

The City Record

Official Publication of the Council of the City of Cleveland



June the Fifth, Two Thousand and Nineteen

Frank G. Jackson
Mayor

Kevin J. Kelley
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward Name

- 1 Joseph T. Jones
- 2 Kevin L. Bishop
- 3 Kerry McCormack
- 4 Kenneth L. Johnson, Sr.
- 5 Phyllis E. Cleveland
- 6 Blaine A. Griffin
- 7 Basheer S. Jones
- 8 Michael D. Polensek
- 9 Kevin Conwell
- 10 Anthony T. Hairston
- 11 Dona Brady
- 12 Anthony Brancatelli
- 13 Kevin J. Kelley
- 14 Jasmin Santana
- 15 Matt Zone
- 16 Brian Kazy
- 17 Martin J. Keane

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Kevin J. Kelley

Ward	Name	Residence	
1	Joseph T. Jones	4691 East 177th Street	44128
2	Kevin L. Bishop	11729 Miles Avenue, #5	44105
3	Kerry McCormack	1769 West 31st Place	44113
4	Kenneth L. Johnson, Sr.	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44115
6	Blaine A. Griffin	1810 Larchmere Boulevard	44120
7	Basheer S. Jones	1383 East 94th Street	44106
8	Michael D. Polensek	17855 Brian Avenue	44119
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Anthony T. Hairston	423 Arbor Road	44108
11	Dona Brady	1272 West Boulevard	44102
12	Anthony Brancatelli	6924 Ottawa Road	44105
13	Kevin J. Kelley	5904 Parkridge Avenue	44144
14	Jasmin Santana	3535 Marvin Avenue	44109
15	Matt Zone	1228 West 69th Street	44102
16	Brian Kazy	4300 West 143rd Street	44135
17	Martin J. Keane	15907 Colletta Lane	44111

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

MAYOR – Frank G. Jackson

Sharon Dumas, Interim Chief of Staff

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

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

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

Matt Gray, Executive Assistant to the Mayor, Chief of Sustainability

Natoya J. Walker Minor, Executive Assistant to the Mayor, Chief of Public Affairs

Edward W. Rybka, Executive Assistant to the Mayor, Chief of Regional Development

Tracy Martin-Thompson, Executive Assistant to the Mayor, Chief of Prevention, Intervention and Opportunity for Youth and Young Adults

OFFICE OF CAPITAL PROJECTS – Matthew L. Spronz, Director
DIVISIONS:

Architecture and Site Development – Carter Edman, Manager

Engineering and Construction – Richard J. Switalski, Manager

Real Estate – James DeRosa, Commissioner

OFFICE OF EQUAL OPPORTUNITY – Melissa K. Burrows, Ph.D., Director

OFFICE OF QUALITY CONTROL AND PERFORMANCE MANAGEMENT – Sabra T. Pierce-Scott, Director

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

Ronda G. Curtis, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel,

Victor R. Perez, Chief Assistant Prosecutor, 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, Treasurer, Room 115

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

Information Technology and Services – Kimberly Roy-Wilson,

Commissioner, 205 W. St. Clair Avenue

Purchases and Supplies – Tiffany White, Commissioner, Room 128

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

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

DEPT. OF PUBLIC UTILITIES – Robert L. Davis, Director, 1201 Lakeside Avenue

DIVISIONS:

Cleveland Public Power – Ivan Henderson, Commissioner

Utilities Fiscal Control – Frank Badalamenti, Chief Financial Officer

Water – Alex Margevicius, Commissioner

Water Pollution Control – Rachid Zoghaib, Commissioner

DEPT. OF PORT CONTROL – Robert Kennedy, Director, Cleveland Hopkins International

Airport, 5300 Riverside Drive

DIVISIONS:

Burke Lakefront Airport – Khalid Bahhur, Commissioner

Cleveland Hopkins International Airport & Burke Lakefront Airport – Khalid Bahhur,

Commissioner

DEPT. OF PUBLIC WORKS – Michael Cox, Director

OFFICES:

Administration – John Laird, Manager

Special Events and Marketing – Tangee Johnson, Manager

DIVISIONS:

Motor Vehicle Maintenance – Jeffrey Brown, Commissioner

Park Maintenance and Properties – Richard L. Silva, Commissioner

Parking Facilities – Kim Johnson, Interim Commissioner

Property Management – Tom Nagle, Commissioner

Recreation – Samuel Gissentener, Interim Commissioner

Streets – Frank D. Williams, Interim Commissioner

Traffic Engineering – Robert Mavec, Commissioner

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

DEPT. OF PUBLIC HEALTH – Merle Gordon, Director, 75 Erieview Plaza

DIVISIONS:

Air Quality – David Heame, Interim Commissioner

Environment – Brian Kimball, Commissioner, 75 Erieview Plaza

Health – Persis Sosiak, Commissioner, 75 Erieview Plaza

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

DIVISIONS:

Animal Control Services – John Baird, Interim Chief Animal Control Officer, 2690 West 7th Street

Corrections – David Carroll, Interim Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.

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

Fire – Angelo Calvillo, Chief, 1645 Superior Avenue

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

DEPT. OF COMMUNITY DEVELOPMENT – Tania Menesse, Director

DIVISIONS:

Administrative Services – Joy Anderson, Commissioner

Fair Housing and Consumer Affairs Office – John Mahoney, Manager

Neighborhood Development – James Greene, Commissioner

Neighborhood Services – Louise V. Jackson, Commissioner

DEPT. OF BUILDING AND HOUSING – Ayonna Blie Donald, Director, Room 500

DIVISIONS:

Code Enforcement – Thomas E. Vanover, Commissioner

Construction Permitting – Narid Hussain, Commissioner

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

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

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

COMMUNITY RELATIONS BOARD – Room 11, Grady Stevenson, Director, Mayor Frank

G. Jackson, Chairman Ex-Officio; Rev. Dr. Charles P. Lucas, Jr., Vice-Chairman, Council Member Kevin L. Bishop, 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, Council Member Jasmin

Santana, Peter Whitt, Ted Wammes.

CIVIL SERVICE COMMISSION – Room 119, Rev. Gregory E. Jordan, President; Michael

Flickinger, Vice-President; Michael Spreng, Secretary; Members: Daniel J. Brennan, India Pierce Lee.

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:

Henry Bailey, Myrline Barnes, Kelley Britt, Tim Donovan, Elizabeth Kukla, Secretary.

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS – Room 516,

Joseph F. Denk, Chairman; Howard Bradley, Patrick M. Gallagher, Robert Maschke, Halim M. Saab, P.E., Alternate Members – D. Cox, P. Frank, E. P. O'Brien, Richard Pace, J.F. Sullivan.

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

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

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

Director Barbara A. Langhenry; Council Member Kenneth L. Johnson.

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

Public Utilities Director Robert L. Davis; Council President Kevin J. Kelley.

CITY PLANNING COMMISSION – Room 501 – Freddy L. Collier, Jr., Director; David

H. Bowen, Lillian Kuri, Gloria Jean Pinkney, Council Member Kerry McCormack, Diane Downing, August Fluker, Charles Slife.

FAIR HOUSING BOARD – _____, Chair; Genesis O. Brown, Daniel Conway,

Robert L. Render.

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

Eaton-Johnson, Mike Foley, Eric Hodderson, Janet Loehr, Mark McDermott, Marcia Nolan, David Perkowski, Joan Shaver Washington, Keith Sutton.

CLEVELAND BOXING AND WRESTLING COMMISSION – Robert Jones, Chairman;

Clint Martin, Mark Rivera.

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

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

CLEVELAND LANDMARKS COMMISSION – Room 519 – Julie Trott, Chair; Giancarlo

Calicchia, Vice Chair; Laura M. Bala, Freddy L. Collier, Jr., Allan Dreyer, Robert Strickland, Donald Petit, Secretary, Council Member Basheer S. Jones, Matthew L. Spronz; Michele Anderson, Stephen Harrison, Raymond Tarasuck, Jr.

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 Michelle D. Earley	14-C
Judge Pinkey S. Carr	15-C
Judge Marilyn B. Cassidy	13-A
Judge Emanuella Groves	14-B
Judge Lauren C. Moore	15-A
Judge Michael L. Nelson, Sr.	12-A
Judge Ann Clare Oakar	14-A
Judge Ronald J.H. O'Leary (Housing Court Judge)	13-B
Judge Charles L. Patton, Jr.	13-D
Judge Suzan M. Sweeney	12-C
Judge Jazmin Torres-Lugo	13-C
Judge Shiela Turner McCall	12-B
Judge Joseph J. Zone	14-D

Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Timothy

Lubbe – Housing Court Administrator, Robert J. Furda – Chief Bailiff; Dean Jenkins – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate.

The City Record

71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 106

WEDNESDAY, JUNE 5, 2019

No. 5504

CITY COUNCIL

MONDAY, JUNE 3, 2019

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

The following Committees meet at the Call of the Chair:

Mayor's Appointments Committee:
Kazy (CHAIR), Brady, Brancatelli,
Cleveland, Kelley.

Operations Committee: McCormack
(CHAIR), Griffin, Keane, Kelley,
Zone.

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

COMMUNICATIONS

File No. 692-2019.

From Rachel Loewy, Deputy
Director of Modernization and
Development, Western Reserve
Revitalization and Management
Company. Notice of intent to apply
to Ohio Housing Finance Agency for
multifamily funding programs for
the development known as River-
side Park Phase III, 17800 Park-
mount Avenue, Cleveland, Ohio.
Received.

File No. 693-2019.

From Director Michael McGrath,
Department of Public Safety, City of
Cleveland. Notice of acceptance of a
grant of \$5,000 from University Hos-
pitals for OVI Task Force. Received.

FROM OHIO DIVISION OF LIQUOR CONTROL

File No. 694-2019.

RE: #5870380010. Transfer of
Ownership Application, D1 D2. Metro
Food and Beverage, Inc., 3203 West
25th St. (Ward 14). Received.

File No. 695-2019.

RE: #0000676. Economic Develop-
ment Transfer Application, D5 D6. A
Bar LLC, 15609-15813 Lorain Ave.
(Ward 17). Received.

File No. 696-2019.

RE: #14374151125. New License
Application, D1. Chipotle Mexican
Grill of Colorado LLC, 11638 Clifton
Blvd. (Ward 15). Received.

File No. 697-2019.

RE: #1391398. Stock Application,
Cl. Channel Park Marina, Inc., 5300
Whiskey Island Dr. (Ward 15).
Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 756-2019 — Carol Tyler.

Res. No. 757-2019 — Roosevelt
Robinson, Jr.

Res. No. 758-2019 — Leslie Farley
Ferguson.

Res. No. 759-2019 — Melvin Cham-
bers..

Res. No. 760-2019 — John Oscar
Poole II.

Res. No. 761-2019 — Ethel Pauley.

Res. No. 762-2019 — Imir Williams.

Res. No. 763-2019 — Victims of the
Virginia Beach shooting.

Res. No. 764-2019 — Sharon Novak.

Res. No. 765-2019 — Donald Slog-
ar.

Res. No. 766-2019 — Agnes Slobin-
sky.

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2018-2021

MONDAY — Alternating

9:30 A.M. — **Health and Human
Services Committee:** Griffin
(CHAIR), McCormack (VICE-
CHAIR), Conwell, B. Jones, Hair-
ston, Santana, Zone.

9:30 A.M. — **Municipal Services
and Properties Committee:** K. John-
son (CHAIR), Brady (VICE-
CHAIR), Bishop, Brancatelli,
Hairston, J. Jones, Kazy.

MONDAY

2:00 P.M. — **Finance Committee:**
Kelley (CHAIR), Zone (VICE-
CHAIR), Brady, Brancatelli, Cleve-
land, Conwell, Griffin, Keane,
McCormack.

TUESDAY

9:30 A.M. — **Development, Plan-
ning and Sustainability Committee:**
Brancatelli (CHAIR), Cleveland
(VICE-CHAIR), Bishop, Hairston, B.
Jones, Keane, McCormack.

TUESDAY — Alternating

1:30 P.M. — **Utilities Committee:**
Keane (CHAIR), Kazy (VICE-
CHAIR), Bishop, Hairston, McCor-
mack, Polensek, Santana.

1:30 P.M. — **Workforce and Com-
munity Benefits Committee:** Bishop
(CHAIR), Cleveland (VICE-CHAIR),
Brady, Griffin, B. Jones, J. Jones,
Kazy.

WEDNESDAY — Alternating

10:00 A.M. — **Safety Committee:**
Zone (CHAIR), Polensek (VICE-
CHAIR), Griffin, Kazy, B. Jones, J.
Jones, Santana.

10:00 A.M. — **Transportation Com-
mittee:** Cleveland (CHAIR), Keane
(VICE-CHAIR), Bishop, Conwell,
Johnson, J. Jones, Santana.

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio
June 3, 2019

The meeting of the Council was
called to order at 7:02 p.m. with the
President of Council, Kevin J. Kel-
ley, in the Chair.

Council Members present: Kevin
L. Bishop, Dona Brady, Anthony
Brancatelli, Phyllis E. Cleveland,
Kevin Conwell, Blaine A. Griffin,
Kenneth L. Johnson, Basheer S.
Jones, Joseph T. Jones, Brian Kazy,
Kevin J. Kelley, Martin J. Keane,
Kerry McCormack, Michael D.
Polensek, Jasmin Santana, and Matt
Zone.

Also present were: Mayor Frank
G. Jackson, Interim Chief of
Staff/Director Sharon Dumas, Chief
Operating Officer Darnell Brown,
Chief of Communications, Govern-
ment & International Affairs Valar-
ie J. McCall, Chief of Regional
Development Edward W. Rybka,
Chief of Education Monyka S. Price,
Media Relations Director Dan
Williams, Chief of Sustainability
Matt Gray, Chief of Public Affairs
Natoya Walker-Minor, Chief of Pre-
vention, Intervention and Opportu-
nity for Youth and Young Adults
Tracy Martin-Thompson, and Direc-
tors Davis, Kennedy, Spronz, Gor-
don, McGrath, Cox, Menesse, Blue
Donald, Ebersole, Stevenson, Collier,
Spreng, Burrows and Pierce Scott.

MOTION

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

MOTION

On the motion of Council Member
Santana, the reading of the minutes
of the last meeting was dispensed
with and the journal approved. Sec-
onded by Council Member Bishop.

CONGRATULATIONS RESOLUTIONS

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

Res. No. 767-2019 — Father Robert J. Jasany.

Res. No. 768-2019 — Dr. Kevin Harris, Sr.

Res. No. 769-2019 — Tyrone C. McBee.

Res. No. 770-2019 — Diana Cyganovich.

RECOGNITION RESOLUTIONS

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

Res. No. 771-2019 — East Side Market.

Res. No. 772-2019 — Cuyahoga County Soldiers' & Sailors' Monument - 125th Anniversary.

APPRECIATION RESOLUTION

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

Res. No. 773-2019 — Marsha Dobrzynski.

FIRST READING EMERGENCY ORDINANCES REFERRED**Ord. No. 698-2019.**

By Council Member McCormack.
An emergency ordinance authorizing the acquisition and recording of certain easement interests from the Cuyahoga County Department of Public Works that encroach into existing County public improvements on Vermont Avenue, West 25th Street, and Detroit Avenue, for the Office of Capital Projects.

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 Commissioner of Purchases and Supplies is authorized to acquire, accept, and record certain easement rights from Cuyahoga County Department of Public Works that encroach into existing County public improvements on Vermont Avenue, West 25th Street, and Detroit Avenue, for the Office of Capital Projects, in and to the premises more particularly described as follows:

**PARCEL 1-SH
LEGAL DESCRIPTION FOR A
STANDARD HIGHWAY EASEMENT
ALONG WEST 25th STREET AND
VERMONT AVENUE IN THE
FOLLOWING DESCRIBED
PROPERTY WITHOUT
LIMITATION OF EXISTING
ACCESS RIGHTS**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being part of Original Brooklyn Township Lot No. 70, bounded and described as follows:

Beginning at an Iron Pin Monument found at the intersection of West 25th Street, 60 feet wide, and Detroit Avenue, 66 feet wide.

Thence North 30°28'45" West, along the centerline of said West 25th Street, a distance of 142.71 feet to a point;

Thence North 59°31'15" East a distance of 30.00 feet to the northeasterly line of said West 25th Street and the Principal Place of Beginning of land herein described;

Thence North 30°28'45" West, along the northeasterly line of said West 25th Street, a distance of 87.83 feet to the southeasterly line of Vermont Ave., 33 feet wide;

Thence North 59°26'52" East, along the southeasterly line of said Vermont Ave., a distance of 229.00 feet to a point;

Thence South 30°28'45" East a distance of 6.20 feet;

Thence South 39°50'15" West a distance of 30.96 feet;

Thence South 59°51'30" West a distance of 157.83 feet to a point of curve;

Thence along a curve deflection to the left, an arc distance of 41.45 feet. Said curve having a delta of 94°59'54", a radius of 25.00 feet and a chord that bears South 12°21'33" West, 36.86 feet;

Thence South 35°08'24" East a distance of 38.34 feet;

Thence South 39°50'15" West a distance of 21.32 feet to the northeast line of said West 25th Street and the principal place of beginning and containing 4,880 square feet (0.1120 acres) of land, be the same more or less but subject to all legal highways;

Bearings are to an assumed meridian and are used to denote angles only.

**SH-2
LEGAL DESCRIPTION FOR A
STANDARD HIGHWAY EASEMENT
ALONG WEST 25th STREET AND
DETROIT AVENUE**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being part of Original Brooklyn Township Lot No. 70, bounded and described as follows:

Beginning at an Iron Pin Monument found at the intersection of West 25th Street, 60 feet wide, and Detroit Avenue, 66 feet wide.

Thence North 59°41'52" East, along the centerline of said Detroit Avenue, a distance of 76.16 feet to a point;

Thence North 30°03'48" West a distance of 33.00 feet to the intersection of the northwesterly line of said Detroit Avenue and the northeasterly line of said West 25th Street and being the Principal Place of Beginning of land herein described;

Thence North 30°28'45" West, along the northeasterly line of said West 25th Street, a distance of 36.80 feet to a point of curvature;

Thence along a curve deflection to the left, an arc distance of 9.66 feet. Said curve having a delta of 18°27'26", a radius of 30.00 feet and a chord that bears North 68°42'36" East, 9.62 feet;

Thence North 59°28'53" East a distance of 251.10 feet to a point;

Thence North 47°40'27" East a distance of 125.81 feet to a point;

Thence North 55°43'14" East a distance of 95.27 feet to a point;

Thence South 35°12'07" East a distance of 12.00 feet to a point;

Thence South 55°43'14" West a distance of 96.83 feet to a point;

Thence South 34°31'16" West a distance of 118.43 feet to a point;

Thence South 59°41'52" West a distance of 276.09 feet to the principal place of beginning and containing 13,818 square feet (0.3172 acres) of land, be the same more or less but subject to all legal highways;

Bearings are to an assumed meridian and are used to denote angles only.

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

Section 2. That the cost of the acquiring, accepting, and recording the easement rights shall be \$1.00 and other valuable consideration which is determined to be fair market value or the amount of the jury verdict in the event eminent domain is needed to acquire the easement interests in and to the premises. The purchase price, appraisal, title, escrow, and all other costs incurred in acquiring and recording the easement interests shall be paid from the fund or funds deemed appropriate by the Director of Finance.

Section 3. That the Director of Capital Projects is authorized to execute any documents on behalf of the City of Cleveland necessary to effect the purposes 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.

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

Ord. No. 699-2019.

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

An emergency ordinance authorizing the Director of Capital Projects to enter into an agreement or agreements with the City of Euclid for the City of Euclid to design and make the public improvement of rehabilitating East 185th Street from Pawnee Avenue to Lake Erie; to apply for and accept any gifts or grants for this purpose from any public or private entity; authorizing and any other relative agreements, authorizing the acquisition of any real property and easements necessary to make the improvement; and cause payment for the City's share.

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 on behalf of the City of Cleveland ("Cleveland") to enter into an agreement or agreements with the City of Euclid ("Euclid"), to allow Euclid to design and to make the public improvement of rehabilitating East 185th from Pawnee Avenue to Lake Erie which is located in the Cities

of Cleveland and Euclid (the "Improvement"). The Improvement shall be constructed under plans, specifications, and estimates approved by the Cities of Cleveland and Euclid. The design, construction, and supervision of the Improvement will be arranged by Euclid.

Section 2. That Cleveland agrees to participate with Euclid in the cost of the Improvement by contributing approximately forty-seven and one-half percent (47.5%) of the total design and construction, which is estimated to be \$1,670,930 for Cleveland's share of the Improvement. The amount of Federal, County and other construction leverage financing will be deducted from the designated projected costs prior to the application of the participatory percentages and amount of work calculated in each City.

Section 3. That Cleveland gives consent to Euclid to apply for and accept Ohio Public Works Commission Issue 1 funds to partially finance the Improvement.

Section 4. That this Council requests Euclid to proceed with the Improvement.

Section 5. That the Director of Capital Projects is authorized to apply for and accept any gifts or grants for this purpose from any public or private entity; and that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant or grants; and that the funds are appropriated for the purposes described in this ordinance.

Section 6. That, when appropriate, the Director of Capital Projects is authorized to enter into one or more contracts with the railroads, Greater Cleveland Regional Transit Authority, the Northeast Ohio Regional Sewer District and other entities to obtain services or to acquire property rights such as easements and licenses, necessary to construct the Improvement described in this ordinance.

Section 7. That the Director of Capital Projects is authorized to accept cash contributions from public or private entities, for infrastructure restoration costs associated with relocating, rehabilitating or reconstructing utility infrastructure for the Improvement. That the Director of Capital Projects is authorized to enter into agreements with the entities for this purpose.

Section 8. That the Director of Capital Projects is authorized to enter into one or more agreements with private utility companies to pay charges for the installation of underground lines in connection with the Improvement.

Section 9. That, notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is authorized to acquire, accept, and record for right-of-way purposes any real property including but not limited to fee simple acquisitions, temporary easements, permanent easements, and work agreements as is necessary to make the Improvement described in this ordinance. The consideration to be paid for the property and easements shall not exceed fair market value, as determined by the Board of Control.

Section 10. That the Director of Capital Projects is authorized to execute on behalf of the City all documents necessary to acquire, accept, and record the property and easements and to employ and pay all fees for title companies, surveys, escrows, appraisers, and all other costs necessary for the acquisition of the property and easements.

Section 11. That the Director of Capital Projects, when necessary, is authorized to cause payment to any railroad, the Greater Cleveland Regional Transit Authority, and other entities for payment of any services which were necessary to construct the Improvement.

Section 12. That the Director of Capital Projects is authorized to enter into any agreements necessary to implement the Improvement.

Section 13. That this Council authorizes payment to Euclid of the City's share of the Improvement.

Section 14. That the Clerk of Council is authorized and directed to transmit to the State three (3) certified copies of this ordinance immediately on its taking effect, and it shall become the basis for proceeding with the Improvement.

Section 15. That the costs of this ordinance shall be paid from Fund Nos. 20 SF 520, 20 SF 528, 20 SF 534, 20 SF 540, 20 SF 546, 20 SF 554, 20 SF 563, 20 SF 568, 20 SF 574, 20 SF 579, 20 SF 586, from the fund or funds to which are credited any proceeds from the sale of bonds authorized by Ordinance No. 510-2019, passed April 29, 2019, the fund or funds to which are credited any gift or grant proceeds accepted under this ordinance, cash matches, cash contributions accepted and appropriated under this ordinance, and from any and all funds approved by the Director of Finance. (RQS 0103, RLA 2019-43)

Section 16. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 700-2019.

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

An emergency ordinance giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio for constructing the complete streets project along the East 93rd Street/Woodhill Road/East 105th Street corridor; to apply for and accept any gifts or grants for this purpose from any public or private entity; authorizing professional services, agreements with public and private entities, and any relative agreements; authorizing the Commissioner of Purchases and Supplies to acquire, accept, and record for right-of-way purposes any real property and easements necessary to make the improvement; and causing payment to ODOT of Cleveland's share of the improvement.

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

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

Section 1. That it is declared to be in the public interest that the consent of the City of Cleveland is given to the Director of Transportation of the State of Ohio ("the State") to construct the following improvement under plans, specifications, and estimates approved by the State: rehabilitating constructing the complete streets project to enable safe access for all users which includes roadway enhancements, bicycle and pedestrian enhancements, and transit enhancements along the East 93rd Street/Woodhill Road/East 105th Street corridor in the City of Cleveland, PID No. 108245 (the "Improvement").

Section 2. That the City is to assume and contribute the entire cost and expense of the Improvement, less the amount of Federal funds set aside by the Director of Transportation for the cost of preliminary engineering and detail design. The City agrees to assume and bear one hundred percent (100%) of the cost of right-of-way. The City agrees to assume and contribute the entire cost and expense of the Improvement less the amount of Federal-aid funds set aside by the Director of Transportation for the financing of this Improvement from funds allocated by the Federal Highway Administration, United States Department of Transportation. The City agrees to assume and contribute one hundred percent (100%) of the cost of any items included in the construction contract at the request of the City, which are determined by the State not eligible or made necessary by the Improvement. The City further agrees that change orders and extra work contracts required to fulfill the construction contracts shall be processed as needed. The State shall not approve a change order or extra work contract until it first gives notice, in writing, to the City. The City shall contribute its share of the cost of these items in accordance with other sections herein.

Section 3. That the City agrees that if Federal funds are used to pay the cost of any consultant contract, the City shall comply with 23 CFR 172 in the selection of its consultant and administration of the consultant contract. Further the City agrees to incorporate the State's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The City agrees to require, as a scope of services clause, that all plans prepared by the consultant must conform to the State's current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the Improvement. The City agrees to include a completion schedule acceptable to the State and to assist the State in rating the consultant's performance through the State's Consultant Evaluation System.

Section 4. Authority to Sign. The City authorizes the Director of Capital Projects to enter into and execute contracts with the Director of

Transportation which are necessary to develop plans for and to complete the Improvement; and to execute contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Improvement.

Upon request of the State, the Director is also empowered to execute any appropriate documents to affect the assignment of all rights, title, and interests of the City to the State arising from any agreement with its consultant in order to allow the State to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

Section 5. Utilities and Right-of-Way Statement. The City agrees to acquire and/or make available to ODOT, under current State and Federal regulations, all necessary right-of-way required for the Improvement. The City also understands that right-of-way costs include eligible utility costs. The City agrees to be responsible for all utility accommodation, relocation, and reimbursement and agrees that all such accommodations, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

Section 6. Maintenance. Upon completion of the Improvement, and unless otherwise agreed, the City shall: (1) provide adequate maintenance for the Improvement under all applicable state and federal laws, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for maintenance of the Improvement; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

Section 7. That this Council requests the State to proceed with the Improvement.

Section 8. That the Director of Capital Projects is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide design the Improvement.

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

Section 9. That the Director of Capital Projects is authorized to apply for and accept any gifts or grants for this purpose from any public or private entity, including but not limited to NOACA; and 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 this ordinance.

Section 10. That, when appropriate, the Director of Capital Projects is authorized to enter into one or more contracts with the railroads, Greater Cleveland Regional Transit Authority, the Northeast Ohio Regional Sewer District and other entities to obtain services or to acquire property rights such as easements and licenses, necessary to construct the improvements described in this ordinance.

Section 11. That the Director of Capital Projects is authorized to accept cash contributions from public or private entities, for infrastructure restoration costs associated with relocating, rehabilitating or reconstructing utility infrastructure for the Improvement. That the Director of Capital Projects is authorized to enter into agreements with the entities for this purpose.

Section 12. That the Director of Capital Projects is authorized to enter into one or more agreements with private utility companies to pay charges for the installation of underground lines in connection with the Improvement.

Section 13. That the Director of Capital Projects is authorized to enter into any agreements necessary to implement this ordinance, including but not limited to a local public agency federal agreement with ODOT.

Section 14. That, notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is authorized to acquire, accept, and record for right-of-way purposes any real property and easements as is necessary to make the improvements described in this ordinance. The consideration to be paid for the property and easements shall not exceed fair market value.

Section 15. That the Director of Capital Projects is authorized to execute on behalf of the City all documents necessary to acquire, accept, and record the property and easements and to employ and pay all fees for title companies, surveys, escrows, appraisers, and all other costs necessary for the acquisition of the property and easements.

Section 16. That the Director of Capital Projects is authorized to enter into any agreements necessary to implement the Improvement.

Section 17. That the Clerk of Council is authorized and directed to transmit to the State three (3) certified copies of this ordinance immediately on its taking effect, and it shall become the basis for proceeding with the Improvement.

Section 18. That the Director of Capital Projects is authorized to cause payment to the State of the City's share of the Improvement.

Section 19. That the cost of the contracts, payments, property acquisition, cash matches, and other expenditures authorized shall be paid from Fund Nos. 20 SF 520, 20 SF 528, 20 SF 534, 20 SF 540, 20 SF 546, 20 SF 554, 20 SF 563, 20 SF 568, 20 SF 574, 20 SF 579, 20 SF 586, the fund or funds to which are credited any gift or grant proceeds accepted under this ordinance, cash matches, cash contributions accepted and appropriated under this ordinance,

and from any and all funds approved by the Director of Finance, including future bond funds if issued for this purpose.

Section 20. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 701-2019.

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

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to K & D Real-Estate Services, LLC, to encroach into the public right-of-way of 1500 West 3rd Street by installing, using, and maintaining an awning and 2 sculptures with pedestal foundations.

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 K & D Real-Estate Services, LLC, 1621 Euclid Avenue ("Permittee"), to encroach into the public right-of-way West 3rd Street by installing, using, and maintaining an awning, and 2 sculptures with pedestal foundations, at the following location:

EASEMENT DESCRIPTION

1500 West 3rd Street Cleveland, Ohio
Situating in the City of Cleveland, County of Cuyahoga and State of Ohio, being part of Original 2 Acre Lot No. 79 and known as being part of Bridge of West 3rd Street (59 feet wide) (Plat Volume 123, page 20 of the Cuyahoga County Map Records.) and more fully described as follows:

Commencing for Reference at the intersection of the northerly side of Bridge of West Huron Road NW (84 feet wide) and the westerly line of Bridge of West 3rd Street. Thence, North 04°-51'-28" East along the westerly line of Bridge of West 3rd Street, a distance of 105.86 feet, to the TRUE PLACE OF BEGINNING of the Encroachment Easement herein to be described;

Course No. 1:

Thence, North 04°-51'-28" East, continuing along said westerly line, a distance of 26.00 feet to a point;

Course No. 2:

Thence, South 85°-08'-32" East, a distance of 10.50 feet to a point;

Course No. 3:

Thence, South 04°-51'-28" West, a distance of 26.00 feet to a point;

Course No. 4:

Thence, North 85°-08'-32" West, a distance of 10.50 feet to the place of beginning, and containing 0.006 acres of land more or less, as prepared in April 2019 by McSteen & Associates, Inc. under Project No. 19-036, and being subject to all legal highways and easements of record.

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

Section 2. That the Director of Law shall prepare the permit authorized by this ordinance and shall incorporate such additional provisions as the Director of Law determines necessary to protect and benefit the public interest. The permit shall be issued only when, in the opinion of the Director of Law, the prospective Permittee has properly indemnified the City against any loss that may result from the encroachment(s) permitted.

Section 3. That Permittee may assign the permit only with the prior written consent of the Director of Capital Projects. That the encroaching structure(s) permitted by this ordinance shall conform to plans and specifications first approved by the Manager of the City's Division 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 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.

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

Ord. No. 702-2019.

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

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to the State of Ohio, through the Department of Natural Resources, Division of Wildlife, to encroach into the public right-of-way of Fulton Road by installing, using, and maintaining a peregrine falcon nest tray.

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 the State of Ohio, through the Department of Natural Resources, Division of Wildlife, 912 Portage Lakes Drive Akron, OH 44319 ("Permittee"), to encroach into the public right-of-way of Fulton Road beneath the Fulton Road

bridge by installing, using, and maintaining a 21" wide x 24" long x 6.75" high wooden peregrine falcon nest tray at a specific location first approved in writing by the Director of Capital Projects.

Section 2. That the Director of Law shall prepare the permit authorized by this ordinance and shall incorporate such additional provisions as the Director of Law determines necessary to protect and benefit the public interest. The permit shall be issued only when, in the opinion of the Director of Law, the prospective Permittee has properly indemnified the City against any loss that may result from the encroachment(s) permitted.

Section 3. That Permittee may assign the permit only with the prior written consent of the Director of Capital Projects. That the encroaching structure(s) permitted by this ordinance shall conform to plans and specifications first approved by the Manager of the City's Division 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 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.

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

Ord. No. 703-2019.

By Council Members McCormack, 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 public use located near the intersection of West 9th Street and Fruit Avenue to Brett McCoy, for purposes of yard expansion.

Whereas, the Director of Capital Projects has requested the sale of the City-owned property to Brett McCoy no longer needed for the City's public use and located near the intersection of West 9th Street and Fruit Avenue, a portion of Permanent Parcel No. 004-22-096, for purposes of yard expansion; 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 Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that the following described property (a portion of Permanent Parcel No. 004-22-096) is no longer needed for the City's public use:

**LEGAL DESCRIPTION OF
CITY CONVEYANCE
CLARENCE COURT HILLSIDE
PART OF P.P.N. 004-22-096
CITY OF CLEVELAND, OHIO**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot Nos. 61, 62, and 63 in the Brayton Re-Allotment of part of the Original Brooklyn Township Lot No. 86, as shown by the plat recorded in Volume 4, Page 18 of Cuyahoga County Map Records and a portion of West 9th Street and Clarence Court S.W. as vacated by City of Cleveland Ordinance No. 2019-74 and further bounded and described as follows:

Beginning at the intersection of the southerly right of way of Brayton Avenue (formerly Brayton Street) (40 feet wide) and the easterly right of way of West 9th Street (16 feet wide), also known as being the northwesterly corner of Lot A in the Clarence Court Townhomes Subdivision as shown by the plat recorded in Volume 345, Page 67 of Cuyahoga County Map Records;

Thence South 00°14'08" East along the easterly right of way of West 9th Street, 80.03 feet to southwesterly corner of said Lot A;

Thence North 88°17'59" East along southerly line of Lot A, 20.01 feet to the southwesterly corner of Lot B-5 in said Clarence Court Townhomes Subdivision and being the Principal Place of Beginning of the premises herein described;

Thence North 88°17'59" East along said southerly line of Lot B-5, 22.05 feet to a westerly line of Lot C in said Clarence Court Townhomes Subdivision;

Thence South 01°42'01" East along a westerly line of said Lot C, 63.00 feet;

Thence North 88°17'59" East along a southerly line of said Lot C, 30.00 feet;

Thence South 01°42'01" East along a westerly line of said Lot C, 12.00 feet;

Thence South 77°40'15" East along a southerly line of said Lot C, 30.92 feet to the easterly line of Sublot 61 in the Brayton Re-Allotment;

Thence South 88°17'59" West, 120.17 feet to the westerly right of way of vacated West 9th Street, also being the easterly line of land conveyed to Wanda Dubaniewicz by the deed recorded in AFN. 200603270702 of Cuyahoga County Deed Records;

Thence North 00°14'08" West along the westerly right of way of vacated West 9th Street and said easterly line of land conveyed to Wanda Dubaniewicz, 52.45 feet to the southerly right of way of Fruit Avenue (formerly Fern Street) (40 feet wide);

Thence North 88°18'45" East along the southerly right of way of Fruit Avenue, 16.51 feet to a point of curvature;

Thence along a curve deflecting to the left, an arc of 30.91 feet and a delta of 88°32'53", said curve having a radius of 20.00 feet, and a chord that bears North 44°02'19" East, 27.92 feet to a point of tangency;

Thence North 00°14'08" West, 10.59 feet to the southwest corner of said Lot B-5 and being the Principal Place of Beginning and containing 0.1050 acres of land, as

surveyed and described by Peter John Gauriloff, P.S. No. 8646 of The Riverstone Company in October 2018, subject to all legal highways, restrictions, reservations and easements of record.

Deeds of Reference:

P.P.N. 004-22-096
Land conveyed to City of Cleveland by deed dated August 16, 1983 and recorded in Volume 242, Page 189 of Cuyahoga County Deed Records.

Basis of Bearing:

The centerline of Starkweather Avenue as North 88°16'51" East as an assumed meridian and is intended to indicate angles only.

Section 2. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to Brett McCoy at a price not less than the appraised value of \$9,100, which is determined to be fair market value.

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

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

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

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

**Ord. No. 705-2019.
By Council Members Hairston, Johnson, Brancatelli and Kelley (by departmental request).**

An emergency ordinance to vacate a portion of East 55th Street.

Whereas, under Resolution No. 1348-18, adopted December 3, 2018, this Council declared its intention to vacate a portion of East 55th Street; and

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

Whereas, on April 30, 2019, the Board of Revision of Assessments approved the above vacation under the provisions of Section 176 of the Charter of the City of Cleveland; and

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

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

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

Section 1. That this Council declares that the following described real property is vacated:

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being a part of Original Ten Acre Lot Number 166 and the Northerly Extension thereof, forming a parcel of land bounded and described as follows:

Beginning in the Westerly line of East 55th Street (100.00 feet wide), at its point of intersection with the Northwesterly line of Lake Court N.E. (formerly Lake View Avenue), (50.00 feet wide);

Thence North 00° 22' 31" West along said Westerly line of East 55th Street, a distance of 710.00 feet to an angle point;

Thence North 37° 06' 47" West along a Southwesterly line of East 55th Street (100.00 feet wide), a distance of 386.39 feet to a point on the Northwesterly line of Cleveland Memorial Shoreway, said point being the Southerly corner of the following described parcel and its principle place of beginning;

Thence continuing North 37° 06' 47" West along said Southwesterly line of East 55th Street, a distance of 253.57 feet to the Westerly corner of said parcel;

Thence North 76° 03' 20" East, a distance of 108.77 feet to the Northerly corner of said parcel and the Northeasterly line of East 55th Street;

Thence South 37° 06' 47" East along said Northeasterly line of East 55th Street, a distance of 173.01 feet to the Easterly corner of said parcel, being a point on the Northwesterly line of the Cleveland Memorial Shoreway;

Thence South 32° 12' 02" West along said Northwesterly line of the Cleveland Memorial Shoreway, a distance of 106.89 feet to the Southwesterly corner of said parcel and the principle place of beginning.

Containing within said bounds 21,329 square feet (0.4896 Acres) of land and water, be the same more or less, but subject to all legal highways, easements, and restrictions of record.

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

Section 2. That there is reserved a permanent easement as required by law to any public utility with a current use or occupation within the above described vacated portion of the street, highway or road.

That no structures shall be erected on the above described vacated area except those in compliance with federal, state and local law and under the approval of plans by those deemed to have an easement by right of law and the City of Cleveland.

Section 3. That provided all required approvals have been

obtained, the Manager of Engineering and Construction is directed to record the vacation plat in the office of the Recorder of Cuyahoga County.

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

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

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

Ord. No. 706-2019.

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

An emergency ordinance to vacate a portion of East 89th Street.

Whereas, under Resolution No. 1443-18, adopted December 3, 2018, this Council declared its intention to vacate a portion of East 89th Street; and

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

Whereas, on April 30, 2019, the Board of Revision of Assessments approved the above vacation under the provisions of Section 176 of the Charter of the City of Cleveland; and

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

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

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

Section 1. That this Council declares that the following described real property is vacated:

Vacation of a portion of East 89th Street

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original 100 Acre Lot 384 as shown on the Cory Bros. Subdivision in Volume 16 of Maps, Page 28 of Cuyahoga County Records, further described as follows:

Being all that remaining portion of East 89th Street (40.00 feet wide) (formerly known as Claremont Street) extending from the North line of Wade Park Avenue S.E. (70.00 feet wide) to that portion of said East 89th Street vacated by City of Cleveland, Council Ordinance 1384-67, passed June 26th, 1967 as shown on the Vacation Plat of part of East 89th Street, East 90th Street and East 91st Street in Volume 202 of Maps, Page 61 of Cuyahoga County Records.

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

Section 2. That there is reserved a permanent easement as required by law to any public utility with a current use or occupation within the above described vacated portion of the street, highway or road.

That no structures shall be erected on the above described vacated area except those in compliance with federal, state and local law and under the approval of plans by those deemed to have an easement by right of law and the City of Cleveland.

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

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

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

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

Ord. No. 707-2019.

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

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

Whereas, under Resolution No. 1237-18, adopted November 26, 2018, this Council declared its intention to vacate a portion of Freeman Avenue S.W.; and

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

Whereas, on April 30, 2019, the Board of Revision of Assessments approved the above vacation under the provisions of Section 176 of the Charter of the City of Cleveland; and

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

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

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

Section 1. That this Council declares that the following described real property is vacated:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being all that portion of Freeman Avenue S.W.

(66.00 feet wide) extending from the West right of way of Columbus Road (80.00 feet wide) westerly to that portion of Freeman Avenue S.W. vacated by ordinance 98591 passed by the council of the City of Cleveland on April 20th 1934.

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

Section 2. That there is reserved a permanent easement as required by law to any public utility with a current use or occupation within the above described vacated portion of the street, highway or road.

That no structures shall be erected on the above described vacated area except those in compliance with federal, state and local law and under the approval of plans by those deemed to have an easement by right of law and the City of Cleveland.

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

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

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

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

Ord. No. 708-2019.

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

An emergency ordinance to vacate a portion of Maplewood Avenue.

Whereas, under Resolution No. 1131-18, adopted December 3, 2018, this Council declared its intention to vacate a portion of Maplewood Avenue; and

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

Whereas, on April 30, 2019, the Board of Revision of Assessments approved the above vacation under the provisions of Section 176 of the Charter of the City of Cleveland; and

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

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

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

Section 1. That this Council declares that the following described real property is vacated:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Rockport Township sections No. 3 and 4 being further described as follows:

Maplewood Avenue (60.00 feet wide)

Being all that portion of Maplewood Avenue (60.00 feet wide) extending from the West right of way of Rocky River Drive (Width Varies) westerly to that portion of Maplewood Avenue vacated by City of Cleveland Ordinance No. 1598-98 passed November 23, 1998.

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

Section 2. That there is reserved a permanent easement as required by law to any public utility with a current use or occupation within the above described vacated portion of the street, highway or road.

That no structures shall be erected on the above described vacated area except those in compliance with federal, state and local law and under the approval of plans by those deemed to have an easement by right of law and the City of Cleveland.

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

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

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

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

Ord. No. 709-2019.

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

An emergency ordinance to vacate a portion of Utopia Avenue N.E.

Whereas, under Resolution No. 1332-18, adopted December 3, 2018, this Council declared its intention to vacate a portion of Utopia Avenue N.E.; and

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

Whereas, on April 30, 2019, the Board of Revision of Assessments approved the above vacation under the provisions of Section 176 of the Charter of the City of Cleveland; and

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

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

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

Section 1. That this Council declares that the following described real property is vacated:

A portion of Utopia Avenue N.E. (15.00 feet wide)

Situated in the City of Cleveland (formerly the Village of Collinwood), County of Cuyahoga and State of Ohio and known as being the southerly 15 feet of Sublots 3 and 13 in the Wood Gibson and others Subdivision of part of Original Euclid Township Lot No. 1 as shown in the recorded plat in Volume 17 of Maps, Page 11 of Cuyahoga County Records, authorized for street purposes by Collinwood ordinance 1599 dated July 13, 1908 as shown in Volume 1175, Page 341 of Cuyahoga County Deed Records, further described as follows:

Being all that portion of Utopia Avenue N.E. (15.00 feet wide) extending from the East line of East 150th Street (60.00 feet wide) (formerly known as Mars Avenue) to the West line of East 152nd Street (60.00 feet wide) (formerly known as Collamer Avenue).

