

The City Record

Official Publication of the Council of the City of Cleveland



January the Sixteenth, Two Thousand and Thirteen

Frank G. Jackson
Mayor

Martin J. Sweeney
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward Name

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

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

Containing	PAGE
City Council	3
The Calendar	12
Board of Control	12
Civil Service	13
Board of Zoning Appeals	17
Board of Building Standards and Building Appeals	18
Public Notice	20
Public Hearings	20
City of Cleveland Bids	21
Adopted Resolutions and Ordinances	21
Committee Meetings	25
Index	25



DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

Ward	Name	Residence	
1	Terrell H. Pruitt	16920 Throckley Avenue	44128
2	Zachary Reed	3734 East 149th Street	44120
3	Joe Cimperman	P.O. Box 91688	44101
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44105
6	Mamie J. Mitchell	12701 Shaker Boulevard, #712	44120
7	TJ Dow	7715 Decker Avenue	44103
8	Jeffrey D. Johnson	9024 Parkgate Avenue	44108
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Eugene R. Miller	13615 Kelso Avenue	44110
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Anthony Brancatelli	6924 Ottawa Road	44105
13	Kevin J. Kelley	5904 Parkridge Avenue	44144
14	Brian J. Cummins	3104 Mapledale Avenue	44109
15	Matthew Zone	1228 West 69th Street	44102
16	Jay Westbrook	1278 West 103rd Street	44102
17	Dona Brady	1272 West Boulevard	44102
18	Martin J. Sweeney	3632 West 133rd Street	44111
19	Martin J. Keane	15907 Colletta Lane	44111

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

MAYOR – Frank G. Jackson

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

OFFICE OF CAPITAL PROJECTS – Jomarie Wasik, Director

DIVISIONS:
 Architecture and Site Development – Robert Vilkas, Chief Architect, Manager
 Engineering and Construction – _____, Manager
 Real Estate – _____, Commissioner

DEPT. OF LAW – Barbara A. Langhenry, Director, _____, Chief Counsel,
 Richard F. Horvath, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel,
 Room 106: Michael Ruffing, Law Librarian, Room 100

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

Frank Badalamenti, Manager, Internal Audit
DIVISIONS:
 Accounts – Lonya Moss Walker, Commissioner, Room 19
 Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122
 City Treasury – _____, Treasurer, Room 115
 Financial Reporting and Control – James Gentile, Controller, Room 18
 Information Technology and Services – Douglas Divish, Commissioner, 205 W. St. Clair Avenue

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

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

DIVISIONS:
 Cleveland Public Power – Ivan Henderson, Commissioner
 Street Lighting Bureau – _____, Acting Chief
 Utilities Fiscal Control – Dennis Nichols, Commissioner
 Water – 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 – _____, Commissioner
 Traffic Engineering – Robert Mavec, Commissioner
 Waste Collection and Disposal – Randell T. Scott, Interim Commissioner

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

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

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

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

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director

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

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

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

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

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

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

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

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

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

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

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS – Room 516, J. F. Denk, Chairman; _____, Arthur Saunders, Alternate Members – D. Cox, P. Frank, E. P. O'Brien, Richard Pace, J.S. Sullivan.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The City Record



71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 100

WEDNESDAY, JANUARY 16, 2013

No. 5171

CITY COUNCIL

MONDAY, JANUARY 14, 2013

The City Record
Published weekly by the City Clerk,
Clerk of Council under authority
of the Charter of the
City of Cleveland
The City Record is available
online at
www.clevelandcitycouncil.org
Address all communications to
PATRICIA J. BRITT
City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2010-2013

MONDAY — Alternating

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

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

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

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

MONDAY

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

TUESDAY

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

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

WEDNESDAY — Alternating

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

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

WEDNESDAY — Alternating

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

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

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

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

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

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, January 14, 2013

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

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

Also present were: Mayor Frank G. Jackson, Chief of Staff Ken Silliman, Chief of Government Affairs Valarie J. McCall, Chief of Regional Development Chris Warren, Chief of Education Monyka S. Price, Chief of Sustainability Jenita McGowan, and Directors Langhenry, Dumas, Withers, Smith, Wasik, Flask, Cox, Rush, Rybka, Southerington, Nichols, Griffin, Brown, Fumich, and Ambroz.

Pursuant to Ordinance No. 2926-76, Council Members, Administration, Staff, and those in the audience rose for a moment of silent reflection and the Pledge of Allegiance.

MOTION

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

COMMUNICATIONS

File No. 70-13.

From Detroit Shoreway Community Development Organization — Notification of plans to be the general partner and to utilize OHFA low income housing tax credit program for development of Aspen Place. Received.

File No. 71-13.

From Detroit Shoreway Community Development Organization — Notification of plans to be the general partner and to utilize OHFA low income housing tax credit program for development of Templin-Bradley Co. Lofts. Received.

File No. 72-13.

