

The City Record

Official Publication of the Council of the City of Cleveland



February the Twenty-Fifth, Two Thousand and Fifteen

Frank G. Jackson
Mayor

Kevin J. Kelley
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward Name

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

Ken Silliman, Secretary to the Mayor, Chief of Staff
 Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer
 Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs
 Martin J. Flask, Executive Assistant to the Mayor of Special Projects
 Monyka S. Price, Executive Assistant to the Mayor, Chief of Education
 Jenita McGowan, 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
 Dan Williams, Media Relations Director

OFFICE OF CAPITAL PROJECTS – Matthew L. Spronz, Director

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

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

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

Richard F. Horvath, 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, Interim Treasurer, Room 115
 Financial Reporting and Control – James Gentile, Controller, Room 18
 Information Technology and Services – Douglas Divish, Commissioner, 205 W. St. Clair
 Avenue
 Purchases and Supplies – Tiffany White, Commissioner, Room 128
 Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue
 Taxation – Nassim Lynch, Tax Administrator, 205 W. St. Clair Avenue

DEPT. OF PUBLIC UTILITIES – Sharon Dumas, Interim Director, 1201 Lakeside Avenue

DIVISIONS:
 Cleveland Public Power – Ivan Henderson, Commissioner
 Utilities Fiscal Control – Frank Badalamenti, Chief Financial Officer
 Water – Alex Margevicius, Interim Commissioner
 Water Pollution Control – Rachid Zoghaib, Commissioner

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

International Airport, 5300 Riverside Drive
DIVISIONS:
 Burke Lakefront Airport – Khalid Bahhur, Commissioner
 Cleveland Hopkins International Airport – Fred Szabo, Commissioner

DEPT. OF PUBLIC WORKS – Michael Cox, Director

OFFICES:
 Administration – John Laird, Manager
 Special Events and Marketing – Tangee Johnson, Manager
DIVISIONS:
 Motor Vehicle Maintenance – Daniel A. Novak, Commissioner
 Park Maintenance and Properties – Richard L. Silva, Commissioner
 Parking Facilities – Antonette Thompson, Interim Commissioner
 Property Management – Tom Nagle, Commissioner
 Recreation – Samuel Gissentaner, Interim Commissioner
 Streets – Randell T. Scott, Interim Commissioner
 Traffic Engineering – Robert Mavec, Commissioner
 Waste Collection and Disposal – Randell T. Scott, Interim Commissioner

DEPT. OF PUBLIC HEALTH – Toinette Parrilla, Director, 75 Erieview Plaza

DIVISIONS:
 Air Quality – George Baker, Commissioner
 Environment – Chantez Williams, Commissioner, 75 Erieview Plaza
 Health – Myron Bennett, Commissioner, 75 Erieview Plaza

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

DIVISIONS:
 Animal Control Services – John Baird, Chief Dog Warden, 2690 West 7th Street
 Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.
 Emergency Medical Service – Nicole Carlton, Acting Commissioner, 1708 South Pointe Drive
 Fire – Patrick Kelly, Chief, 1645 Superior Avenue
 Police – Calvin D. Williams, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director

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

DEPT. OF BUILDING AND HOUSING – Ronald J.H. O’Leary, Director, Room 500

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

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

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

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

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

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

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

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

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS – Room 516, Joseph F. Denk, Chairman; Howard Bradley, Patrick M. Gallagher, Robert Maschke, Halim M. Saab, P.E., Alternate Members – D. Cox, P. Frank, E. P. O’Brien, Richard Pace, J.F. Sullivan.

BOARD OF REVISION OF ASSESSMENTS – Law Director Barbara A. Langhenry, President; Finance Director Sharon Dumas, Secretary; Council President Kevin J. Kelley.

BOARD OF SIDEWALK APPEALS – Capital Projects Director Matthew Spronz, Law Director Barbara A. Langhenry; Council Member Kenneth L. Johnson.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Barbara A. Langhenry; Utilities Director Paul Bender; Council President Kevin J. Kelley.

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

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

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

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

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

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

CLEVELAND LANDMARKS COMMISSION – Room 519 – Jennifer Coleman, Chair; Laura M. Bala, Freddy L. Collier, Jr., Allan Dreyer, Giancarlo Calicchia, Council Member Terrell H. Pruitt, Robert Strickland, Julie Trott, Robert Vilkas, Donald Petit, Interim Secretary.

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

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

Judge Courtroom
 Presiding and Administrative Judge Ronald B. Adrine – Courtroom 15A
 Judge Pinkey S. Carr – Courtroom 12B
 Judge Marilyn B. Cassidy – Courtroom 13A
 Judge Michelle Denise Earley – Courtroom 12C
 Judge Emanuella Groves – Courtroom 14B
 Judge Anita Laster Mays – Courtroom 14C
 Judge Lauren C. Moore – Courtroom 14A
 Judge Charles L. Patton, Jr. – Courtroom 13D
 Judge Raymond L. Pianka (Housing Court Judge) – Courtroom 13B
 Judge Angela R. Stokes – Courtroom 15C
 Judge Pauline H. Tarver – Courtroom 13C
 Judge Ed Wade – Courtroom 12A
 Judge Joseph J. Zone – Courtroom 14D
 Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Gregory A. Sims – Chief Bailiff, Jerome M. Krakowski – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate.

The City Record

71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

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WEDNESDAY, FEBRUARY 25, 2015

No. 5281

CITY COUNCIL

MONDAY, FEBRUARY 23, 2015

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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:
Dow (CHAIR), Brady, Cleveland,
Kelley, Mitchell.

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

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

Housing Finance Agency to utilize
multifamily funding programs for
the development of Forest City
Square Apartments at 1400 West
25th Street and 2519 Detroit Avenue,
in Cleveland, Ohio. Received.

File No. 175-15.

From Diana Holly, Director of
Asset Management, Emerald Develop-
ment & Economic Network, Inc.
(EDEN). Notice of application to
Ohio Housing Finance Agency to
utilize multifamily funding pro-
grams for the development of EDEN
Portfolio Preservation Phase II, at
3725 East 54th Street and at 3040 S.
Moreland Blvd., in Cleveland, Ohio;
at 2050 Dowd Avenue in Lakewood,
Ohio; at 4098 Ridge Road in Brook-
lyn Ohio. Received.

File No. 176-15.

From Robert S. Curry, Executive
Director, Cleveland Housing Net-
work. Notice of application to Ohio
Housing Finance Agency to utilize
multifamily funding programs for
the development of Emerald
Alliance IX, at 13109, 13205, and
13207 Miles Avenue, in Cleveland,
Ohio. Received.

File No. 177-15.

From Robert S. Curry, Executive
Director, Cleveland Housing Net-
work. Notice of application to Ohio
Housing Finance Agency to utilize
multifamily funding programs for
the development of Slavic Village
Green Homes I, approximately 25
single-family homes at various sites
on Chambers Avenue, Forman
Avenue, Gertrude Avenue, and
Fullerton Avenue, in Cleveland,
Ohio. Received.

File No. 178-15.

From Robert S. Curry, Executive
Director, Cleveland Housing Net-
work. Notice of application to Ohio
Housing Finance Agency to utilize
multifamily funding programs for
the development of Hough Heritage,
on the west side of East 97th Street
between Chester Avenue and Lam-
ont Avenue, in Cleveland, Ohio.
Received.

File No. 179-15.

From Maryellen Staab, Director of
Housing Development, Catholic
Charities Housing Corporation.
Notice of application to Ohio Hus-
ing Finance Agency to utilize mul-
tifamily funding programs for the
development of St. Vincent de Paul
Senior Housing, at West 135th Street
and Lorain Avenue, in Cleveland,
Ohio. Received.

File No. 180-15.

From Michael J. Laskey, Director
of Development, Levin Group, Inc.

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2015-2017

MONDAY — Alternating

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

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

MONDAY

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

TUESDAY

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

TUESDAY — Alternating

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

1:30 P.M. — **Workforce and Com-
munity Benefits Committee:** Cleve-
land (CHAIR), Zone (VICE-CHAIR),
J. Johnson, Kazy, Polensek, Pruitt,
Reed.

WEDNESDAY — Alternating

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio
Monday, February 23, 2015

The meeting of the Council was
called to order at 7:06 p.m. with the
President of Council, Kevin J. Kel-
ley, in the Chair.

Council Members present: Dona
Brady, Anthony Brancatelli, Joe
Cimperman, Phyllis E. Cleveland,
Kevin Conwell, Brian J. Cummins,
TJ Dow, Jeffrey D. Johnson, Brian
Kazy, Kevin J. Kelley, Kenneth L.
Johnson, Mamie J. Mitchell, Michael
D. Polensek, Terrell H. Pruitt, Zack
Reed, and Matthew Zone.

Also present were: Mayor Frank
G. Jackson, Chief of Staff Ken Sil-
liman, Chief Operating Officer Dar-
nell Brown, Chief of Government
Affairs Valarie J. McCall, Chief of
Regional Development Edward W.
Rybka, Chief of Education Monyka
S. Price, Chief of Sustainability Jeni-
ta McGowan, Chief of Public Affairs
Natoya Walker-Minor, and Directors
Langhenry, Smith, Spronz, Parrilla,
McGrath, Cox, Rush, O'Leary,
Southerington, Nichols, Griffin, Col-
lier, Fumich, Ambroz and Burrows.

Pursuant to Ordinance No. 2926-76,
the opening prayer was offered by
Rev. Tim Leslie, Phillipi Missionary
Baptist Church, Cleveland, Ohio
(Ward 2). Pledge of Allegiance.

MOTION

On the motion of Council Member
Cleveland, the reading of the min-
utes of the last meeting was dis-
pensd with and the journal
approved. Seconded by Council Mem-
ber Cimperman.

COMMUNICATIONS

File No. 174-15.

From Peter Snavelly, Jr., Vice
President, Snavelly Group, and Greg
Baron, Director of Real Estate
Development, Detroit Shoreway
Community Development Organiza-
tion. Notice of application to

Notice of application to Ohio Housing Finance Agency to utilize multifamily funding programs for the redevelopment of Northern Ohio Blanket Mill buildings, at 3160 West 33rd Street, in Cleveland, Ohio. Received.

File No. 181-15.

From Khrys Shefton, Housing Development Manager, Famicos Foundation. Notice of application to Ohio Housing Finance Agency to utilize multifamily funding programs for the development of Circle North Lease Purchase Homes, approximately 40 single-family homes at various sites on East 109th Street, East 110th Street, East 111th Street, Churchill Avenue, Lee Avenue, and Orville Avenue, in Cleveland, Ohio. Received.

MAYOR'S VETO

File No. 1647-14-A.

February 11, 2015

By Hand Delivery

The Honorable Kevin J. Kelley
President of Council
601 Lakeside Avenue
Cleveland, Ohio 44114

Re: **Ordinance 1647-14**

Dear Council President Kelley:

I disapprove Ordinance No. 1647-14, passed by City Council on February 2, 2015, and return it to you with my veto noted. My objections are outlined below.

Ordinance No. 1647-14 rescinds Ordinance No. 650-08, passed May 5, 2008. Rescinding Ordinance 650-08 is a null action because the authority granted in that Ordinance was validly used. The actions taken under that Ordinance cannot now be undone by rescinding the Ordinance.