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

Section 2. That there is reserved a permanent easement as required by law to any public utility with a current use or occupation within the above described vacated portion of the street, highway or road.

That no structures shall be erected on the above described vacated area except those in compliance with federal, state and local law and under the approval of plans by those deemed to have an easement by right of law and the City of Cleveland.

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

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

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

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

Ord. No. 710-2019.
By Council Members B. Jones, Cleveland, Brancatelli and Kelley (by departmental request).

An emergency ordinance authorizing the Director of City Planning to apply for and accept a grant from the Ohio History Connection State Historic Preservation Office/ Ohio Development Services Agency to prepare a National Register of Historic Places Nomination to recognize and preserve the Midtown Historic District and to promote economic development through Historic Tax Credits; and authorizing the director to enter into one or more contracts for professional consultants to implement this ordinance.

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 City Planning is authorized to apply for and accept a grant from the Ohio History Connection State Historic Preservation Office/ Ohio Development Services Agency in the amount of \$30,000 to prepare a National Register of Historic Places Nomination to recognize and preserve the Midtown Historic District and to promote economic development through Historic Tax Credits; 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 this ordinance.

Section 2. That the summary for the grant, File No. 710-2019-A, 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 City Planning is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants, necessary 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 this ordinance as described in the file.

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

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

Section 5. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and

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

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

Ord. No. 712-2019.
By Council Members Brancatelli and Kelley (by departmental request).

An emergency ordinance authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by Jennings Freeway Industrial Park, an Ohio general partnership, or its designee, located at 4781 Hinckley Industrial Parkway for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code.

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Mayor and the Commissioner of Purchases and Supplies are authorized to acquire from and re-convey to, Jennings Freeway Industrial Park, an Ohio general partnership, or its designee, for a nominal consideration of one dollar and other valuable consideration determined to be fair market value, the following property for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code and more fully described as follows:

**LEGAL DESCRIPTION OF
6.1348 ACRE PARCEL OF LAND OF
PART OF P.P.N. 010-31-001 AND -002
HINCKLEY INDUSTRIAL
PARKWAY, CLEVELAND**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Block "L" in the Resubdivision of Jennings Freeway Industrial Park of part of Original Brooklyn Township Lot No. 79 as shown by the plat recorded in Volume 233, Page 36 of Cuyahoga County Map Records and bounded and described as follows:

Beginning at the intersection of the centerline of Hinckley Industrial Parkway (60 feet wide) as shown on the Dedicated Plat recorded in Volume 229, Page 28 and Volume 229, Page 48 of Cuyahoga County Map Records and the centerline of Schaaf Road (50 feet wide) as shown on the Centerline Survey Plat recorded in Volume 361, Page 36 of Cuyahoga County Map Records;

Thence North 29°22'36" East along the centerline of Hinckley Industrial Parkway, passing through a 1" iron pin (0.00 feet north and 0.04 feet west) in a monument box at 25.00 feet, 104.46 feet

to a 1" iron pin in a monument box (0.19 feet north and 0.00 feet east) at a point of curvature;

Thence along the curved centerline of Hinckley Industrial Parkway deflecting to the left, an arc of 206.29 feet with a delta of 19°41'58", said curve having a radius of 600.00 feet and a chord that bears North 19°31'37" East, 205.28 feet to a 1" iron pin in a monument box at a point of tangency;

Thence South 80°19'22" East, 30.00 feet to the easterly right of way of Hinckley Industrial Parkway and being the PRINCIPAL PLACE OF BEGINNING of the premises herein described;

Thence North 09°40'38" East along the easterly right of way of Hinckley Industrial Parkway, 409.03 feet to the southwesterly corner of land described to Wesco Real Estate I, LLC (P.P.N. 010-29-010) by the deed dated March 07, 2003 and recorded in AFN. 200303071303 of Cuyahoga County Deed Records;

Thence South 78°22'40" East along the southerly line of land so described to Wesco Real Estate I, LLC and being the southerly line of Sublot No. 10 of The Map of Lot Split recorded in Volume 239, Page 59 of Cuyahoga County Map Records, 630.45 feet to a southeasterly corner therein;

Thence North 17°57'33" East along an easterly line of land so described to Wesco Real Estate I, LLC and being the easterly line of said Sublot No. 10, 80.00 feet to a southwesterly corner of land described to John A. Litteria and D. Litteria (P.P.N. 010-31-004) by deed dated June 11, 1976 and recorded in Volume 14255, Page 527 of Cuyahoga County Deed Records;

Thence South 01°56'46" East, 220.02 feet to the northerly line of land described to Kiwi Real Estate Holdings Ltd. (P.P.N. 010-31-005) by deed dated March 18, 2015 and recorded in AFN. 201503180464 of Cuyahoga County Deed Records;

Thence South 88°03'14" West along the northerly line of land so described to Kiwi Real Estate Holdings Ltd., 79.67 feet to the northwesterly corner therein;

Thence South 01°55'18" East along the westerly line of land so described to Kiwi Real Estate Holdings Ltd. 203.46 feet to a northerly line of land so described to Manolis Investments LLC (P.P.N. 010-31-003) by deed dated May 21, 2010 and AFN. 201005210211 of Cuyahoga County Deed Records;

Thence South 87°33'52" West along a northerly line of land so described to Manolis Investments LLC, 323.09 feet to a northwesterly corner therein;

Thence North 08°26'16" East, 3.37 feet to an angle point;

Thence North 80°19'22" West along a northerly line of land so described to Manolis Investments LLC, 333.48 feet to the curved easterly right of way of said Hinckley Industrial Parkway;

Thence along the curved easterly right of way of Hinckley Industrial Parkway deflecting to the left, an arc of 28.49 feet with a delta of 2°35'29", said curve having a radius

of 630.00 feet and a chord that bears North 10°58'23" East, 28.49 feet to the PRINCIPAL PLACE OF BEGINNING and containing 6.1348 acres (267,231 Sq.Ft) of land as land as described by Edward B. Dudley, PS No. 6747 of the Riverstone Company in May of 2019 and subject to all legal highways, restrictions, reservations and easements.

Basis of Bearings:

The centerline of Hinckley Industrial Parkway in the dedication of Hinckley Industrial Parkway as North 09°40'38" East as shown on the plat recorded in Volume 229, Page 28 and 48 of Cuyahoga County Map Records.

Deed of Reference:

Land described to Jennings Freeway Industrial Park, an Ohio general partnership, by deed dated July 6, 1983 and recorded in Volume 83-00188, Page 833 of Cuyahoga County Deed Records.

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

Section 3. That this Council finds the conveyances are in compliance with Section 5709.41(B)(1) of the Revised Code and the proposed improvements constitute and are declared a public purpose under said section and the subject property is located in an impacted City as required by Section 5709.41 of the Revised Code.

Section 4. That the conveyance shall be made by official deed prepared by the Director of Law and executed by the Mayor and the Commissioner of Purchases and Supplies on behalf of the City of Cleveland.

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

Ord. No. 713-2019.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a forgivable loan agreement with Jennings Freeway Industrial Park, an Ohio general partnership or its designee, to provide economic development assistance to partially finance the development of a build-to-suit facility at the Strike Force Project site located

at 4781 Hinckley Industrial Parkway, and other associated costs necessary to redevelop the property.

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 a forgivable loan agreement with Jennings Freeway Industrial Park, an Ohio general partnership or its designee, in an amount of \$500,000, to partially finance the development of a build-to-suit facility at the Strike Force Project site located at 4781 Hinckley Industrial Parkway, and other associated costs necessary to redevelop the property.

Section 2. That the summary for the loan, File No. 713-2019-A, 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 Economic Development is authorized to accept such collateral as the director determines is sufficient in order to secure repayment of the loan.

Section 4. That the Director of Economic Development is authorized to accept monies in repayment of the loan and to deposit the monies in Fund Nos. 17 SF 006.

Section 5. That the Director of Economic Development is authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and the fees are appropriated to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. The fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

Section 6. That the contract and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

Section 7. That the costs of any funding under this ordinance shall not exceed \$500,000, and shall be paid from Fund Nos. 17 SF 008, RQS 9501, RL 2019-63.

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

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

Ord. No. 714-2019.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an agreement with the National Development

Council, or its designee, to provide economic development assistance to provide partial funding of the Capital Access Fund of Greater Cleveland.

Whereas, the National Development Council, or its designee, seeks to fund a loan loss reserve to make up to \$4,000,000 available for the Capital Access Fund of Greater Cleveland ("Capital Access Fund") in flexible and patient capital for low-cost loans to minority small businesses in the City of Cleveland; and

Whereas, the City of Cleveland is committing up to \$200,000 towards this loan loss reserve and other partners will contribute the remainder; and

Whereas, the loans given under the Capital Access Fund will assist minority small businesses which have consistently found impediments to accessing capital; 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 an agreement with the National Development Council, or its designee, to provide economic development assistance to provide partial funding of the Capital Access Fund of Greater Cleveland, under terms contained in the summary placed in File No. 714-2019-A.

Section 2. That the costs of the grant shall not exceed an amount up to \$200,000 and shall be paid from Fund No. 17 SF 652, Request No. RQS 9501, RL 2019-62.

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

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

**Ord. No. 715-2019.
By Council Members Brancatelli and Kelley (by departmental request).**

An emergency ordinance authorizing the Director of Economic Development to apply for and accept grants from CoBank and Farm Credit Mid-America, and/or their designees, for the Gardening for Greenbacks Program; and authorizing the Director to enter into one or more contracts with small businesses, merchants, or local farmers to implement the grant.

Whereas, under Ordinance No. 553-08, passed June 2, 2008, and under Ordinance 884-12 passed on July 11, 2012, this Council authorized the establishment of the Gardening for Greenbacks Program; and

Whereas, the City wishes to continue the Gardening for Greenbacks Program by applying for and accepting the grants authorized in this ordinance and providing match to continue the programs to be used as additional program resources made available to eligible small businesses, merchants, and local farmers; 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 grants from CoBank and Farm Credit Mid-America, and/or their designees, each in the amount of \$25,000 for a combined total of \$50,000 to continue to conduct the Gardening for Greenbacks Program; 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 described below.

Section 2. That in addition to the grant funds accepted above, the City shall contribute an additional \$25,000 from the UDAG Repayment fund to the Gardening for Greenbacks Program to be used as additional program resources made available to eligible small businesses, merchants, and local farmers.

Section 3. That the Executive Summary, File No. 715-2019-A, 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 4. That the Director of Economic Development is authorized to enter into one or more contracts for grants with eligible small businesses, merchants, or local farmers under the Gardening for Greenbacks Program.

Section 5. That fees received under the Gardening for Greenbacks Program will be deposited into a fund approved by the Director of Finance.

Section 6. That the cost of each contract shall not exceed \$5,000 per applicant and shall be paid from the fund or fund to which are credited the grant proceeds accepted under

this ordinance and from Fund No. 17 SF 052, UDAG Repayments. (RQS 9501, RLA 2019-44)

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.

Referred to Directors of Economic Development, Finance, Law; Committees on Development Planning and Sustainability, Finance.

**Ord. No. 716-2019.
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 Hebrew Free Loan Association, or its designee, to partially finance the creation of their Start-Up Working Capital Fund Pilot Program which will administer working capital financing loans to eligible small businesses located in/or will be located in the City of Cleveland in conjunction with the Neighborhood Retail Assistance Program and/or the Municipal Small Business Initiative 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 Economic Development is authorized to enter into a grant agreement with Hebrew Free Loan Association, or its designee, to partially finance the creation of their Start-Up Working Capital Fund Pilot Program which will administer working capital financing loans capped at \$5,000 to eligible small businesses located in/or will be located in the City of Cleveland in conjunction with the Neighborhood Retail Assistance Program and/or the Municipal Small Business Initiative Program.

Section 2. 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 3. That the contract authorized in this legislation will require the recipients of financial assistance to work with, and/or cause their tenants to work with, The Workforce Investment Board for Workforce Area No. 3 to identify and solicit qualified candidates for job opportunities related to the City's contracts, and place special emphasis on the hard to employ, including but not limited to the disabled and persons who have been convicted of or have pled guilty to a criminal offense, unless the criminal conviction or circumstances relate to the duties for the particular job sought.

Section 4. That the costs of the grant shall not exceed an amount of \$75,000 and shall be paid from Fund No. 17 SF 652, RQS 9501, RL 2019-61.

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

Ord. No. 717-2019.

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, or its designee, to assist with the general operating expenses 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, or its designee, to assist with the general operating expenses of the organization.

Section 2. That the Director of Law is authorized to prepare the grant agreement and other documents that may be appropriate to complete the transaction.

Section 3. That the costs of the grant shall not exceed \$250,000 and shall be paid from Fund No. 17 SF 652, Request No. RQS 9501, RL 2019-59.

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

Ord. No. 718-2019.

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, or its designee, 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, or its designee, 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 agreement and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

Section 3. That the costs of the grant shall not exceed an amount of \$250,000 and shall be paid from Fund No. 17 SF 652, RQS 9501, RL 2019-58.

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

Ord. No. 719-2019.

By Council Members Griffin 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 Cities Readiness Initiative 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 \$107,309, for each year of the grant, and any other funds that may become available during the grant term from the Ohio Department of Health to conduct the 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 Executive Summary for the grant contained in the file described below.

Section 2. That the Executive Summary for the grant, File No. 719-2019-A, 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 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 Health, Finance, Law; Committees on Health and Human Services, Finance.

Ord. No. 720-2019.

By Council Members Griffin 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 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 \$183,688, for each year of the grant, and any other funds as they become available during the grant term, from the Cuyahoga County Board of Health to conduct the 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 Executive Summary for the grant contained in the file described below.

Section 2. That the Executive Summary for the grant, File No. 720-2019-A, 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.

Referred to Directors of Public Health, Finance, Law; Committees on Health and Human Services, Finance.

Ord. No. 721-2019.

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

An emergency ordinance authorizing the Director of Public Health to enter into one or more contracts without competitive bidding with the Center for Disease Detection, LLC for the purchase of lab services for reproductive health clinics that are needed under the Title X grant, for the Division of Health, Department of Public Health, for a period of one year.

Whereas, the Ohio Department of Health will no longer cover certain screening tests for certain patient populations that are in need of reproductive health services and the Center for Disease Detection, LLC is the only lab service that contracts with the Ohio Department of Health to conduct screening tests for our patients at the reproductive clinics; and

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

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

Section 1. That this Council determines that the within commodities are non-competitive and cannot be secured from any source other than the Center for Disease Detection, LLC. Therefore the Director of Public Health is authorized to make one or more written contracts with the Center for Disease Detection, in the total sum of \$52,490 for the purchase of lab services for reproductive health clinics that are needed under the Title X grant for a period of one year, on the basis of its quotes which are placed in File No. 721-2019-A, to be purchased by the Commissioner of Purchases and Supplies, for the Division of Health, Department of Public Health. The contract or contracts authorized shall be paid from Fund No. 15 SF 069, RQS 5005, RL 2019-48.

Section 2. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it

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

Referred to Directors of Public Health, Finance, Law; Committees on Health and Human Services, Finance.

Ord. No. 722-2019.

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

An emergency ordinance authorizing the Director of Public Utilities to enter into one or more agreements with Cleveland Thermal, a division of the Corix Group of Companies, or its contractor, to replace a water distribution main in East 6th Street between Lakeside Avenue and Rockwell Avenue; and to reimburse Cleveland Thermal for the City's share of the improvement.

Whereas, the City of Cleveland, Division of Water has a water main in East 6th Street between Lakeside Avenue and Rockwell Avenue that is deteriorating and needs replacement; and

Whereas, Cleveland Thermal, a division of the Corix Group of Companies ("Cleveland Thermal") has a steam main condition in East 6th Street between Lakeside Avenue and Rockwell Avenue that is deteriorating and needs replacement; and

Whereas, due to frequent water main and steam main breaks at that location, the City of Cleveland and Cleveland Thermal are looking to coordinate their respective infrastructure improvement projects by having both mains replaced at the same time by the same contractor; and

Whereas, due to the difficulty in coordinating and performing similar work by multiple contractors in the same work space, the City and Cleveland Thermal agree that having the same contractor perform all the work is critical thereby eliminating coordination issues if two contractors were on site, realizing shared cost savings, and resulting in less disruption to the public during the work; 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 any Codified Ordinance to the contrary, the Director of Public Utilities is authorized to enter into one or more agreements with Cleveland Thermal, or its contractor, to replace the water main in East 6th Street between Lakeside Avenue and Rockwell Avenue.

Section 2. That the agreement or agreements shall be prepared by the Director of Law.

Section 3. That, upon execution of the agreement authorized above, the Director of Public Utilities is authorized to reimburse Cleveland Thermal, or its contractor, for the replacement of a water main at East 6th Street between Lakeside Avenue

and Rockwell Avenue, related Division of Water costs, and other expenditures, in an estimated amount of \$1,200,000, payable from Fund No. 52 SF 001, and from the fund or funds to which are credited any future water bonds if issued for this purpose. (RQS 2002, RL 2019-46)

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. 723-2019.

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

An emergency ordinance determining the method of making the public improvement of tearing down and removing the radio tower and associated buildings on the Tree Farm Property in Brecksville, and removing shelters at two other radio tower locations and restoring land in all locations; authorizing the Director of Public Utilities to enter into one or more public improvement contracts for the making of the improvement; authorizing professional services to design; and authorizing the purchase by one or more contracts of labor and materials necessary to implement this ordinance, for the Department of Public Utilities.

Whereas, the City of Cleveland has a radio tower located on PPN 603-10-004 (the "Tree Farm Property") in the City of Brecksville; and

Whereas, the City of Cleveland wishes to tear down and remove that tower and restore the land; and

Whereas, the City also wishes to remove an old shelter at the radio tower located within the Baldwin Water Treatment Plant property and an old shelter and fencing located within Cleveland Hopkins International Airport ("CHIA") 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, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of tearing down and removing the Tree Farm Property radio tower in the City of Brecksville and removing associated buildings; removing an old shelter at the radio tower located within the Baldwin Water Treatment Plant property; removing an old shelter at the radio tower located within Cleveland Hopkins International Airport ("CHIA") property; and to restore the land at these locations (the "Improvement"), if necessary for the Department of Public Utilities, by one or more contracts duly let to the lowest responsible

bidder or bidders after competitive bidding for a gross price for the Improvement.

Section 2. That the Director of Public Utilities is authorized to enter into one or more contracts for the making of the Improvement with the lowest responsible bidder or bidders after competitive bidding for a gross price for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract for a gross price. On request of the Director, the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of the Improvement.

Section 3. That the Director of Public Utilities is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the Improvement.

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

Section 4. That the Director of Public Utilities is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

Section 5. That the Director of Public Utilities is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for labor, materials, equipment, supplies and services needed to implement this ordinance, to be purchased by the Commissioner of Purchases and Supplies for a gross price, for the Department of Public Utilities.

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 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 7. That the cost of this ordinance and other expenditures shall be paid from Fund No. 50 SF 002, RQS 2001, RL 2019-37.

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 Utilities, City Planning Commission, Finance, Law; Committees on Utilities, Finance.

Ord. No. 724-2019.
By Council Members Keane and Kelley (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of hauling and disposal of water treatment plant residuals, for the Division of Water, Department of Public Utilities, for a period of two years.

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 of two years of the necessary items of hauling and disposal of water treatment plant residuals, 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 by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 2002, RL 2019-15)

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. 725-2019.
By Council Members Johnson, Brancatelli and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Works to enter into one or more agreements with West Creek Conservancy, or its designee, regarding the Mill Creek stream restoration project at Cleveland Enterprise Park in the Village of Highland Hills; and authorizing the Director to execute a deed of conservation easement and two deeds of temporary easement granting to West Creek Conservancy, or its designee, certain easement rights in property at the project location; and declaring the easement rights not needed for the City's public use.

Whereas, the West Creek Conservancy ("West Creek") was awarded grant funds from the Ohio Environmental Protection Agency ("Ohio EPA") to perform stream and floodplain restoration work on Mill Creek; and

Whereas, the segment of Mill Creek to be restored is within the Village of Highland Hills between Harvard Road and Mill Creek Boulevard and is on property owned by the City of Cleveland; and

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

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

Section 1. That the Director of Public Works is authorized to enter into one or more agreements with West Creek Conservancy, or its designee, regarding the Mill Creek stream restoration project at Cleveland Enterprise Park in the Village of Highland Hills.

Section 2. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that two temporary easement interests located near the project site are not needed for the City's public use and are further described as follows:

**LEGAL DESCRIPTIONS
TEMPORARY CONSTRUCTION
EASEMENTS WITHIN CITY OF
CLEVELAND'S LAND
PP #751-01-016 and #751-01-026
HARVARD AVE. & MILCREEK
BLVD.
VILLAGE OF HIGHLAND HILLS
COUNTY OF CUYAHOGA, OHIO**

Easement No. 1

Situated in the Village of Highland Hills, County of Cuyahoga and State of Ohio and known as being part of Parcel No. 5 in Cleveland Enterprise Park Re-Subdivision of

Phase 1 of part of Original Warrensville Township Lots Nos. 66 and 76, as shown by the recorded plat in Volume 295 of Maps, Page 88 of Cuyahoga County Records and being a 1.8339 acres (79,883 sq. ft.) Temporary Construction Easement located within a 5.1572 acres (224,646 sq. ft.) of land as conveyed to the City of Cleveland, of Permanent Parcel #751-01-016, by plat dated November 30th, 1998 as recorded in Cleveland Enterprise Park Re-Subdivision of Phase 1 in Cuyahoga County Map Records Volume 295, Pages 88, and of Cuyahoga County Tax Map Records and further bounded and described as follows;

Beginning at the Southeast corner of said Permanent Parcel #751-01-016, as shown on said Cleveland Enterprise Park Re-Subdivision of Phase 1 as Parcel 5, along the northerly side of Millcreek Boulevard (Width Varies), and being the place of beginning;

Thence along a curve deflecting to the right, 51.87 feet, said curve having a radius of 457.43 feet, a tangent of 25.97 feet, a delta of 6°29'52" and a chord which bears North 57°23'40" West, a distance of 51.85 feet along the Southerly line of said Permanent Parcel #751-01-016, as shown on said Cleveland Enterprise Park Re-Subdivision of Phase 1 as Parcel 5, to a point and being the Temporary Place of Beginning of the Premises herein intended to be described;

COURSE I

Thence along a curve deflecting to the right, 193.23 feet, said curve having a radius of 457.43 feet, a tangent of 98.08 feet, a delta of 24°12'13" and a chord which bears North 42°02'38" West, a distance of 191.80 feet along the Northerly line of said Millcreek Boulevard (Width Varies), as shown on said Cleveland Enterprise Park Re-Subdivision of Phase 1 to a point;

COURSE II

Thence North 15°23'30" West, along the Easterly line of said Millcreek Boulevard (Width Varies), as shown on said Cleveland Enterprise Park Re-Subdivision of Phase 1 a distance of 50.43 feet to a point;

COURSE III

Thence North 23°40'52" West, along the Easterly line of said Millcreek Boulevard (Width Varies), as shown on the Cleveland Enterprise Park Re-Subdivision of Phase 1 a distance of 223.94 feet to a point;

COURSE IV

Thence North 89°50'36" East a distance of 355.17 feet to a point;

COURSE V

Thence South 17°15'43" West, a distance of 415.84 feet to a point also the Principle Place of Beginning and containing 1.8339 acres (79,883 sq. ft.) Temporary Construction Easement located within a 5.1572 acres (224,646 sq. ft.) of land as calculated and described by Donald F. Sheehy, Registered Surveyor #7849 of Chagrin Valley Engineering, Ltd., in April, 2019, be the same more or less;

Easement No. 2

Together with a 0.6885 of an acre (29,991 sq. ft.) Temporary Construction Easement, described as follows;

Situated in the Village of Highland Hills, County of Cuyahoga and State of Ohio and known as being part of Parcel No. 8 in Cleveland Enterprise Park Re-Subdivision of Phase 1 of part of Original Warrensville Township Lots Nos. 76 and 77, as shown by the recorded plat in Volume 295 of Maps, Page 88 of Cuyahoga County Records and being a 0.6885 acres (29,991 sq. ft.) Temporary Construction Easement located within a 1.6403 acres (71,452 sq. ft.) of land as conveyed to the City of Cleveland, of Permanent Parcel #751-01-026, by plat dated November 30th, 1998 as recorded in Cleveland Enterprise Park Re-Subdivision of Phase 1 in Cuyahoga County Map Records Volume 295, Page 88, and of Cuyahoga County Tax Map Records and further bounded and described as follows;

Beginning at the Southeast corner of said Permanent Parcel #751-01-026, as shown on the Cleveland Enterprise Park Re-Subdivision of Phase 1, along the northerly side of Millcreek Boulevard (Width Varies), and being the Principal Place of Beginning of the Premises herein intended to be described;

COURSE I

Thence along a curve deflecting to the left, 145.64 feet, said curve having a radius of 839.12 feet, a tangent of 73.00 feet, a delta of 9°56'41" and a chord which bears South 80°08'40" West, a distance of 145.46 feet along the Northerly line of said Millcreek Boulevard (Width Varies), as shown on said Cleveland Enterprise Park Re-Subdivision of Phase 1, to a point;

COURSE II

Thence South 75°10'20" West, along the Northerly line of said Millcreek Boulevard (Width Varies), as shown on said Cleveland Enterprise Park Re-Subdivision of Phase 1 a distance of 79.37 feet to a point;

COURSE III

Thence North 14°32'00" East a distance of 196.76 feet to a point on the Southerly line of Permanent Parcel #751-01-017, as shown on said Cleveland Enterprise Park Re-Subdivision of Phase 1 as Parcel 2;

COURSE IV

Thence South 87°33'28" East, along the Southerly line of said Permanent Parcel #751-01-017, as shown on said Cleveland Enterprise Park Re-Subdivision of Phase 1 as Parcel 2, a distance of 158.98 feet to a 5/8" iron pin found capped PS#7176 (0.16'E/0.08'S) on the Northeast corner of said parcel;

COURSE V

Thence South 4°53'00" East, a distance of 138.99 feet to a point also the Principle Place of Beginning and containing 0.6885 acres (29,991 sq. ft.) Temporary Construction Easement located within a 1.6403 acres (71,452 sq. ft.) of land as calculated and described by Donald F.

Sheehy, Registered Surveyor #7849 of Chagrin Valley Engineering, Ltd., in April, 2019, be the same more or less;

Basis of Bearing for this legal description is North 87°03'55" West as the centerline of Harvard Road (width varies) as evidence by monuments round and shown hereon and is the same as calculated and reproduced from Ohio State Plane Coordinate System North Zone by ties to the O.D.O.T. VRS Network.

Section 3. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that a permanent conservation easement interest located at the project site is not needed for the City's public use and is further described as follows:

**LEGAL DESCRIPTION
PERPETUAL STREAM
CONSERVATION EASEMENT
WITHIN CITY OF CLEVELAND'S
LAND**

PP #751-01-016, #751-01-017, #751-01-018, & #751-01-026

**HARVARD AVE. & MILCREEK
BLVD.**

**VILLAGE OF HIGHLAND HILLS
COUNTY OF CUYAHOGA, OHIO**

Situated in the Village of Highland Hills, County of Cuyahoga and State of Ohio and known as being part of Parcel No. 2, Parcel No. 4, Parcel No. 5, & Parcel No. 8 in Cleveland Enterprise Park Re-Subdivision of Phase 1 of part of Original Warrensville Township Lots Nos. 66, 67, 76, and 77, as shown by the recorded plat in Volume 295 of Maps, Pages 88 and 89 of Cuyahoga County Records and being a 8.0314 acres (349,846 sq. ft.) Perpetual Stream Conservation Easement located within a combined 24.4820 acres (1,066,436 sq. ft.) of land as conveyed to the City of Cleveland, part of Permanent Parcel #751-01-016 including 0.4985 acres Stream Conservation Easement of the 5.1572 acres, part of Permanent Parcel #751-01-017 including 4.7957 acres Stream Conservation Easement of the 8.7321 acres, part of Permanent Parcel #751-01-018 including 1.7854 acres Stream Conservation Easement of the 8.9524 acres, & part of Permanent Parcel #751-01-026 including 0.9518 acres Stream Conservation Easement of the 1.6403 acres, by plat dated November 30th, 1998 as recorded in Cleveland Enterprise Park Re-Subdivision of Phase 1 in Cuyahoga County Map Records Volume 295, Pages 88-89, and of Cuyahoga County Tax Map Records and further bounded and described as follows;

Beginning at the Southwest corner of said Permanent Parcel #751-01-017, as shown on the Cleveland Enterprise Park Re-Subdivision of Phase 1 as Parcel 2, along the northerly side of Millcreek Boulevard (width varies), and being the Principal Place of Beginning of the Premises herein intended to be described;

COURSE I

Thence along a curve deflecting to the right, 51.87 feet, said curve

having a radius of 457.43 feet, a tangent of 25.97 feet, a delta of 6°29'52" and a chord which bears North 57°23'40" West, a distance of 51.85 feet along the Northerly line of said Millcreek Boulevard (Width Varies), as shown on the Cleveland Enterprise Park Re-Subdivision of Phase 1 to a point;

COURSE II

Thence North 17°15'43" East a distance of 508.99 feet to a point;

COURSE III

Thence North 6°21'40" West a distance of 270.00 feet to a point;

COURSE IV

Thence along a curve deflecting to the right, 308.44 feet, said curve having a radius of 1,869.86 feet, a tangent of 154.57 feet, a delta of 9°27'04" and a chord which bears North 84°27'34" East, a distance of 308.09 feet along the Southerly line of said Harvard Road (Width Varies), as shown on said Cleveland Enterprise Park Re-Subdivision of Phase 1 to a 5/8" iron pin found capped PS#7176 (0.01' W/0.10' S);

COURSE V

Thence South 89°20'41" East, along the Southerly line of said Harvard Road (Width Varies), as shown on said Cleveland Enterprise Park Re-Subdivision of Phase 1 a distance of 113.60 feet to a 5/8" iron pin found capped PS#7176 (0.08' W/0.11' S) at the Northeasterly corner of Permanent Parcel #751-01-017;

COURSE VI

Thence South 87°23'01" East, along the Southerly line of said Harvard Road (Width Varies), as shown on said Cleveland Enterprise Park Re-Subdivision of Phase 1, a distance of 73.75 feet to a point;

COURSE VII

Thence South 14°32'00" West a distance of 876.34 feet to a point on the Northerly line of Millcreek Boulevard (Width Varies);

COURSE VIII

Thence South 75°10'20" West, along the Northerly line of said Millcreek

Boulevard (Width Varies), as shown on said Cleveland Enterprise Park Re-Subdivision of Phase 1, a distance of 10.40 feet to a point;

COURSE IX

Thence along a curve deflecting to the right, 199.81 feet, said curve having a radius of 457.50 feet, a tangent of 101.52 feet, a delta of 25°01'25" and a chord which bears South 87°41'03" West, a distance of 198.23 feet along the Northerly line of said Millcreek Boulevard (Width Varies), as shown on said Cleveland Enterprise Park Re-Subdivision of Phase 1, to a point;

COURSE X

Thence along a curve deflecting to the right, 153.03 feet, said curve having a radius of 457.49 feet, a tangent of 77.24 feet, a delta of 19°09'57" and a chord which bears North 70°13'17" West, a distance of 152.32 feet along the Southerly line of said Permanent Parcel #751-01-017, as shown on said Cleveland Enterprise Park Re-Subdivision of Phase 1 to a point also the Principle Place of Beginning and containing 8.0314 of an acre (349,846 sq. ft.) Perpetual Stream Conservation Easement of land as calculated and described by Donald F. Sheehy, Registered Surveyor #7849 of Chagrin Valley Engineering, Ltd., in April, 2019, be the same more or less;

Basis of Bearing for this legal description is North 87°03'55" West as the centerline of Harvard Road (width varies) as evidence by monuments round and shown hereon and is the same as calculated and reproduced from Ohio State Plane Coordinate System North Zone by ties to the O.D.O.T. VRS Network.

Section 4. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the above-described non-exclusive permanent conservation easement interest and the two exclusive temporary easement interests to West Creek at a price of \$1.00 and other valuable consideration which is determined to be fair market value.

Section 5. That the purpose of the permanent conservation easement shall be to restrict development of

the land and for West Creek's maintenance of the site in perpetuity.

Section 6. That the purpose of the temporary easements shall be for access to the construction site, construction staging, and related construction activities.

Section 7. That the duration of the permanent conservation easement shall be perpetual; that the duration of the temporary easements shall be until the Mill Creek improvement project is completed; that the permanent conservation easement and temporary easements shall include reasonable right of entry rights to the City; that the permanent conservation easement and temporary easements shall not be assignable without the consent of the Director of Public Works; that the permanent conservation easement and temporary easements shall require that West Creek or its contractor provide reasonable insurance, and pay any applicable taxes and assessments.

Section 8. That the conveyances referred to above shall be made by official deed of conservation easement and official deeds of temporary easement prepared by the Director of Law and executed by the Director of Public Works on behalf of the City of Cleveland. The deed of conservation easement and the deeds of temporary easement shall contain any additional terms and conditions as are required to protect the interest of the City. The Directors of Public Works and Law are authorized to execute any other documents, including without limitation, contracts for right of entry, as may be necessary to effect this ordinance.

Section 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.

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

Ord. No. 726-2019.

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

An emergency ordinance authorizing the purchase by one or more standard and requirement contracts for the purchase, lease, or lease with option to purchase, of various on-road vehicles and off-road equipment, apparatus, cabs, bodies, and accessories, equipment and other aftermarket items necessary to equip the vehicles authorized for their intended purposes, including vehicle rehabilitation, training, and inspections, as needed, for the various divisions of City government.

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 make one or more written standard purchase and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of requirements to be determined by the Director, for the necessary items required for the purchase, lease, or lease with option to purchase, of various on-road vehicles and off-road equipment, apparatus, cabs, bodies, and accessories, equipment and other aftermarket items necessary to equip the vehicles authorized for their intended purposes, including labor and materials necessary for vehicle rehabilitation, training, and inspections, as needed, in the estimated sum of \$6,556,000, to be purchased or procured by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of City government, as described below:

**2019 Enterprise Capital Vehicle Plan
Description of Equipment**

Item Number	Item Description	Division	Quantity	Estimated Cost	Extended Estimated Cost
1	Air Compressor	Water	6	\$38,000	\$228,000
2	Edge Sealer Machine	Water	1	\$56,000	\$56,000
3	Fork Lift -Propane	Water	1	\$40,000	\$40,000
4	Wheel Loader	Water	1	\$180,000	\$180,000
5	Sedan	Water	1	\$27,500	\$27,500
6	SUV	Water	8	\$36,000	\$288,000
7	Cargo Van-150	Water	13	\$37,500	\$487,500
8	Large USV type A	Water	4	\$165,000	\$660,000
9	Large USV type B	Water	2	\$240,000	\$480,000
10	Mini Van Transit	Water	4	\$42,000	\$168,000
11	Pickup Truck	Water	13	\$42,000	\$546,000
12	Tandem Axle Dump	Water	2	\$250,000	\$500,000
13	Valve Turner Truck	Water	3	\$67,333	\$202,000
				WATER TOTAL	\$3,863,000
14	Crew Truck	WPC	2	\$165,000	\$330,000
15	Sewer Cleaning Equip	WPC	1	\$450,000	\$450,000
16	Backhoe w/Trailer	WPC	1	\$275,000	\$275,000
17	Wheel Loader	WPC	1	\$180,000	\$180,000
				WPC TOTAL	\$1,235,000
18	Support Vehicles	CPP	6	\$33,000	\$198,000
19	Pickup Truck F250	CPP	2	\$40,000	\$80,000
20	Dump Truck HD	CPP	1	\$90,000	\$90,000
21	Bucket Truck 60' Knuckle	CPP	1	\$300,000	\$300,000
22	Bucket Truck 47' Knuckle	CPP	1	\$156,000	\$156,000
23	Stake Body Truck	CPP	1	\$50,000	\$50,000
24	Mini Excavator	CPP	1	\$115,000	\$115,000
25	Trailer	CPP	1	\$19,000	\$19,000
				CPP TOTAL	\$1,008,000
26	SUV	Ports	1	\$32,000	\$32,000
27	SUV-Full Size	Ports	1	\$40,000	\$40,000
28	Tractor	Ports	2	\$89,500	\$179,000
29	Tractor Attachment	Ports	2	\$20,000	\$40,000
30	Crack Sealer	Ports	2	\$54,500	\$109,000
31	Pickup 4X4	Ports	1	\$50,000	\$50,000
				Ports Total	\$450,000
				Grand Total	\$6,556,000

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 Director is authorized to accept funds from the Northeast Ohio Regional Sewer District for the Community Cost share Program to pay for the costs of the Water Pollution Control vehicles eligible under the program for reimbursement; and that the funds are appropriated for this purpose.

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 Works 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 the costs of the requirement 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 5. That the cost of the standard contracts authorized shall be paid from Fund Nos. 52 SF 001, 54 SF 001, 54 SF 275, 58 SF 001, 60 SF 104, and any funds approved by the Director of Finance. (RQS 7015, RL 2019-53)

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 Works, Finance, Law; Committees on Municipal Services and Properties, Finance.

Ord. No. 727-2019.

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

An emergency ordinance authorizing the purchase by one or more standard and requirement contracts for the purchase, lease, or lease with option to purchase, of various on-road vehicles and off-road equipment, apparatus, cabs, bodies, and accessories, equipment and other aftermarket items necessary to equip the vehicles authorized for their intended purposes, including vehicle rehabilitation, training, and inspections, as needed, for the Director of Public Works.

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 make one or more written standard purchase contracts and requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of requirements to be determined by the Director, for the necessary items required for the purchase, lease, or lease with option to purchase, of various on-road vehicles and off-road equipment, apparatus, cabs, bodies, and accessories, equipment and other aftermarket items necessary to equip the vehicles authorized for their intended purposes, including labor and materials necessary for vehicle rehabilitation, training, and inspections, as needed, in the estimated sum of \$9,222,500, to be purchased or procured by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of City government, as described below:

**2019 Capital Vehicle Plan
Description of Equipment**

Item Description	Division	Quantity	Estimated Cost	Extended Estimated Cost
Public Works				
TRUCKS HEAVY(B)-Rear Loader w/Cart Tipper	Waste Collection	10	\$200,000.00	\$2,000,000.00
Light Duty Truck-Pickup	Waste Collection	4	\$35,000.00	\$140,000.00
Waste Collection Total	\$2,140,000			
Light Truck (B)	MVM	1	\$65,000.00	\$65,000.00
MVM Total	\$65,000			
Loader	Streets	1	\$240,000.00	\$240,000.00
Streets Total	\$240,000			
Passenger Van	Recreation	1	\$35,000.00	\$35,000.00
Recreation Total	\$35,000			
Truck-Heavy-Rear-Loader	Park Maintenance	1	\$200,000.00	200,000.00
Chipper	Park Maintenance	1	\$65,000.00	\$65,000.00
Light Truck	Park Maintenance	2	\$35,000.00	\$70,000.00
Park Maintenance Total	\$335,000			
Light Truck	ITS	2	\$40,000.00	\$80,000.00
ITS Total	\$80,000			
Public Works Total	\$2,895,000			
Public Safety				
Light Truck w/Animal Transport Module	Animal Control	2	\$65,000.00	\$130,000.00
Animal Control Total	\$130,000			

Light Truck	Safety IT	1	\$35,000.00	\$35,000.00
Safety IT Total			\$35,000.00	
Passenger Car Marked w/Police pkg	Police	20	\$46,000.00	\$920,000.00
Passenger Car Unmarked w/Police pkg	Police	10	\$25,000.00	\$250,000.00
SUV - Marked w/Police pkg	Police	25	\$52,100.00	\$1,302,500.00
SUV-Full Size w/Police pkg	Police	2	\$60,000.00	\$120,000.00
Police Total			\$2,592,500	
Ambulance	EMS	2	\$280,000.00	\$560,000.00
Light Truck-SUV	EMS	1	\$60,000.00	\$60,000.00
EMS Total			\$620,000	
Aerial Platform	Fire	1	\$1,300,000.00	\$1,300,000.00
Pumper	Fire	3	\$550,000.00	\$1,650,000.00
Fire Total			\$2,950,000	
Public Safety Total			\$6,327,500	
			Total	\$9,222,500.00

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 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 Works 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 3. That the costs of the requirement 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 4. That the cost of the standard contracts authorized shall be paid from Fund Nos. 01-0117-6950, and any other funds approved by the Director of Finance. (RQS 7015, RL 2019-52)

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. 728-2019.
By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to lease property at 1449 West 117th Street from Montlack Realty, Co., or its designees, for the purpose of providing office space for the Adult Probation Department of the Cleveland Municipal Court, for a term of one year, with one option to renew, exercisable by the Director of Finance, on behalf of the Cleveland Municipal Court.

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

Whereas, Montlack Realty, Co., or its designees, has proposed to lease the property to the City of Cleveland; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Finance, on behalf of the Cleveland Municipal Court, beginning June 1, 2019, is authorized to lease from Montlack Realty, Co., or its designees, certain property more fully described as follows: Building 1, Space A, at 1449 West 117th Street, consisting of approximately 4,251 square feet, for office space for the Adult Probation Department of the Cleveland Municipal Court.

Section 2. That the term of the lease authorized shall be for a term of one year, with one option to renew, exercisable by the Director of Finance, on behalf of the Cleveland Municipal Court.

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

Section 4. That the lease may authorize the City to make improvements to the leased premises under terms to be determined by the parties consistent with the public

purpose of providing office space for the Adult Probation Department of the Cleveland Municipal Court to furnish probationary services to the neighborhood.

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

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

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

Section 8. That the costs of the lease shall be paid from Fund Nos. 10 SF 085 and 10 SF 175, RQS 0115, RQS 0115, RL 2019-65.

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.

Referred to Directors of City Planning Commission, Finance, Law; Committee on Finance.

**Ord. No. 746-2019.
By Council Member Zone.**

An emergency ordinance to amend the title and Section 1 of Ordinance No. 999-14, passed August 20, 2014; and to supplement the ordinance by adding new Sections 4a., 4b., 4c., and 4d., to add the sale of property, relating to the public improvement of reconstructing West 73rd 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 the title and Section 1 of Ordinance No. 999-14, passed August 20, 2014, are amended to read as follows:

An Emergency Ordinance determining the method of making the public improvement of reconstructing West 73rd Street and ~~Father Frascati Drive extending Battery Park Avenue between West 73rd Street and West 70th Street, including streetscape improvements on West 70th Street~~; authorizing the Director of Capital Projects to enter into one or more public improvement contracts for the making of the improvement; authorizing one or more contracts with C.W. Courtney Company to design the improvement; **authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located northwest of West 73rd Street and Father Frascati Drive to Battery Park Development LLC for future redevelopment**; 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, to accept cash contributions, and to enter into any agreements to implement the improvement.