From Detroit Shoreway Community Development Organization — Notification of plans to be the general partner and to utilize OHFA low income housing tax credit program for development of Historic Detroit Avenue Apartments. Received.

File No. 87-13.

From Michael Cox, Director of Department of Public Works — Notification of acceptance of Cuyahoga County 2012 Community Recycling Grant. Received.

OATHS OF OFFICE

File No. 73-13.

John Ludrosky — Sergeant of Division of Police. Received.

File No. 74-13.

Robert Strollo — Sergeant of Division of Police. Received.

File No. 75-13.

Jason Steckle — Sergeant of Division of Police. Received.

File No. 76-13.

Magdaelena Crespo — Sergeant of Division of Police. Received.

File No. 77-13.

Elbert Eggelmeyer — Sergeant of Division of Police. Received.

File No. 78-13.

William Mokshefsky — Sergeant of Division of Police. Received.

File No. 79-13.

Erik G. Burchak, II — Lieutenant of Division of Fire. Received.

File No. 80-13.
Ronald A. Vargo, Jr. — Captain of Division of Fire. Received.

File No. 81-13.
Bryan J. Zywiac — Lieutenant of Division of Fire. Received.

File No. 82-13.
Navid Hussain — Commissioner of Division of Construction Permitting, Department of Building and Housing. Received.

File No. 83-13.
Randell T. Scott — Interim Commissioner of Division of Waste Collection and Disposal, Department of Public Works. Received.

File No. 84-13.
Antionette Thompson — Interim Commissioner of Division of Parking Facilities, Department of Public Works. Received.

File No. 85-13.
Samuel Gissentaner — Interim Commissioner of Division of Recreation, Department of Public Works. Received.

File No. 86-13.
Kim R. Johnson — Interim Assistant Director of Department of Public Works. Received.

FROM OHIO DIVISION OF LIQUOR CONTROL

File No. 88-13.
RE: #1476123 — D5J D6 New License Application — Cibreo LLC, 1438 Euclid Ave. (Ward 3). Received.

File No. 89-13.
RE: #0435551 — D5 Transfer of License Application, Bar One II LLC, 1938 Euclid Ave. (Ward 8). Received.

File No. 90-13.
RE: #5339250 — C1 C2 Transfer of Ownership Application, Lucky Times LLC, 15504 Waterloo Rd. (Ward 11). Received.

File No. 91-13.
RE: 3174612 — C1 C2 D6 Stock Ownership Application, Ghazawi Inc., 4475 Pearl Rd. (Ward 13). Received.

File No. 92-13.
RE: 8633438 — D5 D6 Stock Ownership Application, Strang Corp, 8905 Lake Ave. (Ward 16). Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 93-13—Katherine Philipp Gels.

Res. No. 94-13—Arnold Cousins, Jr.

Res. No. 95-13—Shirley Ann Long.

Res. No. 96-13—Ada Pearl Wilcox.

Res. No. 97-13—Deacon Roosevelt C. Woods.

Res. No. 98-13—Anita Paulette Cummings.

Res. No. 99-13—Ralph Howard.

Res. No. 100-13—Elaine Frances Shuckahosee.

Res. No. 101-13—Roy "Dutch" Harley.

Res. No. 102-13—Dr. Wanda Jean Green.

Res. No. 107-13—Jack Kilbane.

Res. No. 108-13—Maxine Lobins.

CONGRATULATIONS RESOLUTIONS

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

Res. No. 103-13—Cuyahoga Metropolitan Housing Authority - 80th Anniversary.

Res. No. 104-13—Reverend Ian F. Cox.

Res. No. 105-13—Chief Greg Loftus.

APPRECIATION RESOLUTION

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

Res. No. 106-13—Kathleen Adams.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 64-13.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing refunding and remarketing of Airport System Revenue Bonds; authorizing Supplemental Indentures and other agreements related to the bonds; and authorizing and approving related matters.

Whereas, under authority of the Constitution of the State of Ohio and the Charter of the City, this Council has by ordinance authorized the issuance of Revenue Bonds, from time to time, for the Airport System under the terms and security of the Amended and Restated Trust Indenture (Seventeenth Supplemental Trust Indenture), effective as of January 31, 2012 (the "Trust Indenture"), between the City and The Bank of New York Mellon Trust Company, N.A., as trustee (the "Trustee"); and

Whereas, this Council has determined to authorize the issuance by the City of Airport System Revenue Refunding Bonds ("Refunding Bonds") under the Trust Indenture for the purpose of refunding Outstanding Revenue Bonds, as defined and provided in this Ordinance, or, alternatively in the case of Outstanding Revenue Bonds bearing interest at variable rates, the interest rate mode conversion or change in Credit Support Instrument and remarketing of Outstanding Revenue Bonds, in either case to obtain debt service savings, or to stabilize interest rates or minimize risks of increased interest expense on Outstanding Revenue Bonds that bear interest at variable rates, or to eliminate or modify covenants that are unduly restrictive, or to obtain a more favorable debt service structure; and

Whereas, this Ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department and providing for the immediate preservation of the public peace, property, health or safety in that authorizing the refunding and other actions with respect to Outstanding Revenue Bonds is necessary to enable the City to respond to market conditions on a timely basis for the benefit of the Airport System; now, therefore,

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

Section 1. Definitions.