Ordinance 650-08 authorized the Director of Economic Development and the City Clerk to execute and sign on behalf of the City a Petition to create The Flats East New Community Development Authority, authorized the Clerk to file the Petition with the Clerk of the Cuyahoga County Board of Commissioners, and determined that the Petition complied with the requirements of Section 349.03(A) of the Ohio Revised Code. Ordinance No. 769-08, passed May 12, 2008, states that the actions authorized under Ordinance 650-08 were taken. Ordinance No. 769-08 set the hearing on the Petition for June 9, 2008 and directed the City Clerk to arrange for notice of the hearing date to be published in accordance with the requirements in the Ohio Revised Code. The recitals in Ordinance No. 769-08 state that, as authorized under Ordinance No. 650-08, the City Clerk and the Director of Economic Development had signed the Petition and had filed it with the Clerk of the Board of Commissioners of Cuyahoga County on May 6, 2008. Council later passed Ordinance No. 1024-08 on July 2, 2008 stating that the hearing took place on June 9, 2008. Ordinance 1024-08 determined that The Flats East New Community Development District will be conducive to the public health, safety,

convenience and welfare, and is intended to result in the development of a new community; accepted the Petition and directed it to be recorded in the journals of the City Council and the Board of County Commissioners of Cuyahoga County; declared that The Flats East New Community Development Authority is organized as a body politic and corporate; established the boundaries of the Development Authority as those outlined in the Petition; appointed four members to serve on the Board of Trustees of the Development Authority; directed the Flats East Development LLC and FED/Main Street LLC to appoint the remaining three members; directed the posting of a bond for each member of the Board of Trustees; and authorized the Director of Economic Development and other City officers to take actions consistent with the purpose of the Ordinance necessary for the establishment, operation and future growth of the Development Authority. Copies of Ordinance Nos. 650-08, 769-08, and 1024-08 are enclosed.

As shown above, the authority granted in Ordinance 650-08 was used validly and resulted in further legislative action by the City Council. The rescission of Ordinance 650-08 does not affect actions that have been taken validly. Therefore, Ordinance 1647-14 is of no effect and may cause confusion. For these reasons, I veto Ordinance No. 1647-14 and return it to you with my veto noted.

Sincerely,

Frank G. Jackson
Mayor

Cc: Patricia J. Britt
Clerk of Cleveland
City Council

Received.

File No. 1648-14-B.

February 11, 2015

By Hand Delivery

The Honorable Kevin J. Kelley
President of Council
601 Lakeside Avenue
Cleveland, Ohio 44114

Re: **Ordinance 1648-14**

Dear Council President Kelley:

I disapprove Ordinance No. 1648-14, passed by City Council on February 9, 2015, and return it to you with my veto noted. My objections are outlined below.

Ordinance No. 1648-14 authorizes the Council Clerk to execute and sign, on behalf of the City, a Petition to create a new community authority known as the Flats East Bank Community Authority, and directs the Clerk to file the Petition with the Cuyahoga County Council. The Ordinance further determines that the Petition complies with the requirements of Section 349.03(A) of the Ohio Revised Code; adopts an alternative method for selecting the board of trustees of the Authority; requires an annual financial report;

authorizes the Council, through future legislation, to dissolve the Authority; and lists the proposed community facilities to be owned, operated, financed, constructed, and maintained by the Authority.

The City has supported development and redevelopment in the Flats East Bank District in which the Authority would operate. To date, the City's financial commitment to development and redevelopment amounts to \$37,250,000 in loans and \$18,240,000 in grants for Phase I and \$1,080,000 in grants for Phase II. If all of the actions necessary to finally create the Flats East Bank Community Authority are taken by March 22, 2015, then the Flats East Bank Community Authority would have the ability to impose tax surcharges based on the gross receipts of businesses operating in the Flats East Bank District. The tax surcharges proposed in the Petition would mean an increase in sales, bed, and parking taxes in the Flats East Bank District. I do not support additional taxes that are not for City services or the payment of the City's debt obligations.

For these reasons, I veto Ordinance No. 1648-14 and return it to you with my veto noted.

Sincerely,

Frank G. Jackson
Mayor

Cc: Patricia J. Britt
Clerk of Cleveland
City Council

Received.

**STATEMENT OF WORK
ACCEPTANCE**

File No. 173-15.

From Office of Capital Projects, City of Cleveland, for Municipal Parking Lot Site Improvements. Contractor: R. J. Platten. Contract: #PI20140000000015. Date of Acceptance: August 29, 2014. Received.

**FROM OHIO DIVISION OF
LIQUOR CONTROL**

File No. 169-15.

RE: #4173950. Transfer of Ownership Application, D5 D6. JCK Ventures, LLC, 11631-33 Clifton Boulevard (Ward 15). Received.

File No. 170-15.

RE: #7646575. Transfer of Ownership Application, D2 D2X. S & S Detroit, LLC, 8002 Detroit Avenue (Ward 15). Received.

File No. 171-15.

RE: #73935330755. New License Application, C2. Riser Foods Co., 4951 Ridge Road (Ward 13). Received.

File No. 172-15.

RE: #6548436. New License Application, C1. 130th Valero Inc., 3935 West 130th Street. (Ward 11). Received.

File No. 215-15.

RE: #23852770005. Stock Application, C1 C2. E. 40th Marathon, Inc., 3980 St. Clair Avenue (Ward 7). Received.

File No. 216-15.

RE: #36969740005. New License Application, C1. Essex Hayward, 1077 Parkwood Drive (Ward 9). Received.

File No. 217-15.

RE: #4525622. Transfer of Ownership Application, D5. Kay Em Cee, LLC, 6101 Memphis Avenue (Ward 13). Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 206-15—Johnetta Bonner Mixon.

Res. No. 207-15—Mildred Jessie Rhea Holt Edwards.

CONGRATULATIONS RESOLUTIONS

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

Res. No. 208-15—John C. Miley.

Res. No. 209-15—Daniel T. Carcioppolo.

Res. No. 210-15—Professor W. Dennis Keating.

Res. No. 211-15—Cleveland State University Master of Urban Planning, Design and Development Program — 25th Anniversary.

RECOGNITION RESOLUTIONS

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

Res. No. 212-15—Norman Connors.

Res. No. 213-15—“Lincoln at Cleveland 2015” Program.

APPRECIATION RESOLUTION

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

Res. No. 214-15—Ronald B. Richard.

FIRST READING EMERGENCY ORDINANCES REFERRED**Ord. No. 182-15.**

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

An emergency ordinance authorizing the Director of Public Utilities to enter into agreements for the Automated Meter Reading System data collection device fixed locations for collection and transmission within the Water Division's service area.

Whereas, the City of Cleveland owns and operates an Automated Meter Reading (“AMR”) System for the benefit of its Water Division's collection and transmission of water consumption data from customers to strategically located devices to the Water Division for various business purposes including billing and collection; and

Whereas, pursuant to City Contract No. PS2010-257 with Itron, Inc. (“Itron”), Itron entered into lease agreements with third-party property owners to locate the City's AMR data collection devices within the Water Division's service area for the collection and transmission of the AMR information from the meter, to the

device, to the Water Division with the lease payments and costs incurred indirectly by the City through the contract funds; and

Whereas, under Contract No. PS2010-257, the City must accept an assignment of the Itron-AMR leases or the City must enter into agreements for similar real property rights for the current locations of the AMR collection and transmission devices in order to maintain, install, or secure the City's AMR's System with Water Division's funds not certified to Contract No. PS2010-257; and

Whereas, in order to maintain the AMR System's ability to collect and transmit the data, the City requires the authority to: 1) assume the rights and obligations, including the lease payments and costs, of the current Itron-AMR leases for the remainder of any existing term; 2) enter into agreements with real property owners where the devices are currently located on or before the lease expirations; and 3) enter into agreements with the real property owners of locations within the Water Division's service area where the location will further benefit the collection and/or transmission of the AMR data from the customer to the Water Division; and

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

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

Section 1. That the Director of Public Utilities is authorized to enter into the necessary agreements with Itron for the assignment to the City of all the real property rights and obligations for any existing Itron-AMR lease or other agreement providing for the AMR data collection device location within the Water Division's service area.

Section 2. That the Director of Public Utilities is authorized to acquire easements, fee interests, rights-of-entry, or any other interest in real property as is necessary to enhance, maintain, or secure the collection and transmission of the AMR data and to execute on behalf of the City all documents necessary to acquire such property rights; and to pay for all services, fees, permits, licenses, surveys, appraiser, title companies, escrows, consultants and all other necessary costs for the acquisition of property rights as needed to enhance, maintain, or secure the data collection and transmission capacity for the AMR System.

Section 3. That the Director of Public Utilities is authorized to enter into one or more agreements, as necessary, for any additional tower site development, delivery of fixed network equipment to the City, and installation of fixed network equipment for the data collection and transmission capacity of the AMR System.

Section 4. That the Director of Public Utilities is authorized to enter into agreements for real property rights with municipalities or other government entities deemed necessary by the Director of Public Utilities to enhance, maintain, or secure the data collection and transmission capacity of the AMR System.

Section 5. That the term of the leases or other agreements authorized under this ordinance shall be determined by the Director of Public Utilities.

Section 6. That the rent and other costs for the leases or other agreements authorized under this ordinance shall be fair market value as determined by the Board of Control, and shall be paid from funds approved by the Director of Finance.

Section 7. That the Director of Public Utilities, the Director of Law, and other appropriate City officials are authorized to execute any other documents and certificates, and take any other actions which may be necessary or appropriate to effect the leases or other agreements authorized in this ordinance.

Section 8. That the leases or other agreements authorized under this ordinance shall be prepared by the Director of Law and shall contain any terms and conditions as are required to protect the interests of the City.

Section 9. That the rent or other costs or expenses arising from the agreements authorized in this ordinance shall be paid from Fund No. 52 SF 001, RQS-2002, RL 2015-24.

Section 10. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 183-15.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an amendment to Enterprise Zone Agreement No. 62402 with Arbor Park Place LLC to extend the term of the tax abatement for an additional five years.

Whereas, under Ordinance No. 1981-01, passed December 3, 2001, this Council authorized the Director of Economic Development to enter into Enterprise Zone Agreement No. 62402 with New Village Corporation, or its designee, to provide for a ten-year tax abatement as an incentive to develop property at East 40th and Quincy Avenue; and

Whereas, Arbor Park Place LLC, designee of New Village Corporation, has developed the property with 39,000 square feet of retail space as Arbor Park Place; and

Whereas, the expiration of the tax abatement will increase costs and rents at Arbor Park Place, negatively impacting the retention of key tenants; and

Whereas, this Council wishes to amend Agreement No. 62402 to extend the term tax abatement for an additional five years in order to retain key tenants at the location; 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 amendment to Enterprise Zone Agreement No. 62402 with Arbor Park Place LLC to extend the

term of the tax abatement for an additional five years. All other terms of the agreement shall remain the same.

Section 2. That the amendment shall be prepared by the Director of Law.

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

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

Ord. No. 184-15.
By Council Members Pruitt and Kelley (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 129.37 relating to uniforms and equipment for security officers in the Department of Public Utilities; maintenance allowance.

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 129.37 to read as follows:

Section 129.37 Uniforms and Equipment for Security Officers in the Department of Public Utilities; Maintenance Allowance

(a) The Director of Public Utilities is authorized in the manner prescribed by the Charter to enter into one or more requirement contracts, or such other contracts as may be necessary for the furnishing of the necessary equipment, uniforms, and parts thereof for the Department of Public Utility security officers during each year, chargeable to the appropriation annually made for such purpose.

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

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

(d) The Director of Public Utilities is authorized to cause payment for a uniform maintenance allowance to security officers in the Department of Public Utilities for which the applicable collective bargaining agreement establishes a maintenance allowance,

in the amount established in the agreements.

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 Utilities, Finance, Law; Committees on Utilities, Finance.

Ord. No. 185-15.
By Council Members Keane and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Port Control to exercise the option to renew contracts with various branded car rental companies to operate rental car concessions at Cleveland Hopkins International Airport; and to amend contracts with those same car rental companies for the operation of service and support facilities to extend their terms to run coterminous with the car rental concessions.