Section 1. That, under Section 167 of the Charter and the City of Cleveland, this Council determines to make the public improvement of reconstructing West 73rd Street from Detroit Avenue to Father Frascati Drive and ~~Father Frascati Drive Battery Park Avenue from West 73rd Street to West 70th Street, including streetscape improvements on West 70th Street~~ (the "Improvement"), for the Department of Capital Projects, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement.

Section 2. That the existing title and Section 1 of Ordinance No. 999-14, passed August 20, 2014, are repealed.

Section 3. That Ordinance No. 999-14, passed August 20, 2014, is supplemented by adding new Sections 4a., 4b., 4c., and 4d., to read as follows:

Section 4a. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that the following described property is no longer needed for the City's public use:

**LEGAL DESCRIPTION OF A
0.0654 ACRE
RESIDUAL PARCEL ALONG
WEST 73RD STREET
TO BE SOLD BY THE
CITY OF CLEVELAND
TO BATTERY PARK
DEVELOPMENT LLC**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Brooklyn Township Lot Numbers 30 and 31 and further bounded and described as follows:

Beginning at an iron pin monument marking the centerline intersection of Father Frascati Avenue (variable width) and West 73rd Street (50 feet wide);

Thence N 00°33'18" E, along said centerline of West 73rd Street, a distance of 30.11 feet to its point of intersection with the extension of the northerly line of said Father Frascati Avenue;

Thence S 89°58'42" W, along said extension of the northerly line of Father Frascati Avenue, a distance of 25.00 feet to its point of intersection with the westerly line of said West 73rd Street, said point being the principal point of beginning of the premises herein intended to be described;

Course No. 1:

Thence continuing S 89°58'42" W, along the said northerly line of Father Frascati Avenue a distance of 23.00 feet to a point;

Course No. 2:

Thence N 00°33'18" E, parallel with the said westerly line of West 73rd Street, a distance of 91.52 feet to a point;

Course No. 3:

Thence N 20°02'31"E, a distance of 68.94 feet to a point on the westerly line of West 73rd Street vacated by City of Cleveland Ordinance 706-15, passed July 22, 2015;

Course No. 4:

Thence S 00°33'18"W along said westerly line of West 73rd Street, a distance of 156.28 feet to the principal point of beginning and containing 0.0654 acre of land as described by John E. Jansky, Registered Surveyor Number 6640 of The C. W. Courtney Company, in June 2014, be the same or less, but subjected to all legal highways.

Bearings used herein are based on assumed meridian and are used to indicate angles only.

Section 4b. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to Battery Park Development LLC (the "Redeveloper") at a price not less than the appraised value of \$86,655, which is determined to be fair market value.

Section 4c. That the conveyance shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain necessary provisions, including restrictive reversionary interests as may be specified by the Board of Control or Director of Law, which shall protect the City's interests and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

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

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

**Ord. No. 747-2019.
By Council Members Griffin, Kelley, McCormack and Mayor Jackson.**

An emergency ordinance to repeal various sections of Chapters 365 and 240 of the Codified Ordinances of Cleveland Ohio, 1976 as amended by various ordinances and to supplement the Codified Ordinances by enacting new Sections 365.01 through 365.09, 240.01, 240.08, and 240.09, and by amending Sections 240.03, 240.05, 240.06, 240.07, 367.12, 367.99, 371.01, 375.08, and 3107.06, as amended by various ordinances, related to rental registration, certain residential rental units required to be certified lead-safe, lead hazards and lead poisoning prevention.

Whereas, this Council finds that lead poisoning is a serious threat to the health of children and, although lead-based paint was banned in the United States in 1978, lead-based paint is still the number one source of lead exposure in the country; and

Whereas, the majority of residential structures in the City were originally constructed prior to January 1, 1978 and are, therefore, more likely to have lead-based paint hazards; and

Whereas, children living in residential rental units built before 1978 are disproportionately at risk for unsafe levels of lead exposure from lead-based paint hazards; and

Whereas, exposure to lead is most dangerous to children under 6 years of age due to their still developing neurological systems; and

Whereas, in Cleveland, dangerous levels of lead in a child's blood is mostly due to exposure to lead through deteriorating paint conditions and from soil; and

Whereas, this Council finds that, although there is no safe level of lead in the human body, current federal guidelines consider 5 or more micrograms per deciliter of lead in a child's blood to be dangerous and raises concerns of lead poisoning; and

Whereas, in 2018, more than 1,230 Cleveland children under 6 years of age that were tested were shown to have 5 or more micrograms per deciliter of lead in their blood; and

Whereas, further, this Council finds that lead can accumulate in the brain, kidneys, blood and bones and can cause learning disabilities, language delays, hearing problems and behavioral problems; and

Whereas, one goal of Cleveland's Healthy Homes Initiative is to reduce and prevent lead poisoning; and

Whereas, this Council believes that requiring all residential rental units constructed before January 1, 1978 to have lead-safe certification will help to decrease the incidences of lead poisoning in the City's children; and

Whereas, on May 1, 2019, the Policy Committee of the Lead Safe Cleveland Coalition submitted 33 policy recommendations to this Council for consideration, which policy recommendations have been duly considered and are placed in File No. 747-2019-A; and

Whereas, this Council recognizes that these policy recommendations aim to enhance and improve lead safe efforts of the City and the Coalition through implementation of a lead safe certification program, and further suggest improvements to lead screening and testing, treatment, intervention, education and outreach; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, or safety in that definitive actions must continue to address this serious public health threat to children in this City; now, therefore,

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

Section 1. That the following sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Sections 365.01, 365.02, 365.03, 365.04, 365.05, 365.06, and 365.07 as amended by Ordinance No.281-17, passed May 22, 2017,

Section 240.01, as amended by Ordinance No. 1233-15 passed November 9, 2015

Section 240.08, as amended by Ordinance No. 736-06, passed August 9, 2006

and
Section 240.09, as amended by Ordinance No. 1027-04, passed August 11, 2004
are repealed.

Section 2. That the Codified Ordinances are supplemented by enacting new Sections 365.01, 365.02, 365.03, 365.04, 365.05, 365.06, 365.07, 365.08, 365.09, 240.01, 240.08, and 240.09, to read as follows:

Chapter 365 – Rental Registration and Lead-Safe Certification

Section 365.01 Definitions

For purposes of this chapter:

(a) "Clearance examination" means an examination, performed by a clearance technician, lead inspector, or lead risk assessor, to determine whether lead hazards in a residential unit have been sufficiently controlled. A clearance examination includes a visual assessment, collection and analysis of environmental samples.

(b) "Clearance technician" means a person, other than a licensed lead inspector or lead risk assessor, who is licensed under RC Chapter 3742 to perform a clearance examination.

(c) "Lead-safe certification" means that the owner of a residential rental unit built before January 1, 1978 has provided to the Director a clearance examination report or lead risk assessment that indicates that lead hazards are not identified in the unit. A lead-safe certification is valid for two (2) years from the date of the certification.

(d) "Director" means the Director of Building and Housing.

(e) "Lead-based paint" means any paint or other similar surface-coating substance containing lead at or in excess of the level that is hazardous to human health as set forth in Rule 3701-32-19 of the Ohio Administrative Code (OAC) as it may be hereafter amended.

(f) "Lead hazard" means material that is likely to cause lead exposure and endanger an individual's health as set forth in OAC Rule 3701-32-19. Lead hazard includes lead-based paint, lead-contaminated dust, lead-contaminated soil and lead-contaminated water pipes.

(g) "Lead inspector" means any individual licensed under RC Chapter 3742 who conducts a lead inspection, provides professional advice regarding a lead inspection, or prepares a report explaining the results of a lead inspection.

(h) "Lead risk assessment" means an on-site investigation to determine and report the existence, nature, severity, and location of lead hazards in a residential unit including information gathering from the unit, current owner's knowledge regarding the age and painting history of the unit, and occupancy by children under six (6) years of age, visual inspection, limited wipe sampling or other environmental sampling techniques, and any other activity as may be appropriate.

(i) "Lead risk assessor" means a person licensed under RC Chapter 3742 who is responsible for developing a written inspection, risk assessment and analysis plan; conducting inspections for lead hazards in a residential unit; interpreting results of inspections or risk assessments; identifying hazard control strategies to reduce or eliminate lead exposures; and completing a risk assessment report.

(j) "Owner" means the person, partnership or corporation that holds title to the residential rental unit.

(k) "Permanent" means an expected design life of at least twenty (20) years.

(l) "Residential rental unit" means any part of a building being used, designed or intended to be used as an individual's private residence, including a unit occupied by one (1) or more persons regardless of whether the occupant pays rent or provides anything else of value to the titled owner in consideration for occupying the structure. A residential rental unit does not include a unit occupied by the titled owner.

Section 365.02 Residential Rental Unit Registration Required; Application for and Issuance of Certificate of Rental Registration; Revocation

(a) *Rental Unit Registration Required.* An owner of a residential rental unit or units located in the City shall register each unit with the Department of Building and Housing in a rental registry which is established by the Director.

(b) *Application Information.* Application for a certificate of rental registration required by this Housing Code shall be made annually, on or before March 1st on forms supplied by the Director. Information to be supplied on an

application shall include, but is not limited to, the following:

(1) The name, address, telephone number and email address of the owner or owners of the premises. If a partnership, the names, addresses, telephone numbers and email addresses of all general partners. If a corporation, the names, addresses, telephone numbers and email addresses of the current statutory agent and all corporate officers of the corporation. The address for corporations and partnerships shall be the principal place of business and the address for persons shall be the home address;

(2) The name, address, telephone number and email address of the managing agent of the premises, if any. If a partnership, the names, addresses, telephone numbers and email addresses of the current statutory agent and all corporate officers of the corporation. The address for corporations and partnerships shall be the principal place of business and the address for persons shall be the home address;

(3) If the owner of a rental unit resides or is located outside of Cuyahoga County, the name, current address, telephone number, and email address of an agent designated by the owner, who is a natural person and who resides within Cuyahoga County, and who is authorized by the owner to receive service of a Notice of Violation on the owner's behalf. An agent designated under this section shall be of sound mind and at least eighteen (18) years of age. It is the owner's obligation to notify the Director in writing, of any change in the name, address, telephone number, and/or email address of any agent designated.

(c) *Issuance of Certificate of Rental Registration.* Upon registration, the Director shall issue a certificate of rental registration which shall indicate:

(1) The street address or other identifying characteristics of the building or other structure;

(2) The name, address, telephone number and email address of the owner or owners of the premises. In the case of a partnership, the names of all general partners;

(3) If the record owner is a corporation, the names, addresses, telephone numbers and email addresses of the current statutory agent and all corporate officers of that corporation;

(4) The name, address, telephone number and email address of the managing agent of the premises, if any;

(5) The name, address (including the dwelling unit, apartment or room number), telephone number and email address of the superintendent, custodian, or other individual employed by the owner or managing agent to provide regular maintenance services, if any;

(6) The name, address, telephone number and email address of an individual representative of the owner or managing agent who may be reached or contacted at any time in the event of an emergency affecting the premises of any rental unit in that structure, including such emergencies as the failure of a utility system or service, and who has the authority to make emergency

decisions concerning the building including its repairs or expenditures;

(7) The use and occupancy authorized and the use district, ward, and census tract in which the structure is located; and

(8) The lead-safe certification status, if applicable.

(d) *Revocation of Certificate of Rental Registration.* The Director may revoke a certificate of rental registration if the applicant makes any false statement in connection with the registration, or if the structure that was covered by it is no longer in compliance with the requirements of this Code, or if the owner, agent, or person in charge of a structure refuses to comply with any provision of this Code required for the use, maintenance and/or occupancy of a structure, including this chapter and Chapters 240, 367, 369 and 371. If the Director revokes a certificate of rental registration, the owner may appeal the Director's action to the Board of Zoning Appeals, in writing within ten (10) days from the date of the Director's action. The Board may sustain, disapprove or modify the Director's action, and the Board's decision shall be final.

(e) *Notice of Change in Owner's Information.* An owner of a residential rental unit shall give notification of a change in the name, address, telephone number, and/or email address of a corporation, partnership or person listed on a certificate of rental registration under division (c)(2) through (c)(6) of this section to the Director within seven (7) days after the change occurs. If the owner fails to give written notification as required in this section, the Director may revoke the certificate of rental registration until the owner provides in writing the changed name, address, telephone number, and/or email address.

In addition to revocation of the certificate of rental registration, whoever violates this division (e) shall be fined not more than two hundred dollars (\$200.00). Each three (3) month period during which the violation continues is a separate offense.

Section 365.03 Rental Registration Fee

(a) An application for a certificate of rental registration shall be accompanied by a nonrefundable rental registration fee of seventy dollars (\$70.00) for each residential rental unit.

(b) No fee shall be charged for a unit occupied by the owner or for a unit for which the owner does not receive rent or anything else of value. The Director shall establish guidelines for fee exemptions.

(c) No fees shall be collected from any one (1) owner for all units owned by that owner within the City in excess of thirty thousand dollars (\$30,000.00) per calendar year.

(d) A certificate may be renewed prior to expiration upon application and payment of the fee described above. A certificate that has expired may be renewed upon payment of the above registration fee plus a late fee of one hundred dollars (\$100.00).

Section 365.04 Lead-Safe Certification Required for Residential Rental Units Built Before January 1, 1978

(a) *Presumption and Policy.* Any residential rental unit originally constructed prior to January 1, 1978 is presumed to have lead-based paint. It is the policy of the City to help prevent the poisoning of children by requiring that the presence of deteriorated lead-based paint on the interior and exterior of residential rental structures built before January 1, 1978 be identified and be correctly addressed by reducing and controlling lead-based paint hazards which may be present, in order to prevent human exposure to these hazards. Therefore, it is the further policy of the City to require all residential rental units in the City constructed prior to January 1, 1978 to have lead-safe certification no later than March 1, 2023.

(b) *Lead-Safe Certification.* Beginning March 1, 2021, all residential rental units constructed before January 1, 1978 shall have lead-safe certification from the Director according to a quarterly schedule established by the Director, but in no case later than March 1, 2023.

A lead-safe certification is valid for two (2) years from the date of issuance. No earlier than thirty (30) days prior to expiration, an owner shall re-apply for a lead-safe certification by providing the necessary documentation as set forth in this section.

(1) To obtain a lead-safe certification, an owner of a residential rental unit constructed prior to January 1, 1978 shall provide to the Director a copy of a clearance examination report or lead risk assessment, completed pursuant to applicable Ohio laws and rules, within ninety (90) days prior to the date of submission evidencing that lead hazards were not identified in the unit.

(2) For a structure constructed prior to January 1, 1978 that contains five (5) or more residential rental units to obtain a lead-safe certification, an owner shall provide to the Director a copy of a report, completed pursuant to applicable law within ninety (90) days prior to the date of submission, that lead hazards were not identified in the minimum number of units tested relative to the total number of units in the structure, according to Federal HUD Guidelines, 2012 edition, as may be amended from time to time.

(c) *Exemption.* To be exempt from the lead-safe certification requirement set forth in this section, the owner of a residential rental unit originally constructed prior to January 1, 1978 shall submit a copy of a comprehensive lead risk assessment and paint inspection report, issued by a lead risk assessor verifying that the unit has been abated of lead hazards in accordance with 40 CFR 745.227 and applicable state law. The report shall have been completed within twenty (20) years prior to the date of submission to the Director.

Section 365.05 Internal Review

The Director, through a designated Lead-Safe Auditor, shall monitor the City lead-safe certification process to ensure efficiency and effectiveness. The Lead-Safe Auditor

shall perform such other tasks as required by the Director, including maintaining a list of certified inspectors and contractors and coordinating regular monitoring and reporting with the Lead-Safe Advisory Board and other appropriate entities.

Section 365.06 Impact of Lead-Safe Certification Requirement; Review

Within one (1) year after implementation and yearly thereafter, the City shall review the impacts of the lead-safe certification requirement to determine if tenants have been unduly displaced and to identify any other negative unintended consequences that may have occurred due to implementation of the lead-safe certification requirement. If negative impacts are occurring or have occurred, the City will re-evaluate the program and work toward eliminating any negative impacts.

Section 365.07 Lead-Safe Advisory Board; Responsibilities

(a) There is hereby established a Lead-Safe Advisory Board to consist of seven (7) members: six (6) members appointed by the Mayor with approval of Council and one (1) member appointed by Council who shall be a member of Council. Of the members, at least two (2) shall be representatives from the Lead Safe Cleveland Coalition or similar organization, one (1) shall be the Lead-Safe Auditor, and one (1) shall be a current member of the Cleveland Area Board of Realtors or similar organization of realtors. Of the original appointments, three (3) shall be appointed for terms of two (2) years and four (4) shall be appointed for terms of three (3) years. Thereafter, the terms shall be four (4) years. None of the members shall be current employees of the City. The Lead-Safe Advisory Board shall meet as often as a majority of its members deems necessary, but at least quarterly in each calendar year. The Board shall establish its own rules and regulations.

(b) The responsibilities of the Lead-Safe Advisory Board shall be as follows: to provide recommendations for improvements to the City's lead-safe policies and procedures; to report, on a quarterly basis, progress and status of the City's Lead-Safe Certification requirement and other lead poisoning prevention related efforts to the Council, the Directors of Building and Housing, Public Health and Community Development, and the Lead Safe Cleveland Coalition or similar organization; to cause an appropriate outside entity or entities to produce impact analyses of the Lead Safe Certification program; to review such impact analyses and report same to the Council, the Directors of Building and Housing, Public Health and Community Development, and the Lead Safe Cleveland Coalition or similar organization.

Section 365.08 Records Kept by Department

Copies of all applications, certificates of rental registration and documents submitted for lead-safe certification are a public record and shall be kept on file by the Director as required by applicable law.

Section 365.09 Inspections; Right of Entry

(a) All residential rental units shall be subject to inspection for the purpose of determining compliance with the provisions of this Housing Code, Chapter 240, and all other applicable laws, ordinances, rules and regulations. Inspections shall be conducted in accordance with the residential rental unit inspection schedule established by the Director, or as may be necessary in the Director's discretion pursuant to specific complaint received under this Code.

(b) The Director and the Director's duly authorized agents or inspectors may enter at reasonable times any residential rental unit registered under this Chapter in accordance with the right of entry defined in Chapter 367.

Section 240.01 Definitions

As used in this chapter:

(a) "Clearance examination" means an examination, performed by a clearance technician, lead inspector, or lead risk assessor, to determine whether lead hazards in a residential unit, child day-care facility, or school have been sufficiently controlled. A clearance examination includes a visual assessment, collection and analysis of environmental samples.

(b) "Clearance technician" means a person, other than a licensed lead inspector or lead risk assessor, who is licensed under RC Chapter 3742 to perform a clearance examination.

(c) "Commissioner" means the Commissioner of the Division of the Environment of the Department of Public Health unless otherwise specified.

(d) "Department" means the Department of Public Health unless otherwise specified.

(e) "Interim controls" means a set of measures designed to temporarily reduce human exposure or likely exposure to lead-based paint hazards, including specialized cleaning, repairs, maintenance, painting, temporary containment, ongoing lead hazard maintenance activities, and the establishment and operation of management and resident education programs.

(f) "Landlord" has the same meaning as in division (b) of Section 375.01.

(g) "Lead Abatement" means a measure or a set of measures, designed for the single purpose of permanently eliminating lead hazards. "Lead abatement" includes all of the following:

(1) Removal of lead-based paint and lead-contaminated dust;

(2) Permanent enclosure or encapsulation of lead-based paint;

(3) Replacement of surfaces or fixtures painted with lead-based paint;

(4) Removal or permanent covering of lead-contaminated soil;

(5) Preparation, cleanup, and disposal activities associated with lead abatement.

"Lead abatement" does not include any of the following:

(1) Residential rental unit lead-safe maintenance practices performed pursuant to RC 3742.41 and 3742.42;

(2) Implementation of interim controls;

(3) Activities performed by a property owner on a residential unit

to which both of the following apply:

A. It is a freestanding single-family home used as the property owner's private residence;

B. No child under six (6) years of age who has lead poisoning resides in the unit.

(4) Renovation, remodeling, landscaping or other activities, when the activities are not designed to permanently eliminate lead-based paint hazards, but, instead, are designed to repair, restore, or remodel a given structure or dwelling, even though these activities may incidentally result in a reduction or elimination of lead-based paint hazards. Abatement does not include operations and maintenance activities or other measures and activities designed to temporarily, but not permanently, reduce lead-based paint hazards. This definition shall not be interpreted to exempt any person from any requirement under State or federal law regarding lead abatement, including lead hazard control orders or requirements for full abatement of lead-based paint in certain federally-funded projects.

(h) "Lead-based paint" means any paint or other similar surface-coating substance containing lead at or in excess of the level that is hazardous to human health as set forth in Rule 3701-32-19 of the Ohio Administrative Code (OAC) as it may be hereafter amended.

(i) "Lead hazard" means material that is likely to cause lead exposure and endanger an individual's health as set forth in OAC Rule 3701-32-19. Lead hazard includes lead-based paint, lead-contaminated dust, lead-contaminated soil and lead-contaminated water pipes.

(j) "Lead hazard control" means measures taken to reduce or eliminate a lead hazard, which includes, but is not limited to, lead abatement, interim controls, or both, as appropriate.

(k) "Permanent" means an expected design life of at least twenty (20) years.

(l) "Rental agreement" has the same meaning described in division (c) of Section 375.01 of the Codified Ordinances.

(m) "Target housing" means any housing constructed prior to 1978, except housing for the elderly or persons with disabilities (unless any one or more children age six (6) years or under resides or is expected to reside in such housing) or any zero (0) bedroom dwelling.

(n) "Tenant" has the meaning described in division (e) of Section 375.01 of the Codified Ordinances.

(o) "Zero (0) bedroom dwelling" means any residential dwelling in which the living areas are not separated from the sleeping area. The term includes efficiencies, studio apartments, dormitory or single room occupancy housing, military barracks, and rentals of individual rooms in residential dwellings.

Section 240.08 Notice Requirements

(a) For any lead abatement, interim controls, lead-safe maintenance practices or lead-safe renovation work in a residential unit, child day-care facility or school, the owner shall provide seven (7) days advance written notice to all occupants of residential structures, or all parents, students, teachers, and staff

of child day-care facilities or schools from which lead-based paint is to be removed, and to all occupants of residential structures which are within thirty (30) feet of the residential structure, child day-care facility or school from which the lead-based paint is to be removed. The notice shall be as prescribed by the Commissioner and shall include, at a minimum, the address at which the lead-based paint will be removed, the date of commencement of the lead-based paint removal, the anticipated length of time to complete the removal, and the method by which the lead-based paint will be removed. The notice shall include a copy of an EPA-approved lead hazard information pamphlet.

(b) The notice required under this section does not relieve any person from compliance with any other notice requirements under state or federal law, including when notice is required by a hazard control order.

Section 240.09 Enforcement

(a) Whenever the Commissioner or Director of Building and Housing (Director) or a designee determines upon information, or by observation or inspection, that any provision of this chapter is being or has been violated, the official may issue a notice of violation to the owner, manager, or person in charge to correct the violation. If the violation constitutes a nuisance that, in the determination of the Commissioner, Director or designee, may endanger the health or safety of any person, the notice of violation shall order the immediate abatement of the nuisance.

(b) In addition to any penalty for a violation of this chapter, the Commissioner or Director or a designee may use any and all remedies in this Health Code, including Chapter 203, to prevent, terminate or abate the nuisance, or to otherwise take action to control the nuisance, the costs and expense of which may be recovered as provided in RC 715.261, including certifying the costs and expense to the County Auditor, to be placed on the property as a lien to be collected as other taxes and returned to the City.

(c) In addition to any penalty for a violation of this chapter, the Commissioner or Director of Building and Housing or a designee may control such nuisance. The costs and expense of controlling a nuisance by the Commissioner or designee under this chapter, may be recovered as provided in RC 715.261, including certifying the costs and expense to the County Auditor, to be placed on the property as a lien to be collected as other taxes and returned to the City.

(d) The authority described in division (c) to control such nuisance includes the authority to order the owner or manager to relocate the occupants of a residential unit, day-care facility, or school, until the property passes a clearance examination, if the Commissioner determines that the health of the occupants may be at risk during the lead hazard control work. The Commissioner may relocate the occupants until the residential unit, child day-care facility, or school passes a clearance examination. The

costs and expense of the relocation may be recovered by certifying those costs to the County Auditor, to be placed on the property as a lien to be collected as other taxes and returned to the City.

(e) In the event of an actual or threatened violation of this chapter, or in an emergency situation, the Director of Law, in addition to other remedies provided by law, may institute a proper suit in equity or at law to prevent, terminate or otherwise remedy the violation.

(f) In addition to all other penalties and remedies provided by law, any person damaged by a nuisance caused by a violation of this chapter may institute a proper action in equity or at law to prevent, terminate or otherwise remedy the violation.

(g) The City has enacted and enforces the provisions of this chapter only to promote the public health, safety and general welfare, and for obligations imposed on it by the State of Ohio under delegation by the Ohio Department of Health. The City does not assume, nor does it impose on its officers and employees, an obligation the breach of which causes it to be liable in money damages to any person who claims that such breach proximately caused injury. In addition, nothing in this chapter may be interpreted to limit the City's statutory immunity under RC Chapter 2744.

Section 3. That the Codified Ordinances of the City of Cleveland, Ohio, 1976 are supplemented by amending Sections 240.03, 240.05, 240.07, 371.01 and 375.08, as amended by Ordinance No. 1027-04, passed August 11, 2004, Section 240.06 as amended by Ordinance No. 736-06, passed August 9, 2006, Section 367.12, as amended by Ordinance No. 1864-01, passed October 20, 2003, Section 367.99 as amended by Ordinance No. 281-17, passed May 22, 2017, and Section 3107.06, as amended by Ordinance No. 377-03, passed May 19, 2003, to read, respectively, as follows:

Section 240.03 Prohibitions

(a) No person shall do any of the following:

(1) Violate any provision of ~~RC 3742.02~~ **RC Chapter 3742, as may be applicable,** or the rules adopted ~~under~~ pursuant to it;

(2) Apply or cause to be applied any lead-based paint on or inside a residential unit, child day-care facility, or school, unless the Ohio ~~director of health~~ **public health council** has determined by rule under ~~RC 3742.50~~ **RC 3742.45** that no suitable substitute exists;

(3) Interfere with an investigation conducted **in accordance with this chapter or RC 3742.35** or by the Commissioner or the Commissioner's designee, ~~any person delegated by the Commissioner,~~ any lead inspector or risk assessor.

(b) No person shall knowingly authorize or employ an individual to perform lead abatement on a residential unit, child day-care facility, or school unless the individual who will perform the lead abatement holds a valid license issued under RC 3742.05.

(c) No person shall do any of the following when a residential unit,

child day-care facility, or school is involved:

(1) Perform a lead inspection without a valid lead inspector license issued under RC 3742.05;

(2) Perform a lead risk assessment or provide professional advice regarding lead abatement without a valid lead risk assessor license issued under RC 3742.05;

(3) Act as a lead abatement contractor without a valid lead abatement contractor's license issued under RC 3742.05;

(4) Act as a lead abatement project designer without a valid lead abatement project designer license issued under RC 3742.05;

(5) Perform lead abatement without a valid lead abatement worker license issued under RC 3742.05;

(6) Perform a clearance examination without a valid clearance technician license issued under RC 3742.05, unless the person holds a valid lead inspector license or valid lead risk assessor license issued under that section;

(7) Perform lead training for the licensing purposes of ~~this chapter~~ **RC Chapter 3742** without a valid approval from the director of health under RC 3742.08.

(8) Perform interim controls without complying with 24 C.F.R. Part 35.

(9) Perform lead-safe maintenance practices without complying with RC 3742.41 and 3742.42.

~~(d) No person shall manufacture children's toys or children's furniture that has paint containing lead equal to or in excess of one (1.0) mg/cm² (milligram per square centimeter), one-half of one percent (0.5%) by weight, or five thousand (5,000) parts per million (ppm) by weight.~~

~~(e) No person shall sell or hold for sale a children's toy or children's furniture that has paint containing lead equal to or in excess of one (1.0) mg/cm² (milligram per square centimeter), one-half of one percent (0.5%) by weight, or five thousand (5,000) parts per million (ppm) by weight.~~

~~(d) No person shall manufacture, sell or hold for sale toys and other articles intended for use by children as defined in 16 CFR 1303.2, or furniture as defined in 16 CFR 1303.2, that bears paint containing lead in excess of 0.009 percent by weight of the total nonvolatile content of the paint or the weight of the dried paint film.~~

~~(f) No person shall perform lead abatement, or any exterior power-assisted and/or manual lead-based paint removal, on any target housing located in the City without first obtaining a permit from the Commissioner of Licenses and Assessments as described in Section 240.06 of the Codified Ordinances.~~

~~(g) (e) No person shall sell or lease target housing in the City of Cleveland unless the owner, lessor, or agent of the target housing meets all applicable requirements of Section 240.06 of the Codified Ordinances regarding disclosures of lead hazards.~~

~~(h) (f) No person renovating target housing in the City of Cleveland shall fail to comply with the Pre-Renovation Lead Information Rule in Section 240.07 of the Codified Ordinances.~~

~~(i) (g) No owner or manager of a retail or wholesale outlet of paint and paint-removal products shall violate division (b) of Section 240.07 by failing to provide an EPA-approved Lead Hazard Information Pamphlet lead hazard information pamphlet or Fact Sheet.~~

~~(j) (h) All power-assisted methods of lead-based paint removal are hereby prohibited, unless the standards and methods set forth in Chapters 3701-30 or 3701-32 OAC as applicable, are followed. Open flame burning is prohibited under any circumstances, method is such that all dust and debris is immediately captured within a closed container which prevents lead-contaminated debris from escaping into the environment. No lead-based paint removal shall be conducted whereby the method of collection of dust and debris is captured solely by ground tarpaulins, draped scaffolding and other types of barriers after the dust and debris has been released into the environment. Open flame burning is prohibited under any circumstances. Persons performing interim controls shall comply division (c)(8) of Section 240.03 of these Codified Ordinances.~~

~~(k) No power-assisted lead-based paint removal shall be performed, unless:~~

~~(1) The area from which the lead-based paint is to be removed is first shielded with tarpaulins or other screening to prevent vapor, water, dust and debris from escaping into the environment; and~~

~~(2) Plastic disposable cloths are first spread at least ten (10) feet from the foundation below the surface upon which the lead-based paint removal is being performed and on sides adjacent to said surface. The drop cloths shall be attached, when possible, to the foundation of the residential structure in order to collect any debris and residue; and~~

~~(3) All vents, windows and other areas through which air may enter the residential structure upon which the lead-based paint is being removed, shall be closed to prevent infiltration of any dust or debris.~~

~~(l) No manual exterior lead-based paint removal shall be performed unless plastic disposable cloths are first spread at least ten (10) feet from the foundation below the surface upon which the lead-based paint removal is being performed and on sides adjacent to said surface. The drop cloths shall be attached, when possible, to the foundation of the residential structure in order to collect any debris and residue.~~

~~(m) No interior lead-based paint removal shall be performed without first spreading plastic disposable drop cloths on the floor in an area sufficiently large to collect all debris and residue.~~

~~(n) Following the completion of each day's lead-based paint removal:~~

~~(1) All drop cloths shall be carefully wet wiped, rolled up and disposed of; and~~

~~(2) All paint or paint dust shall be removed from the premises, adjacent property and public rights-of-way, and whenever possible, through the use of wet methods.~~

Section 240.05 Lead Abatement and Lead-Based Paint Removal Lead Hazard Control Permit Required; Application; Fees; Permit Suspension or Revocation

(a) The Commissioner of Environment is authorized to establish a program for the loaning of equipment, at no cost, for the removal or control of lead hazards in the City of Cleveland and is authorized to enter into contracts, as approved by the Director of Law, for the purpose of loaning the equipment.

(b) No person shall perform any lead hazard abatement or any exterior power-assisted and/or manual lead-based paint removal on target housing located in the City without first obtaining a permit from the Commissioner of Assessments and Licenses. For purposes of section, "target housing" includes all secondary or appurtenant structures that were constructed prior to 1978 and are on the parcel upon which the target housing is located. A permit is not required under this section if all of the following apply: (1) the person uses the target housing as their personal residence; (2) the person personally performs, or performs with the assistance of only members of his or her family or household, only manual exterior lead-based paint removal on the structure on the property; (3) no child under six (6) years of age who has lead poisoning resides in the structure.

(c) (b) The commissioners and inspectors of the Division of Environment and Department of Building and Housing are authorized to issue a stop work or cease and desist order to immediately stop working to any person performing work that requires a permit that has not obtained a permit or to any person performing work in violation of any prohibition in RC Chapter 3742 or this chapter of the Codified Ordinances.

(d) No person shall fail to immediately stop performing lead hazard abatement or reduction control activities when ordered to do so under subsection (c) division (c) of this section. No person shall not resume such lead abatement or control activities except in accordance with all terms and conditions of a valid permit for paint removal and until their practices conform to conformance with all applicable standards and methods prescribed in RC Chapter 3742.

(e) Permit Application; Fees.

(1) Every person who is required to obtain a permit under this section shall make application to the Commissioner of Assessments and Licenses upon forms to be prescribed by the Commissioner of Environment. The forms shall include

A. The name and address of each applicant, and if the applicant is a partnership, the principle address of the partnership, and the name and address of each partner, and if the applicant is a corporation, the principle address of the corporation, the state of incorporation, the corporate federal identification number and the name and address of the corporation's statutory agent;

B. The address of the residential unit will be removed;

C. A description of the method by which the lead hazard will be removed;

D. Any other information required by the Commissioner.

E. An applicant may file a single permit application for more than one (1) residential unit if the application contains all of the information required by division (c)(1) of this section with respect to each separate residential unit.

F. The permit fee is fifteen dollars (\$15.00) for each separate residential structure from which lead-contaminated paint is to be removed.

G. Upon receipt of a completed application and permit fee, the Commissioner of Assessments and Licenses shall issue the permit and a copy of the application and permit shall be provided to the Commissioner of the Environment.

H. A permit issued under this section, shall expire six (6) months from the date that it is issued. An applicant may apply for an extension that may be granted.

(2) The Commissioner of Licenses and Assessments shall notify the Director of Building and Housing of any permits issued under this section.

(f) Permit Suspension or Revocation.

(1) The Commissioner of Licenses and Assessments shall suspend or revoke any permit issued under this chapter, upon the recommendation and order of the Commissioner, for violation or failure to comply with the provisions of this chapter, or the Ohio Revised Code.

(2) Any person may appeal the denial, suspension or revocation of a permit for the removal of lead-based paint to the Board of Zoning Appeals, established under Charter Section 766, provided that written appeal is filed with the Board Secretary in writing within ten (10) days of the date the decision being appealed was made.

(3) If a person appeals in accordance with subsection (2), the Board shall conduct a hearing and render a decision in accordance with City ordinances and regulations described in this chapter and those governing its conduct and procedure.

(g) For work requiring a permit under this chapter, each permittee shall provide seven (7) days advance written notice to all occupants of residential structures on which lead-based paint is to be removed, and to all occupants of residential structures which are within thirty (30) feet of the residential structure on which the lead-based paint is to be removed. The notice shall be as prescribed by the Commissioner and shall include, at a minimum, the address at which the lead-based paint will be removed, the date of commencement of the lead-based paint removal, the anticipated length of the removal, and the method by which the lead-based paint will be removed. The notice shall include a copy of the Lead-Based Paint Hazards Health and Safety Fact Sheet as prescribed by the Commissioner.

(h) All contractors, on the signing of a contract for the removal of lead-based paint from a residential structure shall provide, with the contract, a Lead-Based Paint Hazards Health and Safety Fact Sheet.

(i) Owners of occupied residential structures and/or contractors planning any construction, repair,

rehabilitation, renovation, or maintenance work that involves the disturbance of lead-based paint in any occupied residential structure shall, seven (7) days prior to the work's initiation, distribute the Lead-Based Paint Hazards Health and Safety Fact Sheet to all affected occupants.

(j) The notice required under this section does not relieve any person from compliance with any other notice requirements under State or federal law, including when notice is required in a hazard control order.

Section 240.06 Disclosures In Sale or Lease of Target Housing Regarding Lead Hazards

(a) Disclosure in Purchase or Lease of Target Housing.

(1) To ensure the application of their requirements to the sale or lease of target housing in the City limits, the rules and regulations that are promulgated by the Secretary and the Administrator of the Environmental Protection Agency under A seller or lessor of target housing must disclose information concerning lead upon the transfer of any target housing pursuant to the Residential Lead-Based Paint Hazard Reduction Act of 1992, 42 U.S.C. 4852d, and shall adhere to all rules and regulations promulgated under the Act, as may be amended from time to time, and their successor regulations, are adopted and incorporated into this code as these rules and regulations exist at the time of passage of this chapter or as they may be amended. Before a purchaser or tenant is obligated under any contract to purchase target housing or a rental agreement to lease the target housing, the seller or lessor shall perform the activities and provide the disclosures described in this section:

A. Provide the purchaser or tenant with an EPA-approved lead hazard information pamphlet;

B. Disclose to the purchaser in writing in the sales contract, or to the tenant, both orally and in writing in the rental agreement, all of the following: (i) the presence of any known lead-based paint, or any known lead-based paint hazards, in the housing; (ii) any additional information available concerning the known lead-based paint and/or lead-based paint hazards, such as the basis for the determination that lead-based paint and/or lead-based paint hazards exist, the location of the lead-based paint and/or lead-based paint hazards, and the condition of the painted surfaces; and (iii) whether the property or unit is under a lead hazard control order; (iii) whether the property owner has a current Lead Maintenance Certificate or Lead Based Paint Free Certificate and the length of time of its coverage; (iv) provide to the purchaser or tenant any records or reports (including notices or letters of violation) available pertaining to lead-based paint hazards or lead hazards in the target housing, including regarding common areas; and (v) records or reports regarding other residential dwellings in multi-family target housing, provided that the information is part of an evaluation or reduction of lead-based paint and/or lead hazards in the target housing;

C. Disclose to the tenant a copy of the most recent clearance examination or lead risk assessment and, if applicable, the lead-safe certification;

D. Provide to the purchaser or tenant any records or reports (including notices or letters of violation) available pertaining to lead-based paint or lead-based paint hazards in the target housing, including regarding common areas, and regarding other residential dwellings in multi-family target housing, provided that the information is part of an evaluation or reduction of lead-based paint and/or lead-based paint hazards in the target housing;

E. Permit the purchaser a ten (10) day period (unless the parties mutually agree in writing upon to a different period of time or to waive this requirement) to conduct a lead risk assessment or lead inspection for the presence of lead-based paint and/or lead-based paint hazards;

F. Include in the contract for sale or rental agreement for lease the Lead Warning Statement prescribed in 40 C.F.R. 745.113;

G. Include in the contract for sale or rental agreement for lease acknowledgments that the pamphlet, disclosures, ten (10) day period (if required) and warning required were provided.

(2) Discovery of Lead Hazards or Presumed Lead Hazards, Prior to the Expiration of a Lease. If the owner of a residential unit learns of the presence of lead-based paint and/or lead-based paint hazards prior to the expiration of a lease, the owner shall notify each tenant of the presence of lead-based paint and/or lead-based paint hazards within ten (10) days of discovering its presence. In addition, the owner shall notify prospective tenants of presumed lead-based paint and shall provide each tenant with a Lead Warning Statement and the lead hazard information pamphlet, as prescribed by 42 U.S.C. 4852d.

(3) Compliance Assurance. The rules and regulations requiring the agent, on behalf of the seller or lessor, to assure compliance with the requirements issued under the Residential Lead Based Paint Hazard Reduction Act of 1992, 42 U.S.C. 4852d, and their successor regulations, are adopted and incorporated into this code as these rules and regulations exist at the time of passage of this chapter or as they may be amended, and apply to an agent whenever a seller or lessor has entered into a contract with the agent for the purpose of selling or leasing a unit of target housing in the City limit. Whenever a seller or lessor has entered into a contract with an agent for the purpose of selling or leasing a unit of target housing, the agent, on behalf of the seller or lessor, shall ensure compliance with the requirements of this section and 40 CFR 745 Subpart F. An agent is defined as means any party who enters into a contract with a seller or lessor, including any party who enters into a contract with a representative of the seller or lessor, for the purpose of selling or leasing pre-1978 target housing. The term "agent" does not apply to purchasers or any purchaser's representative who receives all compensation from the purchaser.

(b) Penalties for Violations.

(1) Criminal Penalty. Any person who knowingly fails to comply with any provision of this section shall be subject to the penalties provided in Section 240.99 of the Codified Ordinances.

(2) The Director of Public Health or Commissioner is authorized to take lawful action as may be necessary to enforce this section or to enjoin any violation of it.

(3) Civil Liability. As provided in the Federal Residential Hazard Reduction Act at 42 U.S.C. 4852d(b), any person who violates any provision of this section will be jointly and severally liable to the purchaser or lessee in an amount equal to **one (1) month's rent or one (1) month's mortgage payment, three (3) times the amount of damages incurred by the individual.**

(4) In any action brought for damages under this section, the appropriate court may award court costs to the party commencing the action, together with reasonable attorney fees and any expert witness fees, if that party prevails.

(5) A non-profit environmental health or housing rights organization is authorized to bring an action under division (b)(3) of this section on behalf of an aggrieved individual or individual(s) for violations of this section. Such organization may recover its costs under the remedies provided in divisions (b)(3) and (b)(4) of this section if the organization demonstrates that it has exerted organizational resources, including staff time, to investigate the alleged non-compliance with this section.

(c) Validity of contracts for purchase and sale and liens. Validity of contracts and liens. Nothing in this section may affect the validity or enforceability of any sale or contract for the purchase and sale or lease of any interest in residential real property or any loan, loan agreement, mortgage, or lien made or arising in connection with a mortgage loan, nor may anything in this section create a defect in title.

Section 240.07 Residential Property Renovation; Paint Outlet Information Rule

(a) To ensure the application of the requirement of the federal Pre-Renovation Lead Information Rule to the renovation of pre-1978 housing in the City limits, the rules and regulations promulgated under that rule and found at 40 C.F.R. Part 745, Lead Requirements for Hazard Education Before Renovation of Target Housing, are adopted and incorporated into this Health Code as they exist at the time of passage of this chapter or as they may be amended. **All renovations, repair and painting performed for compensation in target housing shall be performed in compliance with 40 C.F.R. Part 745, Subpart E, Residential Property Renovation, as may be amended from time to time. Any person performing renovations, repair and painting shall provide to occupants of the residential property a renovation-specific pamphlet as required under 40 CFR 745.81.**

(b) All retail and wholesale outlets of paint and paint removal products shall distribute an EPA-approved lead hazard information pamphlet or Lead Based Paint Haz-

ards Health and Safety Fact Sheet approved by the City of Cleveland Department of Public Health to each purchaser of ~~said paint and paint removal products.~~

Section 367.12 Statement of Authorized Use of Dwelling Building or Structure and Notice of Violation; Fee

(a) No person, agent, firm or corporation shall sell, by land contract or otherwise, any interest in any dwelling building or structure, as defined in Section 363.04 of five (5) or more units, without furnishing the buyer, prior to the sale, (i) a current certificate of occupancy or a statement from the Department of Building and Housing describing the authorized use of the dwelling under the ordinances of the City, **and describing its current lead status,** (ii) a copy of any outstanding notice or order from the City, including any notice of violation or outstanding notice of the City's intention to demolish or effectively board, and; **(iii)** when an escrow has been established, depositing in escrow prior to delivery of possession or transfer of title a statement from the buyer acknowledging the receipt of these documents. However, a statement signed by both the seller and the buyer ~~describing the fact stating~~ that the property being transferred does not contain a dwelling building or structure may be deposited in escrow instead of the documents regarding use required ~~herein above.~~

(b) An application to provide the statement required by this section shall be accompanied by a fee of forty dollars (\$40.00).