In addition to the words and terms defined in the Trust Indenture, the following words and terms shall have

the following meanings, unless the context or use indicates a contrary meaning or intention.

"Bond Purchase Agreement" means, with respect to the Refunding Bonds, one or more Bond Purchase Agreements between the City and the Original Purchasers authorized in Section 5 of this Ordinance.

"Certificate of Award" means one or more certificates delivered by the Director of Finance pursuant to Section 5 of this Ordinance providing for the final terms of the Refunding Bonds of any series consistent with the requirements of the Trust Indenture and this Ordinance.

"Code" means the Internal Revenue Code of 1986, as amended, including, when appropriate, the statutory predecessor of the Code and all applicable Treasury regulations.

"Credit Support Instrument" means an insurance policy, surety, letter of credit, standby bond purchase agreement or other credit enhancement, support or liquidity device used to enhance the security or liquidity of any Revenue Bonds or any Hedge Agreements.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, with its participants or otherwise, a book entry system to record beneficial ownership of Revenue Bonds or Bond service charges, and to effect transfers of Revenue Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Direct Payment" means a credit allowed under the Code with respect to obligations that is payable to the City by the U.S. Treasury.

"Direct Payment Obligations" means obligations the interest on which is includible in gross income for federal income tax purposes and with respect to which the City shall have made an irrevocable election to receive a Direct Payment.

"Financial Advisor" means any financial advisory firm or firms retained by the Director of Finance of the City, from time to time, in connection with the Revenue Bonds or any Hedge Agreement.

"Hedge Agreement" has the meaning given in Section 3 of this Ordinance.

"Original Purchasers" means, with respect to each series of Refunding Bonds, the financial institutions identified in the Certificate of Award for that series.

"Outstanding Revenue Bonds" means Revenue Bonds issued and outstanding, from time to time, under the Trust Indenture, including without limitation any Refunding Bonds issued pursuant to this Ordinance. On the date of introduction of this Ordinance, the Outstanding Revenue Bonds (and the respective principal amounts then currently outstanding) consisted of the following series of Airport System Revenue Bonds: Series 2000C (\$149,000,000), Series 2006A (\$107,750,000), Series 2006B (\$5,965,000), Series 2007B (\$9,095,000), Series 2008D (\$5,975,000), Series 2008F (\$58,000,000), Series 2009A (\$24,365,000), Series 2009B (\$10,240,000), Series 2009C (\$131,725,000), Series 2009D (\$38,875,000), Series 2011A (\$71,505,000) and Series 2012A (\$235,150,000).

"Refunded Bonds" means those Outstanding Revenue Bonds identified in a Certificate of Award to be refunded from proceeds of Refunding Bonds.

"Refunding Bonds" means the Airport System Revenue Refunding Bonds authorized by this Ordinance to be issued as Additional Revenue Bonds under the Trust Indenture for the purpose of refunding one or more series of Outstanding Revenue Bonds, or designated maturities thereof.

"Remarketing Agent" means a financial institution performing the duties of a remarketing agent under a Supplemental Indenture for variable rate Revenue Bonds.

"Revenue Bonds" means Outstanding Revenue Bonds and any Additional Revenue Bonds issued under the Trust Indenture.

"Supplemental Indenture" means each Supplemental Trust Indenture delivered to supplement the Trust Indenture, to further provide for the terms and security of one or more series of Revenue Bonds or to amend the Trust Indenture.

"Taxable Bonds" means any Refunding Bonds the interest on which is included in gross income for federal income tax purposes.

"Tax-Exempt Bonds" means Revenue Bonds bearing interest excluded from gross income for federal income tax purposes.

Section 2. Authorization of the Refunding Bonds.