Whereas, under Ordinance No. 699-08, passed December 8, 2008, the Director of Port Control entered into Contract No. 69919 with CLERAC, INC., dba Enterprise Rent-A-Car & Vanguard Car Rental USA, Inc. dba Alamo & National Rent-A-Car, Contract No. 69920 with Budget Rental Car, Contract No. 69921 with DTG Operations, dba Dollar & Thrifty Rental Car, Contract No. 69922 with Avis Rent-A-Car, and Contract No. 69923 with Hertz Corporation ("Rental Car Companies") to operate rental car concessions at Cleveland Hopkins International Airport; and

Whereas, under Ordinance No. 1024-97, passed June 16, 1997, the Director of Port Control entered into Contract Nos. 52461, 52459, 56200, 52673, 52457, 52442, and 52556 with these same rental car companies to lease space for vehicle service and support relating to car rentals ("Service Facilities"); and

Whereas, the Service Facilities leases expire at various times through 2018; and

Whereas, it is the desire of the City to have the Rental Car Companies concessions and the Service Facilities leases run coterminous with one another; 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 Port Control is authorized to exercise the option to renew Contract Nos. 69919, 69920, 69921, 69922, and 69923 with the Rental Car Companies identified in this ordinance for five years to operate rental car concessions at Cleveland Hopkins International Airport.

Section 2. That the Director of Port Control is authorized to enter into amendments to Contract Nos. 52461, 52459, 56200, 52673, 52457, 52442, and 52556 with Avis-Budget Group, CLERAC, INC. dba Enterprise Rent-A-Car & Vanguard Car Rental USA, Inc. dba Alamo & National Rent-A-Car, and DTG Operations, dba Dollar & Thrifty Rental Car for Service Facilities, to provide vehicle maintenance and service for the rental car companies

under their contracts for various periods of time up to thirty-one months in order to run coterminous with the Rental Car Companies concession agreements authorized in this ordinance.

Section 3. That the contract amendments will be prepared by the Director of Law.

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

Referred to Directors of Port Control, Finance, Law; Committees on Transportation, Finance.

Ord. No. 186-15.
By Council Members Keane and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. PI 2012-49 with West Roofing Systems, Inc. for repairing or replacing roofs or roof systems at Cleveland Hopkins International Airport.

Whereas, under the authority of Ordinance No. 956-11, passed August 17, 2011, the Director of Port Control entered into Contract No. PI 2012-49 with West Roofing Systems, Inc. for repairing or replacing roofs or roof systems at Cleveland Hopkins International Airport; and

Whereas, Ordinance No. 956-11 requires further legislation before exercising the first option to renew on this contract; and

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

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

Section 1. That the Director of Port Control is authorized to exercise the first option to renew Contract No. PI 2012-49 with West Roofing Systems, Inc. for repairing or replacing roofs or roof systems at Cleveland Hopkins International Airport. This ordinance constitutes the additional legislative authority required by Ordinance No. 956-11 to exercise this option.

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 Port Control, Finance, Law; Committees on Transportation, Finance.

Ord. No. 187-15.
By Council Members Keane and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Port Control to exercise the second option to renew Contract No. RC 2013-76 with Simplex-Grinnell, LP to maintain, repair and expand the integrated fire and security system.

Whereas, under the authority of Ordinance No. 1530-12, passed November 12, 2012, the Director of Port Control entered into Contract No. RC 2013-

76 with Simplex-Grinnell, LP to maintain, repair and expand the integrated fire and security system; and

Whereas, Ordinance No. 1530-12 requires further legislation before exercising the second option to renew on this contract; and

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

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

Section 1. That the Director of Port Control is authorized to exercise the second option to renew Contract No. RC 2013-76 for an additional year with Simplex-Grinnell, LP to maintain, repair and expand the integrated fire and security system. This ordinance constitutes the additional legislative authority required by Ordinance No. 1530-12 to exercise this option.

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 Port Control, Finance, Law; Committees on Transportation, Finance.

Ord. No. 188-15.
By Council Members K. Johnson and Keane (by departmental request).

An emergency ordinance authorizing the Director of Public Works to exercise the second option to renew Contract No. RC 2013-80 with Aggregate Construction Inc to provide for the rental of large capacity trucks with operators.

Whereas, under the authority of Ordinance No. 1694-12, passed February 11, 2013, the Director of Public Works entered into Contract No. RC 2013-80 with Aggregate Construction Inc to provide for the rental of large capacity trucks with operators; and

Whereas, Ordinance No. 1694-12 requires further legislation before exercising the second option to renew on this contract; and

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

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

Section 1. That the Director of Public Works is authorized to exercise the second option to renew Contract No. RC 2013-80 for an additional year in the approximate amount of \$410,000, with Aggregate Construction Inc for the requirements for an additional year of the rental of large capacity trucks with operators. This ordinance constitutes the additional legislative authority required by Ordinance No. 1694-12 to exercise this option.

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

Ord. No. 189-15.
By Council Members K. Johnson and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Works to enter into one or more contracts with City Year to perform community service work and to collaborate with various non-profit agencies.

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

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

Section 1. That the Director of Public Works is authorized to enter into one or more contracts with City Year to perform community service work and to collaborate with non-profit agencies, in an amount not to exceed \$75,000.00, payable from Fund No. 01-7004-6380, Request No. RQS 7004, RL 2015-5.

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

Ord. No. 190-15.
By Council Members K. Johnson and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Works to enter into an agreement with the Children's Hunger Alliance to participate in an after school hot-meal program during the 2015-16 school year at all City recreation centers and to reimburse the Children's Hunger Alliance for the cost of any unserved meals, for a period of one year, with a one-year option to renew, exercisable by the Director of Public Works.

Whereas, the Ohio Department of Education has issued a grant to Children's Hunger Alliance to sponsor the Child and Adult Care Food Program; and

Whereas, under the Food Program, the Children's Hunger Alliance will provide free hot, healthy meals to be served after school to children 5-18 years of age at all City recreation centers; and

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

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

Section 1. That the Director of Public Works is authorized to enter into an agreement with the Children's Hunger Alliance to participate in an after school hot-meal program during the 2015-16 school year at all City recreation centers, for a period of one year, with a one-year option to renew, exercisable by the Director of Public Works.

Section 2. That the agreement shall include a provision which authorizes the reimbursement to the Children's Hunger Alliance for any meals ordered by the recreation centers, but not served.

Section 3. That the is cost of the agreement is approximately \$5,000 and shall be paid from Fund No. 10 SF 005, RQS 7004, RL 2015-7.

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

Ord. No. 191-15.
By Council Members K. Johnson and Kelley (by departmental request).

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

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

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

Section 1. That the Director of Public Works is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide armed security services at various indoor and outdoor recreation facilities, including but not limited to, outdoor pools, recreation centers, and various surrounding play areas, for a period not to exceed one year.

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

Section 2. That the cost of the contract or contracts authorized shall be paid from Fund No. 01-7004-6380, Request No. RQS 7004, RL 2015-6.

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

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

Ord. No. 192-15.
By Council Member Kelley (by
departmental request).

An emergency ordinance authorizing the Director of Human Resources to employ one or more professional consultants to administer the City's employee assistance program for a one-year period, with two one-year options to renew, the second of which requires additional legislation.

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

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

Section 1. That the Director of Human Resources is authorized to employ by contract or contracts one or more consultants or 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 administer the City's employee assistance program for a one-year period, with two one-year options to renew, the second of which requires additional legislation.

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

Section 2. That the cost of the contracts shall be paid from Fund No. 01-0402-6320, RQS 0402, RL 2015-23.

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

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

Ord. No. 193-15.
By Council Members Kazy, Pruitt,
Brancatelli and Kelley (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell a portion of City-owned property no longer needed for the City's public use located at 4514 West 130th Street to B.M.W. Realty Company, Incorporated, for purposes of business expansion of Denison Auto Parts, Inc.

Whereas, the Director of Public Utilities has requested the sale of a portion of City-owned property to B.M.W. Realty Company, Incorporated (the "Redeveloper") no longer needed for the City's public use and located at 4514 West 130th Street to B.M.W. Realty Company, Incorporated, for purposes of business expansion of Denison Auto Parts, Inc.; and

Whereas, the property is no longer needed for the City's public use; 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 is no longer needed for the City's public use:

DESCRIPTION OF 523.25 SQUARE FEET PARCEL OF LAND

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Lot No. 2 in Starkweather and Johnson's Subdivision of part of Original Rockport Township Section No. 1 as shown by the recorded plat in Volume 32 of Deeds, Page 95 of Cuyahoga County Records and is further bounded and described as follows:

Beginning at a 5/8" iron pin monument at the intersection of the centerline of West 130th Street (60 feet wide), and the Southerly line of said Lot No. 2 thence North 89°53'10" West, 723.76 feet along said Southerly line and the Southerly line of land conveyed to the Village of Westpark by deed recorded in 2298, Page 139 of Cuyahoga County Records to an iron pin set and the principal place of beginning of the land described herein;

Thence continuing North 89°53'10" West, 46.0 feet to a 5/8" iron pin found at the Southeasterly corner of land conveyed to B.M.W. Realty Co. Inc. by deed recorded in AFN #200201081128 of Cuyahoga County Records;

Thence North 45°56'40" East, 32.65 feet along the Southeasterly line of said land conveyed to B.M.W. Realty Co. Inc. to an iron pin set;

Thence South 44°40'20" East, 32.05 feet to the principal place of beginning and containing 0.0120 acres of land (523.25 square feet) according to a survey made by Kevin L. Kinzy of Fairview Land Surveying dated November, 2014, be the same more or less but subject to all legal highways.

The bearings for this survey were based on the centerline of West 130th Street which bears North 00°09'40" East.

All iron pins set were 5/8" iron rebar with yellow identification caps marked "KINZY S-7491".

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 the Redeveloper at a price not less than the Cuyahoga County Auditor's appraised value of \$630.00, which is determined to be fair market value, taking into account all restrictions, reversionary interests and similar encumbrances as may be placed by the City of Cleveland in the deed of conveyance.

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, and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 4. That the City acknowledges, states and affirms, under Section 8.06 of the Amended and Restated Trust Indenture, effective October 5,

2001, that the City desires and requests that certain portion of its land heretofore subject to the Indenture be released and removed from all obligations under the Indenture. Further, the City acknowledges, state and affirms that it is not in default under the Indenture and that release of the land is necessary in order to serve the public purpose.

Section 5. The Director of Public Utilities is authorized to apply to National City Bank, Cleveland, Ohio, as trustee, for a land release under the Indenture.

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

Ord. No. 194-15.
By Council Members Keane and
Kelley (by departmental request).

An emergency ordinance authorizing the Director of Port Control to lease certain warehouses located at City Docks 30 and 32 to various companies for the purposes that may include storage, movie staging, construction staging, and special events, for a term of two years, with three one-year options to renew, the third of which is exercisable through additional legislative authority.

Whereas, the City of Cleveland owns certain warehouses known as City Docks 30 and 32, which are not needed for the City's public use; and

Whereas, various companies have proposed to lease the property from the City; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Port Control is authorized to lease to various companies ("Lessees"), certain warehouses known as City Docks 30 and 32, which are not needed for the City's public use and is more fully depicted in the map placed in File No. 194-15-A.

Section 2. That the term of the lease or leases authorized by this ordinance shall not exceed two years, with three one-year options to renew, the third of which is exercisable through additional legislative authority. The first and second one-year option to renew may be exercised by the Director of Port Control without the necessity of obtaining additional authority of this Council. The third one-year option to renew may not be exercised without additional legislative authority. The Director of Port Control may terminate any lease entered into under this ordinance by giving a thirty-day notice to the Lessees.

Section 3. That the spaces authorized by this ordinance shall be leased at fair market value as determined by the Board of Control, exclusive of utilities.