(c) No person, agent, firm or corporation shall enter into a contract for the sale of a one (1), two (2), three (3) or four (4) unit dwelling building or structure, as defined in Section 363.04, without furnishing to the purchaser a Certificate of Disclosure addressing the condition of the property, **including its current lead status,** which Certificate shall be in a form prescribed by the Director of Building and Housing. No real estate agent, escrow agent or seller shall sell or transfer a one (1), two (2), three (3) or four (4) unit dwelling building or structure without furnishing to the purchaser information required by the Certificate of Disclosure described above. If the purchaser does not receive any portion of the Certificate of Disclosure to be completed by the City prior to sale, the purchaser may rescind the purchase contract for the sale of the property prior to the sale of the property.

(d) A request for a Certificate of Disclosure shall be accompanied by a nonrefundable fee of sixty dollars (\$60.00).

Section 367.99 Penalty

(a) Whoever violates any provision of this Housing Code for which no other penalty is provided shall be guilty of a misdemeanor of the first degree. Each day of a continuing violation shall be deemed a separate offense.

Whoever causes or permits the continuation of any violation of this Housing Code or any rule or regulation promulgated hereunder or fails to comply with this Housing

Code or with any written notice or written order issued hereunder, subsequent to conviction therefor shall be liable for further prosecution, conviction and punishment upon the same order or notice without the necessity of issuing a new order or notice, until full compliance has been had on such order or notice upon which the original conviction was ~~had made~~.

(b) Whoever violates Section 367.11 shall be guilty of a misdemeanor of the third degree.

(c) Whoever violates Section 367.12 or 367.13 shall be guilty of a misdemeanor of the first degree.

(d) Whoever violates Section 371.01 shall be guilty of a misdemeanor of the first degree. Each day of a continuing violation shall be deemed a separate offense.

(e) Whoever violates Sections ~~365.01, 365.02, 365.04,~~ 369.13, 369.14, 369.15, 369.16, 369.17, 369.18, 369.19, 371.05, 371.07, 371.10 or 371.13, ~~or Section 369.08, or Section 369.08~~ as a first offense shall be guilty of a minor misdemeanor. In addition to any other method of enforcement provided for in this chapter, the above listed minor misdemeanors may be enforced by the issuance of a citation in compliance with Rule 4.1 of the Ohio Rules of Criminal Procedure.

Whoever violates Sections 392.02, 392.021, 392.03, 392.04, or 392.05 is subject to the penalty established in Section 392.99 of these Codified Ordinances. In addition to any other means of enforcement provided for in these Codified Ordinances by statute, Sections 392.02, 392.03, 392.04, 392.05 or 392.06 may be enforced by the issuance of a citation in compliance with Rule 4.1 of the Rules of Criminal Procedure, provided that the offense is a minor misdemeanor.

(f) Whoever violates Section 369.08 as a second offense of that section shall be guilty of a misdemeanor of the fourth degree. Whoever violates Section 369.08 as a third or subsequent offense of that section shall be guilty of a misdemeanor of the first degree.

(g) A court of competent jurisdiction may require whoever is convicted of or pleads guilty to a violation of this Housing Code to pay to the City's Department of Building and Housing, fees for inspections of ~~violation violations~~ that have not been remedied, which ~~fees are~~ fees are described in Sections 367.08 and 3105.26, and the expenses or costs incurred under the provisions for demolition or boarding contained in the Housing Code.

Section 371.01 Restrictions on Leasing for Residential Occupancy

An owner, operator or agent shall not rent, lease or offer for rental or lease for residential occupancy any dwelling units, dwelling structures or any part of a dwelling unit or dwelling structure that does not comply with the standards for residential occupancy in Chapter 240 of the Health Code, including the requirements in Section 240.06 regarding disclosures in the lease of target housing regarding lead hazards, **Section 240.07 regarding residential property renovation, and Section 240.08 regarding notice requirements** and Chapters 365, 369, and 371 of the Housing Code.

Section 375.08 Retaliation of Landlord Prohibited; Relief

(a) Subject to division (d) of this section, a landlord may not retaliate against a tenant by increasing the tenant's rent, decreasing services that are due to the tenant, bringing or threatening to bring an action for possession of the tenant's premises, terminating or threatening to terminate the tenant's rental agreement, or refusing to renew the tenant's rental agreement or to continue the tenant's tenancy because:

(1) The tenant has complained to an appropriate governmental agency of a violation of a building, housing, health, or safety code that is applicable to the premises, and the violation materially affects health and safety;

(2) The tenant has complained to the landlord of any violation of RC 5321.04;

(3) The tenant has joined with other tenants for the purpose of negotiating or dealing collectively with the landlord on any of the terms and conditions of a rental agreement;

(4) The tenant has complained to an appropriate governmental agency of a violation of Chapter 240 that is applicable to the premises or the tenant (or an organization on the tenant's behalf) has taken action under division (b)(3) of Section 240.06.

(b) If a landlord acts in violation of division (a) of this section, the tenant may:

(1) Use the retaliatory action of the landlord as a defense to an action by the landlord to recover possession of the premises;

(2) Recover possession of the premises; or

(3) Terminate the rental agreement.

In addition, the tenant may recover from the landlord, at the tenant's option, either any actual damages, together with reasonable attorneys' fees, or damages of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00), together with reasonable attorneys' fees.

(c) Nothing in division (a) of this section shall prohibit a landlord from increasing the rent to reflect the cost of improvements installed by the landlord in or about the premises or to reflect an increase in other costs of operation of the premises.

(d) Notwithstanding divisions (a) and (b) of this section, a landlord may bring an action under RC Chapter 1923 for possession of the premises if:

(1) The tenant is in default in the payment of rent;

(2) The violation of the applicable building, housing, health, or safety code that the tenant complained of was primarily caused by any act or lack of reasonable care by the tenant or by any other person in the tenant's household, or by anyone on the premises with the consent of the tenant;

(3) Compliance with the applicable building, housing, health, or safety code would require alteration, remodeling, or demolition of the premises which would effectively deprive the tenant of the use of the dwelling unit. **This division does not apply where a landlord is required**

to reduce and control lead hazards on residential rental property pursuant to Chapters 240, 365 or 371.

(e) The maintenance of an action by the landlord under division (d) of this section does not prevent the tenant from recovering damages for any violation by the landlord of the rental agreement or of RC 5321.04.

Section 3107.06 Applications

(a) The applications for a Certificate of Registration, Limited Certificate of Registration or a Certificate of Qualification shall be in the form prescribed by the Director, may require documentation determined by the Director to be sufficient to show that the applicant meets the requirements for issuance of the relevant Certificate, and shall be available in the office of the Director.

(b) Every application shall state the name of the person, firm or corporation applying for registration, limited registration or certification and the name and address of the place of business or places of business of the applicant. If the applicant is a firm, co-partnership, corporation, association or any combination, the application shall contain the names and addresses of all members or officers, together with a certified copy of the corporation minutes or other certified evidence that the application has been duly authorized. **Every application shall inquire whether the contractor is a certified renovator or dust sampling technician accredited by the EPA under 40 CFR 745.225.**

(c) Applications for Certificates of Registration, Limited Certificates of Registration or Certificates of Qualification shall be sworn to by the applicant before a notary public.

Section 4. That Sections 240.03, 240.05, 240.07, 371.01 and 375.08, as amended by Ordinance No. 1027-04, passed August 11, 2004, Section 240.06 as amended by Ordinance No. 736-06, passed August 9, 2006, Section 367.12, as amended by Ordinance No. 1864-01, passed October 20, 2003, Section 367.99 as amended by Ordinance No. 281-17, passed May 22, 2017, and Section 3107.06, as amended by Ordinance No.377-03, passed May 19, 2003, are repealed.

Section 5. Any projects and programs funded by the City that serve children from birth to six (6) years of age, and/or pregnant women, shall provide lead screening questionnaires, offer referrals for lead testing and provide lead poisoning prevention educational materials.

Section 6. There shall be established a Lead Screening and Testing Commission which shall consist of nine (9) members who represent, including but not limited to, health care institutions and health care providers, entities providing Medicaid services, city and county health departments, public and private school systems, entities providing early childhood education and services, and the Lead Safe Cleveland Coalition or similar organization. The Lead Screening and Testing Commission shall adopt its own rules and order of business and shall meet as often as a majority of its members deems necessary, but at least every six (6) months.

The responsibilities of the Lead Screening and Testing Commission

shall include: establishing best practices for efficient and effective coordination of screening and testing services for families that are at-risk or that have been exposed to lead hazards; partnering with the Healthy Homes Advisory Council or other similar entity to implement screening and testing recommendations; and coordinating and sharing lead screening and testing data among appropriate entities.

Section 7. There shall be established a Lead Safe Housing Action Board for the purpose of supporting families who must relocate as a result of a lead hazard control order, lead safe maintenance or lead poisoning. The Lead Safe Housing Action Board shall consist of representatives from non-profit entities funded by the City that provide housing in the City. The Lead Safe Housing Action Board shall adopt its own rules and order of business and shall meet as often as a majority of its members deems necessary, but at least every six (6) months. Responsibilities of the Lead Safe Housing Action Board shall include: maintaining a list of housing units available for families forced to relocate and providing help with problems that arise as a result of forced relocation.

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 Health, Building and Housing, Community Development, Finance, Law; Committees on Health and Human Services, Development Planning and Sustainability, Finance.

Ord. No. 749-2019.

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

An emergency ordinance authorizing the Director of Public Utilities to enter into one or more contracts with Landmark Lakeshore, LLC, or its designee, to accept the sanitary flow from the Shoreline Apartments on North Marginal Road into the City's 8" Force Main on East 55th Street, and to charge a connection fee and fees for future maintenance on the Force Main; and to enter into similar agreements with the owners of properties adjoining the Landmark Lakeshore, LLC property; and to create a fund for connection and maintenance fees.

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 enter into one or more contracts with Landmark Lakeshore, LLC, owner of Permanent Parcel No. 105-01-006, or its designee, ("Landmark") to accept the sanitary flow from The Shoreline Apartments located at 5455 North Marginal Road west of East 55th Street. The agreement shall contain the provisions that Landmark will pay a one-time fee to

the Division of Water Pollution Control of \$5,000 to connect to a 8" City-owned force main on East 55th Street. Annually, Landmark will deposit \$2,000 into a fund to be used to pay for part of the cost of maintaining and repairing the 8" City-owned force main.

Section 2. That the Director of Public Utilities is authorized to accept funds under this ordinance for the purposes stated herein which shall be deposited into a fund created and approved by the Director of Finance.

Section 3. That the Director of Public Utilities is authorized to enter into any further agreements necessary to effectuate the purposes of this ordinance, including easement agreements.

Section 4. That the Director of Public Utilities is authorized at his discretion to enter into agreements with the owner or owners of properties adjoining the property at Permanent Parcel No. 105-01-006, upon terms and conditions he deems appropriate, with connections fees and maintenance fees to be deposited in the same fund as identified in Section 2 of this ordinance.

Section 5. That all agreements authorized herein shall be prepared by the Director of Law and shall contain terms and conditions that protect the City's interest.

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.

FIRST READING EMERGENCY RESOLUTIONS REFERRED

Res. No. 704-2019.

By Council Member McCormack. An emergency resolution declaring the intent to vacate a portion of the Detroit Superior Viaduct and a portion of Detroit Avenue; and to repeal Resolution 1130-18, adopted October 15, 2018.

Whereas, this Council is satisfied that there is good cause to vacate a portion of the Detroit Superior Viaduct and a portion of Detroit Avenue, as described in this ordinance; 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 the following-described real property:

THE VACATION OF A PORTION OF THE DETROIT SUPERIOR VIADUCT

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being part of Original Brooklyn Township Lot No. 70, bounded and described as follows:

Beginning at an Iron Pin Monument found at the intersection of West 25th Street, 60 feet wide, and Detroit Avenue, 66 feet wide.

Thence North 30°28'45" West, along the centerline of said West 25th Street, a distance of 142.71 feet to a point;

Thence North 59°31'15" East a distance of 30.00 feet to the easterly line of said West 25th Street;

Thence North 39°50'15" East, along the northwesterly line of the Detroit Superior Viaduct, 80.00 feet wide, a distance of 21.32 feet to the proposed easterly line of said West 25th Street and the Principal Place of Beginning of land herein described:

Thence North 39°50'15" East, along the northwesterly line of the Detroit Superior Viaduct, a distance of 190.93 feet to a point;

Thence North 59°26'52" East a distance of 238.36 feet to the southeasterly line of said Detroit Superior Viaduct;

Thence South 39°50'15" West, along the southeasterly line of said Detroit Superior Viaduct, a distance of 415.95 feet to a point;

Thence South 30°03'48" East a distance of 5.19 feet to the proposed northeasterly line of said West 25th Street;

Thence, along the proposed northeasterly line of said West 25th Street along a curve deflecting to the right, an arc distance of 35.46 feet to a point. Said curve having delta of 67°43'19", a radius of 30.00 feet and a chord that bears North 68°12'01" West, 33.43 feet;

Thence, continuing along the proposed northeasterly line of said West 25th Street along a curve deflecting to the left, an arc distance of 54.58 feet to a point. Said curve having delta of 4°55'03", a radius of 636.00 feet and a chord that bears North 36°47'53" West, 54.57 feet to the principal place of beginning and containing 24,915 square feet (0.5720 acres) of land, be the same more or less but subject to all legal highways;

Bearings are to an assumed meridian and are used to denote angles only.

THE VACATION OF A PORTION OF DETROIT AVENUE.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being part of Original Brooklyn Township Lot No. 70, bounded and described as follows:

Beginning at an Iron Pin Monument found at the centerline intersection of West 24th Street, 33 feet wide, and Detroit Avenue, 66 feet wide.

Thence North 35°10'04" West, along the centerline of said West 24th Street, a distance of 29.08 feet to a point;

Thence South 54°49'56" West a distance of 16.50 feet to the southwesterly line of said West 24th Street also being the northwesterly line of Detroit Avenue;

Thence South 34°31'16" West, along the northwesterly line of said Detroit Avenue, a distance of 35.12 feet to the Principal Place of Beginning of land herein described;

Thence South 35°12'07" East a distance of 37.33 feet;

Thence South 55°43'14" West a distance of 96.83 feet to the northwesterly line of said Detroit Avenue;

Thence North 34°31'16" East, along said northwesterly line of Detroit Avenue, a distance of 103.21 feet to the Principal Place of Beginning and containing 1,807 square

feet (0.0415 acres) of land, be the same more or less but subject to all legal highways;

Bearings are to an assumed meridian and are used to denote angles only.

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

Section 2. That Resolution No. 1130-18, adopted October 15, 2018 is repealed.

Section 3. 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.

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

Res. No. 711-2019.

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

An emergency resolution approving the continuation and expansion of the Ohio City - Cleveland Business Improvement District as a Special Improvement District in the City; accepting petitions from owners of property in the District; approving an amendment to the Articles of Incorporation of the Market District Improvement Corporation; approving a new plan for public services; declaring it necessary to provide safety, cleaning, and other services for the District; and providing for the assessment of the cost of such work upon benefited property in the District; and declaring an emergency.

Whereas, Chapter 1710 of the Ohio Revised Code ("Revised Code") authorizes the formation of special improvement districts within the boundaries of a municipality by petition of property owners in a district and approval by the municipality for the purpose of developing and implementing plans for public improvements and public services that benefit a district; and

Whereas, owners of at least sixty percent of the front footage of all real property located in the Ohio City - Cleveland Business Improvement District ("District") (formerly known as The Market District - Cleveland Business Improvement District) that abuts upon any street, alley, public road, place, boulevard, parkway, park entrance, easement, or other existing public improvement within the District, excluding certain property as provided in Section 1710.02(E) of the Revised Code, have signed petitions ("Petitions") requesting that the City of Cleveland ("City") renew and expand the District as described in this ordinance; and

Whereas, the District is governed by the Ohio City Improvement Corporation ("Corporation") (formerly known as the Market District Improvement Corporation), an Ohio nonprofit corporation formed under Chapters 1702 and 1710 of the Revised Code; and

Whereas, under Section 1710.02(F) of the Revised Code, the petitioners

have proposed a new plan for public services benefitting all of the District, as expanded ("Plan"), and have submitted the Plan as part of the Petitions proposing expansion and continuation of the District; and

Whereas, the Petitions, including the Articles of Incorporation of the Corporation and all amendments thereto ("Articles") and the Plan, have been submitted to the municipal executive ("Mayor") and the legislative authority ("Council") of the City; and

Whereas, under Section 1710.02(E) of the Revised Code, the City has sixty days to approve or disapprove the Petitions by resolution; 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 the Petitions, including the Amendment to the Articles and the Plan, are accepted and approved and are placed in File No. _____.

Section 2. That, under Chapter 1710 of the Revised Code, the District is hereby continued and expanded with approximate boundaries as follows:

On the North by Detroit Avenue to West 33rd Street; on the South by 2144 West 25th Street; on the west by Lorain Avenue and West 50th Street; and on the East along West 24th Street, West 25th Street and Gehring Avenue, as more particularly depicted on the map attached as Exhibit A of the Plan.

Section 3. That it is determined and declared necessary and conducive to the public health, convenience and welfare of the City to provide safety and security services, cleaning and maintenance services, and additional permitted services for the District, for an additional five-year period commencing January 1, 2020.

Section 4. That it is determined that the property contained within the District will be specially benefited by the above described public services and shall be assessed to pay for the cost of the services, calculated in proportion to the benefits that may result from the services.

Section 5. That the Plan placed in the above mentioned file is approved at an estimated cost of \$3,026,207.

Section 6. That the entire cost of the Plan will be paid by special assessment of the property in the District levied in proportion to the benefits that may result from the services within the District. The cost of the Plan shall include the cost of printing, serving, and publishing notices, resolutions, and ordinances; the costs incurred in connection with the preparation, levy, and collection of the special assessments; the expenses of legal services; the cost of all labor and materials; and all other necessary expenditures allowed by law.

Section 7. That the City will not issue securities in anticipation of either the levy or the collection of the special assessments for the cost of the Plan.

Section 8. That the City Commissioner of Assessments and Licenses is authorized to prepare and separately file with the clerk of Council

estimated assessment amounts for each lot or parcel of land to be assessed, which are based on the estimated cost of the Plan. After the estimated special assessments have been filed, the Clerk of Council shall cause notice of the adoption of this resolution and the amounts of estimated special assessments to be served in the manner provided by law on the owners of all lots and parcels to be assessed.

Section 9. That payment for the assessments shall be due in each of the years 2020, 2021, 2022, 2023, and 2024, which payment may occur prior to the commencement of the services to be provided under the Plan. The Clerk of Council shall certify unpaid assessments to the county auditor to be placed on the tax list and collected with and in the same manner as other taxes.

Section 10. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this resolution 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 those formal actions were in meetings open to the public in compliance with the law.

Section 11. That, pursuant to O.R.C. §727.12, this resolution of necessity requires the affirmative vote of three-fourths of all the members elected to Council for passage.

Section 12. 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.

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

Res. No. 748-2019.

By Council Members Griffin, Kelley, McCormack and Mayor Jackson.
An emergency resolution calling upon health organizations including hospitals and providers of Medicaid services to guarantee that Cleveland-area infants and children under age six are screened and tested for lead to help prevent lead poisoning.

Whereas, Ohio law requires all healthcare providers to administer blood lead tests to children at age 1 and 2, or up to age 6 if no previous test has been completed based on whether the child is on Medicaid, lives in a high-risk ZIP code, or has certain other risk factors; and

Whereas, not enough Ohio children meeting these criteria are tested as required by law: in 2016-17, of the children receiving Medicaid in the Cleveland Metropolitan School District and 11 inner-ring suburban school districts 90% were tested at least once between birth and kindergarten entry; 50% were tested at age one year; 34.6% were tested at age 2; and 21.5% were tested at both ages 1 and 2; and

Whereas, this Council understands that it is most important to first test lead blood levels in children early - between ages one and 2 - and often, through age 6; and

Whereas, area hospital systems, medical facilities and health care providers must be the driving force in providing adequate screening and testing services that are easily accessible and readily available to Cleveland-area children and their families; and

Whereas, area health organizations including hospitals and providers of Medicaid services must make concerted efforts to join with the Department of Public Health and the Healthy Homes Advisory Council to provide screening and testing of young children where they are most likely to be – including at schools, area libraries, recreation centers, and through area community programs; and

Whereas, this Council encourages that a communication strategy be developed between the City and outside entities, including Cleveland public and private schools, to provide lead poisoning prevention education and further encourages the Department of Health continue to coordinate with the City's recreation centers and other programs operated or funded by the City to provide lead poisoning prevention information, lead screening and referrals for lead testing; and

Whereas, this Council encourages the Department of Public Health to establish and make public a list of organizations that provide on-site and/or mobile screening, testing or testing referrals; and

Whereas, this Council joins the Lead Safe Cleveland Coalition in urging the State of Ohio to establish a better detailed, timely and enforceable database of lead testing that includes city, county and state records; 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 calls upon health organizations including hospitals and providers of Medicaid services to guarantee that Cleveland-area infants and children under age six are screened and tested for lead to help prevent lead poisoning.

Section 2. That the Clerk is directed to forward copies of this resolution to representatives from the Cuyahoga County Board of Health and Department of Development, Case Western Reserve University, Environmental Health Watch, United Way of Greater Cleveland, the Cleveland Clinic, Cleveland Metropolitan School District, the Metro-Health System, Sisters of Charity Health System, University Hospitals, UH Rainbow Babies & Children's Hospital.

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

Referred to Directors of Public Health, Building and Housing, Community Development, Finance, Law; Committees on Health and Human Services, Development Planning and Sustainability, Finance.

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 729-2019.

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

An emergency ordinance authorizing the Director of Public Works to employ one or more professional consultants to provide parking meter consultant services, for a one-year period; and to enter into various written standard purchase and requirement contracts for the purchase of parking meters and related equipment and services, including installation.

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

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

Section 1. That the Director of Public Works is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide parking meter consulting services, including but not limited to, strategic, operational and logistical planning for parking meter placement, maintenance, and administration; selection of parking meter hardware mix aligned to the Strategic Plan; integration of related software applications; development of the roadmap to integrate related parking meter financial information; and assistance with the creation of a Request for Proposals to install parking meter hardware and software.

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

Section 2. That the Director of Public Works is authorized to make one or more written standard purchase contracts and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of requirements to be determined by the director, for the necessary items of parking meters and related equipment and services, including installation, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Public Works. 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 3. That the costs of the requirement 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 4. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Works may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 5. That the cost of the professional services and standard contracts and other expenditures authorized shall be paid from Fund Nos. 20 SF 566, 20 SF 573, 20 SF 578, and 20 SF 585, RQS 7008, RL 2019-60.

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.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 730-2019.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to make one or more purchase orders with Black Box Network Services for professional services necessary to continue to maintain, support, and further enhance the Unified Computing Services Infrastructure in order to ensure a safe and secure IT network, including but not limited to, upgrading, installation and integration, for the Department of Port Control.

Whereas, under Ordinance No. 568-2019, passed April 29, 2019, this Council determined the urgency of the malware infection at the Department of Port Control required immediate action and retained Black Box Network Services ("Black Box") to perform the needed remedial work and security enhancements; and

Whereas, through Black Box's work, the Department of Port Control now has a new Unified Computing Services Infrastructure ("UCS") and the Department desires to continue to maintain, support, and further enhance the UCS in order to ensure a safe and secure IT network, including but not limited to, upgrading, installation and integration; 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 Commissioner of Purchases and Supplies is authorized to make one or more purchase

orders with Black Box, based on its proposal dated May 30, 2019, in the estimated amount of \$112,004.75, for professional services necessary to continue to maintain, support, and further enhance the UCS in order to ensure a safe and secure IT network, including but not limited to, upgrading, installation and integration.

Section 2. That the purchase orders shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 115, 60 SF 116, 60 SF 126, 60 SF 128, 60 SF 130, 60 SF 141, 60 SF 160, from the fund to which are credited passenger facility charges if authorized for this purpose, and from the fund or funds to which are credited the proceeds of any grant received, RQS 3001, RL 2019-66.

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.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 732-2019.

By Council Members J. Jones, Bishop, McCormack, Johnson, Cleveland, Griffin, B. Jones, Polensek, Conwell, Hairston, Brancatelli, Kelley, Santana, Zone, Kazy and Keane.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 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 hereby authorized to enter into agreement effective June 5, 2019, with the United Way of Greater Cleveland for the Lead Safe Summit Expo for the public purpose of providing educational programming on lead poisoning prevention to city of Cleveland residents through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$14,500 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.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 733-2019.

By Council Members Bishop, Johnson and Griffin.

An emergency ordinance amending the Title and Section 1 of Ordinance No. 563-2019 passed April 29, 2019, as it pertains to authorizing the Director of the Department of Community Development to enter into agreement with the Beauty & Barber Empowerment Center, LLC for the Beauty and Empowerment Center Program through the use of Wards 2, 4 and 6 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. 563-2019 passed April 29 are hereby amended to read as follows:

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with the **Beauty & Barber Empowerment Center, LLC** for the Beauty and Empowerment Center Program through the use of Wards 2, 4 and 6 Casino Revenue Funds.

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into agreement effective February 1, 2019 with the **Beauty & Barber Empowerment Center, LLC** for the Beauty and Empowerment Center Program for the public purpose of providing a cosmetology training program for city of Cleveland residents through the use of Wards 2, 4, and 6 Casino Revenue Funds.

Section 2. That the Title and Section 1 of Ordinance No. 563-2019 passed April 29 are 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 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 734-2019.

By Council Member Johnson.

An emergency ordinance amending the Title and Sections 1 and 2 of Ordinance No. 600-2019, passed May 6, 2019 as it pertains to Senior Lawn Care and Snow Removal Program through the use of Wards 1, 2 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 Sections 1 and 2 of Ordinance No. 600-2019 passed May 6, 2019 are hereby amended to read as follows:

An emergency ordinance authorizing the Director of the Department of Aging to enter into an agreement with Mt. Pleasant NOW Development Corporation for the Senior Lawn Care and Snow Removal Program through the use of Wards 1, 2 and 4 Casino Revenue Funds.

Section 1. That the Director of the Department of Aging be authorized to enter into an agreement effective **June 1, 2019** with Mt Pleasant NOW Development Corporation for the Senior Lawn Care and Snow Removal Program for the public purpose of assisting senior citizens residing in the city of Cleveland with grass cutting and lawn maintenance care through the use of **Wards 1, 2 and 4 Casino Revenue Funds.**

Section 2. That the cost of said contract shall be in an amount not to exceed **\$70,000** and shall be paid from Fund No. 10 SF 188.

Section 2. That the Title and Sections 1 and 2 of Ordinance No. 600-2019 passed May 6, 2019 are 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 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 735-2019.

By Council Member McCormack. An emergency ordinance authorizing the Director of the Department of Public Works to enter into agreement with the Tremont West Development Corporation for the Arts in August Expo 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 Department of Public Works is hereby authorized to enter into agreement effective July 1, 2019 with the Tremont West Development Corporation for the Arts in August Expo for the public purpose of providing performing arts education to city of Cleveland residents 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 \$5,000 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.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 736-2019.

By Council Members McCormack, Cleveland, Griffin, Brancatelli, Zone and Keane.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Cleveland Public Theatre for the Student Theatre Enrichment Program (STEP) through the use of Wards 3, 5, 6, 12, 15 and 17 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 hereby authorized to enter into agreement effective June 1, 2019 with Cleveland Public Theatre for the Student Theatre Enrichment Program (STEP) for the public purpose of providing theatre education and training on live arts to city of Cleveland youth through the use of Wards 3, 5, 6, 12, 15 and 17 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$40,000 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.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 737-2019.

By Council Member Kelley.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Constellation Schools Old Brooklyn Community Elementary for the Kaboom School Playground Installation Project through the use of Ward 13 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 hereby authorized to enter into agreement effective June 3, 2019 with Constellation Schools Old Brooklyn Community Elementary for the Kaboom School Playground Installation Project for the public purpose of providing a new community playground for youth residing in the city of Cleveland through the use of Ward 13 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$8,000 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.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 738-2019.

By Council Members J. Jones and Bishop.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Mt. Pleasant NOW Development Corporation for the Family Unity Day Expo through the use of Wards 1 and 2 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 hereby authorized to enter into agreement effective June 1, 2019 with Mt. Pleasant NOW Development Corporation for the Family Unity Day Expo for the public purpose of providing information and education on the social support programs and services that are available for low to moderate income families residing in the city of Cleveland through the use of Wards 1 and 2 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$15,000 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.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 739-2019.

By Council Members Johnson and Griffin.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with the Greater Cleveland Urban Film Foundation for the GCUFF Healing Art Community Fair through the use of Wards 4 and 6 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 hereby authorized to enter into agreement effective July 1, 2019 with the Greater Cleveland Urban Film Foundation for the GCUFF Healing Art Community Fair for the public purpose of providing educational health wellness sessions and health screenings for hypertension, diabetes, and other pre-existing health issues to city of Cleveland residents through the use of Wards 4 and 6 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$17,000 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.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 740-2019.

By Council Member Bishop.

An emergency ordinance authorizing the Director of the Department of Public Works to enter into agreement with the Jarvis Gibson Foundation for the Mt. Pleasant Rebels Educational & Sports Program through the use of Ward 2 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 Public Works is hereby authorized to enter into an agreement with the Jarvis Gibson Foundation for the Mt. Pleasant Rebels Educational & Sports Program for the public purpose of providing after-school educational and organized sports activities for youth residing in the city of Cleveland through the use of Ward 2 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$7,000 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.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 741-2019.

By Council Member McCormack.

An emergency ordinance authorizing the Director of the Department of Public Works to enter into agreement with Ukrainian Museum Archives for the Ukrainian and Cleveland History Expo 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 Department of Public Works is hereby authorized to enter into agreement effective June 1, 2019 with Ukrainian Museum Archives for the Ukrainian and Cleveland History Expo 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 \$5,000 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.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 742-2019.

By Council Member B. Jones.

An emergency ordinance authorizing the Director of the Department of Economic Development to enter into agreement with Lexington Bell Community Center for the acquisition and renovation of the Superior Beverage Building through the use of Ward 7 Casino Revenue Funds and 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 Economic Development is hereby authorized to enter into agreement with Lexington Bell Community Center for the acquisition and renovation of the Superior Beverage Building located at 6203 Superior Avenue, Cleveland, Ohio for the public purpose of promoting economic development and new job creation through the use of Ward 7 Casino Revenue Funds and Neighborhood Capital Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$225,000 and shall be paid from Fund No. 10 SF 177, and 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.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 743-2019.

By Council Members McCormack, Brancatelli and Santana.

An emergency ordinance authorizing the Director of the Department of Public Works to enter into an agreement with Merrick House for the Tremont Arts & Cultural Expo through the use of Wards 3, 12 and 14 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 Public Works is hereby authorized to enter into an agreement effective August 1, 2019 with Merrick House for the Tremont Arts & Cultural Expo for the public purpose of providing educational activities on cultural diversity and ethnic customs to residents residing in the city of Cleveland through the use of Wards 3, 12 and 14 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$10,000 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.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 744-2019.

By Council Member Bishop.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Union Miles Development Corporation for the Feasibility Study for a Veteran Service Center and Housing Project for Homeless Veterans through the use of Ward 2 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 hereby authorized to enter into agreement with Union Miles Development Corporation for the Feasibility Study for a Veteran Service Center and Housing Project for the public purpose of providing new neighborhood and residential development for city of Cleveland residents through the use of Ward 2 Casino Revenue Funds.

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

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 745-2019.

By Council Member Kazy.

An emergency ordinance authorizing the Director of the Department of Public Safety to enter into an agreement with Bellaire-Puritas Development Corporation for the Summer Safety Education Film Series through the use of Ward 16 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 Public Safety into agreement effective May 23, 2018 with the Bellaire-Puritas Development Corporation for the Summer Safety Education Film Series for the public purpose of providing safety education programming on drug use, violence and crime prevention to city of Cleveland residents through the use of Ward 16 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$30,000 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.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 731-2019.

By Council Members Kelley, Griffin and J. Jones (by departmental request).

An emergency resolution strongly urging the Ohio Governor and Members of the Ohio General Assembly to restore the Local Government Fund to pre-recession levels.

Whereas, the Local Government Fund was reduced in 2011 by 50% during the Kasich Administration, from 3.68% of General Revenue Funds to its current level of 1.66% of General Revenue Funds; and

Whereas, past Ohio General Assemblies have repeatedly decreased funding and revenue sharing in recent years in addition to

significantly reducing the Local Government Fund, including eliminating the Estate Tax and phasing out the Tangible Personal Property Tax; and

Whereas, these reductions have resulted in a loss of revenue of \$163,207,902; and

Whereas, this sudden revenue loss has made it increasingly difficult to provide basic services, rebuild infrastructure, and bolster public safety services to fight the opioid epidemic; and

Whereas, when municipalities experience success in fostering safe communities, building sound infrastructure, and increasing economic development, the State of Ohio reaps the benefits as well; and

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

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that a reinvestment of Local Government Fund would aid the state in its goal of lowering taxes on the individual by enabling municipalities to decrease the local tax burden; now, therefore

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

Section 1. The Ohio General Assembly should restore the Local Government Fund to pre-recession levels, ensuring that these local communities are able to provide crucial services and improvements in infrastructure and public safety.

Section 2. This Council does hereby declare its opposition any further cuts to the Local Government Fund or the future diversion of revenues from the Local Government Fund.

Section 3. 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.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

Res. No. 750-2019.

By Council Member Zone.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 1337 West 117th Street and repealing Resolution No. 644-2019 objecting to said permit.

Whereas, this Council objected to a transfer of ownership of a C1 and C2 Liquor Permit to West 117th Beverage, LLC, 1337 West 117th Street, Cleveland, Ohio 44107, Permit No. 9555774 by Resolution No. 644-2019 adopted by the Council on May 13, 2019; 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 transfer of ownership of a C1 and C2 Liquor Permit to West 117th Beverage, LLC, 1337 West 117th Street, Cleveland, Ohio 44107, Permit No. 9555774, be and the same is hereby withdrawn and Resolution No. 644-2019, 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 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

Res. No. 751-2019.

By Council Member Brady.

An emergency resolution withdrawing objection to the transfer of ownership of a C1, C2 and D6 Liquor Permit at 3778 West 117th Street and repealing Resolution No. 1060-18 objecting to said permit.

Whereas, this Council objected to a transfer of ownership of a C1, C2 and D6 Liquor Permit to Jaymadi, Inc., DBA Minimart, 3778 West 117th Street, Cleveland, Ohio 44111, Permit No. 4258670 by Resolution No. 1060-18 adopted by the Council on August 15, 2018; 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 transfer of ownership of a C1, C2 and D6 Liquor Permit to Jaymadi, Inc., DBA Minimart, 3778 West 117th Street, Cleveland, Ohio 44111, Permit No. 4258670, be and the same is hereby withdrawn and Resolution No. 1060-18, 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 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

Res. No. 752-2019.**By Council Member Zone.**

An emergency resolution with-drawing objection to the transfer of ownership of a C1, C2 and D6 Liquor Permit at 7201 Lorain Avenue and repealing Resolution No. 299-2019 objecting to said permit.

Whereas, this Council objected to a transfer of ownership of a C1, C2 and D6 Liquor Permit to 7205 Lorain Avenue, Inc., 7201 Lorain Avenue, Cleveland, Ohio 44102, Permit No. 8003708 by Resolution No. 299-2019 adopted by the Council on March 4, 2019; 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 transfer of ownership of a C1, C2 and D6 Liquor Permit to 7205 Lorain Avenue, Inc., 7201 Lorain Avenue, Cleveland, Ohio 44102, Permit No. 8003708, be and the same is hereby withdrawn and Resolution No. 299-2019, 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 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

Res. No. 753-2019.**By Council Member Kazy.**

An emergency resolution with-drawing objection to the transfer of ownership of a D5 and D6 Liquor Permit at 12210 Lorain Avenue and repealing Resolution No. 883-18 objecting to said permit.

Whereas, this Council objected to a transfer of ownership of a D5 and D6 Liquor Permit to Tilt, LLC, DBA Tilt Bar & Patio, 12210 Lorain Avenue, Cleveland, Ohio 44111, Permit No. 8933851 by Resolution No. 883-18 adopted by the Council on July 18, 2018; 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 transfer of ownership of a D5 and D6 Liquor Permit to Tilt, LLC, DBA Tilt Bar & Patio, 12210 Lorain Avenue, Cleveland, Ohio 44111, Permit No. 8933851, be and the same is hereby withdrawn and Resolution

No. 883-18, 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 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

Res. No. 754-2019.**By Council Member J. Jones.**

An emergency resolution with-drawing objection to the Liquor Agency Contract located at 4071 Lee Road, Unit 290, 1st floor and repealing Resolution No. 333-2019.

Whereas, this Council objected to the Liquor Agency Contract at RPM Spirits, Inc., DBA One Stop Liquor, 4071 Lee Road, Unit 290, 1st floor, Cleveland, Ohio, 44128, Permit Number 7569455 by Resolution No. 333-2019 adopted by the Council on March 18, 2019; 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 Liquor Agency Contract at RPM Spirits, Inc., DBA One Stop Liquor, 4071 Lee Road, Unit 290, 1st floor, Cleveland, Ohio, 44128, Permit Number 7569455, be and the same is hereby withdrawn and Resolution No. 333-2019, 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 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

Res. No. 755-2019.**By Council Member Cleveland.**

An emergency resolution with-drawing objection to the transfer of ownership of a C1 Liquor Permit at 3137 East 65th Street, 1st floor and basement and repealing Resolution No. 1129-18 objecting to said permit.

Whereas, this Council objected to a transfer of ownership of a C1 Liquor Permit to Tamka Ingram, DBA 65 Beverage, 3137 East 65th

Street, 1st floor and basement, Cleveland, Ohio 44127, Permit No. 4142630 by Resolution No. 1129-18 adopted by the Council on September 10, 2019; 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 transfer of ownership of a C1 Liquor Permit to Tamka Ingram, DBA 65 Beverage, 3137 East 65th Street, 1st floor and basement, Cleveland, Ohio 44127, Permit No. 4142630, be and the same is hereby withdrawn and Resolution No. 1129-18, 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 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

SECOND READING EMERGENCY ORDINANCES PASSED**Ord. No. 257-2019.****By Council Member McCormack.**

An emergency ordinance to amend Section 551.22 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 773-A-80, passed December 14, 1981, relating to the waste collection hours in and near a residential district.

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

1. In Section 1, at amended Section 551.22, line 6, strike "4:00" and insert "6:00"; and in line 7, strike "Public Service" and insert "Public Works".

Amendment agreed to.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. 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. 376-2019.**By Council Members Griffin and Kelley (by departmental request).**

An emergency ordinance to amend Section 241.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1333-18, passed November 26, 2018, relating to food shop licenses and fees.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 409-2019.

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

An emergency ordinance authorizing the Director of Capital Projects to issue one or more permits to MCI-metro Access Transmission Services Corp. d/b/a Verizon Access Transmission Services to encroach into the public right-of-way at various locations in the City of Cleveland by installing, using, and maintaining a wireline fiber optic communications network to include fiber optic cable, to be attached to utility poles (by separate permission of pole owner), duct banks and vaults.

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 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 410-2019.

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

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to Flats Forward, Inc. to encroach into the public rights-of-way at four locations in the Flats by installing, using and maintaining four wayfinding signs.

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 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 438-2019.

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

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to The Convention and Visitors Bureau of Greater Cleveland, Inc. to encroach into the public right-of-way within the Tremont neighborhood with a Pedestrian Wayfinding Sign Program by installing, using, and maintaining eight wayfinding signs and associated 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 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 439-2019.

By Council Members B. Jones, Cleveland, Griffin, Johnson and Brancatelli (by departmental request).

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to MidTown Cleveland, Inc. to encroach into the public right-of-way of the Midtown District by installing, using, and maintaining the MidTown Wayfinding Signage Program.

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 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 440-2019.

By Council Members B. Jones, Johnson and Brancatelli (by departmental request).

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to MidTown Cleveland, Inc. to encroach into the public rights-of-way within the Midtown District by installing, using, and maintaining the Asiatown "pie slice" blade signage program.

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 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 441-2019.

By Council Members B. Jones, Cleveland, Johnson and Brancatelli (by departmental request).

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to MidTown Cleveland, Inc. to encroach into the public rights-of-way within the Midtown District by installing, using, and maintaining from 24 to 36 bike racks.

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 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 444-2019.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located adjacent to Old Grayton Road to Canal Road Partners, LLC, for purposes of having clear title to all their structures and assets; and to enter into a purchase and sale agreement.

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 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 464-2019.

By Council Members McCormack, Zone, Brancatelli and J. Jones.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976 by enacting new Sections 401.152, 401.153, 401.231, 401.532, 473.10 and new Chapter 517, Shared Mobility Device Vendors,

Sections 517.01 through 517.05, and to amend Sections 473.01 through 473.03, 473.05, 473.07 through 473.09, 405.09, 431.03, and 431.15, as amended by various ordinances, regulating the vendors and use of shared mobility devices.

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

1. In the title, line 4, after "401.231.", strike "401.532."; and in line 5, after "Device" insert "**and Bicycle**"; and in line 6, and in Section 1, line 3, strike "517.05" and insert "**517.08**" in both places.

2. In the third whereas clause, line 1 after "devices" insert "**and bicycles**".

3. In Section 1 line 2, after "401.231." strike "401.532", and in line 3, after "Mobility Device" insert "**and Bicycle**".

4. In Section 1, at new Section 401.152, strike the text of new Section 401.152 and insert:

"E-Bike or electric bicycle" is a two-wheeled device that has handlebars, a seat, and pedals designed to be operated similar to a bicycle, and is powered by electricity. E-Bike or "electric bicycle" means a "class 1 electric bicycle", a "class 2 electric bicycle", or a "class 3 electric bicycle" and is further defined as follows:

(a) **"Class 1 electric bicycle" means a bicycle that is equipped with fully operable pedals and an electric motor of less than seven hundred fifty watts that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of twenty miles per hour.**

(b) **"Class 2 electric bicycle" means a bicycle that is equipped with fully operable pedals and an electric motor of less than seven hundred fifty watts that may provide assistance regardless of whether the rider is pedaling and is not capable of providing assistance when the bicycle reaches the speed of twenty miles per hour.**

(c) **"Class 3 electric bicycle" means a bicycle that is equipped with fully operable pedals and an electric motor of less than seven hundred fifty watts that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of twenty-eight miles per hour."**

5. In Section 1, at new Section 401.231, strike lines 2 and 3 in their entirety and insert: **"Mobility device" means small mobility devices, such as scooters, e-scooters, e-bikes, or other similar devices. A mobility device does"**.