This Council authorizes the City to issue the Refunding Bonds in one or more Series for the purpose of refunding one or more Series of Outstanding Revenue Bonds, or designated portions thereof, to obtain aggregate net present value debt service savings of at least three percent (3%), or to eliminate or modify covenants that are unduly restrictive, or to obtain a more favorable debt service structure or more favorable terms under Credit Support Instruments. With respect to Outstanding Revenue Bonds that are short-term or variable-rate obligations, this Council authorizes the City to issue Refunding Bonds to refund such Outstanding Revenue Bonds, or designated portions thereof, for any of the foregoing purposes or for the purpose that the Director of Finance has determined, based on the written advice of a Financial Advisor, that such Outstanding Revenue Bonds are subjecting the City to undesirably high rates of interest or undesirable fluctuations in rates of interest or risks or expenses associated with Credit Support Instruments or Hedge Agreements that can economically be avoided or mitigated through refunding. The principal amount of each Series of Refunding Bonds is to be the amount set forth in the Certificate of Award authorized in Section 5 and determined by the Director of Finance, based on the written advice of a Financial Advisor, to be necessary (i) to refund the Refunded Bonds to be refunded by that Series, (ii) to fund any interest on the Refunding Bonds, (iii) to fund any deposit to the Bond Service Reserve Fund required under the Trust Indenture or any special reserve fund for that Series separate from the Bond Service Reserve Fund, (iv) to fund any deposit to the Renewal and Replacement Fund required under the Trust Indenture, (v) to pay costs of any Credit Support Instruments, (vi) to pay any amounts owed under Hedge Agreements, and (vii) to pay costs of issuing the Refunding Bonds and refunding the Refunded Bonds.

Separate series of Refunding Bonds may be issued at the same or different times. The Refunding Bonds of each series shall be designated as provided in the applicable Certificate of Award. A separate Certificate of

Award and a separate Supplemental Indenture may be delivered for each series. The proceeds from the sale of each Series of Refunding Bonds shall be allocated, deposited and applied as provided in Section 6. The Refunding Bonds shall constitute Revenue Bonds for all purposes of the Trust Indenture.

This Council finds and determines that the issuance of the Refunding Bonds for a purpose provided in this Ordinance serves a proper, public, municipal purpose by reducing or stabilizing costs of air travel facilities serving the people of the City of Cleveland, thereby increasing and promoting commerce by providing necessary transportation for individuals and commercial enterprises purchasing and selling services and products in northeastern Ohio, and creating and preserving jobs and employment opportunities in the City and improving the economic welfare of the City.

Section 3. Authorization of Hedging Arrangements.

This Council finds that by engaging in interest rate hedging arrangements with respect to Revenue Bonds the City may reduce its cost of borrowing by optimizing the relative amounts of fixed and variable rate obligations, or minimizing the risk of variations in its debt service costs, or obtaining savings by confirming rates of interest on Revenue Bonds in advance of their issuance. To permit the City to have the flexibility to undertake interest rate swap, swaption, rate cap, rate collar and other hedging transactions, from time to time, and to establish the procedures for approving those transactions, this Council authorizes the signing and delivery of one or more agreements (each, a "Hedge Agreement") and any related agreements necessary for the consummation of the transactions contemplated by each Hedge Agreement. The authorizations in this Section 3 are supplemental to and not in derogation of any authority provided by any other ordinance of this Council concerning hedging arrangements.

Upon the determination of the Director of Finance, based on the written advice of a Financial Advisor, that it is to the financial advantage of the City and in the City's best interests that a hedging arrangement be undertaken by the City with respect to any Revenue Bonds issued or to be issued under the Trust Indenture, the Director of Finance may authorize one or more interest rate hedge transactions in accordance with the applicable Hedge Agreement; provided that the term of each hedge transaction shall not exceed the final maturity of the Revenue Bonds to which the hedge relates.

The Director of Finance shall negotiate the terms of each Hedge Agreement. The City shall receive a written opinion of a Financial Advisor that the payments made or to be made by the counterparty to the City, or by the City to the counterparty, shall be fair value for the Hedge Agreement, considering, among other things, the credit of the City's Airport System, the credit of the counterparty and the terms and conditions of the Hedge Agreement. The Director of Finance shall determine the terms and conditions of the Hedge Agreement, including without limitation, the time or times and procedures for the exercise by the counterparty or the City, as the case may be, of any option under the Hedge Agreement, whether the obligations of the City under the Hedge Agreement shall be secured by a Cred-

it Support Instrument, and the rates to be paid by the counterparty to the City and by the City to the counterparty under the Hedge Agreement in the event of the exercise of the option. The approval of each interest rate hedge transaction by the Director of Finance shall be conclusively evidenced by the signing and delivery of the applicable Hedge Agreement by the Director of Finance.

The Director of Finance is authorized to enter into an amendment, modification or novation of any Hedge Agreement or any Credit Support Instrument securing a Hedge Agreement or to terminate any Hedge Agreement, in whole or in part, if the Director of Finance determines, based on the written advice of a Financial Advisor, that (a) the amendment, modification, novation or termination is (i) justified by the corresponding benefit to the City, (ii) commercially reasonable based on then-current market conditions, and (iii) in the City's best interests, and (b) any payments made or to be made by the counterparty to the City, or by the City to the counterparty, are fair value for such amendment, modification, novation or termination, given the credit of the counterparty and the terms and conditions of the amendment, modification, novation or termination. To the extent that any amounts to be paid by the City in connection with any such amendment, modification, novation or termination are not paid from proceeds of Revenue Bonds, those amounts shall be paid from Fund Nos. 60SF 001, 60 SF 104, 60 SF 105, 60 SF 106 and 60 SF 141 and/or passenger facility charges, as determined by the Director of Finance after consultation with the Director of Port Control.