Section 4. That the lease or leases may authorize the Lessees to make improvements to the leased premises subject to the approval of appropriate City agencies and officials.

Section 5. That the lease or leases shall be prepared by the Director of Law.

Section 6. That the Director of Port Control, the Director of Law, and other appropriate City officials are authorized to execute any other documents and certificates, and take any other actions which may be necessary or appropriate to effect the lease or leases authorized by this ordinance.

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 Port Control, City Planning Commission, Finance, Law; Committees on Transportation, Finance.

Ord. No. 195-15.

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

An emergency ordinance to supplement Ordinance No. 1780-05, passed January 9, 2006, as amended by Ordinance No. 766-11, passed June 6, 2011 and Ordinance No. 123-13, passed March 18, 2013, by adding new Section 6d, relating to the terms of a Tax Increment Financing Agreement with Steelyard Commons LLC.

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

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

Section 1. That Ordinance No. 1780-05, passed January 9, 2006, as amended by Ordinance No. 766-11, passed June 6, 2011 and Ordinance No. 123-13, passed March 18, 2013, is supplemented by adding new Section 6d, to read as follows:

Section 6d. That the terms of the agreement are as follows:

Borrower: First Interstate Properties, Inc.

Project Location: Steelyard Commons

Project Manager: Anthony Thornton

Ward/Councilperson: Ward 3/
Councilman Joe Cimperman

City Assistance: Non-school TIF

Project Description:

To build off of the success of Phase I, First Interstate Properties, Ltd. is ready to move forward with the Phase II expansion of Steelyard Commons. Phase II will be located on the empty 19.5 acre parcel at Steelyard Commons and will occur in two installments. The first installment (or Phase IIA) will add 90,000 SF of retail space in which they have secured leases from several tenants, including the anchor tenant that will occupy 70,000 SF. The total budget for this portion of Phase II is \$24.2M. Construction is expected to begin in Summer 2013. This initial development is expected to create 140 jobs with an estimated 110 going to Cleveland residents. Conservative

projections call for sales of \$20M per year. The rest of Phase II is expected to be completed in 2019 and will add another 160 jobs, with an additional 107,000 SF in retail space. The preliminary budget of Phase IIB is \$21.5M. In order for this project to move forward and for the city to experience the many benefits this expansion will bring, the Borrower needs assistance from the City of Cleveland. This expansion will not happen without assistance from the City of Cleveland.

Proposed City Assistance:

- The Department of Economic Development is proposing to extend the life of the existing TIF on the Steelyard Commons site for ten (10) more years.
- In addition to extending the original Steelyard Commons non-school TIF, Economic Development will amend the existing TIF agreement to divert \$300,000 per year from the non-school portion to be made available to the Borrower to support Bonds to help finance Phase II.
- Economic Development will pull out the Phase II parcel (008-37-005) from the existing TIF by amending the existing TIF ordinance. (parcel 008-37-005 will be split as part of this project)

City Requirements:

- Not subject to the Fair Employment Wage Law since retail jobs are being created.
- Subject to the Fannie M. Lewis Cleveland Resident Employment Law due to construction exceeding \$100,000.
- Subject to MBE/FBE/CSB due to construction exceeds \$10,000.
- Subject to Workforce Development Agreement for all new jobs.

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

Ord. No. 196-15.

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

An emergency ordinance to amend Section 2 of Ordinance No. 131-13, passed March 18, 2013, relating to a Tax Increment Financing Agreement with First Interstate Properties, Inc., or its designee, relating to the terms of the Steelyard Commons Phase 2 project.

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

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

Section 1. That Section 2 of Ordinance No. 131-13, passed March 18, 2013, is amended to read as follows:

Section 2. That one hundred percent (100%) of the Improvements are declared exempt from real property taxation for a period of 30 years, and that in no event shall the exemption period extend beyond 2046. **The terms of the agreement are as follows:**

Borrower: First Interstate Properties, Inc.

Project Location: Steelyard Commons

Project Manager: Anthony Thornton

Ward/Councilperson: Ward 3/
Councilman Joe Cimperman

City Assistance: Non-school TIF

Project Description:

To build off of the success of Phase I, First Interstate Properties, Ltd. is ready to move forward with the Phase II expansion of Steelyard Commons. Phase II will be located on the empty 19.5 acre parcel at Steelyard Commons and will occur in two installments. The first installment (or Phase IIA) will add 90,000 SF of retail space in which they have secured leases from several tenants, including the anchor tenant that will occupy 70,000 SF. The total budget for this portion of Phase II is \$24.2M. Construction is expected to begin in Summer 2013. This initial development is expected to create 140 jobs with an estimated 110 going to Cleveland residents. Conservative projections call for sales of \$20M per year. The rest of Phase II is expected to be completed in 2019 and will add another 160 jobs, with an additional 107,000 SF in retail space. The preliminary budget of Phase IIB is \$21.5M. In order for this project to move forward and for the city to experience the many benefits this expansion will bring, the Borrower needs assistance from the City of Cleveland. This expansion will not happen without assistance from the City of Cleveland.

Proposed City Assistance:

- Economic Development will enter into a new TIF agreement with the Developer on Steelyard Commons' Phase II parcel (008-37-005). The new non-school TIF will last for 30 years. The City of Cleveland will be entitled to the first \$100,000 in annual TIF revenue from the Phase II TIF agreement, which will be used for the Towpath Trail and ED Grant program following the same 70%/30% split that is currently in place for Phase I. The non-school TIF proceeds above \$100,000 would be available to the Borrower to service debt on the Bonds or pay other Phase II project debt.
- Parcel 008-37-005 may be split as part of the development.

City Requirements:

- Not subject to the Fair Employment Wage Law since retail jobs are being created.
- Subject to the Fannie M. Lewis Cleveland Resident Employment Law due to construction exceeding \$100,000.
- Subject to MBE/FBE/CSB due to construction exceeds \$10,000.
- Subject to Workforce Development Agreement for all new jobs.

Section 2. That existing Section 2 of Ordinance No. 131-13, passed March 18, 2013, is repealed.

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

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

Ord. No. 197-15.

By Council Member Kelley.

An emergency ordinance authorizing the Clerk of Council to enter into subscription, license and any other agreements necessary to obtain online access to computer assisted legal and other research data bases, materials and services required for the work of Cleveland City Council.

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

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

Section 1. That the Clerk of Council is authorized to enter into subscription, license and any other agreements necessary to obtain online access to computer assisted legal and other research databases, materials and services required for the work of Cleveland City Council.

Section 2. That the term of any such agreement shall not exceed four (4) years beginning in March, 2015, and shall be paid from fund numbers 632000-01-010100, and/ or from the fund or funds which are appropriated for the payment of such agreements.

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.

Referred to Committee on Finance.

Ord. No. 198-15.

By Council Member Cleveland.

An emergency ordinance designating the Stuyvesant Motor Company Building as a Cleveland Landmark.

Whereas, under Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976, the Cleveland Landmarks Commission (the "Commission"), has proposed to designate the Stuyvesant Motor Company Building as a landmark; and

Whereas, the owner of the Stuyvesant Motor Company Building has been properly notified and has consented in writing to the proposed designation; and

Whereas, the Commission has recommended designation of the Stuyvesant Motor Company Building as a landmark and has set forth certain findings of fact constituting the basis for its decision; and

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

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

Section 1. That the Stuyvesant Motor Company Building whose street address in the City of Cleveland is 1937 Prospect Avenue, S. E., Cuyahoga County Auditor's Permanent Parcel Number is 103-03-037, and is

also known as the following described property:

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Original Ten Acre Lot Number 54, and being more fully bounded and described as follows:

Commencing at an iron pin found at the intersection of the centerline of East 18th Street (66 feet wide) and the centerline of Prospect Avenue (82.50 feet wide);

Thence North 81 deg. 08' 00" East, along the centerline of Prospect Avenue, a distance of 566.52 feet to a point;

Thence North 08 deg. 43' 01" West, a distance of 41.25 feet to an iron pin set at the Southeasterly corner of a parcel of land now or formerly owned by Cleveland Prospect Parking LP as recorded in AFN 201105120259 of Cuyahoga County Records, said point being the Principal Place of Beginning for the parcel herein described;

Thence North 08 deg. 50' 26" West along the Easterly line of said Cleveland Prospect Parking land, a distance of 199.98 feet to a point in the centerline of Swingo's Court (20 feet wide), formerly known as Brownell Court;

Thence North 81 deg. 09' 54" East along the said centerline of Swingo's Court, a distance of 63.17 feet to the Northwesterly corner of a parcel of land now or formerly owned by Terrapark IV LP as recorded in AFN 201201200587 of Cuyahoga County Records;

Thence South 8 deg. 50' 26" East along the Westerly line of said Terrapark land, a distance of 199.94 feet to an iron pin set on the said Northerly line of Prospect Avenue;

Thence South 81 deg. 08' 00" West along the said Northerly line of Prospect Avenue, a distance of 63.17 feet to the Principal Place of Beginning, containing 0.2899 acres, 12,631.674 square feet of land according to a survey by Atwell, LLC, dated December 17, 2014, and being the same more or less and being subject to all legal highways and easements;

All iron pins set are "ATWELL" capped 5/8" rebar 30" long; bearings based on the Ohio State Plane Coordinate System, North Zone;

Which in its entirety is a property having special character or special historical or aesthetic value as part of the development, heritage, or cultural characteristics of the City, State, or the United States, is designated a landmark under Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976.

Legal Description approved by Greg Esber, Section Chief Plats, Surveys and House Numbering Section Division of Engineering & Construction

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

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

Ord. No. 199-15.

By Council Member Cimperman.

An emergency ordinance to amend Section 241.36 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1657-11, passed November 28, 2011, to extend the expiration of the Mobile Food Shop Location Permit to the last day of March of each year, unless renewed.

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

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

Section 1. That Section 241.36 of the Codified Ordinances of Cleveland, Ohio 1976, as amended by Ordinance No. 1657-11, passed November 28, 2011, is amended as follows:

Section 241.36 Mobile Food Shops - Location, Permits; Fee

(a) *Permit Required.* No vendor shall sell, offer for sale, or display food items from a vending device without first obtaining a permit from the Commissioner of Assessments and Licenses for the location upon which the vendor conducts a mobile food shop.

(b) *Application.* An application for a permit under this section shall be made upon a form prescribed by the Commissioner, and contain the following:

- (1) The vendor's name, address, and food shop license number;
- (2) Tax identification number;
- (3) A description of the food cart, food truck or other vending device from which the applicant intends to vend, including the dimensions of the cart, truck or device;
- (4) A description of the items to be offered for sale;
- (5) A copy of the vendor's food shop license;
- (6) A certificate of insurance, or an acknowledgment thereof, by an insurance carrier licensed to do business in this state, evidencing comprehensive general liability coverage in the amount of one hundred thousand dollars (\$100,000.00), to protect against damage to property and/or persons resulting from the operation of the mobile food shop;
- (7) The location(s) for which a permit is sought, including for locations on:
 - A. Public sidewalks outside of the Central Business District within the City, the ward(s) in which the mobile food shop intends to operate;
 - B. Public sidewalks inside the Central Business District within the City, an approved sidewalk occupancy permit issued by the Office of Capital Projects under Chapter 508;
 - C. Private property within the City not owned by the applicant, a notarized document evidencing the vendor's right to operate on the property;
 - D. Public streets within the City, the ward(s) in which the mobile food shop intends to operate;
- (8) An application fee of one hundred dollars (\$100.00); and
- (9) Any other information as the Commissioner may require.