6. In Section 1, strike new Section 401.532 in its entirety.

7. In Section 1, at new Section 473.10(c), line 2, strike "zones or" and insert "**zones so**".

8. In Section 1, at new Chapter Name 517, strike "Shared Mobility Device Vendors" and insert "**Shared Mobility Device and Bicycle Vendors**".

9. In Section 1, insert new Section 517.01 to read as follows:

"Section 517.01 Shared Mobility Device and Bicycle Vendor

"Shared mobility device and bicycle vendor means an entity approved by the Director of Capital Projects, or designee, to use/occupy the public right-of-way for offering shared mobility device such as a scooter, e-scooter, e-bike, or any other mobility device as determined by the Director of Capital Projects, and bicycles that do not require a fixed docking apparatus to return ("devices"), to subscribers on a fee basis subscription for short-term rental in point-to-point trips."

10. In Section 1, at new Section 517.01, renumber existing Section 517.01 to "517.02"; in the section title, after "Device" insert **"and Bicycle"**; and strike lines 2, 3 and 4 in their entirety; in line 5, before "An application" insert **"(a)"** and after "device" insert **"and bicycle"**; reletter existing divisions (a), (b), (c), (d), (e), (f), (g), and (h), to **"(1)"**, **"(2)"**, **"(3)"**, **"(4)"**, **"(5)"**, **"(6)"**, **"(7)"**, and **"(8)"**; in existing division (a), line 2, strike "operating the shared mobility devices" and insert **"the vendor's shared mobility device and bicycle operations"**; in existing division (b), strike "shared mobility"; in existing division (d), line 1, strike "Service" and insert **"Preferred service"**; in existing division (f), after "device" insert **"and bicycle"**; and insert new divisions (b) and (c) to read as follows:

"(b) Upon initial application, a permit shall be valid for not more than a 6-month demonstration period. Following successful completion of the demonstration period, as determined by performance criteria established by the Director of Capital Projects in the Rules and Regulations, the permittee may apply for a 6-month permit renewal followed by annual permits thereafter. Permits may be renewed, on a form provided by the Director, provided all the requirements of this chapter are met, and no changes have been made from the previous approved application. The permit renewal fee shall be waived for the 6-month permit following the demonstration period. If there are changes to the application, a new application must be made and the appropriate permit fee shall accompany the application.

(c) Permittees must remove all devices and associated equipment within thirty (30) days after the expiration of the term."

11. In Section 1, at new Section 517.02, renumber existing Section 517.02 to **"517.03"** and strike divisions (a) and (b) in their entirety and insert:

"(a) The Director is authorized to charge and collect an application fee and a per trip fee from the permittee in an amount established by the Board of Control.

(b) All devices must comply with local and state safety standards, as well as those established by the Consumer Product Safety Commission.

(c) Each device must have a unique permanent identification number that is provided to the City and aligns with data reporting, as well as be labeled clearly with the permittee's logo and 24-hour customer service phone number.

(d) All devices shall have GPS equipment affixed to the device that is calibrated to ping a minimum of every 90 seconds while in use.

(e) Permittees must be able to remotely lock a device to prevent use.

(f) Every device shall be equipped with an adequate brake when used on a street or highway.

(g) On the approval of an application by the Director, the Commissioner of Traffic Engineering, the Director of City Planning and the Director of Public Safety, the Director shall issue a permit in accordance with this Chapter."

12. In Section 1, at new Section 517.03, renumber existing Section 517.03 to **"Section 517.04"**; in line 3, after "device" insert **"and bicycle"**; in line 5, strike "vendor agreement," in line 6, after "permits, maximum number of" strike "shared mobility"; in line 7, strike "social media platform" and insert **"communications plan"**; and in line 8, strike "permitted vendors" and insert **"permittees"**.

13. In Section 1, strike new Sections 517.04 and 517.05, and insert new **"Section 517.05"**, **"Section 517.06"**, **"Section 517.07"**, and **"Section 517.08"** to read as follows:

"Section 517.05 Permit Conditions

(a) Permittees and their agents shall comply with all of the requirements of this chapter and any applicable state law, and shall conduct business in compliance with all applicable provisions of the Codified Ordinances.

(b) Permittees and their agents shall be responsible for maintaining all devices and associated equipment in good repair, and in a safe, sound, and non-hazardous condition.

(c) Permittees and their agents shall obey any lawful order of a police officer to remove their devices from the public right-of-way if necessary to avoid congestion or obstruction in an emergency.

(d) Permits shall be maintained by the permittee in such a manner that they are readily accessible on request from a City official. Each permit shall contain the following information:

(1) The name and address of the Permittee;

(2) A description of the permitted mobility device type and minimum and maximum permitted fleet size;

(3) The expiration date of the permit; and

(4) Any other information the Director deems appropriate."

(e) Any device and other associated equipment placed in a public sidewalk, court, alley, street or other public right-of-way without a permit issued under this section may be seized and removed. Prior to such seizure and removal, the permittee shall be notified and asked to immediately begin to remove the devices and associated equipment, and to complete the removal within a reasonable amount of time. If the permittee fails to remedy the violation, the city may seize and remove the equipment.

(f) The permittee shall maintain insurance and limits of liability, the amounts to be specified in

the Director's rules and regulations, at no cost to the City of Cleveland.

(g) If a permit is granted, the permittee shall agree to indemnify the City of Cleveland against liability, loss, or damage.

(h) Any damage to City of Cleveland property from shared mobility devices shall be paid by the permittee.

(i) No permit shall be transferable in any manner.

(j) No permittee has the exclusive right to operate within the City of Cleveland.

(k) When any device or other associated equipment placed on a public sidewalk, court, alley, street or other public right-of-way poses a risk or inhibits access to the right of way by other users, the permittee shall be notified and asked to immediately begin to remove the devices and associated equipment, and to complete the removal within a reasonable amount of time. If the permittee fails to remedy the violation, the City may seize and remove the equipment.

(l) Any device that is parked in one location for more than seven (7) consecutive days without moving may be seized and removed by the City.

(m) Notwithstanding any other provisions of this chapter, the City may seize any device and other associated equipment, whether placed with or without a permit, without prior notice if the equipment is placed in such a place or manner as to pose an immediate and serious danger to persons or property, or if the condition of the equipment renders it unsafe, unsound, or hazardous so as to pose an immediate and serious danger to persons or property. After seizure, the City shall promptly notify the permittee, and such individual shall have the right to request an informal hearing before the Director within ten (10) days after such notification to determine whether the seizure was proper.

(n) Notwithstanding any codified ordinance to the contrary, police officers are authorized to provide for the removal of a mobility device located in the public right-of-way in violation of the provisions of this Chapter.

(o) As a condition of recovering any equipment seized pursuant to this section, the permittee shall pay an impound fee covering the actual cost to the City of transporting and storing such device and other associated equipment.

Section 517.06 Permit Suspension Revocation; Appeal

(a) A permit granted under this Chapter may be suspended or revoked by the Director at any time if the permittee violates the conditions or rules and regulations of the permit. Additionally, if the operation of shared mobility device and bicycle rentals on City streets and rights-of-way become a hazard or risk to the health, safety and welfare of the public, the Director may revoke existing permits and discontinue the issuance of permits under this Chapter. Upon suspension or revocation of a permit, the permittee shall, at no cost to the

City, remove all devices from the right-of-way.

(b) The Director shall give written notice of suspension or revocation of the permit to the permittee or his or her agent stating the reasons therefor. The action shall be effective upon giving such notice to the permittee or to his or her agent, and the permittee shall have five (5) business days to remove all devices from the public right-of-way. If the business owner or operator of the equipment fails to comply, the City may seize and remove the devices.

(c) Within five (5) days of receipt of the notice, the permittee may request a hearing before the Director. The Director shall forthwith hold the requested hearing, at which time the permittee shall be afforded the opportunity to give his or her version of the facts which gave rise to the Director's action. After the hearing the Director shall determine whether to reinstate the permit or to permanently rescind it. The action of the Director may be appealed in accordance with the provisions of the Charter.

Section 517.07 Shared Mobility Fund

The Director of Finance shall establish a Shared Mobility Fund for the purpose of supporting the expansion of multi-modal infrastructure and programming. All permit and per-trip fees collected or received under this chapter shall be earmarked to the Shared Mobility Fund to support multi-modal infrastructure and programming, including bicycle and mobility device racks and shared bicycle and mobility device infrastructure. The Director of Capital Projects shall provide an annual report to the members of Council concerning the amount of revenue collected and deposited into the Shared Mobility Fund and how the funds were spent during that reporting year.

Section 517.08 Contracts

The Director is authorized to enter into a cooperative agreement with Cuyahoga County ("County") related to the operation of devices and, if necessary, to receive payment of the City's share of the per-trip fees charged or collected by the County under its Bicycle and Scooter Share Licensing authority."

14. In the title, line 8, strike "405.09,"; in Section 2, line 3, strike "Sections 473.08 and 405.09" and insert "**Section 473.08**"; in Section 2, at amended Section 405.09, strike Section 405.09 in its entirety; and in Section 3, line 3, strike "Sections 473.08 and 405.09" and insert "**Section 473.08**".

15. In Section 2, at amended Section 473.01(b), line 2, strike the comma after "Traffic Code"; and at Section 473.01(d), line 7, after "complete a bicycling" insert "**or mobility device**".

16. In Section 2, at amended Section 473.02(b)(5), line 1, strike "a mobility device" and insert "**an e-scooter**"; in Section 473.02(b)(6), line 1, strike "a mobility device shall exceed a speed at greater than fifteen (15)" and insert "**an e-scooter shall exceed a speed at**

greater than twelve (12)"; strike 473.02(b)(7) in its entirety and reletter division 473.02(b)(8) to "**473.02(b)(7)**".

17. In Section 2, at amended Section 473.07(a), in lines 1 and 2 strike "in any bike lane or traffic lane as near to the right side of the roadway as" and insert "**as near to the right side of the roadway**"; and in 473.07(c), remove the strikethrough lines.

18. In Section 2, at amended Section 473.09, division (a), line 1, strike "bicycle" and insert "**bicycle, mobility device**"; delete division (b) in its entirety and reletter existing divisions (c), (d), (e), and (f), as new divisions "**(b)**", "**(e)**", "**(d)**", and "**(c)**"; and in existing division (f), lines 1 and 2, strike "Cleveland Police Department, Cleveland Emergency Medical Services, and Cleveland Fire Department" and insert "**the Cleveland Divisions of Police, Emergency Medical Services, and Fire**".

Amendments agreed to.
The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. 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. 511-2019.

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

An emergency ordinance authorizing the Director of Public Safety to enter into one or more mutual aid agreements with other political subdivisions in the State of Ohio for additional police protection, fire, and emergency medical services for aid and assistance in connection with the Major League Baseball Association 2019 All-Star Game being held in Cleveland on July 9, 2019, along with associated events and activities on days before and after the day of the Game.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 516-2019.

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

An emergency ordinance authorizing the acquisition and recording of certain easement interests from Uptown Three L.P. for use of a public sidewalk to be used as a drop-off area for students and residents, for the Office of Capital Projects.

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 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 535-2019.

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

An emergency ordinance authorizing the Director of Public Health to enter into one or more contracts

with The Center on Urban Poverty and Community Development at Case Western Reserve University to provide evaluation services for the MomsFirst Program, for a period of one year.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 536-2019.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of disposal of debris at landfills, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 540-2019.

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

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with Swissport USA, Inc. for the lease of space located in the passenger terminal building at Cleveland Hopkins International Airport to support its ground handling and other airline support service operations for multiple airlines, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 541-2019.

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

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with United Airlines Inc. for the lease of certain office and warehouse space located in the South Cargo Facility Building at Cleveland Hopkins International Airport, Department of Port Control, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 542-2019.

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

An emergency ordinance authorizing the Director of Port Control to enter into a Lease with KeyCorp National Association to maintain and operate an aviation hangar facility for the storage and maintenance for aircraft owned by KeyCorp at Cleveland Hopkins International Airport, for a period of ten years, with two five-year options to renew, the first of which requires additional legislative authority.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Transportation, Finance, when amended, as follows:

1. In the title, line 3 and in line 6, and in Section 1, line 2, strike "KeyCorp" and insert "KeyBank" in all three places.

Amendment agreed to.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. 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. 543-2019.

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

An emergency ordinance authorizing the Director of Port Control to enter into a Lease with the United States Postal Service to maintain and operate a warehouse, sorting facility, and post office retail store at Cleveland Hopkins International Airport, for a period of five years, with one five-year option to renew, which requires additional legislative authority.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 544-2019.

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

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with PrimeFlight Aviation Services, Inc. for the lease of space located in the passenger terminal building at Cleveland Hopkins International Airport to support its ground handling, skycap, and other airline support service operations for JetBlue Airways and other airlines, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 545-2019.

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

An emergency ordinance authorizing the Director of Port Control to execute a deed of easement granting to Cargill, Incorporated and its

successors and assigns, certain easement rights located above a city-owned portion of 5300 Whiskey Island Drive, and declaring that the easement rights granted are not needed for the City's public use.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 546-2019.

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

An emergency ordinance authorizing the Director of Public Works to execute a deed of easement granting to The East Ohio Gas Company dba Dominion Energy Ohio certain easement rights in property located along Woodhill Road at the Ozell A. Dobbins, Sr. Maintenance Center, and declaring that the easement rights granted are not needed for the City's public use.

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 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 547-2019.

By Council Members B. Jones, Zone, 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 public use located at 4601 Chester Avenue to Richard and Kathy Lehmann, for the purpose of access to their business.

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 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 551-2019.

By Council Members B. Jones, Johnson and Brancatelli (by departmental request).

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to The Centers for Families and Children to encroach into the public right-of-way of Euclid Avenue by installing, using, and maintaining an ADA-compliant entrance ramp and railing.

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 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 552-2019.

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

An emergency ordinance giving consent of the City of Cleveland to the County of Cuyahoga for the resurfacing of Ridge Road from Memphis Avenue to Denison Avenue; authorizing the Director of Capital Projects to enter into agreements; to apply for and accept an allocation of County Motor Vehicle License Tax Funds; and to cause payment to the County 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, when amended, as follows:

1. Insert new Section 1a to read as follows:

"Section 1a. That the Municipality's rights and responsibilities under this Agreement shall be limited to the portion of Ridge Road from Memphis Avenue to Denison Avenue that is located within its City limits."

Amendment agreed to.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. 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. 592-2019.

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

An emergency ordinance authorizing the Director of Public Utilities to exercise the first option to renew Contract No. PIRC 2018-3 with Terrace Construction Company, Inc. for the public improvement of installing automated meter reading units on remaining residential and commercial accounts, including Cleveland Heights accounts and master meter vaults not yet converted.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 593-2019.

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

An emergency ordinance authorizing the Director of Public Utilities to exercise the option to renew Contract No. RCD 2017-6 with Hach Co. to maintain, service, calibrate, refurbish, and test various scientific and in-line process analytical instruments manufactured by Hach Co. used to monitor the drinking water purification process.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 594-2019.

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

An emergency ordinance authorizing the Director of Public Utilities

to exercise the options to renew various contracts for the requirements of various types of machines and equipment, and labor and materials to repair and/or replace parts or equipment to maintain various types of machines and equipment, for the Department of Public Utilities.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 595-2019.

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

An emergency ordinance authorizing the Director of Public Utilities to employ one or more computer software vendors to acquire or renew Cisco maintenance and support, including Cisco Smartnet, for networking and telecommunication software and equipment; and authorizing the purchase by one or more requirement contracts of Cisco hardware and software products, including those used for networking and telecommunication and for the phone system, and maintenance and technical support, for the various divisions of the Department of Public Utilities, for a period of one year, with a one-year option to renew, exercisable by the Director of Public Utilities.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 596-2019.

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

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants or vendors to acquire licenses for data storage expansion or to develop data storage expansion solutions, and other related services and equipment, including but not limited to, hardware, servers, chassis, ancillary components, and maintenance, for the Division of Water, Department of Public Utilities; for a period of one year, with two one-year options to renew, the second of which requires additional legislative authority.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 597-2019.

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

An emergency ordinance authorizing the procurement by one or more requirement contracts for the rental of various types of heavy duty equipment, on an as-needed basis, for the Office of Radio Communications, Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 621-2019.

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

An emergency ordinance approving that the Cleveland Citywide Development Corporation, or its designee, may enter into up to eleven partially forgivable separate loan contracts with Famicos Foundation, Inc., or its designee, to rehabilitate up to eleven vacant single family homes on scattered sites within the Circle North area of the Glenville neighborhood, and other associated costs necessary to redevelop the property, under the authority of Ordinance No. 563-17, passed August 16, 2017.

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

1. In Section 2, line 1, strike "File No. 621-2019-A" and insert "**File No. 621-2019-B**".

2. In Section 3, line 2, after "shall be paid from" insert "**the funds certified on Contract No. CT 9501 ST 2018*13 and from**".

Amendments agreed to.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. 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. 622-2019.

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

An emergency ordinance authorizing the Director of Port Control to enter into a lease agreement with the United Service Organization, Inc. for the use of a lounge and office space located in the Main Terminal Building at Cleveland Hopkins International Airport, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 623-2019.

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

An emergency ordinance authorizing the Director of Public Safety to donate grow lights, ballasts, and two Werner-brand ladders seized as the result of a criminal conviction to the Cleveland Metropolitan School District and to Benedictine High School; and to enter into an agreement to make the donation.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 625-2019.

By Council Members Griffin 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 Department of Homeland Security for 2019-20 Biowatch Program.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 626-2019.

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County for the "This is (Not) About Drugs" Program; and authorizing the Director to enter into one or more contracts with Overdose Lifeline, Inc. and Preventure 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 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 627-2019.

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

An emergency ordinance authorizing the Director of Public Health to enter into one or more agreements with the Ohio Department of Health to reimburse the City of Cleveland for monitoring, collecting, and analyzing radiation levels in the vicinity of the Burke Lakefront Airport, for a period of two years.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 628-2019.

By Council Members Griffin 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 continuation of the Cleveland Office on Minority Health.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 629-2019.

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

An emergency ordinance authorizing the Director of Capital Projects to employ one or more professional

consultants to provide various engineering, testing, and related services needed for various capital improvement projects, for the Division of Engineering and Construction, Office of Capital Projects, on an as-needed basis, for a period up to two years.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 630-2019.

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

An emergency ordinance giving consent of the City of Cleveland to the Ohio Department of Transportation to upgrade and interconnect a traffic signal located at the intersection of East 116th Street and Harvard Avenue in the City of Cleveland.

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 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 631-2019.

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

An emergency ordinance giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio to rehabilitate the Center Swing Bridge over the Cuyahoga River; to cause payment to ODOT for the City's share; to authorize the Mayor to apply to the District One Public Works Integrating Committee for state funding; authorizing one or more contracts for the design and other relative agreements; accepting gifts and grants from any public or private entity; to apply and accept funds from Ohio Public Works Commission; to authorize the Division of Purchasing and Supplies to acquire, accept, and record all land necessary to make 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 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 632-2019.

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

An emergency ordinance giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio for improving Miles Avenue from Warrensville Corporation Line to Broadway Avenue; to apply for and accept any gifts or grants from any public or private entity; authorizing a Local Project agreement and any other relative agreements; and causing payment of the City's share to the State for 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 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 633-2019.

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

An emergency ordinance giving consent of the City of Cleveland to the County of Cuyahoga for the resurfacing Rockefeller Avenue from Broadway Avenue to Central Furnace Drive; to apply for and accept an allocation of County Motor Vehicle License Tax Funds for the improvement; authorizing the Director of Capital Projects to enter into one or more contracts for the construction, design, and any relative agreements in making the improvement.

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

1. In Section 16, line 5, strike "RL 2019-32" and insert "RLA 2019-32".

Amendment agreed to.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. 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. 634-2019.

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

An emergency ordinance authorizing the Mayor to apply to the District One Public Works Integrating Committee for state funding for the rehabilitation of portions of West 65th Street; to apply for and accept gifts and grants from various entities for the improvement; authorizing the Director of Capital Projects to enter into contracts and agreements to design and construct the improvement and other agreements; and authorizing the Commissioner of Purchases and Supplies to acquire, accept, and record for right-of-way purposes real property and easements necessary to make 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 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 635-2019.

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

An emergency ordinance authorizing the Mayor to apply to the District One Public Works Integrating Committee for state funding for the rehabilitation of portions of East 105th Street; to apply for and accept

gifts and grants from various entities for the improvement; authorizing the Director of Capital Projects to enter into contracts and agreements to design and construct the improvement and other agreements needed to implement the improvement; and authorizing the Commissioner of Purchases and Supplies to acquire, accept, and record for right-of-way purposes real property and easements necessary to make 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 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 636-2019.

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

An emergency ordinance determining the method of making the public improvement of constructing material capital repairs and capital improvements to First Energy Stadium; authorizing one or more public improvement contracts for the making of the improvement; and professional services to design, or in the alternative, to reimburse or accept the gift of design and other services from the Cleveland Browns.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 647-2019.

By Council Member Zone.

An emergency ordinance changing the name of "Lawn-Madison Park" located at West 75th Street and Madison Avenue to "Miriam Ortiz-Rush Park."

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 664-2019.

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 technology projects and upgrades to existing systems under the 2019 ITS Capital Project Plan, other related professional services to implement the Plan; and to enter into various contracts to implement this ordinance.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 665-2019.

By Council Member Kelley (by departmental request).

An emergency ordinance to amend Sections 8, 30, 35 and 51 of Ordinance No. 323-15, passed March 30, 2015, as amended, relating to compensation for various classifications.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 666-2019.

By Council Member McCormack.

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to Cavaliers Operating Company, LLC to encroach into the public rights-of-way of Huron Road, Ontario Street and East 6th Street by installing, using, and maintaining protective bollards/concrete planter benches around the perimeter of the Rocket Mortgage Fieldhouse (fka Q Arena).

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 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 667-2019.

By Council Members McCormack, 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 public use located near the northwest corner of Starkweather Avenue and West 15th Street to Larry Zukerman for purposes of redevelopment.

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 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 668-2019.

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

An emergency ordinance giving consent of the City of Cleveland to the County of Cuyahoga for the improvement of East 116th Street from Miles Avenue to Union Avenue in the City of Cleveland; authorizing the Director of Capital Projects to enter into agreements; to apply for and accept an allocation of County Motor Vehicle License Tax Funds; authorizing the acquisition of any real property and easements; apply for and accept gifts and grants; and to cause payment to the County 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, Finance.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 670-2019.

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

An emergency ordinance authorizing the Director of Public Health to enter into an amendment to Contract No. CT 5005 SG 2017-111 with Emily Frantz, owner, Administrative & Logistical Support for Public Health Accreditation, LLC to assist the Department of Health to attain accreditation status by the Public Health Accreditation Board.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 671-2019.

By Council Members Griffin 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 2019-20 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 and 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 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 672-2019.

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

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; and to enter into one or more contracts with various agencies, entities, or individuals to provide services necessary to implement this ordinance.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 673-2019.

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

An emergency ordinance authorizing the Director of Public Health to enter into contract with the Ohio Department of Health to perform investigations of violations regarding smoking in workplaces and other public places.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

Ord. No. 674-2019.

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

An emergency ordinance to amend Section 131.34 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1330-A-10, passed December 6, 2010, relating to rental fees for recreation center use.

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

1. In Section 1, at amended Section 131.34(f), line 2, after "dollars", strike "\$84.00" and insert "\$84.00".

Amendment agreed to.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. 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. 675-2019.

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

An emergency ordinance authorizing the Director of Public Works to enter into an amendment to Contract No. 38823 with Hertz Cleveland North Point, LLC for lease of the North Point Garage to extend the term of the lease and to make certain modifications to other terms of the lease.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

**SECOND READING
ORDINANCES PASSED****Ord. No. 887-18.**

By Council Member Brancatelli (by departmental request).

An ordinance to amend Sections 325.03, 337.23, 343.23, 357.09, and 357.13 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, relating to side yard setbacks, parking spaces sizes, residential garage placement and size, and conditional uses in the Pedestrian Retail Overlay; and to supplement the codified ordinances by enacting new Section 325.431 relating to the definition of Lot Interior.

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

1. In Sections 1 and 2, lines 7 and 8, strike "2204-A-48, passed December 19, 1949" and insert "**573-18, passed July 18, 2018**" in both places.

2. In Section 1, on page 8, at amended Section 357.09(a)(1), lines 1 and 2, strike "Except for Class B Multiple Dwellings located within the Central Business District defined in Section 325.12, interior" and insert "**Interior**"; and in lines 6 and 7, strike "An interior side yard provided for a Class B Multiple Dwelling in the Central Business District shall conform to the provisions of Section 357.11."

3. In Section 1, on page 9, at amended Section 357.09(b)(2)C., in

the table, at "C. Two Family" in the last column, strike "10" and insert "6".

4. In Section 1, on page 9, at amended Section 357.09(b)(2)C, in the table at "D. Multi-family," and "One or Two family Building" in the last column strike "10" and insert "6".

5. In Section 1, on page 10, at amended Section 357.09(b)(5), lines 8 and 9, strike "adoption of Ordinance 2204-A-48" and insert "passage of Ordinance No. 573-18".

Amendments agreed to.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. 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. 514-2019.

By Council Member McCormack. An ordinance establishing a zero foot Mapped Building Setback from the property line along the southern side of Carter Road between Riverbed Street and the eastern property line of Permanent Parcel No. 004-26-040 (Map Change 2600).

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

SECOND READING EMERGENCY RESOLUTIONS ADOPTED

Res. No. 407-2019.

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

An emergency resolution declaring the intent to vacate a portion of Gehring Avenue.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

Res. No. 463-2019.

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

An emergency resolution declaring the intent to vacate a portion of Barber Court S.W.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

Res. No. 477-2019.

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

An emergency resolution declaring the intent to vacate a portion of the 1st Un-named Alley North of Trent Avenue and East of West 40th Street.

Approved by Directors of Capital Projects, City Planning Commission,

Finance, Law; Adoption recommended by Committees on Municipal Services and Properties, Development Planning and Sustainability.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

Res. No. 478-2019.

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

An emergency resolution declaring the intent to vacate a portion of West 4th Street and Mahoning Avenue.

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

Res. No. 663-2019.

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 2020 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 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

Res. No. 682-2019.

By Council Members Kelley, Zone, and Brancatelli.

An emergency resolution recognizing Cuyahoga50, a community-wide celebration of 50 years of progress since the last Cuyahoga River fire, and the need for continued vigilance and partnership with regional, state, and federal entities to ensure every Clevelander has access to clean water.

Approved by Committee on Finance.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

MOTION

On the motion of Council Member Santana, the absence of Council Member Anthony T. Hairston is hereby authorized. Seconded by Council Member Bishop.

MOTION

The Council Meeting adjourned at 8:49 p.m. The next scheduled Council Meeting will be on Wednesday, July 24, 2019, in the Council Chamber.



Patricia J. Britt
City Clerk, Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

May 29, 2019

The meeting of the Board of Control convened in the Mayor's office on Wednesday, May 29, 2019 at 10:31 a.m. with Acting Director Curtis presiding.

Present: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Ebersole, and Donald.

Absent: Mayor Jackson, and Director McNamara.

Others: Tiffany White Johnson, Commissioner, Division of Purchases & Supplies.

Melissa Burrows, Director, Office of Equal Opportunity.

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

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

Resolution No. 217-19.

By Director Dumas.

Whereas, Board of Control Resolution No. 161-19, adopted May 1, 2019, authorized the Director of Finance to enter into contract with College Now Greater Cleveland, Inc. for professional services to conduct an ACT/SAT Preparation program and fixed the compensation to be paid for the services; and

Whereas, Resolution No. 161-19 incorrectly described the scope of services to be performed; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 161-19, adopted by this Board May 1, 2019, authorizing the Director of Finance to enter into contract with and fixing the compensation to be paid to College Now Greater Cleveland, Inc. for professional services to conduct an ACT/SAT Preparation program is amended by deleting that scope of services where appearing and substituting "a program for youth in grades 6 - 12 that will provide the following College and Career Exploration activities: assistance with understanding and completing the college and career technical education (CTE) application process; financial aid guidance and support and financial literacy; and other college and career exploration activities, including college tours and post-secondary CTE enrollment assistance."

Be it further resolved that all other provisions of Resolution No. 161-19 not expressly amended as stated above shall remain unchanged and in full force and effect.

Yeas: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Ebersole, and Donald.

Nays: None.

Absent: Mayor Jackson, and Director McNamara.

Resolution No. 218-19.

By Director Davis.
 Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 1186-18, passed by the Council of the City of Cleveland on October 29, 2018, Marsh Wortham, a division of Marsh USA, 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 the Public Utilities Department to provide professional insurance brokerage services necessary to assess, recommend, and procure fire and extended coverage and real and personal property insurance including loss control services, risk management program development and other related services for the Division of Cleveland Public Power's major facilities including 1300 Lakeside Avenue, for a period of two years with two one-year options to renew, 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 a contract with Marsh Wortham, a division of Marsh USA, Inc., based on its proposal dated March 27, 2019, which contract shall be prepared by the Director of Law, shall provide for the furnishing of professional insurance brokerage services necessary to procure fire and extended coverage and real and personal property insurance, for a total fee not to exceed \$1,550,000.00 for the initial two year term, including the cost of the insurance premium, loss control and risk management services as described 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 employment of the following subconsultant by Marsh Wortham, a division of Marsh USA, Inc., for the above-mentioned professional services is approved:

<u>SUBCONSULTANT</u>	<u>AMOUNT PERCENTAGE</u>
Rutledge Group, Inc. (CSB)	\$6,400.00 10.00%

Yeas: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Ebersole, and Donald.

Nays: None.
 Absent: Mayor Jackson, and Director McNamara.

Resolution No. 219-19.

By Director Davis.
 Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by J.W. Didado Electric, under Contract No. RC2016-53 for labor and materials necessary to maintain, repair and replace substation equipment, including but not limited to switchgear, circuit breakers, batteries and fiber optic splicing (all items) for the Division of Cleveland Public Power, Department of Public Utilities is approved:

<u>Subcontractor</u>	<u>Work Percentage</u>
W. A. Chester (non-certified)	\$11,654.38 0.0%

Yeas: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Ebersole, and Donald.

Nays: None.
 Absent: Mayor Jackson, and Director McNamara.

Resolution No. 220-19.

By Director Davis.
 Be it resolved by the Board of Control of the City of Cleveland that the bid of Electric Research & Manufacturing Cooperative, Inc. dba ERMCO for the following: Purchase of Transformers and Accessories, Items A1, B1 and B2, C1 thru C3, for the Division of Cleveland Public Power, Department of Public Utilities, received on February 15, 2019, under the authority of Section 129.26, Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the order quantities would amount to \$220,193.00, is approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into contract for the items.

Yeas: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Ebersole, and Donald.

Nays: None.
 Absent: Mayor Jackson, and Director McNamara.

Resolution No. 221-19.

By Director Davis.
 Be it resolved by the Board of Control of the City of Cleveland that the bid of Power Line Supply Company, for the following: Purchase of Transformers and Accessories, Items D1 and D2, for the Division of Cleveland Public Power, Department of Public Utilities, received on February 15, 2019, under the authority of Section 129.26, Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the order quantities would amount to \$147,842.00, is approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into contract for the items.

Yeas: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Ebersole, and Donald.

Nays: None.
 Absent: Mayor Jackson, and Director McNamara.

Resolution No. 222-19.

By Director Davis.
 Be it resolved, by the Board of Control of the City of Cleveland that all bids received on March 29, 2019 for the purchase of an estimated quantity of Labor and Materials Necessary to Inspect, Test and Repair Bucket and Derrick Trucks, for the Division of Cleveland Public Power, Department of Public Utilities, under the authority of Ordinance No. 1178-18, passed October 29, 2018, are rejected.

Yeas: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Ebersole, and Donald.

Nays: None.
 Absent: Mayor Jackson, and Director McNamara.

Resolution No. 223-19.

By Director Davis.
 Be it resolved, by the Board of Control of the City of Cleveland that all bids received on April 24, 2019 for an estimated quantity of Fence Installation, Maintenance and/or Repair, all items, for the various Divisions of the Department of Public Utilities, under the authority of Ordinance No. 1179-18, passed October 29, 2018, are rejected.

Yeas: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Ebersole, and Donald.

Nays: None.
 Absent: Mayor Jackson, and Director McNamara.

Resolution No. 224-19.

By Director Spronz.
 Whereas, under the authority of Ordinance No. 590-17, passed by the Cleveland City Council June 5, 2017 and Board of Control Resolution No. 303-17, adopted June 14-17, the City, through the Director of Capital Projects ("Director"), entered into City Contract No. PS2017*163 with Soil and Materials Engineers, Inc. (SME) ("Engineer") to supplement the regular employed staff of several departments of the City to obtain the engineering services necessary for the Material Testing, Geotechnical, Environmental, and General Engineering Services contract, in an amount not exceeding \$510,000.00; and

Whereas, under the authority of Resolution No. 253-18, adopted on June 27, 2018, the City entered into a first modification to Contract No. PS2017*163 with Soil and Materials Engineers, Inc. for additional engineering services necessary for road and bridge projects, for an amount of \$600,000, thereby increasing the total compensation under the contract to \$1,110,000; and

Whereas, by letter dated April 29, 2019, Soil and Materials Engineers, Inc. has requested the City's consent to add an additional firm as subconsultant under Contract No. PS2017*163 for which Codified Ordinance Section 185.36 requires previous written consent of the Board of Control; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that the employment of the following subconsultant by Soil and Materials Engineers, Inc., under City Contract No. PS2017*163 for the Material Testing, Geotechnical, Environmental, and General Engineering Services, is approved.

Michael Baker International, Inc.
 \$53,855.00 — (4.85%, non-CSB)

Yeas: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Ebersole, and Donald.

Nays: None.
 Absent: Mayor Jackson, and Director McNamara.

Resolution No. 225-19.

By Director Spronz.

Whereas, by Board of Control Resolution No. 63-19 adopted February 20, 2019, under the authority of Ordinance No. 590-17, passed by the Cleveland City Council on June 5, 2017, the City, through the Director of Capital Projects ("Director"), was approved to enter into a second modification to Contract No. PS2017*163 with Soil and Materials Engineers, Inc. for additional engineering services on road and bridge capital projects, adding Hill International, Inc. as an approved sub-consultant to Soil and Materials Engineers, Inc.; and

Whereas, it was subsequently determined that the services to be provided by Hill International could more effectively be performed by city staff; and

Whereas, the second modification to Contract No. PS2017*163 with Soil and Materials Engineers, Inc., increasing the contract amount by \$250,000.00 and including services by Hill International, Inc. is not needed, and the total compensation under contract can remain at \$1,110,000.00 as approved under the authority of Resolution No. 253-18, adopted on June 27, 2018; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 63-19, adopted by this Board on February 20, 2019, increasing Contract No. PS2017*163 with Soil and Materials Engineers, Inc. by \$250,000.00 to an amount not to exceed \$1,360,000.00, is rescinded.

Yeas: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Ebersole, and Donald.

Nays: None.

Absent: Mayor Jackson, and Director McNamara.

Resolution No. 226-19.

By Director Spronz.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Millstone Management Group for the public improvement of the City Hall Water Damage Repairs Base Bid Items A through D, Optional Items 1 through 7, and Optional Contingency Items 1 through 4, for the Office of Capital Projects, received on May 3, 2019 under the authority of Ordinance No. 513-19 passed May 13, 2019, upon a gross price basis for the improvement in the aggregate amount of \$485,800.00 is affirmed and approved as the lowest responsible bid, and the Director of the Office of Capital Projects is authorized to enter into contract 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 Millstone Management Group is hereby approved:

Ullman Electric	
MBE — \$32,685.00 — 6.7%	
The Company Inc.	
CSB — \$17,400.00 — 3.6%	
River City Building Solutions	
FBE — \$15,253.00 — 3.1%	
Harrington Electric	
N/A — TBD — 0.0%	

Yeas: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Ebersole, and Donald.

Nays: None.

Absent: Mayor Jackson, and Director McNamara.

Resolution No. 227-19.

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of The Shelly Company for the public improvement of grinding city streets, all items, for the Division of Streets, Department of Public Works, received on April 18, 2019 under the authority of Ordinance No. 1364-18, passed by Cleveland City Council on December 3, 2018, upon a unit basis for the improvements to be performed as ordered during the period of one (1) year with (2) one-year options to renew, at the unit prices set forth in the bid, which on the basis of the estimated work to be done would amount to \$1,386,000.00, is affirmed and approved as the lowest responsible best bid, and the Director of Public Works 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 less than the total estimate of work to be performed under the contract or shall exceed the same by not more than ten percent.

Be it further resolved by the Board of Control that the employment of the following subcontractors by The Shelly Company is approved:

Subcontractor	CSB Percentage	Amount
Clark's Family Trucking	12.3%	\$170,000.00
Midland Concrete and Sand	9.0%	\$125,000.00
Big Truck Rehab Center, Inc.	5.4%	\$ 75,000.00
Reilly Sweeping, Inc.	0%	\$145,000.00
Cook Paving & Construction Co., Inc.	3.6%	\$ 50,000.00

Yeas: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Ebersole, and Donald.

Nays: None.

Absent: Mayor Jackson, and Director McNamara.

Resolution No. 228-19.

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Gordon Food Service, Inc., for an estimated quantity of food, food products, beverages, condiments, and paper products for Camp

Forbes, Group A; all items, Group B; all items, Group C; all items, Group D; items 4-1 through 4-3 & item 4-5, Group E; all items, Group f; all items, Group G; all items, Group H; items 8-1 through 8-48 & items 8-50 through 8-71, & Group I; all items, for the Division of Recreation, Department of Public Works, for a period of one year, beginning with the date of execution of a contract, received on April 13, 2018, under the authority of Ordinance No. 1241-18 passed by Cleveland City Council on October 29 2018, which on the basis of the estimated quantity would amount to \$101,612 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a requirement contract for the goods and/or services specified.

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

Yeas: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Ebersole, and Donald.

Nays: None.

Absent: Mayor Jackson, and Director McNamara.

Resolution No. 229-19.

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Tom Paige Catering Company DBA, Paige Food Services for an estimated quantity of unitized breakfasts and lunches for the 2019 Summer Food Program, all items, for the Division of Recreation, Department of Public Works, for a period of three (3) months, beginning with the date of execution of a contract, received on April 26, 2019, under the authority of Ordinance No. 1241-18, passed by Cleveland City Council on October 29, 2018, which on the basis of the estimated quantity would amount to \$150,770 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a requirement contract for the goods and/or services specified.

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

Yeas: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Ebersole, and Donald.

Nays: None.

Absent: Mayor Jackson, and Director McNamara.

Resolution No. 230-19.

By Director Menesse.

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. 123-19-056 located on Gallup 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, Ada Robinson 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 5 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Ada Robinson for the sale and development of Permanent Parcel No. 123-19-056 located on Gallup 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: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Ebersole, and Donald.

Nays: None.

Absent: Mayor Jackson, and Director McNamara.

Resolution No. 231-19.

By Director Menesse.

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. 106-21-071 located at 7720 Melrose 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, Yalita McCoy 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 7 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Yalita McCoy for the sale and development of Permanent Parcel No. 106-21-071 located at 7720 Melrose 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: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Ebersole, and Donald.

Nays: None.

Absent: Mayor Jackson, and Director McNamara.

Resolution No. 232-19.

By Director Menesse.

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. 016-11-137 located at 3152 West 54th 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, Richard Monda 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 3 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

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

for the sale and development of Permanent Parcel No. 016-11-137 located at 3152 West 54th 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: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Ebersole, and Donald.

Nays: None.

Absent: Mayor Jackson, and Director McNamara.

Resolution No. 233-19.

By Director Menesse.

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. 106-22-054 located on East 85th 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, Shirley J. Johnson 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 7 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Shirley J. Johnson for the sale and development of Permanent Parcel No. 106-22-054 located on East 85th 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: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Ebersole, and Donald.

Nays: None.

Absent: Mayor Jackson, and Director McNamara.

Resolution No. 234-19.

By Director Menesse.

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. 130-08-016 located at 3393 East 128th 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, Eric Dale Middlebrooks has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Eric Dale Middlebrooks for the sale and development of Permanent Parcel No. 130-08-016 located at 3393 East 128th 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: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Ebersole, and Donald.

Nays: None.

Absent: Mayor Jackson, and Director McNamara.

Resolution No. 235-19.

By Director Menesse.

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. 128-24-036 located at 11128 Lardet 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, Ida A. Witherspoon has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Ida A. Witherspoon for the sale and development of Permanent Parcel No. 128-24-036 located at 11128 Lardet 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: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Ebersole, and Donald.

Nays: None.

Absent: Mayor Jackson, and Director McNamara.

Resolution No. 236-19.

By Director Menesse.

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. 130-20-140 located at 3414 East 117th 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, to sell Land Reutilization Program parcels when certain specified conditions have been met; and

Whereas, Twilla M. Hughley has proposed to the City to purchase the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 2 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that

under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Twilla M. Hughley for the sale of Permanent Parcel No. 130-20-140, 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: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Ebersole, and Donald.

Nays: None.

Absent: Mayor Jackson, and Director McNamara.

Resolution No. 237-19.

By Director Menesse.

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. 137-12-040 located at 3662 East 138th 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, to sell Land Reutilization Program parcels when certain specified conditions have been met; and

Whereas, Rosie Bailey has proposed to the City to purchase and develop the parcel for a side yard expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Rosie Bailey for the sale and development of Permanent Parcel No. 137-12-040, 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: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Ebersole, and Donald.

Nays: None.

Absent: Mayor Jackson, and Director McNamara.

Resolution No. 238-19.

By Director Menesse.

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. 125-12-004 located at 3001 East 65th 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, to sell Land Reutilization Program parcels when certain specified conditions have been met; and

Whereas, Theodore U. and Goodness Iheoma Ezirim have proposed to the City to purchase and develop the parcel for a side yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 5 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Theodore U. and Goodness Iheoma Ezirim for the sale and development of Permanent Parcel No. 125-12-004, 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: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Ebersole, and Donald.

Nays: None.

Absent: Mayor Jackson, and Director McNamara.

Resolution No. 239-19.

By Director Menesse.

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. 135-03-087 located at 10007 Anderson 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, to sell Land Reutilization Program parcels when certain specified conditions have been met; and

Whereas, Deletha Twitty has proposed to the City to purchase the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 6 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 Deletha Twitty for the sale of Permanent Parcel No. 135-03-087, 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: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Ebersole, and Donald.

Nays: None.

Absent: Mayor Jackson, and Director McNamara.

Resolution No. 240-19.

By Director Menesse.

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 Nos. 119-04-093, 119-04-094, and 119-04-095 located on East 85th 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, to sell Land Reutilization Program parcels when certain specified conditions have been met; and

Whereas, Hough at Home, LLC has proposed to the City to purchase and develop the parcels for new single-family home construction; and

Whereas, the following conditions exist:

1. The member of Council from Ward 7 has approved the proposed sale or has not disapproved or

requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Hough at Home, LLC for the sale and development of Permanent Parcel Nos. 119-04-093, 119-04-094, and 119-04-095 according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Ebersole, and Donald.