The City's obligations under any Hedge Agreement shall be payable from the Airport Revenues as defined in the Trust Indenture and may be payable also from other funds permitted by law to be used for the purpose, as identified by the Director of Finance in the Hedge Agreement. Those payments may be secured by a pledge of Airport Revenues, to the extent permitted by the Trust Indenture, all as determined by the Director of Finance and set forth in the Hedge Agreement. The obligation of the City to make payments under any Hedge Agreement does not and shall not represent or constitute a general obligation, debt, bonded indebtedness or a pledge of the faith and credit of the City or the State of Ohio. Nothing gives any party to any Hedge Agreement the right to have excises, ad valorem or other taxes levied by the City or the State of Ohio for the payment of any amounts due under any Hedge Agreement.

In the event the Director of Finance determines, based on the written advice of a Financial Advisor, that it is necessary to supplement or amend the Trust Indenture or a Supplemental Indenture in connection with any Hedge Agreement or any amendment, modification, novation or termination of any Hedge Agreement, the Mayor and the Director of Finance are authorized to sign and deliver a Supplemental Indenture or amendment of an existing Supplemental Indenture.

Section 4. Terms of Refunding Bonds.

The Refunding Bonds shall contain the terms provided in or determined pursuant to, the Trust Indenture, this Ordinance, the applicable Certificate of Award and the applicable Supplemental Indenture. Each series of Refunding Bonds may be secured by a

separate Supplemental Indenture, or a single Supplemental Indenture may secure more than one series of Refunding Bonds.

(a) **General.** The Refunding Bonds may be issued as obligations bearing interest at fixed or variable interest rates. In the event that the Director of Finance, based on the written advice of a Financial Advisor, determines that the City's best interests will be served by a series of Refunding Bonds bearing interest at variable interest rates, then provision shall be made in the Supplemental Indenture applicable to that series for the method and procedure by which the variable rate of interest to be borne by the Refunding Bonds of that series shall be determined (whether by reference to a market index, by a remarketing agent or otherwise); provided that no series of variable rate Refunding Bonds shall bear interest at a rate in excess of twenty-five percent (25%) per year (including any Refunding Bonds held by a provider of a Credit Support Instrument). The Director of Finance may determine that the terms of a variable rate series of Refunding Bonds may or may not permit the holders to tender their variable rate Refunding Bonds for purchase by the City. If the Director of Finance designates any series of Refunding Bonds as variable rate Refunding Bonds, and if the Holders of that series of Refunding Bonds are to be entitled to tender those Refunding Bonds for purchase, then the Director of Finance shall also designate for those variable rate Refunding Bonds (and may designate others, from time to time, in substitution therefor), the tender agent or agents (which may be the Trustee) and the remarketing agent or agents (which may be any of the Original Purchasers), which designations shall be based on the determination of the Director of Finance, based on the written advice of a Financial Advisor, that the parties so designated possess the requisite resources and experience to provide the services required of them and that the terms on which the designated parties have agreed to provide such services are fair and commercially reasonable.

The Director of Finance is authorized to enter into agreements with others in connection with the delivery of the Refunding Bonds, and from time to time thereafter so long as the Refunding Bonds are outstanding, as may be determined by the Director of Finance to be necessary or appropriate to provide for (i) the method of determining the variable interest rates, (ii) the rights and procedures for tender, (iii) liquidity or credit support, (iv) repayment by the City of any amounts drawn under the Credit Support Instrument, (v) the direct purchase of tendered Refunding Bonds, and (vi) other arrangements in the best interests of the City. The Director of Finance is further authorized to terminate any such agreements if the Director of Finance determines, based on the written advice of a Financial Advisor, that the City's best interests will be served by such termination. The Director of Finance is further authorized to enter into agreements, from time to time so long as the variable rate Refunding Bonds are outstanding, supplementing or amending the applicable Supplemental Indenture for a series of Refunding Bonds as provided in Section 8. To the extent that any fees and expenses associated with agreements entered into or terminated pursuant to this Section are not paid from pro-

ceeds of Revenue Bonds, those fees and expenses shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106 and 60 SF 141 and/or passenger facility charges, as determined by the Director of Finance after consultation with the Director of Port Control.

(b) **Form; Exchange and Transfer.** All Refunding Bonds shall be issued in fully registered form. The Refunding Bonds initially shall be delivered only in book-entry form, shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository, and shall not be transferable or exchangeable (except for transfer to another Depository or its nominee) without further action by the City pursuant to the provisions of the Trust Indenture.

If any Depository determines not to continue to act as a Depository for the Refunding Bonds of any series for use in a book entry system, the Director of Finance and the Trustee may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Director of Finance and the Trustee do not or are unable to do so, the Director of Finance and the Trustee, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Refunding Bonds of any series from the Depository, and authenticate and deliver registered Bond certificates to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of action or inaction of the City, of those persons requesting such issuance.