(c) *Issuance.* Upon receipt of an application in compliance with division (b) of this section, the Commissioner shall notify the City Councilmember(s) in whose ward(s) the mobile food shop intends to operate. The Commissioner shall issue a permit authorizing the use of locations

for those ward(s) of the City Councilmember(s) so notified, unless within fifteen (15) days of receipt of notification an objection or comment is received by the Commissioner. If the notification to the Commissioner is in the nature of a comment rather than an objection, then the Councilmember(s) shall have an additional fifteen (15) days in which to submit an objection. An applicant may appeal any denial to the Board of Zoning Appeals established pursuant to Charter Section 76-6. Notice of such appeal shall be in writing and shall be filed with the Board within ten (10) days from the date of the written decision of the Commissioner.

(d) *Permitted Use.* Upon receipt of a permit under this section, the permittee may operate in those locations and wards designated on the permit in compliance with the regulations contained in Sections 241.37 and 241.38.

(e) *Expiration.* The permit issued under this section shall expire on the last day of **March** of each year, unless renewed.

(f) *Revocation.* The Commissioner of Assessments and Licenses may suspend or revoke any permit granted under this section on basis of a violation of this chapter.

Section 2. That existing Section 241.36 of the Codified Ordinances of Cleveland, Ohio 1976, as amended by Ordinance No. 1657-11, passed November 28, 2011, is repealed.

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

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

Ord. No. 204-15.

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

An emergency ordinance authorizing the Director of Public Works to enter into one or more agreements with the Board of Park Commissioners of the Cleveland Metropolitan Park District to construct and maintain initial greening improvements on City property located at the southeast corner of West Avenue and Merwin Avenue in advance of the City's larger Canal Basin Park project; and authorizing agreements, as necessary to implement this ordinance.

Whereas, in 2007, the City acquired approximately 1.47 acres of land at the southeast corner of West Avenue and Merwin Avenue to Center Street for Phase I of Canal Basin Park; and

Whereas, in November 2014, the Steelyard Commons TIF Fund Committee agreed to fund The Board of Park Commissioners of the Cleveland Metropolitan Park District ("Metroparks") up to \$300,000 for Metroparks to construct and maintain the initial green project improvements in advance of the City's larger Canal Basin Park project; and

Whereas, under Section 108(c) of the Charter of the City of Cleveland, when authorized by ordinance, competitive bidding and advertisement are not required for purchase of services through employment of cooperative purchase arrangements with other governmental agencies; and

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

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

Section 1. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Works or the Director of Capital Projects is authorized to enter into one or more agreements with Metroparks for the financing, construction, and maintenance of the green project improvements. Metroparks will make improvements to the following property, which may include but not be limited to, initial greening improvements such as removing existing pavement and substructure, adding soil and landscaping, and providing a grassy area over the former industrial property. Metroparks shall maintain the following property during the term of the agreement:

**EXHIBIT A
Legal Description**

AREA "A"

Real property in Cuyahoga County, Ohio legally described as:

The following described real property in the City of Cleveland, County of Cuyahoga, State of Ohio:

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being part of Sublots 12, 13, 14 in I.L. Hewitt's Subdivision of part of the Merwin Estate as recorded by Plat Volume 1, Page 10 Cuyahoga County Map Records, part of West Alley as vacated by Plat Volume 227, Page 94 Cuyahoga County Map Records, part of Turn Court vacated by City of Cleveland Ordinance 72982, all of Sublot 34 and part of Sublots 7, 8, 32, 33, 35, 36, 37 recorded by An Allotment for F.W. Bingham of part of the Merwin Estate Volume 45, Page 43 Cuyahoga County Deed Records and bounded and described as follows:

Beginning at a 5/8 inch iron pin found at the intersection of the southerly line of West Street N.W., 50.00 feet wide, and the easterly line of Detroit-Superior Bridge, 120.00 feet wide, also being the easterly line of a parcel of land conveyed to the County of Cuyahoga, Ohio by Volume 1594, Page 633 Cuyahoga County Deed Records;

Thence South 71 degrees 09 minutes 51 seconds East along the southerly line of said West Street N.W. 235.84 feet to a point therein from which point a Drill Hole set bears North 18 degrees 50 minutes 09 seconds East, 5.00 feet;

Thence southwesterly 119.98 feet along a curve deflecting to the left and having a radius of 1198.78 feet and a chord which bears South 34 degrees 44 minutes 25 seconds West 119.93 feet to a Drill Hole set;

Thence North 52 degrees 10 minutes 04 seconds West 74.33 feet to a P.K. Nail set;

Thence North 58 degrees 15 minutes 01 seconds West 163.00 feet to a Drill Hole set in the easterly line of Merwin Street N.W., 66.00 feet wide;

Thence North 31 degrees 44 minutes 59 seconds East along the easterly line of said Merwin Street N.W. 14.75 feet to its intersection with the easterly line of said Detroit-Superior Bridge from which point a Drill Hole

found bears South 31 degrees 44 minutes 59 seconds West, 0.11 feet and south 58 degrees 15 minutes 01 seconds East, 0.06 feet;

Thence North 48 degrees 24 minutes 23 seconds East along the easterly line of said Detroit-Superior Bridge 46.38 feet to the place of beginning and containing 20,000 square feet or 0.4591 acres according to a survey by John M. Zaranec, Jr. P.S. 7126 for Zaranec Surveying Co. dated May 11, 2007.

The basis of bearing is the centerline of Center Street N.W. of North 88 degrees 09 minutes 02 seconds West as shown by Plat Volume 320, Page 76 Cuyahoga County Map Records.

Note: The above described premises is further known as Area "A" in the Lot Split and Consolidation as recorded in Auditors File Number 200803180563 Cuyahoga County Map Records.

AND AREA "B"

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being all of Sublot 10, 11 and part of Sublots 9, 12 in I.L. Hewitt's Subdivision of part of the Merwin Estate as recorded by Plat Volume 1, Page 10 Cuyahoga County Map Records, part of West Alley as vacated by Plat Volume 227, Page 94 Cuyahoga County Map Records, part of Turn Court vacated by City of Cleveland Ordinance 72982, all of Sublots 4 thru 6, 9, 30 and 31 part of Sublots 7, 8, 10, 11, 12, 29, 32, 33, 35, 36 and 37 recorded by an Allotment for F.W. Bingham of part of the Merwin Estate Volume 45, Page 43 Cuyahoga County Deed Records and bounded and described as follows:

Beginning at the intersection of the southerly line of West Street N.W., 50.00 feet wide, and the westerly line of a parcel of land conveyed to John W. Hickey by Auditors File Number 200403290128 Official Records Cuyahoga County from which point a 5/8 inch iron pin found bears North 18 degrees 50 minutes 09 seconds East, 2.10 feet;

Thence southwesterly along the westerly line of said parcel of land conveyed to John W. Hickey the following courses:

South 18 degrees 50 minutes 09 seconds West 30.67 feet to the northeasterly corner of Viaduct Pier 25 most easterly bridge pier;

South 17 degrees 09 minutes 41 seconds West along the easterly face of Viaduct Pier 25 most easterly bridge pier 10.21 feet to the southeasterly corner thereof;

South 36 degrees 13 minutes 51 seconds West 113.49 feet to the northeasterly corner of Viaduct Pier 24 most easterly bridge pier;

South 12 degrees 22 minutes 35 seconds West along the easterly face of Viaduct Pier 24 most easterly bridge pier 10.40 feet to the southeasterly corner thereof;

Thence South 01 degrees 50 minutes 58 seconds West 16.19 feet to its intersection with the northerly line of Center Street N.W., 60.00 feet wide, formerly Division Street from which point a Drill Hole found Bears North 01 degrees 50 minutes 58 seconds East, 0.48 feet;

Thence North 88 degrees 09 minutes 02 seconds West along the northerly line of said Center Street 164.38 feet to its intersection with the easterly line of a parcel of land conveyed to Mary Coyne Investments, LLC. recorded by

Auditors File Number 200412301128 Parcel 2 Official Records Cuyahoga County;

Thence North 01 degrees 50 minutes 58 seconds East along the easterly line of said parcel of land conveyed to Mary Coyne Investments, LLC. 107.93 feet to an angle point therein from which point a 5/8 inch iron pin found bears North 10 degrees 20 minutes 33 seconds East, 0.04 feet and South 79 degrees 39 minutes 27 seconds East, 0.34 feet;

Thence North 10 degrees 20 minutes 33 seconds East along the easterly line of said parcel of land conveyed to Mary Coyne Investments, LLC. 6.00 feet to a P.K. Nail set at a corner thereof;

Thence North 79 degrees 39 minutes 27 seconds West along the northerly line of said parcel of land conveyed to Mary Coyne Investments, LLC. 21.32 feet to an angle point therein from which point a 5/8 inch iron pin found bears North 10 degrees 20 minutes 33 seconds East, 0.08 feet and South 79 degrees 39 minutes 27 seconds East, 0.54 feet;

Thence North 58 degrees 15 minutes 01 seconds West along the northerly line of said parcel of land conveyed to Mary Coyne Investments, LLC. 15.60 feet to a P.K. Nail set at a corner thereof;

Thence South 31 degrees 44 minutes 59 seconds West along the westerly line of said parcel of land conveyed to Mary Coyne Investments, LLC. 51.03 feet to its intersection with the northerly line of a parcel of land conveyed to Target Industries, Inc. by Deed Volume 85-5083, Page 14 Official Records Cuyahoga County from which point a P.K. Nail found bears North 31 degrees 44 minutes 59 seconds East 0.11 feet and South 58 degrees 15 minutes 01 seconds East, 0.56 feet;

Thence North 58 degrees 15 minutes 01 seconds West along the northerly line of said parcel of land conveyed to Target Industries, Inc. 93.17 feet to its intersection with the easterly line of Merwin Street N.W., 66.00 feet wide, from which point a Drill Hole found bears south 31 degrees 44 minutes 59 seconds West, 0.47 feet and North 58 degrees 15 minutes 01 seconds West, 0.89 feet;

Thence North 31 degrees 44 minutes 59 seconds East along the easterly line of said Merwin Street N.W. 90.00 feet to a Drill Hole set therein;

Thence South 58 degrees 15 minutes 01 seconds East 163.00 feet to a P.K. Nail set;

Thence South 52 degrees 10 minutes 04 seconds East 74.33 feet to a Drill Hole set;

Thence northeasterly 119.98 feet along a curve deflecting to the right and having a radius of 1198.78 feet and a chord which bears North 34 degrees 44 minutes 25 seconds East, 119.93 feet to its intersection with the southerly line of said West Street N.W. from which point a Drill Hole set bears North 18 degrees 50 minutes 09 seconds East, 5.00 feet;

Thence South 71 degrees 09 minutes 51 seconds East along the southerly line of said West Street N.W. 73.72 feet to the place of beginning and containing 36,079 square feet or 0.8283 acres according to a survey by John M. Zaranec, Jr. P.S. 7126 for Zaranec Surveying Co. dated May 11, 2007.

The basis of bearing is the centerline of Center Street N.W. of North 88 degrees 09 minutes 02 seconds West

as shown by Plat Volume 320, Page 76 Cuyahoga County Map Records.

Note: The above described premises is further known as Area "B" in the Lot Split and Consolidation as recorded in Auditors File Number 200803180563 Cuyahoga County Map Records.