Nays: None.

Absent: Mayor Jackson, and Director McNamara.

Resolution No. 241-19.

By Director Menesse.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 129-18-023 located at 2926 East 119th 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, to sell Land Reutilization Program parcels when certain specified conditions have been met; and

Whereas, Tamica M. Fulford has proposed to the City to purchase and develop the parcel for a side yard expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Tamica M. Fulford for the sale and development of Permanent Parcel No. 129-18-023,

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: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Ebersole, and Donald.

Nays: None.

Absent: Mayor Jackson, and Director McNamara.

Resolution No. 242-19.

By Director Menesse.

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. 106-22-057 located at 1559 East 85th 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, to sell Land Reutilization Program parcels when certain specified conditions have been met; and

Whereas, Delorean Sims has proposed to the City to purchase the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 7 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 Delorean Sims for the sale of Permanent Parcel No. 106-22-057, 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: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Ebersole, and Donald.

Nays: None.

Absent: Mayor Jackson, and Director McNamara.

Resolution No. 243-19.

By Director Menesse.

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. 125-03-016 located at 2970 East 65th 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 lease Land Reutilization Program parcels; and

Whereas, Another Chance of Ohio, LLC has proposed to the City to lease and develop the parcel for community green space; and

Whereas, the following conditions exist:

1. The member of Council from Ward 5 has either approved the proposed lease or has not disapproved or requested a hold of the proposed lease within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, to execute a lease for a term of two (2) years, for and on behalf of the City of Cleveland, with Another Chance of Ohio, LLC for the lease and development of Permanent Parcel No. 125-03-016 located at 2970 East 65th 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 lease of the parcel shall be \$2.00, which amount is determined to be not less than the fair rental value of the parcel for uses according to the Program.

Yeas: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Ebersole, and Donald.

Nays: None.

Absent: Mayor Jackson, and Director McNamara.

JEFFREY B. MARKS, Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

ROBERT BENNETT, President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, JUNE 17, 2019

9:30 A.M.

Notice of Violation and Abatement Order of Sewer Use Code

Calendar No. 19-56: 3571 Jennings Road and 1010 Dennison Avenue (Ward 12)

Chemical Solvents, Inc., Pavlish Real Estate Holding Company and Jerry Schill (collectively "Appellants") appeal under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of the Commissioner of the City of Cleveland's Division of Water Pollution Control to issue a Notice of Violation which states that the appellants have failed to comply with Sections 541.11 and 541.12 of the Cleveland Codified Ordinance Section regarding infiltration of pollutants into the sewer system from the subject property. (Filed March 28, 2019)

Calendar No. 19-95: 11203 Stokes Boulevard (Ward 6)

Cleveland Clinic, owner, proposes to convert existing former medical office building to indoor parking and 23 apartments, demolish existing garage structure and erect 15 townhouse units in a B1 Two Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.03 which states that a 23 unit apartment building is not permitted in a Two Family Residential District.

2. Section 337.031(g)(2) which states that in any zoning district where a townhouse use is not permitted by right the City Planning Commission shall determine, based on the application of division 337.031(e), if a townhouse use shall be permitted. City Planning Commission has not made a determination.

3. Section 337.031(e) which states that no building permit shall be issued for the original construction of a townhouse unit or townhouse building without approval of the Director of the City Planning Commission, which shall seek to ensure that the development meets the spirit and intent of division (a) by applying the standards set forth in

this section for visual compatibility with nearby properties, site layout, building features, and circulation and parking. No such approval by the Director of City Planning has been made. (Filed May 6, 2019)

Calendar No. 19-106: 11801 Buckeye Road (Ward 6)

Providence House, owner, proposes to establish use as a daycare in an existing building and construct an addition for institutional use on a parcel of land that is located in a C2 Local Retail Business District and a B1 Two-Family Residential District. The owner appeals for relief from the strict application of Section 337.02(g)(3)(E) of the Cleveland Codified Ordinances which states that the proposed use must be located not less than 30 feet from any adjoining premises in a Residence District not used for a similar purpose and is subject to the review and approval of the Board of Zoning Appeals. (Filed May 13, 2019)

Calendar No. 19-108: 2048 Fulton Road (Ward 3)

Paul Gallo, LLC., owner, proposes to change use of an existing warehouse/office building to 53 residential apartment units in a B1 Semi-Industry District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that in a "B" Area District the maximum gross floor area of a residential use is limited to one-half the lot area, in this case 27,050 square feet, and 67,960 square feet are proposed. This section also states that a lot size containing 2,400 square feet for each dwelling unit is required, in this case 127,000 square feet, and 54,101 square feet are proposed.

2. Section 357.01 which states that interior side yards and rear yard are required for residence buildings. Per Section 357.08(b)(2) which states that a rear yard equal to 1/2 the height of the building is required and no rear yard is proposed. Per Section 357.09(b)(2)(C) which states that interior side yards equal to ¼ the height of the building are required and side yards varying from one to five feet are provided. (Filed May 15, 2019)

Calendar No. 19-110: 1849 West 50th Street (Ward 3)

David Haders, owner, proposes to erect 2 pre-manufactured temporary tents for storage of personal building materials for 12 months in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of Section 347.10(a) which states that a temporary permit shall not exceed 30 days in duration. (Filed May 17, 2019)

Calendar No. 19-127: 16601 Euclid Avenue (Ward 10)

Ahmad Sliman, owner, proposes to erect a 22.5 feet tall, 60 square foot illuminated, double faced, freestanding sign, for a service station in a D2 Local Retail Business District. The owner appeals for relief from the strict application of Section 350.14(b) which states that a freestanding sign in a Local Retail

Business District cannot exceed 12 feet in height. (Filed May 31, 2019)

POSTPONED FROM MAY 13, 2019

Calendar No. 19-74: 3122 West 16th Street (Ward 14)

Peter Arian, owner, proposes to erect a 5' x 5' open front porch made of wolmanized wood in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of Section 357.13(b)(4) of the Cleveland Codified Ordinances which states that open front porches shall not be less than 10 feet from property line and the appellant is proposing 5 feet 1 inch. (Filed April 16, 2019 - No Testimony)

First postponement made at the request of the Development Corporation to allow for time for community review.

POSTPONED FROM MAY 6, 2019

Calendar No. 19-62: 603 Herschel Court (Ward 3)

Brian Davine, owner, proposes to construct a 3 1/2 story addition on a 3,220 square foot lot in a B1Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1.) Section 355.04(a) which states that the minimum lot area for a single family dwelling in a "B" Area district is 4,800 square feet and the lot area is 3,220 square feet.

2.) Section 357.09(b)(2)(B) which states that in a Two-Family Residential District no interior side yard on a lot occupied by a dwelling house shall be less than 5 feet in width for a corner lot, nor less than 3 feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than 10 feet. However, the width of any such interior side yard shall in no case be less than ¼ the height of the main building on the premises. The required interior side yard in this case is 10 feet and a 1 foot 6 inch side yard is proposed. (Filed April 9, 2019 - No Testimony)

First postponement made at the request of the Councilman to allow for time for further review.

POSTPONED FROM APRIL 22, 2019

Calendar No. 19-051: 12341 Chesterfield Avenue (Ward 9)

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

1. Section 337.03(a) which states that a three family dwelling is not permitted in a Two-Family residential district but first allowed in a Multi-Family Residential District.

2. Section 355.04(b) which states that in a "B" Area District, a minimum lot area of 7,200 square feet is required and 4,480 square feet is proposed. (Filed March 26, 2019 - No Testimony)

First postponement made to allow for time for the appellant to prepare a response to res judicata issue.

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, JUNE 3, 2018

At the meeting of the Board of Zoning Appeals on Monday, June 3, 2018 the following appeals were scheduled for hearing before the Board.

The following appeals were **APPROVED:**

Calendar No. 19-78: 1814 Brainard Avenue

B.R. Knez, owner, proposes to erect a two story frame single family residence with a 20' by 20' detached garage.

Calendar No. 19-79: 1830 Brainard Avenue

B.R. Knez, owner, proposes to erect a two story frame single family residence with a 20' by 20' detached garage.

Calendar No. 19-84: 12027 Wade Park Avenue

B.R. Knez, owner, proposes to erect a two story frame single family residence with a 20' by 20' detached garage.

Calendar No. 19-85: 12101 Wade Park Avenue

B.R. Knez, owner, proposes to erect a two story frame single family residence with a 20' by 20' detached garage.

Calendar No. 19-94: 5010 Lorain Avenue

MUNU Properties, owner, proposes to renovate and use as a restaurant and 2 apartments in a G2 Limited Retail Business District and an Urban Form Overlay District.

Calendar No. 19-100: 1850 East 85th Street

Hough at Home owner, proposes to erect a two story frame single family residence with attached garage in a Multi-Family Residential District.

Calendar No. 19-101: 1856 East 85th Street

Hough at Home owner, proposes to erect a two story frame single family residence with attached garage in a Multi-Family Residential District.

The following appeals were **DENIED:**

None.

The following appeals were **WITHDRAWN:**

Calendar No. 19-87: 12635 Larchmere Boulevard

Kirt Montlack LTD., owner, proposes to change use of studio to tattoo shop in a C2 Local Retail Business District and a Pedestrian Retail Overlay District.

Calendar No. 19-92: 6615 Lansing Avenue

Dwayne Bailey, owner, proposes to install approximately 57 linear feet of 4 feet tall chain link fence within 2 feet 6 inches of the adjacent building.

The following appeals were **DISMISSED**:

None.

The following case was **POSTPONED**:

Calendar No. 19-93: Andrico Marshall 3807 East 93rd Street. Postponed to July 8, 2019.

The following cases were heard by the Board of Zoning Appeals on Monday, May 20, 2019 and the decisions were adopted and approved on Monday, June 3, 2019:

The following appeals were **APPROVED**:

Calendar No. 19-80: 1523 East 122nd Street
B.R. Knez, owner, proposes to erect a two story frame single family residence with 20' x 20' detached garage in a B1 Two-Family.

Calendar No. 19-81: 1510 East 123rd Street
B.R. Knez, owner, proposes to erect a two story frame single family residence with 20' x 20' detached garage in a B1 Two-Family.

Calendar No. 19-82: 1514 East 123rd Street
B.R. Knez, owner, proposes to erect a two story frame single family residence with 20' x 20' detached garage in a B1 Two-Family.

Calendar No. 19-83: 1518 East 123rd Street
B.R. Knez, owner, proposes to erect a two story frame single family residence with 20' x 20' detached garage in a B1 Two-Family.

Calendar No. 19-86: 601 Erieside Avenue
City of Cleveland, owner, and Great Lakes Science Center, lessee, propose to use unpaved lawn area as a parking lot for events at First Energy Stadium in a B3 General Industry District.

Calendar No. 19-88: 1017 Starkweather Avenue
Sutton 5th Street LLC., owner, proposes to erect a two story single family residence with an attached garage in a B1 Two-Family.

Calendar No. 19-89: 1019 Starkweather Avenue
Sutton 5th Street LLC., owner, proposes to erect a two story single family residence with an attached garage in a B1 Two-Family.

Calendar No. 19-90: 1021 Starkweather Avenue
Sutton 5th Street LLC., owner, proposes to erect a three story single family residence with an attached garage in a B1 Two-Family.

Calendar No. 19-91: 1023 Starkweather Avenue
Sutton 5th Street LLC., owner, proposes to erect a three story single family residence with an attached garage in a B1 Two-Family.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of
May 29, 2019

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-58-19.

RE: Appeal of Judson, Inc., Owner appeals from an ADJUDICATION ORDER B18039471-2 of OBC NEC 406.12: Tamperproof receptacles for outlets in living spaces, located on the premises known as 1890 East 107th Street, dated March 15, 2019 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 relief to OBC NEC 406.12 requirement for tamperproof receptacles on the NINTH FLOOR INDEPENDENT LIVING ONLY at Judson Manor; the property is REMANDED to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Bradley.

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

* * *

Docket A-60-19.

RE: Appeal of Mark Campbell, Owner of the R-2 Residential Non-Transient; Apartments (Shared Egress) Two Story Frame Property located on the premises known as 3223 East 116th Street appeals from a NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE, dated February 25, 2019 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to GRANT the Appellant until September 1, 2019 to complete abatement of the violations; the property is REMANDED to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

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

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Docket A-62-19.

RE: Appeal of Brett Greer c/o Richard M. Conte, Owner of the A-3 Assembly-Recreation or Religious Facilities Two Story Masonry Walls/Wood Floors Property, located on the premises known as 12707 Kinsman Road appeals from a NOTICE OF VIOLATION — 30 DAY CONDEMNATION MAIN STRUCTURE, dated June 7, 2006 of the

Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to GRANT the Appellant until July 1, 2019 to obtain all required permits to complete abatement of all the violations on the property; the property is REMANDED to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Bradley.

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

* * *

Docket A-64-19.

RE: Appeal of Victor Keshishian, Owner appeals from an ADJUDICATION ORDER B18026868-1 of OBC 903.2.8: Item One (1)-A full-building automatic fire sprinkler systems, located on the premises known as 10511 Madison Avenue, dated February 27, 2019 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 Appellant relief request and UPHOLD OBC 903.2.8; requiring a sprinkler system per the code; the property is REMANDED to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Bradley.

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

* * *

Docket A-65-19.

RE: Appeal of Maurice Hamilton/Maurice Grays, Owner of the MXD Mixed Uses-Multiple uses in one building Two Story Frame Property, located on the premises known as 16626 Miles Avenue appeals from a NOTICE OF VIOLATION — CONDEMNATION MAIN STRUCTURE, dated February 26, 2019 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to GRANT the Appellant until September 1, 2019 to complete abatement of all the violations by demolishing the building on the property; the property is REMANDED to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

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Docket A-66-19.

RE: Appeal of Maurice Hamilton/Maurice Grays, Owner of the MXD Mixed Uses-Multiple uses in

one building Two Story Frame Property, located on the premises known as 16634 Miles Avenue appeals from a NOTICE OF VIOLATION — CONDEMNATION MAIN STRUCTURE, dated February 26, 2019 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to GRANT the Appellant until October 1, 2019 to submit rehab plans to the Department of Building and Housing and until March 1, 2020 to complete abatement of all violations of the property; the property is REMANDED to the Department of Building & Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

* * *

Docket A-118-19.

RE: Appeal of University Circle Inc., Owner appeals from ADJUDICATION ORDER B19003189-1 of OBC 2902.2: Separate Toilet Facilities, located on the premises known as 11508 Mayfield Road, dated May 2, 2019 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 request for variance to allow a single restroom in the facility; the property is REMANDED to the Department of Building & Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

* * *

Docket A-308-18.

RE: Appeal Kirk Hafner, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property, located on the premises known as 3823 West 130th Street appeals from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated November 15, 2018 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to GRANT the Appellant until June 15, 2019 to obtain the required permit; the property is REMANDED to the Department of Building & Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Maschke.

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

* * *

Docket A-36-19.

RE: Appeal of Batroun Properties LLC, Owner of the One Dwelling Unit Single-Family Residence One

and Half Story Masonry Property, located on the premises known as 4408 West 10th Street appeals from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated February 6, 2019 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to GRANT the Appellant until June 15, 2019 to abate all violations of the property; the property is REMANDED to the Department of Building & Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

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

* * *

Docket A-42-19.

RE: Appeal of Kenneth K. Sapp, Owner of the Two Dwelling Units Two-family Residence Two and Half Story Wood Frame/Siding/Masonry Veneer Property, located on the premises known as 2276 West 73rd Street appeals from a NOTICE OF VIOLATION — VACATE dated February 8, 2019 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to FIND the Appellants Mr. Kenneth K. Sapp and Ms. Coletta J. Emrich htta Coletta J. Dmrich both unmarried are not the responsible parties in the citation and that a new inspection should be done by the Department of Building and Housing and the new owner shall be cited accordingly; the property is REMANDED to the Department of Building & Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

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

* * *

Docket A-59-19.

RE: Appeal of James Williams, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property, located on the premises known as 12329 Ingomar Avenue appeals from a NOTICE OF VIOLATION — CONDEMNATION-MAIN STRUCTURE, dated March 12, 2019 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to GRANT the Appellant until September 1, 2019 to complete abatement all violations of the property; the property is REMANDED to the Department of Building & Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

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

* * *

Docket A-61-19.

RE: Appeal of James R. Williams, Owner of the One Dwelling Unit Single-Family Residence Two and Half Story Frame Property, located on the premises known as 574 East 109th Street appeals from a NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE, dated March 11, 2019 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to GRANT the Appellant until September 1, 2019 to complete abatement all violations of the property; the property is REMANDED to the Department of Building & Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Maschke.

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

* * *

EXTENSION OF TIME

Docket A-63-19.

RE: Appeal of Jimmy J. Christian Jr., Owner of the One Dwelling Unit Single-Family Residence Two and Half Story Frame Property, located on the premises known as 3735 Seymour Avenue appeals from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated May 11, 2018 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to GRANT the Appellant until September 1, 2019 to complete abatement all violations of the property; the property is REMANDED to the Department of Building & Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

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

* * *

AMENDED RESOLUTION

Docket A-57-19.

Nadir Hassan — 15819 Trafalgar Avenue:

FROM: .. a motion is in order at this time to DENY the Appellant request for additional time and UPHOLD the violation notice was properly issued based upon testimony and present circumstances; the Appellant Representative is to return on May 29, 2019 with Power of Attorney and a proposal to abate all violations; the property is REMANDED ..

TO: ..to a motion is in order to GRANT the Appellant until July 1, 2019 to obtain the required permits; the property is REMANDED to the Department of Building & Housing for supervision and any required further action..

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

* * *

APPROVAL OF RESOLUTIONS

Separate motions were entered by Mr. Gallagher and seconded by Mr. Maschke 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-306-18 — Jeffery Weaver
A-7-19 — George Polansky
A-48-19 — Isreal Spain
A-49-19 — Margaret Gregory
A-51-19 — Lorraine Abston
A-52-19 — Rayford Wells
A-53-19 — Tyrone M. Daniels
A-56-19 — Rita W. Hart c/o Paul Hart
A-57-19 — Nadir Hassan (Amended)

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

* * *

APPROVAL OF MINUTES

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

May 15, 2019

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

* * *

JOSEPH F. DENK
Chairman

PUBLIC NOTICE

NOTICE OF PUBLIC MEETING OF THE CITY RECORDS COMMISSION OF THE CITY OF CLEVELAND

Notice is hereby given, in accordance with Ohio Revised Code Section 121.22(F) and Cleveland Codified Ordinances Section 167.01(a), that the City Records Commission of the City of Cleveland will hold a public meeting on Tuesday, June 11, 2019, at 9:30 a.m., in the City Council Committee Room located at Room 217 on the Second Floor of Cleveland City Hall, 601 Lakeside Avenue, Cleveland, Ohio, for the purpose of reviewing proposed records retention schedules, requests for one-time disposal of records and any other business with respect to records retention and disposal requests and questions.

May 22, 2019, May 29, 2019 and June 5, 2019

NOTICE OF PUBLIC HEARING

NONE

CITY of CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, JUNE 19, 2019

File No. 66-19 — Capital Maintenance and Repair of City Facilities Plumbing, for the Division of Property Management, Department of Public Works, as authorized by Section 131.67 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, WEDNESDAY, JUNE 12, 2019 AT 11:30 A.M. DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET BUILDING 1, CLEVELAND, OHIO 44105, BASEMENT MEETING ROOM.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

File No. 67-19 — Capital Maintenance and Repair of City Facilities HVAC, for the Division of Property

Managment, Department of Public Works, as authorized by Section 131.67 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, WEDNESDAY, JUNE 12, 2019 AT 2:00 P.M. DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET BUILDING 1, CLEVELAND, OHIO 44105, BASEMENT MEETING ROOM.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

File No. 68-19 — Capital Maintenance and Repair of City Facilities Carpentry, for the Division of Property Management, Department of Public Works, as authorized by Section 131.67 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, WEDNESDAY, JUNE 12, 2019 AT 2:30 P.M. DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET BUILDING 1, CLEVELAND, OHIO 44105, BASEMENT MEETING ROOM.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

File No. 69-19 — Capital Maintenance and Labor and Material for Janitorial Services and Specialized Cleaning and Sanitizing at Various City Facilities, for the Division of Property Management, Department of Public Works, as authorized by Section 131.67 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, WEDNESDAY, JUNE 12, 2019 AT 10:00 A.M. DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET BUILDING 1, CLEVELAND, OHIO 44105, BASEMENT MEETING ROOM.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

May 29, 2019 and June 5, 2019

THURSDAY, JUNE 20, 2019

File No. 65-19 — Capital Maintenance and Repairs of City Facilities Roofing, for the Division of Property Management, Department of Public Works, as authorized by Section 131.67 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, WEDNESDAY, JUNE 12, 2019 AT 10:30 A.M. DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET BUILDING 1, CLEVELAND, OHIO 44105, BASEMENT MEETING ROOM.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

May 29, 2019 and June 5, 2019

FRIDAY, JUNE 21, 2019

File No. 70-19 — Constructing and Installing Replacement Sewers and Repairing and Rehabilitation of Existing Sewers for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 203-19, passed by the Council of the City of Cleveland, March 18, 2019.

THERE WILL BE A **NON-REFUNDABLE FEE** FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR MONEY ORDER (NO COMPANY CHECKS, NO CASH, AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS. ALL PLANS AND SPECIFICATIONS MUST BE PURCHASED DIRECTLY FROM THE DIVISION OF PURCHASES AND SUPPLIES. BIDDERS MUST BE ON THE PLAN-HOLDERS LIST TO SUBMIT A BID OR RECEIVE ANY ADDENDA.) OUT-OF-AREA BIDDERS MAY SEND THEIR **NON-REFUNDABLE FEE** FOR PLANS VIA FED EX DELIVERY TO: CITY OF CLEVELAND, DIVISION OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE ROOM 128, CLEVELAND, OHIO 44114. INCLUDE IN YOUR REQUEST YOUR COMPANY'S FED EX ACCOUNT NUMBER, FULL COMPANY NAME AND ADDRESS, COMPANY CONTACT/REPRESENTATIVE FULL NAME, CONTACT TELEPHONE NUMBER, FACSIMILE TELEPHONE NUMBER AND EMAIL ADDRESS. THE FED EX DELIVERY CHARGES FOR THE PLANS AND SPECIFICATIONS WILL BE BILLED TO THE BIDDER'S COMPANY FED EX ACCOUNT NUMBER PROVIDED.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, JUNE 6, 2019 AT 9:30 A.M. DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108, WPC CONFERENCE ROOM.

QUESTIONS REGARDING THE PURCHASE OF PLANS AND SPECIFICATIONS CAN BE DIRECTED TO ROYCE GRIFFIN AT (216) 664-2628.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

File No. 72-19 — Roof Replacement Project Fire Station 23 (Re-Bid), for the Division of Architecture and Site

Development, Office of Capital Projects, as authorized by Ordinance No. 734-14, passed by the Council of the City of Cleveland, June 9, 2014.

THERE WILL BE A **NON-REFUNDABLE FEE** FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR MONEY ORDER (NO COMPANY CHECKS, NO CASH, AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS. ALL PLANS AND SPECIFICATIONS MUST BE PURCHASED DIRECTLY FROM THE DIVISION OF PURCHASES AND SUPPLIES. BIDDERS MUST BE ON THE PLAN-HOLDERS LIST TO SUBMIT A BID OR RECEIVE ANY ADDENDA.) OUT-OF-AREA BIDDERS MAY SEND THEIR **NON-REFUNDABLE FEE** FOR PLANS VIA FED EX DELIVERY TO: CITY OF CLEVELAND, DIVISION OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE ROOM 128, CLEVELAND, OHIO 44114. INCLUDE IN YOUR REQUEST YOUR COMPANY'S FED EX ACCOUNT NUMBER, FULL COMPANY NAME AND ADDRESS, COMPANY CONTACT/REPRESENTATIVE FULL NAME, CONTACT TELEPHONE NUMBER, FACSIMILE TELEPHONE NUMBER AND EMAIL ADDRESS. THE FED EX DELIVERY CHARGES FOR THE PLANS AND SPECIFICATIONS WILL BE BILLED TO THE BIDDER'S COMPANY FED EX ACCOUNT NUMBER PROVIDED.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, JUNE 6, 2019 AT 10:00 A.M. CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, ROOM 517A.

QUESTIONS REGARDING THE PURCHASE OF PLANS AND SPECIFICATIONS CAN BE DIRECTED TO ROYCE GRIFFIN AT (216) 664-2628.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

May 29, 2019 and June 5, 2019

FRIDAY, JUNE 28, 2019

File No. 63-19 — Lease of Four Plotters and Scanners, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, MONDAY, JUNE 10, 2019 AT 10:30 A.M. CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, CENTENNIAL ROOM.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES

AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

File No. 64-19 — Work Boat (Re-Bid), for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1365-18, passed by the Council of the City of Cleveland, November 26, 2018.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, JUNE 6, 2019 AT 10:00 A.M. CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, 2ND FLOOR ATRIUM CONFERENCE ROOM.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

File No. 71-19 — 2019 C Water Main Renewal, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 922-18, passed by the Council of the City of Cleveland, September 18, 2018.

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 MONEY ORDER (NO COMPANY CHECKS, NO CASH, AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS. ALL PLANS AND SPECIFICATIONS MUST BE PURCHASED DIRECTLY FROM THE DIVISION OF PURCHASES AND SUPPLIES. BIDDERS MUST BE ON THE PLAN-HOLDERS LIST TO SUBMIT A BID OR RECEIVE ANY ADDENDA.) OUT-OF-AREA BIDDERS MAY SEND THEIR **NON-REFUNDABLE FEE** FOR PLANS VIA FED EX DELIVERY TO: CITY OF CLEVELAND, DIVISION OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE ROOM 128, CLEVELAND, OHIO 44114. INCLUDE IN YOUR REQUEST YOUR COMPANY'S FED EX ACCOUNT NUMBER, FULL COMPANY NAME AND ADDRESS, COMPANY CONTACT/REPRESENTATIVE FULL NAME, CONTACT TELEPHONE NUMBER, FACSIMILE TELEPHONE NUMBER AND EMAIL ADDRESS. THE FED EX DELIVERY CHARGES FOR THE PLANS AND SPECIFICATIONS WILL BE BILLED TO THE BIDDER'S COMPANY FED EX ACCOUNT NUMBER PROVIDED.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, JUNE 6, 2019 AT 2:30 P.M. CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, 2ND FLOOR ATRIUM CONFERENCE ROOM. QUESTIONS REGARDING THE PURCHASE OF PLANS AND SPECIFICATIONS CAN BE DIRECTED TO ROYCE GRIFFIN AT (216) 664-2628.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

May 29, 2019 and June 5, 2019

THURSDAY, JUNE 27, 2019

File No. 74-19 — HVAC/R Supplies, Items, Materials and Parts, for the Division of Property Management, Department of Public Works, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, WEDNESDAY, JUNE 19, 2019 AT 2:30 P.M. DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET BUILDING 1, CLEVELAND, OHIO 44105, BASEMENT MEETING ROOM.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

File No. 75-19 — Purchase of New and Rebuilt Motors and Related Repairs, for the Division of Property Management, Department of Public Works, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, WEDNESDAY, JUNE 19, 2019 AT 2:00 P.M. DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET BUILDING 1, CLEVELAND, OHIO 44105, BASEMENT MEETING ROOM.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

June 5, 2019 and June 12, 2019

FRIDAY, JUNE 28, 2019

File No. 73-19 — Criminal and Civil Filing Supplies, for the Cleveland Municipal Clerk of Courts, 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 13, 2019 AT 10:30 A.M. JUSTICE CENTER, 1200 ONTARIO STREET, CLEVELAND, OHIO 44113, LEVEL 2.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

June 5, 2019 and June 12, 2019

ADOPTED RESOLUTIONS AND ORDINANCES

NONE

COUNCIL COMMITTEE MEETINGS

Friday, May 31, 2019 9:00 a.m.

Safety Committee: Present: Zone, Chair; Polensek, Vice Chair; Griffin, B. Jones, J. Jones, Santana. Authorized Absence: Kazy.

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

Aging Department

Amending the Title and Sections 1 and 2 of Ordinance No. 600-2019, passed May 6, 2019 as it pertains to Senior Lawn Care and Snow Removal Program through the use of Wards 1, 2 and 4 Casino Revenue Funds. (O 734-2019) .938

Agreements

Amending the Title and Section 1 of Ordinance No. 563-2019 passed April 29, 2019, as it pertains to authorizing the Director of the Department of Community Development to enter into agreement with the Beauty & Barber Empowerment Center, LLC for the Beauty and Empowerment Center Program through the use of Wards 2, 4 and 6 Casino Revenue Funds. (O 733-2019) .938
Amending the Title and Sections 1 and 2 of Ordinance No. 600-2019, passed May 6, 2019 as it pertains to Senior Lawn Care and Snow Removal Program through the use of Wards 1, 2 and 4 Casino Revenue Funds. (O 734-2019) .938
Authorizing the Director of Capital Projects to enter into an agreement or agreements with the City of Euclid for the City of Euclid to design and make the public improvement of rehabilitating East 185th Street from Pawnee Avenue to Lake Erie; to apply for and accept any gifts or grants for this purpose from any public or private entity; authorizing and any other relative agreements, authorizing the acquisition of any real property and easements necessary to make the improvement; and cause payment for the City's share. (O 699-2019) .910
Authorizing the Director of Economic Development to enter into an agreement with the National Development Council, or its designee, to provide economic development assistance to provide partial funding of the Capital Access Fund of Greater Cleveland. (O 714-2019) .917
Authorizing the Director of Public Health to enter into one or more agreements with the Ohio Department of Health to reimburse the City of Cleveland for monitoring, collecting, and analyzing radiation levels in the vicinity of the Burke Lakefront Airport, for a period of two years. (O 627-2019) .947
Authorizing the Director of Public Safety to donate grow lights, ballasts, and two Werner brand ladders seized as the result of a criminal conviction to the Cleveland Metropolitan School District and to Benedictine High School; and to enter into an agreement to make the donation. (O 623-2019) .947

Authorizing the Director of Public Safety to enter into one or more mutual aid agreements with other political subdivisions in the State of Ohio for additional police protection, fire, and emergency medical services for aid and assistance in connection with the Major League Baseball Association 2019 All Star Game being held in Cleveland on July 9, 2019, along with associated events and activities on days before and after the day of the Game. (O 511-2019)945

Authorizing the Director of Public Utilities to enter into one or more agreements with Cleveland Thermal, a division of the Corix Group of Companies, or its contractor, to replace a water distribution main in East 6th Street between Lakeside Avenue and Rockwell Avenue; and to reimburse Cleveland Thermal for the City's share of the improvement. (O 722-2019)920

Authorizing the Director of Public Works to enter into one or more agreements with West Creek Conservancy, or its designee, regarding the Mill Creek stream restoration project at Cleveland Enterprise Park in the Village of Highland Hills; and authorizing the Director to execute a deed of conservation easement and two deeds of temporary easement granting to West Creek Conservancy, or its designee, certain easement rights in property at the project location; and declaring the easement rights not needed for the City's public use. (O 725-2019)921

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)938

Authorizing the Director of the Department of Economic Development to enter into agreement with Lexington Bell Community Center for the acquisition and renovation of the Superior Beverage Building through the use of Ward 7 Casino Revenue Funds and Neighborhood Capital Funds. (O 742-2019)940

Authorizing the Director of the Department of Public Works to enter into agreement with the Tremont West Development Corporation for the Arts in August Expo through the use of Ward 3 Casino Revenue Funds. (O 735-2019)938

Authorizing the Director of the Department of Public Works to enter into an agreement with Merrick House for the Tremont Arts & Cultural Expo through the use of Wards 3, 12 and 14 Casino Revenue Funds. (O 743-2019)940

Authorizing the Director of the Department of the Department of Public Safety to enter into an agreement with Bellaire-Puritas Development Corporation for the Summer Safety Education Film Series through the use of Ward 16 Casino Revenue Funds. (O 745-2019)941

Giving consent of the City of Cleveland to the County of Cuyahoga for the improvement of East 116th Street from Miles Avenue to Union Avenue in the City of Cleveland; authorizing the Director of Capital Projects to enter into agreements; to apply for and accept an allocation of County Motor Vehicle License Tax Funds; authorizing the acquisition of any real property and easements; apply for and accept gifts and grants; and to cause payment to the County for the City's share of the improvement. (O 668-2019)949

Giving consent of the City of Cleveland to the County of Cuyahoga for the resurfacing of Ridge Road from Memphis Avenue to Denison Avenue; authorizing the Director of Capital Projects to enter into agreements; to apply for and accept an allocation of County Motor Vehicle License Tax Funds; and to cause payment to the County for the City's share of the improvement. (O 552-2019)946

Giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio for improving Miles Avenue from Warrensville Corporation Line to Broadway Avenue; to apply for and accept any gifts or grants from any public or private entity; authorizing a Local Project agreement and any other relative agreements; and causing payment of the City's share to the State for The cost of the improvement. (O 632-2019)948

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Bellaire-Puritas Development Corporation

Authorizing the Director of the Department of the Department of Public Safety to enter into an agreement with Bellaire-Puritas Development Corporation for the Summer Safety Education Film Series through the use of Ward 16 Casino Revenue Funds. (O 745-2019)941

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Giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio to
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for the City’s share; to authorize the Mayor to apply to the District One Public Works
Integrating Committee for state funding; authorizing one or more contracts for the design
and other relative agreements; accepting gifts and grants from any public or private
entity; to apply and accept funds from Ohio Public Works Commission; to authorize the
Division of Purchasing and Supplies to acquire, accept, and record all land necessary to
make the improvement. (O 631-2019) 948

Building and Housing Department

To repeal various sections of Chapters 365 and 240 of the Codified Ordinances of Cleveland
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Sections 240.03, 240.05, 240.06, 240.07, 367.12, 367.99, 371.01, 375.08, and 3107.06, as amended
by various ordinances, related to rental registration, certain residential rental units
required to be certified lead safe, lead hazards and lead poisoning prevention. (O 747-2019) 927

Burke Lakefront Airport

Authorizing the Director of Public Health to enter into one or more agreements with the Ohio Department of Health to reimburse the City of Cleveland for monitoring, collecting, and analyzing radiation levels in the vicinity of the Burke Lakefront Airport, for a period of two years. (O 627-2019)947
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Capital Projects

Authorizing the acquisition and recording of certain easement interests from the Cuyahoga County Department of Public Works that encroach into existing County public improvements on Vermont Avenue, West 25th Street, and Detroit Avenue, for the Office of Capital Projects. (O 698-2019)910
Authorizing the acquisition and recording of certain easement interests from Uptown Three L.P. for use of a public sidewalk to be used as a drop off area for students and residents, for the Office of Capital Projects. (O 516-2019) .....	.945
Authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located near the northwest corner of Starkweather Avenue and West 15th Street to Larry Zukerman for purposes of redevelopment. (O 667-2019) .....	.949
Authorizing the Director of Capital Projects to employ one or more professional consultants to provide various engineering, testing, and related services needed for various capital improvement projects, for the Division of Engineering and Construction, Office of Capital Projects, on an as needed basis, for a period up to two years. (O 629-2019) .....	.947
Authorizing the Director of Capital Projects to enter into an agreement or agreements with the City of Euclid for the City of Euclid to design and make the public improvement of rehabilitating East 185th Street from Pawnee Avenue to Lake Erie; to apply for and accept any gifts or grants for this purpose from any public or private entity; authorizing and any other relative agreements, authorizing the acquisition of any real property and easements necessary to make the improvement; and cause payment for the City's share. (O 699-2019) .....	.910
Authorizing the Director of Capital Projects to issue a permit to Cavaliers Operating Company, LLC to encroach into the public rights of way of Huron Road, Ontario Street and East 6th Street by installing, using, and maintaining protective bollards/concrete planter benches around the perimeter of the Rocket Mortgage Fieldhouse (fka Q Arena). (O 666-2019) .....	.949
Authorizing the Director of Capital Projects to issue a permit to Flats Forward, Inc. to encroach into the public rights of way at four locations in the Flats by installing, using and maintaining four wayfinding signs. (O 410-2019) .....	.943
Authorizing the Director of Capital Projects to issue a permit to K & D Real Estate Services, LLC, to encroach into the public right-of-way of 1500 West 3rd Street by installing, using, and maintaining an awning and 2 sculptures with pedestal foundations. (O 701-2019) .....	.912
Authorizing the Director of Capital Projects to issue a permit to MidTown Cleveland, Inc. to encroach into the public right-of-way of the Midtown District by installing, using, and maintaining the MidTown Wayfinding Signage Program. (O 439-2019) .....	.943
Authorizing the Director of Capital Projects to issue a permit to The Centers for Families and Children to encroach into the public right-of-way of Euclid Avenue by installing, using, and maintaining an ADA compliant entrance ramp and railing. (O 551-2019) .....	.946
Authorizing the Director of Capital Projects to issue a permit to The Convention and Visitors Bureau of Greater Cleveland, Inc. to encroach into the public right-of-way within the Tremont neighborhood with a Pedestrian Wayfinding Sign Program by installing, using, and maintaining eight wayfinding signs and associated electrical duct banks. (O 438-2019) .....	.943
Authorizing the Director of Capital Projects to issue a permit to the State of Ohio, through the Department of Natural Resources, Division of Wildlife, to encroach into the public right-of-way of Fulton Road by installing, using, and maintaining a peregrine falcon nest tray. (O 702-2019) .....	.913
Authorizing the Director of Capital Projects to issue one or more permits to MCImetro Access Transmission Services Corp. d/b/a Verizon Access Transmission Services to encroach into the public right-of-way at various locations in the City of Cleveland by installing, using, and maintaining a wireline fiber optic communications network to include fiber optic cable, to be attached to utility poles (by separate permission of pole owner), duct banks and vaults. (O 409-2019) .....	.943
Authorizing the Mayor to apply to the District One Public Works Integrating Committee for state funding for the rehabilitation of portions of West 65th Street; to apply for and accept gifts and grants from various entities for the improvement; authorizing the Director of Capital Projects to enter into contracts and agreements to design and construct the improvement and other agreements; and authorizing the Commissioner of Purchases and Supplies to acquire, accept, and record for right-of-way purposes real property and easements necessary to make the improvement. (O 634-2019)948
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Declaring the intent to vacate a portion of the Detroit Superior Viaduct and a portion of Detroit Avenue; and to repeal Resolution 1130-18, adopted October 15, 2018 (R 704-2019)935
Declaring the intent to vacate a portion of West 4th Street and Mahoning Avenue. (R 478-2019) .....	.950
Determining the method of making the public improvement of constructing material capital repairs and capital improvements to First Energy Stadium; authorizing one or more public improvement contracts for the making of the improvement; and professional services to design, or in the alternative, to reimburse or accept the gift of design and other services from the Cleveland Browns. (O 636-2019) .....	.948

Giving consent of the City of Cleveland to the County of Cuyahoga for the improvement of East 116th Street from Miles Avenue to Union Avenue in the City of Cleveland; authorizing the Director of Capital Projects to enter into agreements; to apply for and accept an allocation of County Motor Vehicle License Tax Funds; authorizing the acquisition of any real property and easements; apply for and accept gifts and grants; and to cause payment to the County for the City's share of the improvement. (O 668-2019)949

Giving consent of the City of Cleveland to the County of Cuyahoga for the resurfacing of Ridge Road from Memphis Avenue to Denison Avenue; authorizing the Director of Capital Projects to enter into agreements; to apply for and accept an allocation of County Motor Vehicle License Tax Funds; and to cause payment to the County for the City's share of the improvement. (O 552-2019)946

Giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio to rehabilitate the Center Swing Bridge over the Cuyahoga River; to cause payment to ODOT for the City's share; to authorize the Mayor to apply to the District One Public Works Integrating Committee for state funding; authorizing one or more contracts for the design and other relative agreements; accepting gifts and grants from any public or private entity; to apply and accept funds from Ohio Public Works Commission; to authorize the Division of Purchasing and Supplies to acquire, accept, and record all land necessary to make the improvement. (O 631-2019)948

Giving consent of the City of Cleveland to the Ohio Department of Transportation to upgrade and interconnect a traffic signal located at the intersection of East 116th Street and Harvard Avenue in the City of Cleveland. (O 630-2019)948

To amend the title and Section 1 of Ordinance No. 999-14, passed August 20, 2014; and to supplement the ordinance by adding new Sections 4a., 4b., 4c., and 4d., to add the sale of property, relating to the public improvement of reconstructing West 73rd Street. (O 746-2019)927

To supplement the Codified Ordinances of Cleveland, Ohio, 1976 by enacting new Sections 401.152, 401.153, 401.231, 401.532, 473.10 and new Chapter 517, Shared Mobility Device Vendors, Sections 517.01 through 517.05, and to amend Sections 473.01 through 473.03, 473.05, 473.07 through 473.09, 405.09, 431.03, and 431.15, as amended by various ordinances, regulating the vendors and use of shared mobility devices. (O 464-2019)943

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To vacate a portion of East 89th Street. (O 706-2019)914

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To vacate a portion of Maplewood Avenue. (O 708-2019)915

To vacate a portion of Utopia Avenue N.E. (O 709-2019)915

Case Western Reserve University

Authorizing the Director of Public Health to enter into one or more contracts with The Center on Urban Poverty and Community Development at Case Western Reserve University to provide evaluation services for the MomsFirst Program, for a period of one year. (O 535-2019)945

Casino Revenue Funds

Amending the Title and Section 1 of Ordinance No. 563-2019 passed April 29, 2019, as it pertains to authorizing the Director of the Department of Community Development to enter into agreement with the Beauty & Barber Empowerment Center, LLC for the Beauty and Empowerment Center Program through the use of Wards 2, 4 and 6 Casino Revenue Funds. (O 733-2019)938

Amending the Title and Sections 1 and 2 of Ordinance No. 600-2019, passed May 6, 2019 as it pertains to Senior Lawn Care and Snow Removal Program through the use of Wards 1, 2 and 4 Casino Revenue Funds. (O 734-2019)938

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)938

Authorizing the Director of the Department of Economic Development to enter into agreement with Lexington Bell Community Center for the acquisition and renovation of the Superior Beverage Building through the use of Ward 7 Casino Revenue Funds and Neighborhood Capital Funds. (O 742-2019)940

Authorizing the Director of the Department of Public Works to enter into agreement with the Tremont West Development Corporation for the Arts in August Expo through the use of Ward 3 Casino Revenue Funds. (O 735-2019)938

Authorizing the Director of the Department of Public Works to enter into an agreement with Merrick House for the Tremont Arts & Cultural Expo through the use of Wards 3, 12 and 14 Casino Revenue Funds. (O 743-2019)940

Authorizing the Director of the Department of the Department of Public Safety to enter into an agreement with Bellaire-Puritas Development Corporation for the Summer Safety Education Film Series through the use of Ward 16 Casino Revenue Funds. (O 745-2019)941

City of Euclid

Authorizing the Director of Capital Projects to enter into an agreement or agreements with the City of Euclid for the City of Euclid to design and make the public improvement of rehabilitating East 185th Street from Pawnee Avenue to Lake Erie; to apply for and accept any gifts or grants for this purpose from any public or private entity; authorizing and any other relative agreements, authorizing the acquisition of any real property and easements necessary to make the improvement; and cause payment for the City's share. (O 699-2019)910