The Director of Finance is authorized to enter into any agreements determined by the Director to be necessary in connection with the book entry system for the Refunding Bonds, after determining that those agreements will not endanger the funds or securities of the City under the Indenture (as evidenced by the Director's signing of those agreements).

(c) **Dates; Denominations.** The Refunding Bonds of each series shall be dated as of the date or dates provided in the Certificate of Award for that series. The Refunding Bonds of each series shall be issued in the denominations permitted in the Supplemental Indenture for that series.

(d) **Interest and Place of Payment.** The Refunding Bonds of each series shall bear interest at their respective interest rates specified in the Certificate of Award (or, in the case of variable rate Refunding Bonds, determined pursuant to the Supplemental Indenture) for that series. Refunding Bonds of the same series and same maturity may bear interest at different interest rates. The Refunding Bonds of each series shall bear interest from the most recent date to which interest has been paid or duly provided for or, if no interest has been paid or duly provided for, from their date. The principal and any redemption premium and the interest payable on each series of Refunding Bonds shall be payable at the times, to the persons and in the manner set forth in, or referenced by, the Supplemental Indenture, including, without limitation, provisions thereof permitting special arrangements for payments to the Depository.

(e) **Maturities.** The Refunding Bonds of each series shall mature on the dates and in the respective princi-

pal amounts provided in the Certificate of Award, consistent with this Ordinance and the Trust Indenture.

(f) **Prior Redemption.** The Refunding Bonds of each series may be subject to redemption prior to maturity at the option of the City, if and to the extent so provided in the Certificate of Award for that series. Any Refunding Bonds so determined to be subject to optional redemption and maturing by their stated terms after the earliest optional redemption date shall be subject to redemption at the option of the City on or after the earliest optional redemption date in whole or in part on any date at the redemption prices provided in the Certificate of Award and in accordance with the applicable Supplemental Indenture and the Trust Indenture. The Refunding Bonds may be subject to mandatory redemption prior to maturity on the dates, or upon the occurrence of events, and at the redemption prices as determined and provided in the Certificate of Award and applicable Supplemental Indenture, including without limitation, mandatory sinking fund redemption of term bonds on each mandatory redemption date in the aggregate amount of the sinking fund installment to be paid on such mandatory redemption date.

(g) **Purchase in Lieu of Redemption.** The Refunding Bonds of each Series may be subject to purchase by the City in lieu of optional redemption if and to the extent provided in the Certificate of Award and the applicable Supplemental Indenture.

(h) **Signing.** The Refunding Bonds shall be signed by the Mayor and the Director of Finance, and approved as to form by the Director of Law. Any or all of the signatures of those officials may be facsimiles. The Refunding Bonds shall bear the corporate seal of the City or a facsimile thereof.

(i) **Numbering.** The Refunding Bonds shall be numbered as determined by the Director of Finance.

Section 5. Award and Sale of Refunding Bonds.

The Director of Finance shall sign and deliver a Certificate of Award for the Refunding Bonds. In the event the Refunding Bonds are issued in more than one series sold at different times, a separate Certificate of Award shall be signed and delivered for each separately delivered series. The sale of the Refunding Bonds shall be awarded to the Original Purchasers selected by the Director of Finance, based on an evaluation of the qualifications of firms that have proposed to underwrite the Refunding Bonds, and shall be identified in the Certificate of Award. Each Certificate of Award shall determine the following, based on the written advice of a Financial Advisor, consistent with this Ordinance and the Trust Indenture:

(a) the aggregate principal amount of Refunding Bonds issued;

(b) the purchase price to be paid to the City by those Original Purchasers, which amount shall be not less than: (i) 97% of the amount determined by adding to the aggregate principal amount of the Refunding Bonds any aggregate original issue premium and subtracting from that amount any aggregate original issue discount, plus (ii) any accrued interest on the Refunding Bonds from their date to the date of their delivery to the Original Purchasers;

(c) whether the Refunding Bonds are to be Tax-Exempt Bonds or Taxable Bonds and, if the Refunding Bonds are Taxable Bonds, whether or not they are Direct Payment Obligations;

(d) whether any Refunding Bonds are to be subject to redemption prior to maturity, and, if so, the redemption date or the event causing the prior redemption for those Refunding Bonds subject to prior redemption and the redemption price, which may be determined as a percentage of the principal amount redeemed or by a formula intended to make the bondholder whole for the loss of the investment resulting from the early redemption or by other methodology;

(e) the dates on which principal of the Refunding Bonds is to be paid, which shall be not later than thirty (30) years from their respective dates of issuance, with an identification of whether the payment is due by stated maturity or by mandatory sinking fund redemption of Refunding Bonds of a particular maturity;

