purchases made under the grant agreement may be made through cooperative arrangements with other governmental agencies. The Director

of Public Safety may sign all documents and do all things that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process. The contracts will be paid from the fund or funds to which are credited any grant funds accepted under this ordinance.

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

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 688-14.
By Council Member Kelley (by departmental request).

An emergency ordinance approving the collective bargaining agreement with the International Union of Operating Engineers, Local 10; and to amend Section 11 of Ordinance No. 385-14, passed March 31, 2014, relating to compensation for various classifications.

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

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

Section 1. That under division (B) of Section 4117.10 of the Revised Code, this Council approves the collective bargaining agreement with the International Union of Operating Engineers, Local 10, under the terms contained in File No. 671-14-A, for the period from April 1, 2013 through March 31, 2016, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit under the following schedule:

Increase	Approximate Date of Increase*
1%	April 1, 2013
2%	April 1, 2014
2%	April 1, 2015

* Wage increases shall be effective as follows:

- (a) If April 1st falls in the first week of a pay period, then the wage increase shall be effective commencing at the beginning of that pay period; or
- (b) If April 1st falls in the second week of a pay period, then the wage increase shall be effective commencing at the beginning of the next pay period.

Section 2. That Section 11 of Ordinance No 385-14, passed March 31, 2014, is amended to read as follows:

Section 11. International Union of Operating Engineers, Local 10. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Assistant Superintendent of Sewer Maintenance	\$25.78	\$26.82
2. Chief Radio Dispatcher-Water.....	23.34	24.29
3. Data Conversion Supervisor.....	20.47	21.30
4. Engineer of Hydraulic Surveys	29.11	30.37
5. Meter Reader Supervisor.....	23.03	23.96
6. Sewer Construction & Maintenance Operations		
Supervisor	25.45	26.56
7. Sewer Maintenance Unit Leader.....	22.06	23.08
8. Sewer Maintenance Unit Leader Operator.....	23.18	24.19
9. Supervisor of Radio Service	24.86	25.86
10. Unit Supervisor.....	23.06	23.99
11. Water Hydraulic Unit Leader.....	22.11	23.08
12. Water Hydraulic Supervisor.....	24.93	26.02
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Section 3. That existing Section 11 of Ordinance No. 385-14, passed March 31, 2014, is repealed.

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

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 761-14.
By Council Member Brancatelli.
An emergency ordinance authorizing the Director of the Department of Community Development to enter into an agreement with The First Tee of Cleveland for the Golf Education and After-School Program through the use of Ward 12 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Community Development is authorized to enter into an agreement with The First Tee of Cleveland for the Golf Education and After-School Program for the public purpose of providing after-school education and golf recreational activities for city of Cleveland youth through the use of Ward 12 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$20,000 and shall be paid from Fund No. 10 SF 188.

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

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

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

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 762-14.
By Council Member Cimperman.
An emergency ordinance authorizing the Director of the City Planning Commission to enter into an agreement with Flats Forward Inc. for the Flats Redevelopment Master Plan Project through the use of Ward 3 Casino Revenue Funds.

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

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

Section 1. That the Director of the City Planning Commission is authorized to enter into an agreement with Flats Forward Inc., for the Flats Redevelopment Master Plan for the public purpose of promoting residential and commercial development in the Flats District in the city of Cleveland through the use of Ward 3 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$50,000 and shall be paid from Fund No. 10 SF 188.

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

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

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 763-14.
By Council Member Zone.
An emergency ordinance authorizing the Director of the City Planning Commission to enter into an agreement with the Gordon Square Arts District LLC for the Gordon Square Arts District Master Plan project through the use of Ward 15 Casino Revenue Funds.

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

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

Section 1. That the Director of the City Planning Commission is authorized to enter into an agreement with the Gordon Square Arts District LLC for the Gordon Square Arts District Master Plan Project for the public purpose of providing a master plan for the future physical and artistic development to the Gordon Square Arts District thus promoting commercial and residential growth in the city of Cleveland through the use of Ward 15 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$25,000 and shall be paid from Fund No. 10 SF 188.

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

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

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 764-14.

By Council Member Mitchell.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into an agreement with Senior Outreach Services, Inc for the Senior Health Promotion and Socialization Program through the use of Ward 6 Neighborhood Capital Funds.

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

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

Section 1. That the Director of the Department of Community Development is authorized to enter into an agreement with Senior Outreach Services, Inc., for the Senior Health Promotion and Socialization Program for the public purpose of providing healthy life style education and socializing activities for senior residents residing in the city of Cleveland through the use of Ward 6 Neighborhood Capital Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$20,000 and shall be paid from Fund No. 10 SF 177.

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

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

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 765-14.

By Council Members Cimperman and Zone.

An emergency ordinance consenting and approving the issuance of a permit for the Cleveland Triathlon, on July 27, 2014, sponsored by Pacific Sports LLC.

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 Cleveland Triathlon, on July 27, 2014, Start/Finish at Voinivich Park; Swim Course—in North Coast Harbor area; Bike Course—on Shoreway from East 9th to West Blvd., (east bound Shoreway only); Run Course—on Shoreway and Lakeside Ave.; 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 June 2, 2014.
Effective June 4, 2014.

Ord. No. 766-14.