City of Cleveland Bids

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City Planning Commission

Approving the continuation and expansion of the Ohio City Cleveland Business Improvement District as a Special Improvement District in the City; accepting petitions from owners of property in the District; approving an amendment to the Articles of Incorporation of the Market District Improvement Corporation; approving a new plan for public services; declaring it necessary to provide safety, cleaning, and other services for the District; and providing for the assessment of the cost of such work upon benefited property in the District; and declaring an emergency. (R 711-2019)	936
Authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located near the intersection of West 9th Street and Fruit Avenue to Brett McCoy, for purposes of yard expansion. (O 703-2019)	913
Authorizing the Director of City Planning to apply for and accept a grant from the Ohio History Connection State Historic Preservation Office/ Ohio Development Services Agency to prepare a National Register of Historic Places Nomination to recognize and preserve the Midtown Historic District and to promote economic development through Historic Tax Credits; and authorizing the director to enter into one or more contracts for professional consultants to implement this ordinance. (O 710-2019)	916
Changing the name of "Lawn Madison Park" located at West 75th Street and Madison Avenue to "Miriam Ortiz Rush Park." (O 647-2019)	948
Declaring the intent to vacate a portion of Barber Court S.W. (R 463-2019)	950
Declaring the intent to vacate a portion of Gehring Avenue. (R 407-2019)	950
Declaring the intent to vacate a portion of the 1st Un-named Alley North of Trent Avenue and East of West 40th Street. (R 477-2019)	950
Declaring the intent to vacate a portion of the Detroit Superior Viaduct and a portion of Detroit Avenue; and to repeal Resolution 1130-18, adopted October 15, 2018. (R 704-2019)	935
Declaring the intent to vacate a portion of West 4th Street and Mahoning Avenue. (R 478-2019)	950
Establishing a zero foot Mapped Building Setback from the property line along the southern side of Carter Road between Riverbed Street and the eastern property line of Permanent Parcel No. 004-26-040 (Map Change 2600). (O 514-2019)	950
To amend Sections 325.03, 337.23, 343.23, 357.09, and 357.13 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, relating to side yard setbacks, parking spaces sizes, residential garage placement and size, and conditional uses in the Pedestrian Retail Overlay; and to supplement the codified ordinances by enacting new Section 325.431 relating to the definition of Lot Interior. (O 887-18)	949
To amend the title and Section 1 of Ordinance No. 999-14, passed August 20, 2014; and to supplement the ordinance by adding new Sections 4a., 4b., 4c., and 4d., to add the sale of property, relating to the public improvement of reconstructing West 73rd Street. (O 746-2019)	927

To vacate a portion of East 55th Street. (O 705-2019)914
 To vacate a portion of East 89th Street. (O 706-2019)914
 To vacate a portion of Freeman Avenue S.W. (O 707-2019)915
 To vacate a portion of Maplewood Avenue. (O 708-2019)915
 To vacate a portion of Utopia Avenue N.E. (O 709-2019)915

Clean Water Act

Recognizing Cuyahoga50, a community wide celebration of 50 years of progress since the last Cuyahoga River fire, and the need for continued vigilance and partnership with regional, state, and federal entities to ensure every Clevelander has access to clean water. (R 682-2019)950

Cleveland Hopkins International Airport

Authorizing the Director of Port Control to enter into a Lease Agreement with PrimeFlight Aviation Services, Inc. for the lease of space located in the passenger terminal building at Cleveland Hopkins International Airport to support its ground handling, skycap, and other airline support service operations for JetBlue Airways and other airlines, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority. (O 544-2019)946
 Authorizing the Director of Port Control to enter into a Lease Agreement with Swissport USA, Inc. for the lease of space located in the passenger terminal building at Cleveland Hopkins International Airport to support its ground handling and other airline support service operations for multiple airlines, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority. (O 540-2019)945
 Authorizing the Director of Port Control to enter into a lease agreement with the United Service Organization, Inc. for the use of a lounge and office space located in the Main Terminal Building at Cleveland Hopkins International Airport, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority. (O 622-2019)947
 Authorizing the Director of Port Control to enter into a Lease Agreement with United Airlines Inc. for the lease of certain office and warehouse space located in the South Cargo Facility Building at Cleveland Hopkins International Airport, Department of Port Control, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority. (O 541-2019)945
 Authorizing the Director of Port Control to enter into a Lease with KeyCorp National Association to maintain and operate an aviation hangar facility for the storage and maintenance for aircraft owned by KeyCorp at Cleveland Hopkins International Airport, for a period of ten years, with two five-year options to renew, the first of which requires additional legislative authority. (O 542-2019)945
 Authorizing the Director of Port Control to enter into a Lease with the United States Postal Service to maintain and operate a warehouse, sorting facility, and post office retail store at Cleveland Hopkins International Airport, for a period of five years, with one five-year option to renew, which requires additional legislative authority. (O 543-2019)946

Cleveland Metropolitan School District

Authorizing the Director of Public Safety to donate grow lights, ballasts, and two Werner brand ladders seized as the result of a criminal conviction to the Cleveland Metropolitan School District and to Benedictine High School; and to enter into an agreement to make the donation. (O 623-2019)947

Cleveland Municipal Court

Authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to lease property at 1449 West 117th Street from Montlack Realty, Co., or its designees, for the purpose of providing office space for the Adult Probation Department of the Cleveland Municipal Court, for a term of one year, with one option to renew, exercisable by the Director of Finance, on behalf of the Cleveland Municipal Court. (O 728-2019)926

Cleveland Public Power

Authorizing the procurement by one or more requirement contracts for the rental of various types of heavy duty equipment, on an as needed basis, for the Office of Radio Communications, Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years. (O 597-2019)947
 Authorizing the purchase by one or more requirement contracts of disposal of debris at landfills, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years. (O 536-2019)945

Cleveland Public Theatre

Authorizing the Director of the Department of Community Development to enter into agreement with Cleveland Public Theatre for the Student Theatre Enrichment Program (STEP) through the use of Wards 3, 5, 6, 12, 15 and 17 Casino Revenue Funds. (O 736-2019)939

Codified Ordinances

To amend Section 131.34 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1330-A-10, passed December 6, 2010, relating to rental fees for recreation center use. (O 674-2019) .....	.949
To amend Section 241.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1333-18, passed November 26, 2018, relating to food shop licenses and fees. (O 376-2019) .....	.942
To amend Section 551.22 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 773-A-80, passed December 14, 1981, relating to the waste collection hours in and near a residential district. (O 257-2019) .....	.942
To amend Sections 325.03, 337.23, 343.23, 357.09, and 357.13 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, relating to side yard setbacks, parking spaces sizes, residential garage placement and size, and conditional uses in the Pedestrian Retail Overlay; and to supplement the codified ordinances by enacting new Section 325.431 relating to the definition of Lot Interior. (O 887-18) .....	.949
To repeal various sections of Chapters 365 and 240 of the Codified Ordinances of Cleveland Ohio, 1976 as amended by various ordinances and to supplement the Codified Ordinances by enacting new Sections 365.01 through 365.09, 240.01, 240.08, and 240.09, and by amending Sections 240.03, 240.05, 240.06, 240.07, 367.12, 367.99, 371.01, 375.08, and 3107.06, as amended by various ordinances, related to rental registration, certain residential rental units required to be certified lead safe, lead hazards and lead poisoning prevention. (O 747-2019) .....	.927
To supplement the Codified Ordinances of Cleveland, Ohio, 1976 by enacting new Sections 401.152, 401.153, 401.231, 401.532, 473.10 and new Chapter 517, Shared Mobility Device Vendors, Sections 517.01 through 517.05, and to amend Sections 473.01 through 473.03, 473.05, 473.07 through 473.09, 405.09, 431.03, and 431.15, as amended by various ordinances, regulating the vendors and use of shared mobility devices. (O 464-2019) .....	.943

Communications

From Rachel Loewy, Deputy Director of Modernization and Development, Western Reserve Revitalization and Management Company. Notice of intent to apply to Ohio Housing Finance Agency for multifamily funding programs for the development known as Riverside Park Phase III, 17800 Parkmount Avenue, Cleveland, Ohio. (F 692-2019)909
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Community Development

Amending the Title and Section 1 of Ordinance No. 563-2019 passed April 29, 2019, as it pertains to authorizing the Director of the Department of Community Development to enter into agreement with the Beauty & Barber Empowerment Center, LLC for the Beauty and Empowerment Center Program through the use of Wards 2, 4 and 6 Casino Revenue Funds. (O 733-2019)938
Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019) .....	.938

Condolences

Condolence Resolution for Agnes Slominsky. (R 766-2019) .....	.909
Condolence Resolution for Carol Tyler. (R 756-2019) .....	.909
Condolence Resolution for Donald Slogar. (R 765-2019) .....	.909
Condolence Resolution for Ethel Pauley. (R 761-2019) .....	.909
Condolence Resolution for Imir Williams. (R 762-2019) .....	.909
Condolence Resolution for John Oscar Poole II. (R 760-2019) .....	.909
Condolence Resolution for Leslie Farley Ferguson. (R 758-2019) .....	.909
Condolence Resolution for Melvin Chambers. (R 759-2019) .....	.909
Condolence Resolution for Roosevelt Robinson, Jr. (R 757-2019) .....	.909
Condolence Resolution for Sharon Novak. (R 764-2019) .....	.909
Condolence Resolution for Victims of the Virginia Beach shooting. (R 763-2019) .....	.909

Congratulations

Congratulations Resolution for Diana Cyganovich. (R 770-2019) .....	.910
Congratulations Resolution for Dr. Kevin Harris, Sr. (R 768-2019) .....	.910
Congratulations Resolution for Father Robert J. Jasany. (R 767-2019) .....	.910
Congratulations Resolution for Tyrone C. McBee. (R 769-2019) .....	.910

Contracts

Approving that the Cleveland Citywide Development Corporation, or its designee, may enter into up to eleven partially forgivable separate loan contracts with Famicos Foundation, Inc., or its designee, to rehabilitate up to eleven vacant single family homes on scattered sites within the Circle North area of the Glenville neighborhood, and other associated costs necessary to redevelop the property, under the authority of Ordinance No. 563-17, passed August 16, 2017. (O 621-2019)947
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Authorizing the Director of Economic Development to apply for and accept grants from CoBank and Farm Credit Mid America, and/or their designees, for the Gardening for Greenbacks Program; and authorizing the Director to enter into one or more contracts with small businesses, merchants, or local farmers to implement the grant. (O 715-2019)918

Authorizing the Director of Public Health to apply for and accept a grant from the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County for the "This is (Not) About Drugs" Program; and authorizing the Director to enter into one or more contracts with Overdose Lifeline, Inc. and Preventure to implement the grant. (O 626-2019)947

Authorizing the Director of Public Health to enter into an amendment to Contract No. CT 5005 SG 2017-111 with Emily Frantz, owner, Administrative & Logistical Support for Public Health Accreditation, LLC to assist the Department of Health to attain accreditation status by the Public Health Accreditation Board. (O 670-2019)949

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; and to enter into one or more contracts with various agencies, entities, or individuals to provide services necessary to implement this ordinance. (O 672-2019)949

Authorizing the Director of Public Health to enter into one or more contracts with The Center on Urban Poverty and Community Development at Case Western Reserve University to provide evaluation services for the MomsFirst Program, for a period of one year. (O 535-2019)945

Authorizing the Director of Public Utilities to employ one or more computer software vendors to acquire or renew Cisco maintenance and support, including Cisco Smartnet, for networking and telecommunication software and equipment; and authorizing the purchase by one or more requirement contracts of Cisco hardware and software products, including those used for networking and telecommunication and for the phone system, and maintenance and technical support, for the various divisions of the Department of Public Utilities, for a period of one year, with a one-year option to renew, exercisable by the Director of Public Utilities. (O 595-2019)947

Authorizing the Director of Public Utilities to enter into one or more contracts with Landmark Lakeshore, LLC, or its designee, to accept the sanitary flow from the Shoreline Apartments on North Marginal Road into the City's 8" Force Main on East 55th Street, and to charge a connection fee and fees for future maintenance on the Force Main; and to enter into similar agreements with the owners of properties adjoining the Landmark Lakeshore, LLC property; and to create a fund for connection and maintenance fees. (O 749-2019)935

Authorizing the Director of Public Utilities to exercise the option to renew Contract No. RCD 2017-6 with Hach Co. to maintain, service, calibrate, refurbish, and test various scientific and in line process analytical instruments manufactured by Hach Co. used to monitor the drinking water purification process. (O 593-2019)946

Authorizing the Director of Public Utilities to exercise the options to renew various contracts for the requirements of various types of machines and equipment, and labor and materials to repair and/or replace parts or equipment to maintain various types of machines and equipment, for the Department of Public Utilities. (O 594-2019)946

Authorizing the Director of Public Works to enter into an amendment to Contract No. 38823 with Hertz Cleveland North Point, LLC for lease of the North Point Garage to extend the term of the lease and to make certain modifications to other terms of the lease. (O 675-2019)949

Authorizing the procurement by one or more requirement contracts for the rental of various types of heavy duty equipment, on an as needed basis, for the Office of Radio Communications, Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years. (O 597-2019)947

Authorizing the purchase by one or more requirement contracts of disposal of debris at landfills, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years. (O 536-2019)945

Authorizing the purchase by one or more requirement contracts of hauling and disposal of water treatment plant residuals, for the Division of Water, Department of Public Utilities, for a period of two years. (O 724-2019)921

Authorizing the purchase by one or more standard and requirement contracts for the purchase, lease, or lease with option to purchase, of various on road vehicles and off road equipment, apparatus, cabs, bodies, and accessories, equipment and other aftermarket items necessary to equip the vehicles authorized for their intended purposes, including vehicle rehabilitation, training, and inspections, as needed, for the various divisions of City government. (O 726-2019)923

Convention and Visitor's Bureau

Authorizing the Director of Capital Projects to issue a permit to The Convention and Visitors Bureau of Greater Cleveland, Inc. to encroach into the public right-of-way within the Tremont neighborhood with a Pedestrian Wayfinding Sign Program by installing, using, and maintaining eight wayfinding signs and associated electrical duct banks. (O 438-2019)943

County Budget Commission

To adopt and declare a Tax Budget for the City of Cleveland for the year 2020 and submit it to the County Budget Commission as required by State Law, Chapter 5705 of the Revised Code. (R 663-2019)950

Cuyahoga County

Authorizing the acquisition and recording of certain easement interests from the Cuyahoga County Department of Public Works that encroach into existing County public improvements on Vermont Avenue, West 25th Street, and Detroit Avenue, for the Office of Capital Projects. (O 698-2019) .....	.910
Authorizing the Director of Public Health to apply for and accept a grant from the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County for the "This is (Not) About Drugs" Program; and authorizing the Director to enter into one or more contracts with Overdose Lifeline, Inc. and Preventure to implement the grant. (O 626-2019) .....	.947
Giving consent of the City of Cleveland to the County of Cuyahoga for the improvement of East 116th Street from Miles Avenue to Union Avenue in the City of Cleveland; authorizing the Director of Capital Projects to enter into agreements; to apply for and accept an allocation of County Motor Vehicle License Tax Funds; authorizing the acquisition of any real property and easements; apply for and accept gifts and grants; and to cause payment to the County for the City's share of the improvement. (O 668-2019) .....	.949
Giving consent of the City of Cleveland to the County of Cuyahoga for the resurfacing of Ridge Road from Memphis Avenue to Denison Avenue; authorizing the Director of Capital Projects to enter into agreements; to apply for and accept an allocation of County Motor Vehicle License Tax Funds; and to cause payment to the County for the City's share of the improvement. (O 552-2019) .....	.946

Cuyahoga County Board of Health

Authorizing the Director of Public Health to apply for and accept a grant from the Cuyahoga County Board of Health for the Public Health Emergency Preparedness Grant Program. (O 720-2019)919
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Dominion Energy Ohio

Authorizing the Director of Public Works to execute a deed of easement granting to The East Ohio Gas Company dba Dominion Energy Ohio certain easement rights in property located along Woodhill Road at the Ozell A. Dobbins, Sr. Maintenance Center, and declaring that the easement rights granted are not needed for the City's public use. (O 546-2019)946
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Easements

Authorizing the acquisition and recording of certain easement interests from the Cuyahoga County Department of Public Works that encroach into existing County public improvements on Vermont Avenue, West 25th Street, and Detroit Avenue, for the Office of Capital Projects. (O 698-2019)910
Authorizing the acquisition and recording of certain easement interests from Uptown Three L.P. for use of a public sidewalk to be used as a drop off area for students and residents, for the Office of Capital Projects. (O 516-2019) .....	.945
Authorizing the Director of Port Control to execute a deed of easement granting to Cargill, Incorporated and its successors and assigns, certain easement rights located above a city-owned portion of 5300 Whiskey Island Drive, and declaring that the easement rights granted are not needed for the City's public use. (O 545-2019) .....	.946
Authorizing the Director of Public Works to enter into one or more agreements with West Creek Conservancy, or its designee, regarding the Mill Creek stream restoration project at Cleveland Enterprise Park in the Village of Highland Hills; and authorizing the Director to execute a deed of conservation easement and two deeds of temporary easement granting to West Creek Conservancy, or its designee, certain easement rights in property at the project location; and declaring the easement rights not needed for the City's public use. (O 725-2019) .....	.921
Authorizing the Director of Public Works to execute a deed of easement granting to The East Ohio Gas Company dba Dominion Energy Ohio certain easement rights in property located along Woodhill Road at the Ozell A. Dobbins, Sr. Maintenance Center, and declaring that the easement rights granted are not needed for the City's public use. (O 546-2019) .....	.946

Economic Development Department

Approving that the Cleveland Citywide Development Corporation, or its designee, may enter into up to eleven partially forgivable separate loan contracts with Famicos Foundation, Inc., or its designee, to rehabilitate up to eleven vacant single family homes on scattered sites within the Circle North area of the Glenville neighborhood, and other associated costs necessary to redevelop the property, under the authority of Ordinance No. 563-17, passed August 16, 2017. (O 621-2019) .....	.947
Authorizing the Director of Economic Development to apply for and accept grants from CoBank and Farm Credit Mid America, and/or their designees, for the Gardening for Greenbacks Program; and authorizing the Director to enter into one or more contracts with small businesses, merchants, or local farmers to implement the grant. (O 715-2019) .....	.918
Authorizing the Director of Economic Development to enter into a forgivable loan agreement with Jennings Freeway Industrial Park, an Ohio general partnership or its designee, to provide economic development assistance to partially finance the development of a build to suit facility at the Strike Force Project site located at 4781 Hinckley Industrial Parkway, and other associated costs necessary to redevelop the property. (O 713-2019) .....	.917

Authorizing the Director of Economic Development to enter into a grant agreement with Hebrew Free Loan Association, or its designee, to partially finance the creation of their Start-Up Working Capital Fund Pilot Program which will administer working capital financing loans to eligible small businesses located in/or will be located in the City of Cleveland in conjunction with the Neighborhood Retail Assistance Program and/or the Municipal Small business Initiative Program. (O 716-2019)918

Authorizing the Director of Economic Development to enter into an agreement with the National Development Council, or its designee, to provide economic development assistance to provide partial funding of the Capital Access Fund of Greater Cleveland. (O 714-2019)917

Authorizing the Director of the Department of Economic Development to enter into agreement with Lexington Bell Community Center for the acquisition and renovation of the Superior Beverage Building through the use of Ward 7 Casino Revenue Funds and Neighborhood Capital Funds. (O 742-2019)940

Authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by Jennings Freeway Industrial Park, an Ohio general partnership, or its designee, located at 4781 Hinckley Industrial Parkway for the purpose of entering into the chain of title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code. (O 712-2019)916

Encroachments

Authorizing the Director of Capital Projects to issue a permit to Cavaliers Operating Company, LLC to encroach into the public rights of way of Huron Road, Ontario Street and East 6th Street by installing, using, and maintaining protective bollards/concrete planter benches around the perimeter of the Rocket Mortgage Fieldhouse (fka Q Arena). (O 666-2019)949

Authorizing the Director of Capital Projects to issue a permit to Flats Forward, Inc. to encroach into the public rights of way at four locations in the Flats by installing, using and maintaining four wayfinding signs. (O 410-2019)943

Authorizing the Director of Capital Projects to issue a permit to K & D Real Estate Services, LLC, to encroach into the public right-of-way of 1500 West 3rd Street by installing, using, and maintaining an awning and 2 sculptures with pedestal foundations. (O 701-2019)912

Authorizing the Director of Capital Projects to issue a permit to MidTown Cleveland, Inc. to encroach into the public right-of-way of the Midtown District by installing, using, and maintaining the MidTown Wayfinding Signage Program. (O 439-2019)943

Authorizing the Director of Capital Projects to issue a permit to The Centers for Families and Children to encroach into the public right-of-way of Euclid Avenue by installing, using, and maintaining an ADA compliant entrance ramp and railing. (O 551-2019)946

Authorizing the Director of Capital Projects to issue a permit to The Convention and Visitors Bureau of Greater Cleveland, Inc. to encroach into the public right-of-way within the Tremont neighborhood with a Pedestrian Wayfinding Sign Program by installing, using, and maintaining eight wayfinding signs and associated electrical duct banks. (O 438-2019)943

Authorizing the Director of Capital Projects to issue a permit to the State of Ohio, through the Department of Natural Resources, Division of Wildlife, to encroach into the public right-of-way of Fulton Road by installing, using, and maintaining a peregrine falcon nest tray. (O 702-2019)913

Authorizing the Director of Capital Projects to issue one or more permits to MCImetro Access Transmission Services Corp. d/b/a Verizon Access Transmission Services to encroach into the public right-of-way at various locations in the City of Cleveland by installing, using, and maintaining a wireline fiber optic communications network to include fiber optic cable, to be attached to utility poles (by separate permission of pole owner), duct banks and vaults. (O 409-2019)943

Engineering and Construction Division

Authorizing the Director of Capital Projects to employ one or more professional consultants to provide various engineering, testing, and related services needed for various capital improvement projects, for the Division of Engineering and Construction, Office of Capital Projects, on an as needed basis, for a period up to two years. (O 629-2019)947

Famicos Foundation

Approving that the Cleveland Citywide Development Corporation, or its designee, may enter into up to eleven partially forgivable separate loan contracts with Famicos Foundation, Inc., or its designee, to rehabilitate up to eleven vacant single family homes on scattered sites within the Circle North area of the Glenville neighborhood, and other associated costs necessary to redevelop the property, under the authority of Ordinance No. 563-17, passed August 16, 2017. (O 621-2019)947

Fees

To amend Section 131.34 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1330-A-10, passed December 6, 2010, relating to rental fees for recreation center use. (O 674-2019)949

To amend Section 241.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1333-18, passed November 26, 2018, relating to food shop licenses and fees. (O 376-2019)942

Finance Department

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 technology projects and upgrades to existing systems under the 2019 ITS Capital Project Plan, other related professional services to implement the Plan; and to enter into various contracts to implement this ordinance. (O 664-2019)948

Authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to lease property at 1449 West 117th Street from Montlack Realty, Co., or its designees, for the purpose of providing office space for the Adult Probation Department of the Cleveland Municipal Court, for a term of one year, with one option to renew, exercisable by the Director of Finance, on behalf of the Cleveland Municipal Court. (O 728-2019)926

To adopt and declare a Tax Budget for the City of Cleveland for the year 2020 and submit it to the County Budget Commission as required by State Law, Chapter 5705 of the Revised Code. (R 663-2019)950

To amend Sections 8, 30, 35 and 51 of Ordinance No. 323-15, passed March 30, 2015, as amended, relating to compensation for various classifications. (O 665-2019)949

To supplement the Codified Ordinances of Cleveland, Ohio, 1976 by enacting new Sections 401.152, 401.153, 401.231, 401.532, 473.10 and new Chapter 517, Shared Mobility Device Vendors, Sections 517.01 through 517.05, and to amend Sections 473.01 through 473.03, 473.05, 473.07 through 473.09, 405.09, 431.03, and 431.15, as amended by various ordinances, regulating the vendors and use of shared mobility devices. (O 464-2019)943

Firstenergy Stadium

Determining the method of making the public improvement of constructing material capital repairs and capital improvements to First Energy Stadium; authorizing one or more public improvement contracts for the making of the improvement; and professional services to design, or in the alternative, to reimburse or accept the gift of design and other services from the Cleveland Browns. (O 636-2019)948

Flats District

Authorizing the Director of Capital Projects to issue a permit to Flats Forward, Inc. to encroach into the public rights of way at four locations in the Flats by installing, using and maintaining four wayfinding signs. (O 410-2019)943

Gifts

Authorizing the Director of Public Safety to donate grow lights, ballasts, and two Werner brand ladders seized as the result of a criminal conviction to the Cleveland Metropolitan School District and to Benedictine High School; and to enter into an agreement to make the donation. (O 623-2019)947

Grant Agreement

Authorizing the Director of Economic Development to enter into a grant agreement with Hebrew Free Loan Association, or its designee, to partially finance the creation of their Start-Up Working Capital Fund Pilot Program which will administer working capital financing loans to eligible small businesses located in/or will be located in the City of Cleveland in conjunction with the Neighborhood Retail Assistance Program and/or the Municipal Small business Initiative Program. (O 716-2019)918

Grants

Authorizing the Director of City Planning to apply for and accept a grant from the Ohio History Connection State Historic Preservation Office/ Ohio Development Services Agency to prepare a National Register of Historic Places Nomination to recognize and preserve the Midtown Historic District and to promote economic development through Historic Tax Credits; and authorizing the director to enter into one or more contracts for professional consultants to implement this ordinance. (O 710-2019)916

Authorizing the Director of Economic Development to apply for and accept grants from CoBank and Farm Credit Mid America, and/or their designees, for the Gardening for Greenbacks Program; and authorizing the Director to enter into one or more contracts with small businesses, merchants, or local farmers to implement the grant. (O 715-2019)918

Authorizing the Director of Public Health to accept a grant from the Ohio Environmental Protection Agency for 2019-20 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 and to design it. (O 671-2019)949

Authorizing the Director of Public Health to apply for and accept a grant from the United States Department of Homeland Security for 2019-20 Biowatch Program. (O 625-2019)947

Authorizing the Director of Public Health to enter into one or more contracts without competitive bidding with the Center for Disease Detection, LLC for the purchase of lab services for reproductive health clinics that are needed under the Title X grant, for the Division of Health, Department of Public Health, for a period of one year. (O 721-2019)920

Authorizing the Director of Public Works to enter into one or more agreements with West Creek Conservancy, or its designee, regarding the Mill Creek stream restoration project at Cleveland Enterprise Park in the Village of Highland Hills; and authorizing the Director to execute a deed of conservation easement and two deeds of temporary easement granting to West Creek Conservancy, or its designee, certain easement rights in property at the project location; and declaring the easement rights not needed for the City's public use. (O 725-2019)921

Authorizing the Mayor to apply to the District One Public Works Integrating Committee for state funding for the rehabilitation of portions of West 65th Street; to apply for and accept gifts and grants from various entities for the improvement; authorizing the Director of Capital Projects to enter into contracts and agreements to design and construct the improvement and other agreements; and authorizing the Commissioner of Purchases and Supplies to acquire, accept, and record for right-of-way purposes real property and easements necessary to make the improvement. (O 634-2019)948

From Director Michael McGrath, Department of Public Safety, City of Cleveland. Notice of acceptance of a grant of \$5,000 from University Hospitals for OVI Task Force. (F 693-2019)909

Greater Cleveland Media Development Corporation

Authorizing the Director of Economic Development to enter into a grant agreement with the Greater Cleveland Media Development Corporation dba Greater Cleveland Film Commission, or its designee, to assist with the general operating expenses of the organization. (O 717-2019)919

Health Department

Authorizing the Director of Public Health to accept a grant from the Ohio Environmental Protection Agency for 2019-20 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 and to design it. (O 671-2019)949

Authorizing the Director of Public Health to apply for and accept a grant from the United States Department of Homeland Security for 2019-20 Biowatch Program. (O 625-2019)947

Authorizing the Director of Public Health to enter into an amendment to Contract No. CT 5005 SG 2017-111 with Emily Frantz, owner, Administrative & Logistical Support for Public Health Accreditation, LLC to assist the Department of Health to attain accreditation status by the Public Health Accreditation Board. (O 670-2019)949

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; and to enter into one or more contracts with various agencies, entities, or individuals to provide services necessary to implement this ordinance. (O 672-2019)949

Authorizing the Director of Public Health to enter into one or more agreements with the Ohio Department of Health to reimburse the City of Cleveland for monitoring, collecting, and analyzing radiation levels in the vicinity of the Burke Lakefront Airport, for a period of two years. (O 627-2019)947

Authorizing the Director of Public Health to enter into one or more contracts with The Center on Urban Poverty and Community Development at Case Western Reserve University to provide evaluation services for the MomsFirst Program, for a period of one year. (O 535-2019)945

Calling upon health organizations including hospitals and providers of Medicaid services to guarantee that Cleveland area infants and children under age six are screened and tested for lead to help prevent lead poisoning. (R 748-2019)936

To amend Section 241.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1333-18, passed November 26, 2018, relating to food shop licenses and fees. (O 376-2019)942

Human Resources Department

To amend Sections 8, 30, 35 and 51 of Ordinance No. 323-15, passed March 30, 2015, as amended, relating to compensation for various classifications. (O 665-2019)949

Lead Safe

Calling upon health organizations including hospitals and providers of Medicaid services to guarantee that Cleveland area infants and children under age six are screened and tested for lead to help prevent lead poisoning. (R 748-2019)936

To repeal various sections of Chapters 365 and 240 of the Codified Ordinances of Cleveland Ohio, 1976 as amended by various ordinances and to supplement the Codified Ordinances by enacting new Sections 365.01 through 365.09, 240.01, 240.08, and 240.09, and by amending Sections 240.03, 240.05, 240.06, 240.07, 367.12, 367.99, 371.01, 375.08, and 3107.06, as amended by various ordinances, related to rental registration, certain residential rental units required to be certified lead safe, lead hazards and lead poisoning prevention. (O 747-2019)927

Lease Agreement

Authorizing the Director of Port Control to enter into a Lease Agreement with PrimeFlight Aviation Services, Inc. for the lease of space located in the passenger terminal building at Cleveland Hopkins International Airport to support its ground handling, skycap, and other airline support service operations for JetBlue Airways and other airlines, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority. (O 544-2019)946

Authorizing the Director of Port Control to enter into a Lease Agreement with Swissport USA, Inc. for the lease of space located in the passenger terminal building at Cleveland Hopkins International Airport to support its ground handling and other airline support service operations for multiple airlines, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority. (O 540-2019)945

Authorizing the Director of Port Control to enter into a lease agreement with the United Service Organization, Inc. for the use of a lounge and office space located in the Main Terminal Building at Cleveland Hopkins International Airport, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority. (O 622-2019)947

Authorizing the Director of Port Control to enter into a Lease Agreement with United Airlines Inc. for the lease of certain office and warehouse space located in the South Cargo Facility Building at Cleveland Hopkins International Airport, Department of Port Control, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority. (O 541-2019)945

Leases

Authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to lease property at 1449 West 117th Street from Montlack Realty, Co., or its designees, for the purpose of providing office space for the Adult Probation Department of the Cleveland Municipal Court, for a term of one year, with one option to renew, exercisable by the Director of Finance, on behalf of the Cleveland Municipal Court. (O 728-2019)926

Authorizing the Director of Port Control to enter into a Lease with KeyCorp National Association to maintain and operate an aviation hangar facility for the storage and maintenance for aircraft owned by KeyCorp at Cleveland Hopkins International Airport, for a period of ten years, with two five-year options to renew, the first of which requires additional legislative authority. (O 542-2019)945

Authorizing the Director of Port Control to enter into a Lease with the United States Postal Service to maintain and operate a warehouse, sorting facility, and post office retail store at Cleveland Hopkins International Airport, for a period of five years, with one five-year option to renew, which requires additional legislative authority. (O 543-2019)946

Authorizing the Director of Public Works to enter into an amendment to Contract No. 38823 with Hertz Cleveland North Point, LLC for lease of the North Point Garage to extend the term of the lease and to make certain modifications to other terms of the lease. (O 675-2019)949

Authorizing the purchase by one or more standard and requirement contracts for the purchase, lease, or lease with option to purchase, of various on road vehicles and off road equipment, apparatus, cabs, bodies, and accessories, equipment and other aftermarket items necessary to equip the vehicles authorized for their intended purposes, including vehicle rehabilitation, training, and inspections, as needed, for the various divisions of City government. (O 726-2019)923

Licenses

Authorizing the Director of Public Utilities to employ one or more professional consultants or vendors to acquire licenses for data storage expansion or to develop data storage expansion solutions, and other related services and equipment, including but not limited to, hardware, servers, chassis, ancillary components, and maintenance, for the Division of Water, Department of Public Utilities; for a period of one year, with two one-year options to renew, the second of which requires additional legislative authority. (O 596-2019)947

To amend Section 241.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1333-18, passed November 26, 2018, relating to food shop licenses and fees. (O 376-2019)942

Liquor Permits

#0000676. Economic Development Transfer Application, D5 D6. A Bar LLC, 15609 15813 Lorain Ave. (Ward 17). (F 695-2019)909

#1391398. Stock Application, C1. Channel Park Marina, Inc., 5300 Whiskey Island Dr. (Ward 15). (F 697-2019)909

#14374151125. New License Application, D1. Chipotle Mexican Grill of Colorado LLC, 11638 Clifton Blvd. (F 696-2019)909

#58708380010. Transfer of Ownership Application, D1 D2. Metro Food and Beverage, Inc., 3203 West 25th St. (Ward 14). (F 694-2019)909

Withdrawing objection to the Liquor Agency Contract located at 4071 Lee Road, Unit 290, 1st floor and repealing Resolution No. 333-2019. (R 754-2019)942

Withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 1337 West 117th Street and repealing Resolution No. 644-2019 objecting to said permit. (R 750-2019)941

Withdrawing objection to the transfer of ownership of a C1 Liquor Permit at 3137 East 65th Street, 1st floor and basement and repealing Resolution No. 1129-18 objecting to said permit. (R 755-2019)942

Withdrawing objection to the transfer of ownership of a C1, C2 and D6 Liquor Permit at 3778 West 117th Street and repealing Resolution No. 1060-18 objecting to said permit. (R 751-2019)941

Withdrawing objection to the transfer of ownership of a D5 and D6 Liquor Permit at 12210 Lorain Avenue and repealing Resolution No. 883-18 objecting to said permit. (R 753-2019)942

Loan Agreement

Approving that the Cleveland Citywide Development Corporation, or its designee, may enter into up to eleven partially forgivable separate loan contracts with Famicos Foundation, Inc., or its designee, to rehabilitate up to eleven vacant single family homes on scattered sites within the Circle North area of the Glenville neighborhood, and other associated costs necessary to redevelop the property, under the authority of Ordinance No. 563-17, passed August 16, 2017. (O 621-2019)947

Authorizing the Director of Economic Development to enter into a forgivable loan agreement with Jennings Freeway Industrial Park, an Ohio general partnership or its designee, to provide economic development assistance to partially finance the development of a build to suit facility at the Strike Force Project site located at 4781 Hinckley Industrial Parkway, and other associated costs necessary to redevelop the property. (O 713-2019)917

Loans

Authorizing the Director of Economic Development to enter into a grant agreement with Hebrew Free Loan Association, or its designee, to partially finance the creation of their Start-Up Working Capital Fund Pilot Program which will administer working capital financing loans to eligible small businesses located in/or will be located in the City of Cleveland in conjunction with the Neighborhood Retail Assistance Program and/or the Municipal Small business Initiative Program. (O 716-2019)918

Authorizing the Director of Economic Development to enter into an agreement with the National Development Council, or its designee, to provide economic development assistance to provide partial funding of the Capital Access Fund of Greater Cleveland. (O 714-2019)917

Merrick House

Authorizing the Director of the Department of Public Works to enter into an agreement with Merrick House for the Tremont Arts & Cultural Expo through the use of Wards 3, 12 and 14 Casino Revenue Funds. (O 743-2019)940

Midtown Cleveland, Inc.

Authorizing the Director of Capital Projects to issue a permit to MidTown Cleveland, Inc. to encroach into the public right-of-way of the Midtown District by installing, using, and maintaining the MidTown Wayfinding Signage Program. (O 439-2019)943

Mt. Pleasant Now Development Corporation

Amending the Title and Sections 1 and 2 of Ordinance No. 600-2019, passed May 6, 2019 as it pertains to Senior Lawn Care and Snow Removal Program through the use of Wards 1, 2 and 4 Casino Revenue Funds. (O 734-2019)938

Authorizing the Director of the Department of Community Development to enter into agreement with Mt. Pleasant NOW Development Corporation for the Family Unity Day Expo through the use of Wards 1 and 2 Casino Revenue Funds. (O 738-2019)939

Name Change

Changing the name of "Lawn Madison Park" located at West 75th Street and Madison Avenue to "Miriam Ortiz Rush Park." (O 647-2019)948

Neighborhood Capital Funds

Authorizing the Director of the Department of Economic Development to enter into agreement with Lexington Bell Community Center for the acquisition and renovation of the Superior Beverage Building through the use of Ward 7 Casino Revenue Funds and Neighborhood Capital Funds. (O 742-2019)940

Ohio City — Cleveland Business Improvement District

Approving the continuation and expansion of the Ohio City Cleveland Business Improvement District as a Special Improvement District in the City; accepting petitions from owners of property in the District; approving an amendment to the Articles of Incorporation of the Market District Improvement Corporation; approving a new plan for public services; declaring it necessary to provide safety, cleaning, and other services for the District; and providing for the assessment of the cost of such work upon benefited property in the District; and declaring an emergency. (R 711-2019)936

Ohio Department of Public Health

Authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the Cities Readiness Initiative Program. (O 719-2019)919

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; and to enter into one or more contracts with various agencies, entities, or individuals to provide services necessary to implement this ordinance. (O 672-2019)949

Authorizing the Director of Public Health to enter into one or more agreements with the Ohio Department of Health to reimburse the City of Cleveland for monitoring, collecting, and analyzing radiation levels in the vicinity of the Burke Lakefront Airport, for a period of two years. (O 627-2019)947

Authorizing the Director of Public Health to enter into one or more contracts without competitive bidding with the Center for Disease Detection, LLC for the purchase of lab services for reproductive health clinics that are needed under the Title X grant, for the Division of Health, Department of Public Health, for a period of one year. (O 721-2019)920

Ohio Department of Transportation (ODOT)

Giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio to rehabilitate the Center Swing Bridge over the Cuyahoga River; to cause payment to ODOT for the City's share; to authorize the Mayor to apply to the District One Public Works Integrating Committee for state funding; authorizing one or more contracts for the design and other relative agreements; accepting gifts and grants from any public or private entity; to apply and accept funds from Ohio Public Works Commission; to authorize the Division of Purchasing and Supplies to acquire, accept, and record all land necessary to make the improvement. (O 631-2019)948

Giving consent of the City of Cleveland to the Ohio Department of Transportation to upgrade and interconnect a traffic signal located at the intersection of East 116th Street and Harvard Avenue in the City of Cleveland. (O 630-2019)948

Ohio Environmental Protection Agency

Authorizing the Director of Public Health to accept a grant from the Ohio Environmental Protection Agency for 2019-20 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 and to design it. (O 671-2019)949

Authorizing the Director of Public Works to enter into one or more agreements with West Creek Conservancy, or its designee, regarding the Mill Creek stream restoration project at Cleveland Enterprise Park in the Village of Highland Hills; and authorizing the Director to execute a deed of conservation easement and two deeds of temporary easement granting to West Creek Conservancy, or its designee, certain easement rights in property at the project location; and declaring the easement rights not needed for the City's public use. (O 725-2019)921

Recognizing Cuyahoga50, a community wide celebration of 50 years of progress since the last Cuyahoga River fire, and the need for continued vigilance and partnership with regional, state, and federal entities to ensure every Clevelander has access to clean water. (R 682-2019)950

Ohio General Assembly

Strongly urging the Ohio Governor and Members of the Ohio General Assembly to restore the Local Government Fund to pre-recession levels. (R 731-2019)941

Ohio House Finance Agency

From Rachel Loewy, Deputy Director of Modernization and Development, Western Reserve Revitalization and Management Company. Notice of intent to apply to Ohio Housing Finance Agency for multifamily funding programs for the development known as Riverside Park Phase III, 17800 Parkmount Avenue, Cleveland, Ohio. (F 692-2019)909

Ohio Public Works Commission

Authorizing the Mayor to apply to the District One Public Works Integrating Committee for state funding for the rehabilitation of portions of West 65th Street; to apply for and accept gifts and grants from various entities for the improvement; authorizing the Director of Capital Projects to enter into contracts and agreements to design and construct the improvement and other agreements; and authorizing the Commissioner of Purchases and Supplies to acquire, accept, and record for right-of-way purposes real property and easements necessary to make the improvement. (O 634-2019)948

Giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio to rehabilitate the Center Swing Bridge over the Cuyahoga River; to cause payment to ODOT for the City's share; to authorize the Mayor to apply to the District One Public Works Integrating Committee for state funding; authorizing one or more contracts for the design and other relative agreements; accepting gifts and grants from any public or private entity; to apply and accept funds from Ohio Public Works Commission; to authorize the Division of Purchasing and Supplies to acquire, accept, and record all land necessary to make the improvement. (O 631-2019)948

Permits

Authorizing the Director of Capital Projects to issue a permit to Cavaliers Operating Company, LLC to encroach into the public rights of way of Huron Road, Ontario Street and East 6th Street by installing, using, and maintaining protective bollards/concrete planter benches around the perimeter of the Rocket Mortgage Fieldhouse (fka Q Arena). (O 666-2019)949

Authorizing the Director of Capital Projects to issue a permit to Flats Forward, Inc. to encroach into the public rights of way at four locations in the Flats by installing, using and maintaining four wayfinding signs. (O 410-2019)943

Authorizing the Director of Capital Projects to issue a permit to K & D Real Estate Services, LLC, to encroach into the public right-of-way of 1500 West 3rd Street by installing, using, and maintaining an awning and 2 sculptures with pedestal foundations. (O 701-2019)912

Authorizing the Director of Capital Projects to issue a permit to MidTown Cleveland, Inc. to encroach into the public right-of-way of the Midtown District by installing, using, and maintaining the MidTown Wayfinding Signage Program. (O 439-2019)943

Authorizing the Director of Capital Projects to issue a permit to The Centers for Families and Children to encroach into the public right-of-way of Euclid Avenue by installing, using, and maintaining an ADA compliant entrance ramp and railing. (O 551-2019)946

Authorizing the Director of Capital Projects to issue a permit to The Convention and Visitors Bureau of Greater Cleveland, Inc. to encroach into the public right-of-way within the Tremont neighborhood with a Pedestrian Wayfinding Sign Program by installing, using, and maintaining eight wayfinding signs and associated electrical duct banks. (O 438-2019)943

Authorizing the Director of Capital Projects to issue a permit to the State of Ohio, through the Department of Natural Resources, Division of Wildlife, to encroach into the public right-of-way of Fulton Road by installing, using, and maintaining a peregrine falcon nest tray. (O 702-2019)913