(f) the interest rates to be borne by Refunding Bonds bearing interest at a fixed rate, the weighted average of which shall not exceed six percent (6%) as to Refunding Bonds of any series that are Tax-Exempt Bonds, or eight percent (8%) as to Refunding Bonds of any Series that are Taxable Bonds, or the method by which the interest rate is to be determined for Refunding Bonds bearing interest at variable rates, consistent with Section 4;

(g) the particular Outstanding Revenue Bonds or portions thereof to be Refunded Bonds;

(h) the title and series designation for the Refunding Bonds;

(i) the amount, if any, and source of any money to be deposited in the Bond Service Reserve Fund in order to cause the balance therein to equal the Required Bond Service Reserve, if and to the extent required by the applicable Supplemental Indenture, and any determination as to whether there shall be a special reserve fund for the Refunding Bonds of any series, separate from the common Bond Service Reserve Fund, or a surety or insurance policy, bank letter or line of credit, or other form of credit or Credit Facility enhancing the security for Refunding Bonds of that series in lieu of a funded reserve fund;

(j) the amount, if any, and source of any money to be deposited in the Renewal and Replacement Fund in order to cause the balance therein to equal the Renewal and Replacement Fund Requirement;

(k) the Paying Agent; and

(l) whether any Refunding Bonds are to be secured by or payable from a Credit Support Instrument.

It is determined that the terms of the Refunding Bonds as so determined within the limitations set forth in this Ordinance and as so specified and set forth in the Certificate of Award will be in the best interest of the City and consistent with all legal requirements.

The Director of Finance may enter into one or more Bond Purchase Agreements with the Original Purchasers of Refunding Bonds setting forth the conditions for delivery of the Refunding Bonds that are consistent with this Ordinance, the Certificate of Award, and the Trust Indenture and that are determined by the Director of Finance, based on the written advice of a Financial Advisor, to be customary for airport revenue bonds issued by governmental entities, including, without limitation, representations as to the accuracy and completeness of information contained in the Official Statement of the City described in Section 13.

Section 6. Application of Proceeds of Refunding Bonds.

The proceeds from the sale of the Refunding Bonds shall be applied as provided in the applicable Supplemental Indenture, including:

(i) to the payment of any providers of any Credit Support Instrument, the fees and expenses required to be paid by the City to obtain the Credit Support Instrument;

(ii) to the Bond Service Fund, any proceeds constituting accrued interest and, unless other provision is made in the Supplemental Indenture, any proceeds to be used to pay interest on the Refunding Bonds;

(iii) to the Bond Service Reserve Fund, any proceeds to be deposited in that Fund in order to cause the balance therein to equal the Required Bond Service Reserve, subject to the provisions set forth in Section 5 (i) of this Ordinance for a lesser or special deposit;

(iv) to the Renewal and Replacement Fund, any proceeds to be deposited in that Fund to cause the balance therein to equal the Renewal and Replacement Fund Requirement;

(v) to an escrow fund established with the Trustee, any proceeds to be deposited in escrow to pay the principal of and any premium and interest on the Refunded Bonds;

(vi) to the counterparty under any Hedge Agreement, any payment determined by the Director of Finance to be paid from the proceeds of the Refunding Bonds, including any termination payment in the event that the Director of Finance determines it is in the best interests of the City to terminate a Hedge Agreement relating to Outstanding Revenue Bonds; and

(vii) to the Costs of Issuance Fund, to be created under the applicable Supplemental Indenture, such amounts as are needed to pay costs of issuing the Refunding Bonds and refunding the Refunded Bonds.

The proceeds from the sale of the Refunding Bonds are appropriated and shall be used for the purpose for which those Refunding Bonds are issued as provided in this Ordinance.

Section 7. Refunding of Outstanding Revenue Bonds; Escrow Agreements.

The Director of Finance is authorized to sign and deliver, in the name and on behalf of the City, one or more escrow agreements between the City and the Trustee, as escrow trustee, providing for, among other matters: the investment and holding in escrow of the proceeds of the Refunding Bonds to be applied to the refunding of the Refunded Bonds; the application of the moneys derived from those investments to the payment of the Bond service charges on those Refunded Bonds; and the irrevocable call for redemption of those Outstanding Revenue Bonds identified in the Certificate of Award to be Refunded Bonds to be called for redemption prior to maturity. The Director of Finance shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the escrow agreement from proceeds of the Refunding Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose. Provision shall be made in the escrow agreement to give the Trustee any written notice of redemption required under Section 4.03 of the Trust Indenture. The Director of Finance and other City officials as appropriate under the Charter shall sign all documents

and take all other actions necessary or appropriate on the part of the City to effect such refunding in accordance with the Trust Indenture and to cause the Refunded Bonds to be deemed paid and discharged, including without limitation, the retention of an independent firm of accountants to verify the mathematical accuracy of the calculations relating to the escrow.

Section 8. Remarketing.