101-15-018
AND

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot Nos. 1, 2 and 3, part of vacated Turn Court and part of vacated West Alley in F.W. Bingham's Allotment of part of the Merwin Tract as shown by the recorded plat in Volume 45 of Deeds, Page 43 of Cuyahoga County Records and bounded and described as follows:

Beginning in the Northerly line of Center Street 60 feet wide (formerly Division Street) at the Southeastery corner of said Sublot No. 3;

thence North 88 degrees 07' 30" West 96.37 feet along said Northerly line of Center Street to its intersection with the center line of vacated West Alley;

thence North 31 degrees 47' 00" East 88.39 feet along said centerline of West Alley to a point;

thence North 58 degrees 13' 00" West 7.80 feet to a point in the Northwesterly line of vacated West Alley;

thence North 31 degrees 47' 00" East 51.03 feet along the Northwesterly line of vacated West Alley, to a point;

thence South 58 degrees 13' 00" East 15.60 feet to a point marking the intersection of the Southeastery line of vacated West Alley and the centerline of vacated Turn Court;

thence 79 degrees 38' 15" East 21.21 feet along said centerline of vacated Turn Court to a point;

thence South 10 degrees 21' 45" West 6.00 feet to the Northeastery corner of said Sublot No. 3;

thence South 1 degree 52' 30" West 107.90 feet along the Easterly line of said Sublot No. 3, to the place of beginning, be the same more or less, but subject to all legal highways. The bearings used in this description are to an assumed meridian and are used to describe various angles.

Section 2. That the agreements shall not be construed as a conveyance of any right, title, or interest in public property, but is the grant of a privilege revocable at the will of Council.

Section 3. That the agreement with Metroparks shall include, but not be limited to, granting reasonable right-of-entry rights to the City.

Section 4. That the agreement authorized shall be prepared by the Director of Law.

Section 5. That the Director of Public Works is authorized to enter into any agreements with Metroparks, or other entities, to implement this ordinance.

Section 6. That the costs of the agreement shall not exceed \$300,000 and shall be paid from Fund No. 20 SF 522, RQS 0103, RL 2015-17

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 Public Works, City Planning Commission, Finance, Law; Committees on Municipal Services and Properties, Development Planning and Sustainability, Finance.

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

Ord. No. 200-15.

By Council Member Zone.

An emergency ordinance consenting and approving the issuance of a permit for The Hermes 10 Miler, on April 25, 2015, sponsored by Hermes Sports & Events, Inc.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of The Hermes 10 Miler, on April 25, 2015, start: Edgewater Park; exit park west up bike path to West Boulevard; West Boulevard south to Lake Avenue; Lake west to West 117th Street; then into the City of Lakewood; returning from Lakewood on Lake Avenue; Lake east to Detroit Avenue; Detroit east to West 67th Street; West 67th north to Father Caruso Drive; Father Caruso Drive east to the tunnel to Edgewater Park—Finish in Edgewater Park; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

The rules were suspended. Yeas 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. 201-15.

By Council Member Reed.

An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 4025 East 131st Street.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from 4025 East 131st, Inc., DBA Lucky's Market, 4025 East 131st Street, Cleveland, Ohio 44105,

Permanent Number 2850894 to Speedy Harvard, LLC, 4025 East 131st Street, Cleveland, Ohio 44105, Permanent Number 8429701; and

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership a C2 and C2X Liquor Permit from 4025 East 131st, Inc., DBA Lucky's Market, 4025 East 131st Street, Cleveland, Ohio 44105, Permanent Number 2850894 to Speedy Harvard, LLC, 4025 East 131st Street, Cleveland, Ohio 44105, Permanent Number 8429701, and requests the Superintendent of the Division of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

Res. No. 202-15.
By Council Member Pruitt.
An emergency resolution objecting to a New C1 Liquor Permit at 3785 Lee Road.

Whereas, Council has been notified by the Division of Liquor Control of an application for a New C1 Liquor Permit at Dolgen Midwest, LLC, DBA Dollar General Store, #14637, 3785 Lee Road, Cleveland, Ohio 44128, Permanent Number 22348151975; and

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C1 Liquor Permit at Dolgen Midwest, LLC, DBA Dollar General Store, #14637, 3785 Lee Road, Cleveland, Ohio 44128, Permanent Number 22348151975; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

Res. No. 203-15.
By Council Member Reed.
An emergency resolution objecting to a New C2 Liquor Permit at 3916 East 123rd Street 1st floor only.

Whereas, Council has been notified by the Division of Liquor Control of an application for a New C2 Liquor Permit at Manny Quick Stop, Inc., 3916 East 123rd Street, 1st floor only, Cleveland, Ohio 44108, Permanent Number 5497040; and

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C2 Liquor Permit at Manny Quick Stop, Inc., 3916 East 123rd Street, 1st floor only, Cleveland, Ohio 44108, Permanent Number 5497040; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

Res. No. 205-15.

By Council Member Brady.

An emergency resolution objecting to a New C1 Liquor Permit at 3935 West 130th Street.

Whereas, Council has been notified by of an the Division of Liquor Control application for a New C1 Liquor Permit at 130th Valero, Inc., 3935 West 130th Street, Cleveland, Ohio 44111, Permanent Number 6548436; and

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C1 Liquor Permit at 130th Valero, Inc., 3935 West 130th Street, Cleveland, Ohio 44111, Permanent Number 6548436; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

Section 3. That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and

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

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

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

SECOND READING EMERGENCY ORDINANCE PASSED

Ord. No. 120-15.

By Council Member Conwell.

An emergency ordinance to name the un-named park roadway known as the Ansel Road ramp from Martin Luther King Jr. Drive to Ansel Road the name of St. Casimir Way.

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.

MOTION

On the motion of Council Member Cleveland, the absence of Council Member Martin J. Keane is hereby authorized. Seconded by Council Member Cimperman.

The Council Meeting adjourned at 7:37 p.m. to meet on Monday, March 2, 2015, at 7:00 p.m. in the Council Chamber.



Patricia J. Britt
City Clerk, Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

February 18, 2015

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, February 18, 2015 at 10:33 a.m. with Director Langhenry presiding.

Present: Director Langhenry, Directors Smith, Cox, Parrilla, McGrath, Rush, Southerington, Fumich, O'Leary and Acting Director Midgett.

Absent: Mayor Jackson, Interim Director Dumas and Director Nichols.

Others: Deborah Midgett, Acting Commissioner, Division of Purchases & Supplies.

Melissa Burrows, Director, Office of Equal Opportunity.

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

Resolution No. 50-15.

By Interim Director Dumas.

Whereas, under the authority of Ordinance No. 364-13, passed by the Council of the City of Cleveland on April 8, 2013, and Board of Control Resolutions Nos. 554-13 and 55-14, respectively adopted by this Board of Control on September 25, 2013 and February 5, 2014, the City, through its Director of Public Utilities, entered into City Contract No. PS2013*231 with Partners Environmental Consulting, Inc. for professional consulting services to provide general environmental, health, safety, sustainability, engineering, and other services needed for a period of two years, in the amount of \$310,000.00, and approved the employment of L.V. Surveying, Inc. (CSB/FBE) as a subconsultant, among others, for the Divisions of Water, Water Pollution Control and Cleveland Public Power, Department of Public Utilities; and

Whereas, the City desires to modify City Contract No. PS2013*231 to include additional safety training and consulting services related to meter safety, grounding, traffic control and medium/high voltage, as proposed by Partners Environmental Consulting, Inc. in its October 3, 2014 letter; and

Whereas, by its January 5, 2015 letter, Partners Environmental Consulting, Inc. requested the City's consent to employ two additional subconsultants, increase and/or reduce the participation of previously approved subconsultants, and removing L.V. Surveying, Inc. (CSB/FBE) as a subconsultant because its services are no longer required; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolutions Nos. 554-13 and 55-14, respectively adopted September 25, 2013 and February 5, 2014, under the authority of Ordinance No. 364-13, passed April 8, 2013, authorizing a contract with Partners Environmental Consulting, Inc. for professional consulting services to provide general environmental, health, safety, sustainability, engineering, and other services needed for the Divisions of Water, Water Pollution Control and Cleveland Public Power, Department of Public Utilities, is amended by increasing the participation of Precision Analytical, Inc. (CSB/MBE) from To Be Determined "TBD" to \$8,000.00 (1.969%), reducing the participation of City Architecture, Inc. (CSB) from \$11,000.00 (3.548%) to "TBD", and by deleting the approval of subconsultant L.V. Surveying, Inc. (CSB/FBE).

Be it further resolved by the Board of Control of the City of Cleveland that the Director of Public Utilities is authorized to enter into a first modification to City Contract No. PS2013*231 with Partners Environmental Consulting, Inc., on the basis of its proposals dated October 3, 2014 and January 5, 2015, for performance of the above-mentioned additional services and to increase the fees for all services by \$96,400.00 to \$406,400.00.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of

the following additional subconsultants by Partners Environmental Consulting, Inc. for the above-mentioned additional services is approved:

<u>Subconsultant</u>	<u>Work Percentage</u>
M.A.C. Paran Consulting Services, Inc. (FBE)	\$49,464.00 12.171%
BakerCorp	TBD

Yeas: Director Langhenry, Directors Smith, Cox, Parrilla, McGrath, Rush, Southerington, Fumich, O'Leary and Acting Director Midgett.

Nays: None.
Absent: Mayor Jackson, Interim Director Dumas and Director Nichols.

Resolution No. 51-15.

By Interim Director Dumas.
Be it resolved by the Board of Control of the City of Cleveland that the bid of VanCuren Services, Inc. for an estimated quantity of tree trimming services, all items, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two years starting upon execution of the contract, received on December 19, 2014 under the authority of Ordinance No. 863-13, passed August 14, 2013, which on the basis of the estimated quantity would amount to \$517,400.00 (1%, 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services, which contract shall provide for an initial delivery order, the cost of which shall be determined upon the execution of the contract.

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

Be it further resolved that the employment of the following sub-contractors is approved:

<u>SUBCONTRACTOR</u>	<u>DOLLAR AMOUNT</u>
The Markey Group (CSB/FBE/LPE)	\$4,000.00

Yeas: Director Langhenry, Directors Smith, Cox, Parrilla, McGrath, Rush, Southerington, Fumich, O'Leary and Acting Director Midgett.

Nays: None.
Absent: Mayor Jackson, Interim Director Dumas and Director Nichols.

Resolution No. 52-15.

By Director Cox.
Whereas, by Ordinance No. 1061-14, passed by the Cleveland City Council on September 15, 2014, as amended by Ordinance No. 96-15, passed on February 2, 2015, the Council determined to make the public improvement of the redevelopment of Public Square, the construction of improvements to Malls B and C, the construction of a pedestrian and bicycle bridge to connect Mall C to

the North Coast Harbor District (the "Improvement"), and the traffic signalization improvement and utility relocations necessary for the Public Square redevelopment part of the Improvement, including the design, procurement, and construction necessary, by one or more design-build or engineer-procure-construct contracts with the Group Plan Commission for a total compensation to be paid for all design and construction and procurement necessary for the Improvement to be fixed by the Board of Control, and authorized the Director of Public Works to enter into one or more agreements with the Group Plan Commission regarding the redevelopment, construction, operations and programming of Public Square, for the Department of Public Works; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Ordinance No. 1061-14, passed by the Cleveland City Council on September 15, 2014, as amended by Ordinance No. 96-15, passed on February 2, 2015, the total compensation to be paid for all design and construction and procurement necessary for the Improvement is fixed at not less than \$69,000,000.00, and the City's total costs for the Improvement shall not exceed \$15,015,000.00 of which the City's cost for Public Square traffic signalization improvements and utility relocations shall not exceed \$5,015,000.00.

Be it further resolved that the employment of the following sub-contractors by Group Plan Commission (GPC) for the above-mentioned design, procurement, and construction is approved:

<u>SUBCONTRACTOR</u>	<u>WORK</u>
Donley's Inc.	TBD
James Corner Field Operation	TBD
Osborn Engineering	TBD
Project Management Consultants LLC	TBD

Yeas: Director Langhenry, Directors Smith, Cox, Parrilla, McGrath, Rush, Southerington, Fumich, O'Leary and Acting Director Midgett.

Nays: None.
Absent: Mayor Jackson, Interim Director Dumas and Director Nichols.

Resolution No. 53-15.