Authorizing the Director of Capital Projects to issue one or more permits to MCImetro Access Transmission Services Corp. d/b/a Verizon Access Transmission Services to encroach into the public right-of-way at various locations in the City of Cleveland by installing, using, and maintaining a wireline fiber optic communications network to include fiber optic cable, to be attached to utility poles (by separate permission of pole owner), duct banks and vaults. (O 409-2019)943

To supplement the Codified Ordinances of Cleveland, Ohio, 1976 by enacting new Sections 401.152, 401.153, 401.231, 401.532, 473.10 and new Chapter 517, Shared Mobility Device Vendors, Sections 517.01 through 517.05, and to amend Sections 473.01 through 473.03, 473.05, 473.07 through 473.09, 405.09, 431.03, and 431.15, as amended by various ordinances, regulating the vendors and use of shared mobility devices. (O 464-2019)943

Port Control Department

Authorizing the Commissioner of Purchases and Supplies to make one or more purchase orders with Black Box Network Services for professional services necessary to continue to maintain, support, and further enhance the Unified Computing Services Infrastructure in order to ensure a safe and secure IT network, including but not limited to, upgrading, installation and integration, for the Department of Port Control. (O 730-2019)937

Authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located adjacent to Old Grayton Road to Canal Road Partners, LLC, for purposes of having clear title to all their structures and assets; and to enter into a purchase and sale agreement. (O 444-2019)943

Authorizing the Director of Port Control to enter into a Lease Agreement with PrimeFlight Aviation Services, Inc. for the lease of space located in the passenger terminal building at Cleveland Hopkins International Airport to support its ground handling, skycap, and other airline support service operations for JetBlue Airways and other airlines, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority. (O 544-2019)946

Authorizing the Director of Port Control to enter into a Lease Agreement with Swissport USA, Inc. for the lease of space located in the passenger terminal building at Cleveland Hopkins International Airport to support its ground handling and other airline support service operations for multiple airlines, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority. (O 540-2019)945

Authorizing the Director of Port Control to enter into a lease agreement with the United Service Organization, Inc. for the use of a lounge and office space located in the Main Terminal Building at Cleveland Hopkins International Airport, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority. (O 622-2019)947

Authorizing the Director of Port Control to enter into a Lease Agreement with United Airlines Inc. for the lease of certain office and warehouse space located in the South Cargo Facility Building at Cleveland Hopkins International Airport, Department of Port Control, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority. (O 541-2019)945

Authorizing the Director of Port Control to enter into a Lease with KeyCorp National Association to maintain and operate an aviation hangar facility for the storage and maintenance for aircraft owned by KeyCorp at Cleveland Hopkins International Airport, for a period of ten years, with two five-year options to renew, the first of which requires additional legislative authority. (O 542-2019)945

Authorizing the Director of Port Control to enter into a Lease with the United States Postal Service to maintain and operate a warehouse, sorting facility, and post office retail store at Cleveland Hopkins International Airport, for a period of five years, with one five-year option to renew, which requires additional legislative authority. (O 543-2019)946

Authorizing the Director of Port Control to execute a deed of easement granting to Cargill, Incorporated and its successors and assigns, certain easement rights located above a city-owned portion of 5300 Whiskey Island Drive, and declaring that the easement rights granted are not needed for the City’s public use. (O 545-2019)946

Professional Services

Authorizing the Commissioner of Purchases and Supplies to make one or more purchase orders with Black Box Network Services for professional services necessary to continue to maintain, support, and further enhance the Unified Computing Services Infrastructure in order to ensure a safe and secure IT network, including but not limited to, upgrading, installation and integration, for the Department of Port Control. (O 730-2019)937

Determining the method of making the public improvement of tearing down and removing the radio tower and associated buildings on the Tree Farm Property in Brecksville, and removing shelters at two other radio tower locations and restoring land in all locations; authorizing the Director of Public Utilities to enter into one or more public improvement contracts for the making of the improvement; authorizing professional services to design; and authorizing the purchase by one or more contracts of labor and materials necessary to implement this ordinance, for the Department of Public Utilities. (O 723-2019)920

Giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio for constructing the complete streets project along the East 93rd Street/Woodhill Road/East 105th Street corridor; to apply for and accept any gifts or grants for this purpose from any public or private entity; authorizing professional services, agreements with public and private entities, and any relative agreements; authorizing the Commissioner of Purchases and Supplies to acquire, accept, and record for right-of-way purposes any real property and easements necessary to make the improvement; and causing payment to ODOT of Cleveland’s share of the improvement. (O 700-2019)911

Professional Services Contracts

Authorizing the Director of Capital Projects to employ one or more professional consultants to provide various engineering, testing, and related services needed for various capital improvement projects, for the Division of Engineering and Construction, Office of Capital Projects, on an as needed basis, for a period up to two years. (O 629-2019)947

Authorizing the Director of City Planning to apply for and accept a grant from the Ohio History Connection State Historic Preservation Office/ Ohio Development Services Agency to prepare a National Register of Historic Places Nomination to recognize and preserve the Midtown Historic District and to promote economic development through Historic Tax Credits; and authorizing the director to enter into one or more contracts for professional consultants to implement this ordinance. (O 710-2019)916

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 technology projects and upgrades to existing systems under the 2019 ITS Capital Project Plan, other related professional services to implement the Plan; and to enter into various contracts to implement this ordinance. (O 664-2019)948

Authorizing the Director of Public Utilities to employ one or more professional consultants or vendors to acquire licenses for data storage expansion or to develop data storage expansion solutions, and other related services and equipment, including but not limited to, hardware, servers, chassis, ancillary components, and maintenance, for the Division of Water, Department of Public Utilities; for a period of one year, with two one-year options to renew, the second of which requires additional legislative authority. (O 596-2019)947

Authorizing the Director of Public Works to employ one or more professional consultants to provide parking meter consultant services, for a one year period; and to enter into various written standard purchase and requirement contracts for the purchase of parking meters and related equipment and services, including installation. (O 729-2019)937

Public Improvement Contracts

Authorizing the Director of Public Utilities to exercise the first option to renew Contract No. PIRC 2018-3 with Terrace Construction Company, Inc. for the public improvement of installing automated meter reading units on remaining residential and commercial accounts, including Cleveland Heights accounts and master meter vaults not yet converted. (O 592-2019)946

Authorizing the Mayor to apply to the District One Public Works Integrating Committee for state funding for the rehabilitation of portions of West 65th Street; to apply for and accept gifts and grants from various entities for the improvement; authorizing the Director of Capital Projects to enter into contracts and agreements to design and construct the improvement and other agreements; and authorizing the Commissioner of Purchases and Supplies to acquire, accept, and record for right-of-way purposes real property and easements necessary to make the improvement. (O 634-2019)948

Determining the method of making the public improvement of constructing material capital repairs and capital improvements to First Energy Stadium; authorizing one or more public improvement contracts for the making of the improvement; and professional services to design, or in the alternative, to reimburse or accept the gift of design and other services from the Cleveland Browns. (O 636-2019)948

Determining the method of making the public improvement of tearing down and removing the radio tower and associated buildings on the Tree Farm Property in Brecksville, and removing shelters at two other radio tower locations and restoring land in all locations; authorizing the Director of Public Utilities to enter into one or more public improvement contracts for the making of the improvement; authorizing professional services to design; and authorizing the purchase by one or more contracts of labor and materials necessary to implement this ordinance, for the Department of Public Utilities. (O 723-2019)920

Giving consent of the City of Cleveland to the County of Cuyahoga for the resurfacing Rockefeller Avenue from Broadway Avenue to Central Furnace Drive; to apply for and accept an allocation of County Motor Vehicle License Tax Funds for the improvement; authorizing the Director of Capital Projects to enter into one or more contracts for the construction, design, and any relative agreements in making the improvement. (O 633-2019)948

Public Improvements

Authorizing the acquisition and recording of certain easement interests from the Cuyahoga County Department of Public Works that encroach into existing County public improvements on Vermont Avenue, West 25th Street, and Detroit Avenue, for the Office of Capital Projects. (O 698-2019)910

Authorizing the Director of Capital Projects to enter into an agreement or agreements with the City of Euclid for the City of Euclid to design and make the public improvement of rehabilitating East 185th Street from Pawnee Avenue to Lake Erie; to apply for and accept any gifts or grants for this purpose from any public or private entity; authorizing and any other relative agreements, authorizing the acquisition of any real property and easements necessary to make the improvement; and cause payment for the City's share. (O 699-2019)910

Authorizing the Director of Public Utilities to enter into one or more agreements with Cleveland Thermal, a division of the Corix Group of Companies, or its contractor, to replace a water distribution main in East 6th Street between Lakeside Avenue and Rockwell Avenue; and to reimburse Cleveland Thermal for the City's share of the improvement. (O 722-2019)920

Giving consent of the City of Cleveland to the County of Cuyahoga for the improvement of East 116th Street from Miles Avenue to Union Avenue in the City of Cleveland; authorizing the Director of Capital Projects to enter into agreements; to apply for and accept an allocation of County Motor Vehicle License Tax Funds; authorizing the acquisition of any real property and easements; apply for and accept gifts and grants; and to cause payment to the County for the City's share of the improvement. (O 668-2019)949

Giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio for improving Miles Avenue from Warrensville Corporation Line to Broadway Avenue; to apply for and accept any gifts or grants from any public or private entity; authorizing a Local Project agreement and any other relative agreements; and causing payment of the City's share to the State for the cost of the improvement. (O 632-2019)948

Giving consent of the City of Cleveland to the Ohio Department of Transportation to upgrade and interconnect a traffic signal located at the intersection of East 116th Street and Harvard Avenue in the City of Cleveland. (O 630-2019)948

To amend the title and Section 1 of Ordinance No. 999-14, passed August 20, 2014; and to supplement the ordinance by adding new Sections 4a., 4b., 4c., and 4d., to add the sale of property, relating to the public improvement of reconstructing West 73rd Street. (O 746-2019)927

Public Works

Authorizing the Director of Public Works to employ one or more professional consultants to provide parking meter consultant services, for a one year period; and to enter into various written standard purchase and requirement contracts for the purchase of parking meters and related equipment and services, including installation. (O 729-2019)937

Authorizing the Director of Public Works to enter into an amendment to Contract No. 38823 with Hertz Cleveland North Point, LLC for lease of the North Point Garage to extend the term of the lease and to make certain modifications to other terms of the lease. (O 675-2019)949

Authorizing the Director of Public Works to enter into one or more agreements with West Creek Conservancy, or its designee, regarding the Mill Creek stream restoration project at Cleveland Enterprise Park in the Village of Highland Hills; and authorizing the Director to execute a deed of conservation easement and two deeds of temporary easement granting to West Creek Conservancy, or its designee, certain easement rights in property at the project location; and declaring the easement rights not needed for the City's public use. (O 725-2019) .....	.921
Authorizing the Director of Public Works to execute a deed of easement granting to The East Ohio Gas Company dba Dominion Energy Ohio certain easement rights in property located along Woodhill Road at the Ozell A. Dobbins, Sr. Maintenance Center, and declaring that the easement rights granted are not needed for the City's public use. (O 546-2019) .....	.946
Authorizing the Director of the Department of Public Works to enter into agreement with the Tremont West Development Corporation for the Arts in August Expo through the use of Ward 3 Casino Revenue Funds. (O 735-2019) .....	.938
Authorizing the Director of the Department of Public Works to enter into an agreement with Merrick House for the Tremont Arts & Cultural Expo through the use of Wards 3, 12 and 14 Casino Revenue Funds. (O 743-2019) .....	.940
Authorizing the purchase by one or more standard and requirement contracts for the purchase, lease, or lease with option to purchase, of various on road vehicles and off road equipment, apparatus, cabs, bodies, and accessories, equipment and other aftermarket items necessary to equip the vehicles authorized for their intended purposes, including vehicle rehabilitation, training, and inspections, as needed, for the various divisions of City government. (O 726-2019) .....	.923
Changing the name of "Lawn Madison Park" located at West 75th Street and Madison Avenue to "Miriam Ortiz Rush Park." (O 647-2019) .....	.948
Determining the method of making the public improvement of constructing material capital repairs and capital improvements to First Energy Stadium; authorizing one or more public improvement contracts for the making of the improvement; and professional services to design, or in the alternative, to reimburse or accept the gift of design and other services from the Cleveland Browns. (O 636-2019) .....	.948
To amend Section 131.34 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1330-A-10, passed December 6, 2010, relating to rental fees for recreation center use. (O 674-2019) .....	.949

Purchase Agreement

Authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located adjacent to Old Grayton Road to Canal Road Partners, LLC, for purposes of having clear title to all their structures and assets; and to enter into a purchase and sale agreement. (O 444-2019)943
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Purchases and Supplies Division

Authorizing the acquisition and recording of certain easement interests from Uptown Three L.P. for use of a public sidewalk to be used as a drop off area for students and residents, for the Office of Capital Projects. (O 516-2019)945
Authorizing the Commissioner of Purchases and Supplies to make one or more purchase orders with Black Box Network Services for professional services necessary to continue to maintain, support, and further enhance the Unified Computing Services Infrastructure in order to ensure a safe and secure IT network, including but not limited to, upgrading, installation and integration, for the Department of Port Control. (O 730-2019) .....	.937
Authorizing the Commissioner of Purchases and Supplies to sell a portion of City-owned property no longer needed for public use located at 4601 Chester Avenue to Richard and Kathy Lehmann, for the purpose of access to their business. (O 547-2019) .....	.946
Authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located adjacent to Old Grayton Road to Canal Road Partners, LLC, for purposes of having clear title to all their structures and assets; and to enter into a purchase and sale agreement. (O 444-2019) .....	.943
Authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by Jennings Freeway Industrial Park, an Ohio general partnership, or its designee, located at 4781 Hinckley Industrial Parkway for the purpose of entering into the chain of title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code. (O 712-2019) .....	.916

Recognition

Recognition Resolution for Cuyahoga County Soldiers' & Sailors' Monument 125th Anniversary. (R 772-2019) .....	.910
Recognition Resolution for East Side Market. (R 771-2019) .....	.910

Recreation Centers

To amend Section 131.34 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1330-A-10, passed December 6, 2010, relating to rental fees for recreation center use. (O 674-2019)949
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Resolution of Support

Approving the continuation and expansion of the Ohio City Cleveland Business Improvement District as a Special Improvement District in the City; accepting petitions from owners of property in the District; approving an amendment to the Articles of Incorporation of the Market District Improvement Corporation; approving a new plan for public services; declaring it necessary to provide safety, cleaning, and other services for the District; and providing for the assessment of the cost of such work upon benefited property in the District; and declaring an emergency. (R 711-2019)936

Calling upon health organizations including hospitals and providers of Medicaid services to guarantee that Cleveland area infants and children under age six are screened and tested for lead to help prevent lead poisoning. (R 748-2019)936

Recognizing Cuyahoga50, a community wide celebration of 50 years of progress since the last Cuyahoga River fire, and the need for continued vigilance and partnership with regional, state, and federal entities to ensure every Clevelander has access to clean water. (R 682-2019)950

Strongly urging the Ohio Governor and Members of the Ohio General Assembly to restore the Local Government Fund to pre-recession levels. (R 731-2019)941

Safety Department

Authorizing the Commissioner of Purchases and Supplies to sell a portion of City-owned property no longer needed for public use located at 4601 Chester Avenue to Richard and Kathy Lehmann, for the purpose of access to their business. (O 547-2019)946

Authorizing the Director of Public Safety to donate grow lights, ballasts, and two Werner brand ladders seized as the result of a criminal conviction to the Cleveland Metropolitan School District and to Benedictine High School; and to enter into an agreement to make the donation. (O 623-2019)947

Authorizing the Director of Public Safety to enter into one or more mutual aid agreements with other political subdivisions in the State of Ohio for additional police protection, fire, and emergency medical services for aid and assistance in connection with the Major League Baseball Association 2019 All Star Game being held in Cleveland on July 9, 2019, along with associated events and activities on days before and after the day of the Game. (O 511-2019)945

Authorizing the Director of the Department of the Department of Public Safety to enter into an agreement with Bellaire-Puritas Development Corporation for the Summer Safety Education Film Series through the use of Ward 16 Casino Revenue Funds. (O 745-2019)941

From Director Michael McGrath, Department of Public Safety, City of Cleveland. Notice of acceptance of a grant of \$5,000 from University Hospitals for OVI Task Force. (F 693-2019)909

Salaries

To amend Sections 8, 30, 35 and 51 of Ordinance No. 323-15, passed March 30, 2015, as amended, relating to compensation for various classifications. (O 665-2019)949

State of Ohio

Authorizing the Director of Capital Projects to issue a permit to the State of Ohio, through the Department of Natural Resources, Division of Wildlife, to encroach into the public right-of-way of Fulton Road by installing, using, and maintaining a peregrine falcon nest tray. (O 702-2019)913

Authorizing the Director of City Planning to apply for and accept a grant from the Ohio History Connection State Historic Preservation Office/ Ohio Development Services Agency to prepare a National Register of Historic Places Nomination to recognize and preserve the Midtown Historic District and to promote economic development through Historic Tax Credits; and authorizing the director to enter into one or more contracts for professional consultants to implement this ordinance. (O 710-2019)916

Authorizing the Director of Public Safety to enter into one or more mutual aid agreements with other political subdivisions in the State of Ohio for additional police protection, fire, and emergency medical services for aid and assistance in connection with the Major League Baseball Association 2019 All Star Game being held in Cleveland on July 9, 2019, along with associated events and activities on days before and after the day of the Game. (O 511-2019)945

Giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio for improving Miles Avenue from Warrensville Corporation Line to Broadway Avenue; to apply for and accept any gifts or grants from any public or private entity; authorizing a Local Project agreement and any other relative agreements; and causing payment of the City's share to the State for the cost of the improvement. (O 632-2019)948

Street Vacation

Declaring the intent to vacate a portion of Barber Court S.W. (R 463-2019)950

Declaring the intent to vacate a portion of Gehring Avenue. (R 407-2019)950

Declaring the intent to vacate a portion of the 1st Un-named Alley North of Trent Avenue and East of West 40th Street. (R 477-2019)950

Declaring the intent to vacate a portion of the Detroit Superior Viaduct and a portion of Detroit Avenue; and to repeal Resolution 1130-18, adopted October 15, 2018. (R 704-2019)935

Declaring the intent to vacate a portion of West 4th Street and Mahoning Avenue. (R 478-2019) .....	.950
To vacate a portion of East 55th Street. (O 705-2019) .....	.914
To vacate a portion of East 89th Street. (O 706-2019) .....	.914
To vacate a portion of Freeman Avenue S.W. (O 707-2019) .....	.915
To vacate a portion of Maplewood Avenue. (O 708-2019) .....	.915
To vacate a portion of Utopia Avenue N.E. (O 709-2019) .....	.915

Tax Budget

To adopt and declare a Tax Budget for the City of Cleveland for the year 2020 and submit it to the County Budget Commission as required by State Law, Chapter 5705 of the Revised Code. (R 663-2019)950
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Tax Increment Financing (TIF)

Authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by Jennings Freeway Industrial Park, an Ohio general partnership, or its designee, located at 4781 Hinckley Industrial Parkway for the purpose of entering into the chain of title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code. (O 712-2019)916
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The Greater Cleveland Sports Commission

Authorizing the Director of Economic Development to enter into a grant agreement with The Greater Cleveland Sports Commission, or its designee, 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. (O 718-2019)919
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Tremont West Development Corporation

Authorizing the Director of the Department of Public Works to enter into agreement with the Tremont West Development Corporation for the Arts in August Expo through the use of Ward 3 Casino Revenue Funds. (O 735-2019)938
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Union Miles Development Corporation

Authorizing the Director of the Department of Community Development to enter into agreement with Union Miles Development Corporation for the Feasibility Study for a Veteran Service Center and Housing Project for Homeless Veterans through the use of Ward 2 Casino Revenue Funds. (O 744-2019)940
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United Airlines

Authorizing the Director of Port Control to enter into a Lease Agreement with United Airlines Inc. for the lease of certain office and warehouse space located in the South Cargo Facility Building at Cleveland Hopkins International Airport, Department of Port Control, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority. (O 541-2019)945
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United States Postal Services

Authorizing the Director of Port Control to enter into a Lease with the United States Postal Service to maintain and operate a warehouse, sorting facility, and post office retail store at Cleveland Hopkins International Airport, for a period of five years, with one five-year option to renew, which requires additional legislative authority. (O 543-2019)946
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United Way of Greater Cleveland

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)938
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University Hospitals

From Director Michael McGrath, Department of Public Safety, City of Cleveland. Notice of acceptance of a grant of \$5,000 from University Hospitals for OVI Task Force. (F 693-2019)909
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U.S. Department of Homeland Security

Authorizing the Director of Public Health to apply for and accept a grant from the United States Department of Homeland Security for 2019-20 Biowatch Program. (O 625-2019)947
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Utilities Department

Authorizing the Director of Public Utilities to employ one or more computer software vendors to acquire or renew Cisco maintenance and support, including Cisco Smartnet, for networking and telecommunication software and equipment; and authorizing the purchase by one or more requirement contracts of Cisco hardware and software products, including those used for networking and telecommunication and for the phone system, and maintenance and technical support, for the various divisions of the Department of Public Utilities, for a period of one year, with a one-year option to renew, exercisable by the Director of Public Utilities. (O 595-2019)947

Authorizing the Director of Public Utilities to employ one or more professional consultants or vendors to acquire licenses for data storage expansion or to develop data storage expansion solutions, and other related services and equipment, including but not limited to, hardware, servers, chassis, ancillary components, and maintenance, for the Division of Water, Department of Public Utilities; for a period of one year, with two one-year options to renew, the second of which requires additional legislative authority. (O 596-2019)947

Authorizing the Director of Public Utilities to enter into one or more agreements with Cleveland Thermal, a division of the Corix Group of Companies, or its contractor, to replace a water distribution main in East 6th Street between Lakeside Avenue and Rockwell Avenue; and to reimburse Cleveland Thermal for the City’s share of the improvement. (O 722-2019)920

Authorizing the Director of Public Utilities to enter into one or more contracts with Landmark Lakeshore, LLC, or its designee, to accept the sanitary flow from the Shoreline Apartments on North Marginal Road into the City’s 8” Force Main on East 55th Street, and to charge a connection fee and fees for future maintenance on the Force Main; and to enter into similar agreements with the owners of properties adjoining the Landmark Lakeshore, LLC property; and to create a fund for connection and maintenance fees. (O 749-2019)935

Authorizing the Director of Public Utilities to exercise the first option to renew Contract No. PIRC 2018-3 with Terrace Construction Company, Inc. for the public improvement of installing automated meter reading units on remaining residential and commercial accounts, including Cleveland Heights accounts and master meter vaults not yet converted. (O 592-2019)946

Authorizing the Director of Public Utilities to exercise the option to renew Contract No. RCD 2017-6 with Hach Co. to maintain, service, calibrate, refurbish, and test various scientific and in line process analytical instruments manufactured by Hach Co. used to monitor the drinking water purification process. (O 593-2019)946

Authorizing the Director of Public Utilities to exercise the options to renew various contracts for the requirements of various types of machines and equipment, and labor and materials to repair and/or replace parts or equipment to maintain various types of machines and equipment, for the Department of Public Utilities. (O 594-2019)946

Authorizing the procurement by one or more requirement contracts for the rental of various types of heavy duty equipment, on an as needed basis, for the Office of Radio Communications, Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years. (O 597-2019)947

Authorizing the purchase by one or more requirement contracts of disposal of debris at landfills, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years. (O 536-2019)945

Authorizing the purchase by one or more requirement contracts of hauling and disposal of water treatment plant residuals, for the Division of Water, Department of Public Utilities, for a period of two years. (O 724-2019)921

Determining the method of making the public improvement of tearing down and removing the radio tower and associated buildings on the Tree Farm Property in Brecksville, and removing shelters at two other radio tower locations and restoring land in all locations; authorizing the Director of Public Utilities to enter into one or more public improvement contracts for the making of the improvement; authorizing professional services to design; and authorizing the purchase by one or more contracts of labor and materials necessary to implement this ordinance, for the Department of Public Utilities. (O 723-2019)920

Vehicles

Authorizing the purchase by one or more standard and requirement contracts for the purchase, lease, or lease with option to purchase, of various on road vehicles and off road equipment, apparatus, cabs, bodies, and accessories, equipment and other aftermarket items necessary to equip the vehicles authorized for their intended purposes, including vehicle rehabilitation, training, and inspections, as needed, for the various divisions of City government. (O 726-2019)923

Ward 01

Amending the Title and Sections 1 and 2 of Ordinance No. 600-2019, passed May 6, 2019 as it pertains to Senior Lawn Care and Snow Removal Program through the use of Wards 1, 2 and 4 Casino Revenue Funds. (O 734-2019)938

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)938

Condolence Resolution for John Oscar Poole II. (R 760-2019)909

Condolence Resolution for Melvin Chambers. (R 759-2019) .....	.909
Withdrawing objection to the Liquor Agency Contract located at 4071 Lee Road, Unit 290, 1st floor and repealing Resolution No. 333-2019. (R 754-2019) .....	.942

Ward 02

Amending the Title and Section 1 of Ordinance No. 563-2019 passed April 29, 2019, as it pertains to authorizing the Director of the Department of Community Development to enter into agreement with the Beauty & Barber Empowerment Center, LLC for the Beauty and Empowerment Center Program through the use of Wards 2, 4 and 6 Casino Revenue Funds. (O 733-2019) .....	.938
Amending the Title and Sections 1 and 2 of Ordinance No. 600-2019, passed May 6, 2019 as it pertains to Senior Lawn Care and Snow Removal Program through the use of Wards 1, 2 and 4 Casino Revenue Funds. (O 734-2019) .....	.938
Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019) .....	.938
Authorizing the Director of the Department of Public Works to enter into agreement with the Jarvis Gibson Foundation for the Mt. Pleasant Rebels Educational & Sports Program through the use of Ward 2 Casino Revenue Funds. (O 740-2019) .....	.939
Giving consent of the City of Cleveland to the County of Cuyahoga for the improvement of East 116th Street from Miles Avenue to Union Avenue in the City of Cleveland; authorizing the Director of Capital Projects to enter into agreements; to apply for and accept an allocation of County Motor Vehicle License Tax Funds; authorizing the acquisition of any real property and easements; apply for and accept gifts and grants; and to cause payment to the County for the City's share of the improvement. (O 668-2019) .....	.949
Giving consent of the City of Cleveland to the Ohio Department of Transportation to upgrade and interconnect a traffic signal located at the intersection of East 116th Street and Harvard Avenue in the City of Cleveland. (O 630-2019) .....	.948

Ward 03

Approving the continuation and expansion of the Ohio City Cleveland Business Improvement District as a Special Improvement District in the City; accepting petitions from owners of property in the District; approving an amendment to the Articles of Incorporation of the Market District Improvement Corporation; approving a new plan for public services; declaring it necessary to provide safety, cleaning, and other services for the District; and providing for the assessment of the cost of such work upon benefited property in the District; and declaring an emergency. (R 711-2019) .....	.936
Authorizing the acquisition and recording of certain easement interests from the Cuyahoga County Department of Public Works that encroach into existing County public improvements on Vermont Avenue, West 25th Street, and Detroit Avenue, for the Office of Capital Projects. (O 698-2019) .....	.910
Authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located near the northwest corner of Starkweather Avenue and West 15th Street to Larry Zukerman for purposes of redevelopment. (O 667-2019) .....	.949
Authorizing the Director of Capital Projects to issue a permit to Cavaliers Operating Company, LLC to encroach into the public rights of way of Huron Road, Ontario Street and East 6th Street by installing, using, and maintaining protective bollards/concrete planter benches around the perimeter of the Rocket Mortgage Fieldhouse (fka Q Arena). (O 666-2019) .....	.949
Authorizing the Director of Capital Projects to issue a permit to K & D Real Estate Services, LLC, to encroach into the public right-of-way of 1500 West 3rd Street by installing, using, and maintaining an awning and 2 sculptures with pedestal foundations. (O 701-2019) .....	.912
Authorizing the Director of Capital Projects to issue a permit to The Convention and Visitors Bureau of Greater Cleveland, Inc. to encroach into the public right-of-way within the Tremont neighborhood with a Pedestrian Wayfinding Sign Program by installing, using, and maintaining eight wayfinding signs and associated electrical duct banks. (O 438-2019) .....	.943
Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019) .....	.938
Authorizing the Director of the Department of Public Works to enter into agreement with the Tremont West Development Corporation for the Arts in August Expo through the use of Ward 3 Casino Revenue Funds. (O 735-2019) .....	.938
Authorizing the Director of the Department of Public Works to enter into an agreement with Merrick House for the Tremont Arts & Cultural Expo through the use of Wards 3, 12 and 14 Casino Revenue Funds. (O 743-2019) .....	.940
Declaring the intent to vacate a portion of Barber Court S.W. (R 463-2019) .....	.950
Declaring the intent to vacate a portion of Gehring Avenue. (R 407-2019) .....	.950
Declaring the intent to vacate a portion of the Detroit Superior Viaduct and a portion of Detroit Avenue; and to repeal Resolution 1130-18, adopted October 15, 2018. (R 704-2019) .....	.935
Declaring the intent to vacate a portion of West 4th Street and Mahoning Avenue. (R 478-2019) .....	.950
Establishing a zero foot Mapped Building Setback from the property line along the southern side of Carter Road between Riverbed Street and the eastern property line of Permanent Parcel No. 004-26-040 (Map Change 2600). (O 514-2019) .....	.950

Giving consent of the City of Cleveland to the County of Cuyahoga for the resurfacing Rockefeller Avenue from Broadway Avenue to Central Furnace Drive; to apply for and accept an allocation of County Motor Vehicle License Tax Funds for the improvement; authorizing the Director of Capital Projects to enter into one or more contracts for the construction, design, and any relative agreements in making the improvement. (O 633-2019)948

Recognition Resolution for Cuyahoga County Soldiers' & Sailors' Monument 125th Anniversary. (R 772-2019)910

To vacate a portion of Freeman Avenue S.W. (O 707-2019)915

Ward 04

Amending the Title and Section 1 of Ordinance No. 563-2019 passed April 29, 2019, as it pertains to authorizing the Director of the Department of Community Development to enter into agreement with the Beauty & Barber Empowerment Center, LLC for the Beauty and Empowerment Center Program through the use of Wards 2, 4 and 6 Casino Revenue Funds. (O 733-2019)938

Amending the Title and Sections 1 and 2 of Ordinance No. 600-2019, passed May 6, 2019 as it pertains to Senior Lawn Care and Snow Removal Program through the use of Wards 1, 2 and 4 Casino Revenue Funds. (O 734-2019)938

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)938

Ward 05

Authorizing the Director of City Planning to apply for and accept a grant from the Ohio History Connection State Historic Preservation Office/ Ohio Development Services Agency to prepare a National Register of Historic Places Nomination to recognize and preserve the Midtown Historic District and to promote economic development through Historic Tax Credits; and authorizing the director to enter into one or more contracts for professional consultants to implement this ordinance. (O 710-2019)916

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)938

Withdrawing objection to the transfer of ownership of a C1 Liquor Permit at 3137 East 65th Street, 1st floor and basement and repealing Resolution No. 1129-18 objecting to said permit. (R 755-2019)942

Ward 06

Amending the Title and Section 1 of Ordinance No. 563-2019 passed April 29, 2019, as it pertains to authorizing the Director of the Department of Community Development to enter into agreement with the Beauty & Barber Empowerment Center, LLC for the Beauty and Empowerment Center Program through the use of Wards 2, 4 and 6 Casino Revenue Funds. (O 733-2019)938

Authorizing the acquisition and recording of certain easement interests from Uptown Three L.P. for use of a public sidewalk to be used as a drop off area for students and residents, for the Office of Capital Projects. (O 516-2019)945

Authorizing the Director of Public Works to execute a deed of easement granting to The East Ohio Gas Company dba Dominion Energy Ohio certain easement rights in property located along Woodhill Road at the Ozell A. Dobbins, Sr. Maintenance Center, and declaring that the easement rights granted are not needed for the City's public use. (O 546-2019)946

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)938

Condolence Resolution for Roosevelt Robinson, Jr. (R 757-2019)909

Condolence Resolution for Victims of the Virginia Beach shooting. (R 763-2019)909

Congratulations Resolution for Dr. Kevin Harris, Sr. (R 768-2019)910

Giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio for constructing the complete streets project along the East 93rd Street/Woodhill Road/East 105th Street corridor; to apply for and accept any gifts or grants for this purpose from any public or private entity; authorizing professional services, agreements with public and private entities, and any relative agreements; authorizing the Commissioner of Purchases and Supplies to acquire, accept, and record for right-of-way purposes any real property and easements necessary to make the improvement; and causing payment to ODOT of Cleveland's share of the improvement. (O 700-2019)911

Ward 07

Authorizing the Commissioner of Purchases and Supplies to sell a portion of City-owned property no longer needed for public use located at 4601 Chester Avenue to Richard and Kathy Lehmann, for the purpose of access to their business. (O 547-2019)946

Authorizing the Director of Capital Projects to issue a permit to MidTown Cleveland, Inc. to encroach into the public right-of-way of the Midtown District by installing, using, and maintaining the MidTown Wayfinding Signage Program. (O 439-2019)943

Authorizing the Director of Capital Projects to issue a permit to The Centers for Families and Children to encroach into the public right-of-way of Euclid Avenue by installing, using, and maintaining an ADA compliant entrance ramp and railing. (O 551-2019) .....	.946
Authorizing the Director of City Planning to apply for and accept a grant from the Ohio History Connection State Historic Preservation Office/ Ohio Development Services Agency to prepare a National Register of Historic Places Nomination to recognize and preserve the Midtown Historic District and to promote economic development through Historic Tax Credits; and authorizing the director to enter into one or more contracts for professional consultants to implement this ordinance. (O 710-2019) .....	.916
Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019) .....	.938
Authorizing the Director of the Department of Economic Development to enter into agreement with Lexington Bell Community Center for the acquisition and renovation of the Superior Beverage Building through the use of Ward 7 Casino Revenue Funds and Neighborhood Capital Funds. (O 742-2019) .....	.940
To vacate a portion of East 89th Street. (O 706-2019) .....	.914

Ward 08

Authorizing the Director of Capital Projects to enter into an agreement or agreements with the City of Euclid for the City of Euclid to design and make the public improvement of rehabilitating East 185th Street from Pawnee Avenue to Lake Erie; to apply for and accept any gifts or grants for this purpose from any public or private entity; authorizing and any other relative agreements, authorizing the acquisition of any real property and easements necessary to make the improvement; and cause payment for the City's share. (O 699-2019) .....	.910
Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019) .....	.938
Condolence Resolution for Agnes Slominsky. (R 766-2019) .....	.909
Condolence Resolution for Donald Slogar. (R 765-2019) .....	.909
Congratulations Resolution for Tyrone C. McBee. (R 769-2019) .....	.910
Recognition Resolution for Cuyahoga County Soldiers' & Sailors' Monument 125th Anniversary. (R 772-2019) .....	.910
Recognition Resolution for East Side Market. (R 771-2019) .....	.910
To vacate a portion of Utopia Avenue N.E. (O 709-2019) .....	.915

Ward 09

Appreciation Resolution for Marsha Dobrzynski. (R 773-2019) .....	.910
Approving that the Cleveland Citywide Development Corporation, or its designee, may enter into up to eleven partially forgivable separate loan contracts with Famicos Foundation, Inc., or its designee, to rehabilitate up to eleven vacant single family homes on scattered sites within the Circle North area of the Glenville neighborhood, and other associated costs necessary to redevelop the property, under the authority of Ordinance No. 563-17, passed August 16, 2017. (O 621-2019) .....	.947
Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019) .....	.938
Condolence Resolution for Carol Tyler. (R 756-2019) .....	.909
Condolence Resolution for Imir Williams. (R 762-2019) .....	.909
Recognition Resolution for East Side Market. (R 771-2019) .....	.910

Ward 10

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019) .....	.938
Condolence Resolution for Leslie Farley Ferguson. (R 758-2019) .....	.909
Recognition Resolution for East Side Market. (R 771-2019) .....	.910
To vacate a portion of East 55th Street. (O 705-2019) .....	.914

Ward 11

Withdrawing objection to the transfer of ownership of a C1, C2 and D6 Liquor Permit at 3778 West 117th Street and repealing Resolution No. 1060-18 objecting to said permit. (R 751-2019)941
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Ward 12

Authorizing the Director of Economic Development to enter into a forgivable loan agreement with Jennings Freeway Industrial Park, an Ohio general partnership or its designee, to provide economic development assistance to partially finance the development of a build to suit facility at the Strike Force Project site located at 4781 Hinckley Industrial Parkway, and other associated costs necessary to redevelop the property. (O 713-2019)917
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Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)938

Authorizing the Director of the Department of Public Works to enter into an agreement with Merrick House for the Tremont Arts & Cultural Expo through the use of Wards 3, 12 and 14 Casino Revenue Funds. (O 743-2019)940

Authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by Jennings Freeway Industrial Park, an Ohio general partnership, or its designee, located at 4781 Hinckley Industrial Parkway for the purpose of entering into the chain of title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code. (O 712-2019)916

Congratulations Resolution for Father Robert J. Jasany. (R 767-2019)910

Ward 13

Authorizing the Director of Capital Projects to issue a permit to the State of Ohio, through the Department of Natural Resources, Division of Wildlife, to encroach into the public right-of-way of Fulton Road by installing, using, and maintaining a peregrine falcon nest tray. (O 702-2019)913

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)938

Ward 14

#58708380010. Transfer of Ownership Application, D1 D2. Metro Food and Beverage, Inc., 3203 West 25th St. (Ward 14). (F 694-2019)909

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)938

Authorizing the Director of the Department of Public Works to enter into an agreement with Merrick House for the Tremont Arts & Cultural Expo through the use of Wards 3, 12 and 14 Casino Revenue Funds. (O 743-2019)940

Declaring the intent to vacate a portion of the 1st Un-named Alley North of Trent Avenue and East of West 40th Street. (R 477-2019)950

Ward 15

#1391398. Stock Application, C1. Channel Park Marina, Inc., 5300 Whiskey Island Dr. (Ward 15). (F 697-2019)909

#14374151125. New License Application, D1. Chipotle Mexican Grill of Colorado LLC, 11638 Clifton Blvd. (F 696-2019)909

Authorizing the Director of Port Control to execute a deed of easement granting to Cargill, Incorporated and its successors and assigns, certain easement rights located above a city-owned portion of 5300 Whiskey Island Drive, and declaring that the easement rights granted are not needed for the City’s public use. (O 545-2019)946

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)938

Changing the name of “Lawn Madison Park” located at West 75th Street and Madison Avenue to “Miriam Ortiz Rush Park.” (O 647-2019)948

Congratulations Resolution for Diana Cyganovich. (R 770-2019)910

To amend the title and Section 1 of Ordinance No. 999-14, passed August 20, 2014; and to supplement the ordinance by adding new Sections 4a., 4b., 4c., and 4d., to add the sale of property, relating to the public improvement of reconstructing West 73rd Street. (O 746-2019)927

Withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 1337 West 117th Street and repealing Resolution No. 644-2019 objecting to said permit. (R 750-2019)941

Withdrawing objection to the transfer of ownership of a C1, C2 and D6 Liquor Permit at 7201 Lorain Avenue and repealing Resolution No. 299-2019 objecting to said permit. (R 752-2019)942

Ward 16

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)938

Authorizing the Director of the Department of the Department of Public Safety to enter into an agreement with Bellaire-Puritas Development Corporation for the Summer Safety Education Film Series through the use of Ward 16 Casino Revenue Funds. (O 745-2019)941

Condolence Resolution for Sharon Novak. (R 764-2019)909

Withdrawing objection to the transfer of ownership of a D5 and D6 Liquor Permit at 12210 Lorain Avenue and repealing Resolution No. 883-18 objecting to said permit. (R 753-2019)942

Ward 17

#0000676. Economic Development Transfer Application, D5 D6. A Bar LLC, 15609-15813 Lorain Ave. (Ward 17). (F 695-2019)909

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019) .....	.938
Condolence Resolution for Ethel Pauley. (R 761-2019) .....	.909
From Rachel Loewy, Deputy Director of Modernization and Development, Western Reserve Revitalization and Management Company. Notice of intent to apply to Ohio Housing Finance Agency for multifamily funding programs for the development known as Riverside Park Phase III, 17800 Parkmount Avenue, Cleveland, Ohio. (F 692-2019) .....	.909
To vacate a portion of Maplewood Avenue. (O 708-2019) .....	.915

Waste Collection and Disposal Division

To amend Section 551.22 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 773-A-80, passed December 14, 1981, relating to the waste collection hours in and near a residential district. (O 257-2019)942
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Water Division

Authorizing the Director of Public Utilities to employ one or more professional consultants or vendors to acquire licenses for data storage expansion or to develop data storage expansion solutions, and other related services and equipment, including but not limited to, hardware, servers, chassis, ancillary components, and maintenance, for the Division of Water, Department of Public Utilities; for a period of one year, with two one-year options to renew, the second of which requires additional legislative authority. (O 596-2019)947
Authorizing the Director of Public Utilities to enter into one or more agreements with Cleveland Thermal, a division of the Corix Group of Companies, or its contractor, to replace a water distribution main in East 6th Street between Lakeside Avenue and Rockwell Avenue; and to reimburse Cleveland Thermal for the City's share of the improvement. (O 722-2019) .....	.920
Authorizing the procurement by one or more requirement contracts for the rental of various types of heavy duty equipment, on an as needed basis, for the Office of Radio Communications, Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years. (O 597-2019) .....	.947
Authorizing the purchase by one or more requirement contracts of disposal of debris at landfills, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years. (O 536-2019) .....	.945
Authorizing the purchase by one or more requirement contracts of hauling and disposal of water treatment plant residuals, for the Division of Water, Department of Public Utilities, for a period of two years. (O 724-2019) .....	.921

Water Pollution Control Division

Authorizing the Director of Public Utilities to enter into one or more contracts with Landmark Lakeshore, LLC, or its designee, to accept the sanitary flow from the Shoreline Apartments on North Marginal Road into the City's 8" Force Main on East 55th Street, and to charge a connection fee and fees for future maintenance on the Force Main; and to enter into similar agreements with the owners of properties adjoining the Landmark Lakeshore, LLC property; and to create a fund for connection and maintenance fees. (O 749-2019) .....	.935
Authorizing the procurement by one or more requirement contracts for the rental of various types of heavy duty equipment, on an as needed basis, for the Office of Radio Communications, Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years. (O 597-2019) .....	.947
Authorizing the purchase by one or more requirement contracts of disposal of debris at landfills, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years. (O 536-2019) .....	.945

Zoning

Establishing a zero foot Mapped Building Setback from the property line along the southern side of Carter Road between Riverbed Street and the eastern property line of Permanent Parcel No. 004-26-040 (Map Change 2600). (O 514-2019) .....	.950
To amend Sections 325.03, 337.23, 343.23, 357.09, and 357.13 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, relating to side yard setbacks, parking spaces sizes, residential garage placement and size, and conditional uses in the Pedestrian Retail Overlay; and to supplement the codified ordinances by enacting new Section 325.431 relating to the definition of Lot Interior. (O 887-18) .....	.949