By Council Member Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for The FOX 8 Fox Trot, on August 24, 2014, proceeds to benefit the Wounded Warrior Project.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of The FOX 8 Fox Trot, on August 24, 2014, Start: Voinivich Park; E. 9th south to Lakeside; Lakeside east to E. 18th; E. 18th south to St. Clair; St. Clair west to W. 6th; W. 6th north to Lakeside; Lakeside east to W. 3rd; W. 3rd north to Erieside; Erieside east to E. 9th; E. 9th north to Voinivich Park—finish; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 767-14.

By Council Member Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for the Inside the Park Home Run, on August 10, 2014, proceeds to benefit the Furniture Bank.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Inside the Park Home Run, on August 10, 2014, Start: Eagle east to E. 9th; E. 9th north to Huron; Huron west to E. 6th; E. 6th south to Eagle; Eagle west to Ontario; (ON SIDEWALK THE REMAINDER OF ROUTE); Ontario south to Carnegie; Carnegie east to E. 9th; E. 9th north to Eagle; Eagle into Progressive Field—finish; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 768-14.

By Council Member Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for the Kidney Walk, on June 8, 2014, sponsored by the National Kidney Foundation.

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 Kidney Walk, on June 8, 2014, Start: The Great Lake Science Center; west on Erieside; south on W. 3rd; east on Al Lerner Way; east on Erieside; east on North Marginal; around Burke Airport Loop; west on North Marginal; north on E. 9th; turn around at Pier; south on E. 9th; West on Erieside to Finish; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 769-14.
By Council Member Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for the OROC Run, on August 2, 2014, sponsored by Hermes Sports & Events, Inc.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the OROC Run, on August 2, 2014, Start: E. 9th & Erieside; Erieside to W. 3rd; W. 3rd to Lakeside; Lakeside to E. 6th; E. 6th to St. Clair; St. Clair to W. 9th; W. 9th to Lakeside; Lakeside to W. 3rd; W. 3rd to Erieside; Erieside to E. 9th—finish; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 770-14.
By Council Member Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for the Purple Stride Run/Walk, on June 21, 2014, sponsored by the Pancreatic Cancer Action Network.

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 Purple Stride Run/Walk, on June 21, 2014, Start: 5KRun/Walk; Voinivich Park; E. 9th south to Lakeside; east on Lakeside to E. 18th; south on E. 18th to St. Clair; west on St. Clair to W. 3rd; north on W. 3rd to Erieside; east on Erieside to East 9th; north on E. 9th to Voinivich Park—

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

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

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 771-14.
By Council Member Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for the Urbanobstacle Race, on June 7, 2014, sponsored by Hermes Sports & Events.

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 Urbanobstacle Race, on June 7, 2014, Start: Barley House Parking Lot; Loop #1—W. 4th north to Lakeside; Lakeside east to W. 3rd; W. 3rd north to Al Lernerway; Al Lernerway east to Erieside; Erieside south to W. 3rd (around Stadium); W. 3rd south to Lakeside; Lakeside west to W. 4th; W. 4th south to Barley House Parking Lot; Loop #2—W. 4th south to W. St. Clair; W. St. Clair west to Robert Lockwood; Robert Lockwood south to Canal; Canal east to Ontario Staircase; up Ontario Staircase to Ontario; cross over Ontario at Eagle to Progressive Field; enter Progressive Field turn around; cross over Ontario to Staircase to Canal; Canal west to Robert Lockwood; Robert Lockwood north to W. St. Clair; W. St. Clair east to W. 4th; W. 4th north to Barley House Parking Lot; Loop #3—W. 4th south to W. St. Clair; W. St. Clair west to W. 10th; W. 10th south to Superior Hill; cross over Superior Hill to entrance of lower level of Detroit Superior Bridge; staying on lower level of bridge to west end of bridge; turn around in Cuyahoga County parking lot; exit bridge cross over Superior Hill to W. 10th; W. 10th north to W. St. Clair; W. St. Clair east to W. 4th; W. 4th north to Barley House Parking Lot to Finish; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed June 2, 2014.
Effective June 4, 2014.

Ord. No. 772-14.
By Council Member Zone.
An emergency ordinance consenting and approving the issuance of a permit for the Robert Martin Memorial Run, on July 13, 2014, to benefit the Midwest Council for Children with Disabilities.

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 Robert Martin Memorial Run, on July 13, 2014, to benefit the Midwest Council for Children with Disabilities, Start: CPPA Hall; W. 58th south to Tillman; Tillman east to W. 49th; W. 49th north to Herman; Herman west to W. 65th; W. 65th north to Tunnel through Tunnel to Edgewater Park; through Edgewater Park to W. 77th Tunnel; W. 77th south to Detroit; Detroit east W. 65th; W. 65th north to Herman; Herman east to W. 58th; finish at CPPA Hall, 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 June 2, 2014.
Effective June 4, 2014.

COUNCIL COMMITTEE MEETINGS

Monday, June 9, 2014
9:00 a.m.

Development, Planning and Sustainability (Zoning) Committee: Present: Brancatelli, Chair; Cleveland, Vice Chair; Cummins, Pruitt, Zone. *Authorized Absence:* Cimperman. *Unauthorized Absence:* Dow. *Pro tempore:* Keane, Kelley.

Committee of the Whole: Present: Kelley, Chair; Brady, Brancatelli, Cleveland, Conwell, Cummins, Dow, J. Johnson, K. Johnson, Keane, Mitchell, Polensek, Pruitt, Sweeney, Zone. *Authorized Absence:* Cimperman, Reed.

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