By Director Rush.
Whereas, Board of Control Resolution No. 436-14, adopted September 10, 2014, authorized the sale and development of Permanent Parcel No. 015-01-086 to Gerald Vandevier for yard expansion, as part of the City Land Reutilization Program established under Ordinance No. 2076-76, passed by the Cleveland City Council on October 25, 1976; and Whereas, in the fourth paragraph, Resolution No. 436-14 incorrectly identified the proposed purchaser of the parcel to be sold as "Gerald Vandevier"; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 436-14, adopted by this Board on September 10, 2014, authorizing the sale and development of Permanent Parcel No. 015-01-086 to Gerald Vandevier for yard

expansion, is amended by substituting "Vandevier Properties LLC" for "Gerald Vandevier", where appearing in the resolution.

Be it further resolved that all other provisions of Resolution No. 436-14 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Director Langhenry, Directors Smith, Cox, Parrilla, McGrath, Rush, Southerington, Fumich, O'Leary and Acting Director Midgett.

Nays: None.
Absent: Mayor Jackson, Interim Director Dumas and Director Nichols.

Resolution No. 54-15.

By Director Rush.
Whereas, Board of Control Resolution No. 441-14, adopted September 10, 2014, authorized the lease and development of Permanent Parcel Nos. 00725077, 12132109, 00226079, 12320128, 11929074, 12003130, 10618080, 10331033, 00810058, 12133091, 00604003, 12533069, 12604011, 10908145, 10621083, 10322012, 00813059, 12916017, 00604110, 12536006, 11932007, 12003011, 10712041, 10321102, 00732053, 12919122, 00716060, 13119053, 11823079, 10910169, 10533012, 10322035, 00733090, 12813013, 10607041, 12532100, 11834101, 12008077, 10623115, 11818075, 01504120, 12928036, 00623013, 13201076, 12608001, 12006031, 10606133, 10325052, 01505103, 12922073, 00605068, 13133117, 12603075, 11005032, 10607115, 10322125, 01501045, 12828056, 00605102, 13308022, 12606060, 12012024, 10716177, 10331010 to The Ohio State University, acting on behalf of its Ohio Agriculture Research and Development Center, for an environmental research study, as part of the City Land Reutilization Program established under Ordinance No. 2076-76, passed by the Cleveland City Council on October 25, 1976; and

Whereas, subsequent to adoption of Resolution No. 441-14, The Ohio State University asked permission to substitute four new parcels for three listed for lease in Resolution No. 441-14 and the substitution is acceptable to the City; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 441-14, adopted by this Board September 10, 2014, authorizing the lease and development of the listed parcels, is amended by substituting PPN Nos. 015-09-029, 103-22-160, 103-22-065 and 128-13-164 for PPN Nos. 015-04-120, 103-22-012 and 128-13-013, where appearing in the resolution.

Be it further resolved that all other provisions of Resolution No. 441-14 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Director Langhenry, Directors Smith, Cox, Parrilla, McGrath, Rush, Southerington, Fumich, O'Leary and Acting Director Midgett.

Nays: None.
Absent: Mayor Jackson, Interim Director Dumas and Director Nichols.

Resolution No. 55-15.

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

Whereas, under the Program, the City has acquired Permanent Parcel Nos., 133-22-036, 133-22-048 and 133-22-049 located on East 91st Street and Crane 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, Idethel Evans-Gaines & Carl Kirby-Gaines have proposed to the City to purchase and develop the parcels for parking; and

Whereas, the following conditions exist:

1. The member of Council from Ward 6 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 purchasers of the parcels are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Idethel Evans-Gaines & Carl Kirby-Gaines for the sale and development of Permanent Parcel Nos., 133-22-036, 133-22-048 and 133-22-049 located on East 91st Street and Crane 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 parcels shall be \$4,300.00, which amount is determined to be not less than the fair market value of the parcels for uses according to the Program.

Yeas: Director Langhenry, Directors Smith, Cox, Parrilla, McGrath, Rush, Southerington, Fumich, O'Leary and Acting Director Midgett.

Nays: None.

Absent: Mayor Jackson, Interim Director Dumas and Director Nichols.

Resolution No. 56-15.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel Nos., 136-13-098 and 136-13-099 located at 9415 & 9421 Pratt 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, Roxie Mae Carter has proposed to the City to purchase and develop the parcels for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 2 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 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 Roxie Mae Carter for the sale and development of Permanent Parcel Nos., 136-13-098 and 136-13-099 located at 9415 & 9421 Pratt 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 parcels shall be \$400.00, which amount is determined to be not less than the fair market value of the parcels for uses according to the Program.

Yeas: Director Langhenry, Directors Smith, Cox, Parrilla, McGrath, Rush, Southerington, Fumich, O'Leary and Acting Director Midgett.

Nays: None.

Absent: Mayor Jackson, Interim Director Dumas and Director Nichols.

Resolution No. 57-15.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 014-10-032 located on Stanford 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, Denise Kahwagi and Michel Kahwagi have proposed to the City to purchase and develop the parcel for business parking; and

Whereas, the following conditions exist:

1. The member of Council from Ward 13 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 purchasers of the parcel are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community

Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Denise Kahwagi and Michel Kahwagi for the sale and development of Permanent Parcel No. 014-10-032 located on Stanford 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 \$8,000.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Director Langhenry, Directors Smith, Cox, Parrilla, McGrath, Rush, Southerington, Fumich, O'Leary and Acting Director Midgett.

Nays: None.

Absent: Mayor Jackson, Interim Director Dumas and Director Nichols.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

ROBERT BENNETT,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, MARCH 16, 2015

9:30 A.M.

Calendar No. 15-022: 8035 Superior Avenue (Ward 7)

La Femme Couture, owner, proposes to change use to a food store in a C2 Multi-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 343.01 which states that food stores are first permitted in a Local Retail Business District.

2. Section 352.10(c) which states that a minimum 6 feet of landscaping frontage strip is required and none are proposed.

3. Section 357.13 which states that parking is not a permitted encroachment in a Residence District. (Filed February 3, 2015)

Calendar No. 15-024: 6409 West Clinton Avenue (Ward 15)

Benjamin Gertz, owner, proposes to erect a 14' x 26' and 2 story frame second floor bathroom and closet addition to the existing single family residence on a 23' x 135' lot in a B1 Two Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(b) which states that the maximum gross floor area shall not exceed 50 percent of the lot area or, in this case 1,553 square feet and 1,700 square feet are proposed.

2. Section 357.09(2)(A) which states that no building shall be erected less than 10 feet from a main building on an adjoining lot within a Residence District and 4 feet are proposed.

3. Section 357.09(2)(B) which states that the minimum required interior side yard is 3 feet and 2 feet are proposed. Also, the total combined width of both interior side yards on same premises must equal 10 feet and 5 feet are proposed.

4. Section 357.13(c)(2) which states that the eaves shall not project more than 2 feet into the interior side yard and 2 feet 6 inches are proposed.

5. Section 359.01(a) which states that expansion of the existing nonconforming use requires approval from the Board of Zoning Appeals. (Filed February 5, 2015)

Calendar No. 15-025: 909 College Avenue (Ward 3)

Fairfield Redevelopment, owner, proposes to erect a 2 story addition to a single family residence in a B1 Two Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 357.09(b)(2)(B) which states that in a One-Family District or in a Two-Family District no interior side yard shall be less than five (5) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However the width of any such interior side yard shall in no case be less than one-fourth (1/4) the height of the main building on the premises. The building height is approximately 22 feet and 6 inches thus no interior side yard shall be less than 5 feet and 8 inches where 3 feet are proposed. The proposed aggregate width is approximately 5 feet.

2. Section 357.08(b)(1) which states that the rear yard shall be not less than 20 feet but in no case less than the height of the main building and a 2 foot rear yard is proposed. (Filed February 9, 2015)

Calendar No. 15-026: 3601 West Park Avenue (Ward 17)

3 Stooges Sports LLC., owner, proposes to change use to gym in a B1 Local Retail Business District. The

owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 343.01 which states that the use not permitted in a Local Retail Business District.

2. Section 343.11(b)(2)(L) which states that the use is first permitted in a General Retail Business District only if 500 feet away from a Residence District per Section 347.12(a)(1).

3. Section 349.04(e) which states that the required parking area must equal 3 times the gross floor area and a parking area equal to one times the gross floor area is proposed. (Filed February 10, 2015)

Calendar No. 15-027: 3007 Clinton Avenue (Ward 3)

Storer Meat Co., owner, proposes to erect a 67 unit apartment building with underground parking in a D2 Residence-Industry District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the maximum permitted building area is equal to the lot area or in this case 41,612 square feet and 72,660 square feet are proposed.

2. Section 357.08 which state that the required rear yard setback is 29.166 feet and 23.166 is proposed. (Filed February 10, 2015)

**REINSTATED FROM
FEBRUARY 2, 2015**

Violation Notice

Calendar No. 15-001: 2625 Woodhill Road (Ward 6)

Demond Williams appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances and disputes the decision rendered by the City of Cleveland Parking Violations Bureau Waste Collection and Photo Safety Division on December 8, 2014 and the violation information described on Civil Infraction Ticket Number WC00211102, issued November 18, 2014 for the property located at 2625 Woodhill Rd. and failure to comply with Section 551.111(B) in the Cleveland Codified Ordinances.

Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, FEBRUARY 23, 2015

At the meeting of the Board of Zoning Appeals on Monday, February 23, 2015 the following appeals were scheduled for hearing before the Board.

The following appeals were **APPROVED:**

Calendar No. 15-004: 4121 East 113th Street

Anand Sahye, owner, appealed to erect a 16' x 24' rear 2 story frame family room addition in a B1 Two-Family Residential District.

Calendar No. 15-005: 2021 West 19th Street

DI Development, owner, appealed to erect a 22' x 83' 3 story two family residence with an attached

garage in a B1 Two Family Residential District.

Calendar No. 15-006: 2025 West 19th Street

DI Development, owner, appealed to erect a 22' x 83' 3 story two family residence with an attached garage in a B1 Two Family Residential District.

Calendar No. 15-007: 2031 West 19th Street

DI Development, owner, appealed to erect a 22' x 83' 3 story two family residence with an attached garage in a B1 Two Family Residential District.

The following appeal was **DENIED:**

Calendar No. 14-239: 5027 Lorain Avenue

Enrique Maldonado, owner, appealed to establish use as a Motor Vehicle Sales Facility with office trailer on a 40' x 132' lot in a C2 Local Retail Business District and a Pedestrian Retail Overlay District.

The following appeal was **DISMISSED:**

Calendar No. 14-095: 4207 Clark Avenue

Antonio Ortiz, owner, appealed to expand the existing nonconforming motor vehicle repair garage located in a C2 Semi-Industry District.

The following appeals were **WITHDRAWN:**

None.

The following appeals were **POSTPONED:**

Calendar No. 14-227: 4 Ever Social Club

5437 Broadway Avenue. Postponed to March 2, 2015.

Calendar No. 15-003: City of Cleveland and Hampton Inn

1460 East 9th Street. Postponed to May 26, 2015.

The following appeals were heard at the Board of Zoning Appeals on Tuesday February 17, 2015, and the decisions were adopted and approved on Monday, February 23, 2015:

The following appeals were **APPROVED:**

Calendar No. 14-205: 5605 Detroit Avenue

Muhammad Riaz, owner, appealed to change use of a 2 story boarding house to a convenience store with no use on the second floor on a corner parcel located in a C2 Local Retail Business District.

Calendar No. 14-233: 2501 Thurman Avenue

6603 Cedar Inc., owner, proposes to erect a new 18' - 8" x 38' single family townhouse on a parcel located in a B1 Two-Family Residential District.

Calendar No. 14-234: 2503 Thurman Avenue

6603 Cedar Inc., owner, proposes to erect a new 18' - 8" x 38' single

family townhouse on a parcel located in a B1 Two-Family Residential District.

Calendar No. 14-235: 2505 Thurman Avenue

6603 Cedar Inc., owner, proposes to erect a new 18' - 8" x 38' single family townhouse on a parcel located in a B1 Two-Family Residential District.

Calendar No. 14-254: 1130 Ivanhoe Road

1130 Ivanhoe Rd. Group LLC, owner, appealed to remove the required seven foot high wall for a legal, non-conforming yard for shredding, storage, and processing of debris and scrap and replace it with an earthen mound.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of February 18, 2015

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-212-14.

RE: Appeal of Elias Maroun, Owner of the MXD Mixed Uses — Multiple Uses In One Building Two Story Masonry Property, located on the premises known as 4534 Pearl Road from a NOTICE OF VIOLATION — FIRE DAMAGE, dated October 1, 2014, 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 March 20th, 2015 in which to obtain all required permits for abatement of the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further, noting that failure to meet the date of March 20, 2015 will result in the property being REMANDED immediately. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Bradley.

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

* * *

Docket A-218-14.

RE: Appeal of Odakor Lawson-Ogbogu, Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property, located on the premises known as 2812 East 122nd Street from a NOTICE OF VIOLATION — INTERIOR/ EXTERIOR MAINTENANCE, dated October 8, 2014, of the Director of the Department of Building and Housing, requiring compliance

with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until July 1, 2015 to complete all exterior violations, including the painting; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

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

* * *

Docket A-220-14.

RE: Appeal of CRTN International LLP, Owner of the One Dwelling Unit Single-Family Residence Two & One-half Story Frame Property, located on the premises known as 3674 East 103rd Street from a NOTICE OF VIOLATION — INTERIOR MAINTENANCE, dated October 3, 2014 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until April 30th, 2015 to obtain all required permits and abate the interior and exterior violations on the property; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Maschke.

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

* * *

Docket A-237-14.

RE: Appeal of Westley Patterson, Owner of the Two Dwelling Units Two-Family Residence Two Story Frame Property, located on the premises known as 3361 West 84th Street from a NOTICE OF VIOLATIONS — INTERIOR/EXTERIOR MAINTENANCE, and NO PERMIT, dated December 1, 2014 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-237-14 has been POSTPONED; to be rescheduled for March 4, 2015.

* * *

Docket A-238-14.

RE: Appeal of Andrew Hobson, Jr., Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property, located on the premises known as 2898 East 112th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated November 6, 2014, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

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

Appellant until June 30th, 2015 to abate all violations on the property. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Bradley.

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

* * *

Docket A-239-14.

RE: Appeal of Andrew Hobson, Jr., Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property, located on the premises known as 2872 East 112th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated November 6, 2014, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until May 1st, 2015 to submit plans for renovation of the porch to the Building Department; and until June 30, 2015 to complete abatement all the violations on the property. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Bradley.

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

* * *

Docket A-240-14.

RE: Appeal of Andrew Hobson, Jr., Owner of the One Dwelling Unit Single-Family Residence Two & One-half Story Frame Property, located on the premises known as 2896 East 112th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated November 6, 2014, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until June 30th, 2015 to complete abatement all the violations on the property. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Bradley.

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

* * *

Docket A-241-14.

RE: Appeal of Louise Goldsby, Owner of the R-2 Residential — Non-transient; Apartments (Shared Egress) Three Story Masonry Walls/Wood Floors Property, located on the premises known as 11817 Corlett Avenue from a NOTICE OF

VIOLATION — INTERIOR/EXTERIOR MAINTENANCE, dated November 7, 2014 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until April 17th, 2015 to remove all debris and complete abatement of all exterior violations on the property, and to require that the interior of the property be inspected by the inspector; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Bradley.

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

* * *

Docket A-242-14.

RE: Appeal of Kara J. Dolan, Owner of the Two Dwelling Units Two-Family Residence Two Story Frame Property, located on the premises known as 3028 West 116th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated November 12, 2014, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until April 30th, 2015 to repair the gutters, siding, and roof, and until September 15, 2015 to obtain all required permits to complete abatement of the garage. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Bradley.

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

* * *

Docket A-243-14.

RE: Appeal of Anthony Bumbalis, Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property, located on the premises known as 1493 Larchmont Road from a NOTICE OF VIOLATIONS — EXTERIOR MAINTENANCE, dated November 14, 2012, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until June 1st, 2015 to complete abatement of the violations. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

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

Docket A-244-14.

RE: Appeal of Global Market Sales Co. USA Ltd., Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property, located on the premises known as 1212 East 71st Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated November 14, 2014, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until May 30th, 2015 to obtain all required permits and complete abatement of the violations. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

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

* * *

Docket A-245-14.

RE: Appeal of Lizmarie Torres, Owner of the One Dwelling Unit Single-Family Residence One & One/half Story Masonry Property, located on the premises known as 3211 West 116th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated November 12, 2013, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until July 1st, 2015 to obtain all required permits and complete abatement of the violations. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

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

* * *

Docket A-246-14.

RE: Appeal of Francisco Vazquez, Owner of the Property, located on the premises known as 3815 West 34th Street from a NOTICE OF VIOLATION — FIRE CODE, dated November 24, 2014 of the Chief of the Division of Fire, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until April 1st, 2015 to abate the sprinkler system violation, and until May 15, 2015 to obtain all required permits and apply for a change of occupancy in the Building Department, with the assistance of the Stockyard Group. The property is REMANDED at this time to the Division of Fire for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

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

Docket A-251-14.

RE: Appeal of Antone Peck, Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property, located on the premises known as 3801 East 142nd Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated December 5, 2014 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY the Appellant's appeal request for additional time and to REMAND the property 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, Saab, Bradley, Maschke. Nays: None. Absent: Mr. Gallagher.

* * *

APPROVAL OF RESOLUTIONS FROM JANUARY 21, 2015:

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

- A-211-14 — Level II Management & Consultants LLC
- A-213-14 — Virginia Hall
- A-214-14 — Dent Properties LLC
- A-216-14 — Rebecca Whitt
- A-217-14 — Larry Ellis
- A-221-14 — New York Community Bank
- A-9-15 Greater Cleveland Food Bank

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

* * *

APPROVAL OF MINUTES FROM JANUARY 21, 2015:

Separate motions were entered by Mr. Saab and seconded by Mr. Bradley 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):

January 21, 2015

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

* * *

APPROVAL OF RESOLUTIONS FROM FEBRUARY 4, 2015:

Separate motions were entered by Mr. Denk 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-209-14 — Richard Ford
- A-225-14 — Steve A. Dowling
- A-227-14 — Ohio Properties, LLC
- A-228-14 — Gary L. Grasso
- A-230-14 — Beverly Graham
- A-231-14 — MJ Global Properties, LLC
- A-233-14 — James LePelley
- A-234-14 — BGD Co. (Mark Stella)
- A-235-14 — Milos Miocinovic
- A-236-14 — Sandra L. Jefferson

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

* * *

APPROVAL OF MINUTES FROM FEBRUARY 4, 2015:

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

February 4, 2015

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

* * *

JOSEPH F. DENK
Chairman

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

Where invitations for bids are advertised, the following notice shall be included in the advertisement: "Pursuant to the MBE/FBE

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

FRIDAY, MARCH 13, 2015

File No. 21-15 — Valves and Appurtenances (Groups A, B, C and D), for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, FEBRUARY 26, 2015 AT 10:30 A.M. DISTRIBUTION & MAINTENANCE FACILITY, PIPE REPAIR CONFERENCE ROOM, 4600 HARVARD AVENUE, CLEVELAND, OHIO 44105.

File No. 22-15 — Sodium Hypochlorite Solution, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, FEBRUARY 26, 2015 AT 10:00 A.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 2ND FLOOR ATRIUM CONFERENCE ROOM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

File No. 23-15 — Powdered Activated Carbon, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, FEBRUARY 26, 2015 AT 11:00 A.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 2ND FLOOR ATRIUM CONFERENCE ROOM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

File No. 24-15 — Turn Out Gear, for the Division of Fire, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** WEDNESDAY, MARCH 4, 2015 AT 10:00 A.M. CLEVELAND

FIRE DEPARTMENT HEAD-QUARTERS, CONFERENCE ROOM, 1645 SUPERIOR AVENUE, CLEVELAND, OHIO 44114.

February 18, 2015 and February 25, 2015

WEDNESDAY, MARCH 18, 2015

File No. 25-15 — 2015 City Wards of Cleveland Public Improvements Requirements Construction Contract, for the Division of Engineering and Construction, Mayor's Office of Capital Projects, as authorized by Ordinance No. 1325-14, passed by the Council of the City of Cleveland, November 17, 2014.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, MARCH 12, 2015 AT 10:00 A.M. CLEVELAND CITY HALL, ROOM 518, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

File No. 28-15 — Labor and Materials Necessary to Repair and Maintain Plate Trucks, for the Division of Water Pollution Control, 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** FRIDAY, MARCH 6, 2015 AT 11:00 A.M. AT DIVISION OF WATER POLLUTION CONTROL, RED CONFERENCE ROOM, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

File No. 29-15 — Labor and Materials Necessary to Repair and Maintain T.V. Inspection Trucks, for the Division of Water Pollution Control, 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** FRIDAY, MARCH 6, 2015 AT 10:30 A.M. AT DIVISION OF WATER POLLUTION CONTROL, RED CONFERENCE ROOM, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

February 25, 2015 and March 4, 2015

THURSDAY, MARCH 19, 2015

File No. 26-15 — Purchase of Various Fire Apparatus Parts and Labor, for the Division of Motor

Vehicle Maintenance, Department of Public Works, as authorized by Section 131.64 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING FRIDAY, MARCH 6, 2015 AT 10:00 A.M. AT CLEVELAND CITY HALL, ROOM 8, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

File No. 27-15 — Purchase of John Deere Parts and Labor, for the Division of Motor Vehicle Maintenance, 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 FRIDAY, MARCH 6, 2015 AT 10:30 A.M. AT CLEVELAND CITY HALL, ROOM 8, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

February 25, 2015 and March 4, 2015

ADOPTED RESOLUTIONS AND ORDINANCES

NONE

COUNCIL COMMITTEE MEETINGS

Thursday, February 19, 2015 9:00

Finance Committee: General Fund Budget Hearings Present: Kelley, Chair; Cleveland, Vice Chair; Brady, Brancatelli, Conwell, Keane, Mitchell, Pruitt, Zone.

Friday, February 20, 2015 9:00

Finance Committee: General Fund Budget Hearings Present: Kelley, Chair; Cleveland, Vice Chair; Brady, Brancatelli, Conwell, Keane, Mitchell, Pruitt, Zone.

Monday, February 23, 2015 9:00

Finance Committee: General Fund Budget Hearings Present: Kelley, Chair; Cleveland, Vice Chair; Brady, Brancatelli, Conwell, Keane, Mitchell, Pruitt, Zone.

Tuesday, February 24, 2015 9:00

Finance Committee: General Fund Budget Hearings Present: Kelley, Chair; Cleveland, Vice Chair; Brady, Brancatelli, Conwell, Keane, Mitchell, Pruitt, Zone.

Wednesday, February 25, 2015 9:00

Finance Committee: General Fund Budget Hearings Present: Kelley, Chair; Cleveland, Vice Chair; Brady, Brancatelli, Conwell, Keane, Mitchell, Pruitt, Zone.

Thursday, February 26, 2015 9:00

Finance Committee: General Fund Budget Hearings Present: Kelley, Chair; Cleveland, Vice Chair; Brancatelli, Conwell, Keane, Mitchell, Pruitt, Zone. *Authorized Absence:* Brady.

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