In the event that the Director of Finance determines, based on the written advice of a Financial Advisor, that it is advantageous to the City to convert the interest on any Outstanding Revenue Bonds bearing interest at variable rates to fixed interest rates for a period of time or to maturity, or to convert the interest on any Outstanding Revenue Bonds to a different variable rate period or mode, or to terminate or take other actions with respect to any existing Credit Support Instrument that will require a tender and remarketing of any Outstanding Revenue Bonds under the Trust Indenture and the Supplemental Indenture for that series of Outstanding Revenue Bonds (such conversion or other actions and the tender and remarketing being collectively referred to in this Section as "remarketing"), the City shall undertake the remarketing in accordance with the Trust Indenture and the Supplemental Indenture for that series of Outstanding Revenue Bonds. In connection with any remarketing of Revenue Bonds, the Director of Finance is authorized to take such actions that she determines, based on the written advice of a Financial Advisor, will facilitate the remarketing of the Revenue Bonds or otherwise be in the best interests of the City, including without limitation, obtaining one or more Credit Support Instruments, terminating any Credit Support Instrument, and entering into agreements with one or more purchasers for their direct purchase of the remarketed Revenue Bonds in lieu of a public offering of the Revenue Bonds by a remarketing agent. In the event the Director of Finance determines, based on the written advice of a Financial Advisor, that it is necessary to supplement or amend the Supplemental Indenture applicable to a Series of Revenue Bonds to be remarketed in order to address current market conditions or to permit the use of or to terminate a Credit Support Instrument or otherwise obtain financing arrangements advantageous to the City, the Mayor, the Director of Finance and the Director of Port Control, or any two of them, are authorized to sign and deliver an amendment of that Supplemental Indenture, or an amended and restated Supplemental Indenture, approved as to form by the Director of Law, subject to the Trust Indenture.

The Director of Finance is further authorized to satisfy the Required Bond Service Reserve for the Revenue Bonds then outstanding under the Trust Indenture and the Supplemental Indenture for that series of Outstanding Revenue Bonds by the deposit of a credit facility in lieu of cash, as permitted and more specifically provided in the Trust Indenture, and to apply cash released from the Bond Service Reserve Fund to the payment of costs of remarketing the Revenue Bonds for which the interest rate has been converted from variable rates of interest to fixed rates of interest. To the extent the costs of remarketing are not paid from any cash released from the Bond Service

Reserve Fund, those costs shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106 and 60 SF 141 and/or passenger facility charges, as determined by the Director of Finance after consultation with the Director of Port Control.

The Director of Finance and the Director of Port Control are authorized to prepare one or more disclosure documents in connection with any conversion and remarketing under the same terms and conditions as set forth in Section 13 of this Ordinance with respect to Refunding Bonds. The Director of Finance, the Director of Port Control and other City officials, as appropriate under the Charter, are authorized to take such actions or cause to be taken such actions as are necessary to maintain the status of any Outstanding Revenue Bonds as Tax-Exempt Bonds, and the covenants and authorizations in Section 11 of this Ordinance shall apply to any converted Revenue Bonds that are Tax-Exempt Bonds. The Director of Finance, the Director of Port Control and other City officials, as appropriate under the Charter, are authorized to sign and deliver such instruments, certificates and documents as are necessary or appropriate to consummate the transactions authorized by this Section. The Director of Finance, the Director of Port Control, the Director of Law and other City officials, as appropriate under the Charter, are authorized to make the necessary arrangements on behalf of the City to establish the date, location, procedure and conditions for the conversion and remarketing of any series of Outstanding Revenue Bonds and to take all actions necessary to effect the conversion and remarketing of any series of Outstanding Revenue Bonds under the terms of this Ordinance and the Trust Indenture and the Supplemental Indenture for that series of Outstanding Revenue Bonds. The Clerk of Council shall furnish the Remarketing Agent a true transcript of proceedings certified by the Clerk or other official, of all proceedings had with reference to the conversion and remarketing of any series of Outstanding Revenue Bonds along with such information for the records as is necessary to determine the validity of the conversion and remarketing.

Section 9. Authorization of Supplemental Indentures and Amendments of Trust Indenture.

In order to secure the payment of the principal of and any premium and interest on the Refunding Bonds, the Mayor, the Director of Finance and the Director of Port Control, or any two of them, are authorized, in the name and on behalf of the City, to sign and deliver to the Trustee, in trust for the Original Purchasers and subsequent holders of the Refunding Bonds, one or more Supplemental Indentures, approved as to form and correctness by the Director of Law, not inconsistent with this Ordinance, the Certificate of Award and the Trust Indenture and not substantially adverse to the City as may be approved by the officers signing the same on behalf of the City. The determination by those officers that a Supplemental Indenture is not substantially adverse to the City shall be conclusively evidenced by the signing and delivery of that Supplemental Indenture by those officers. Any Supplemental Indenture may contain amendments to the Trust Indenture to permit the City increased flexibility for the use of financial or credit structures and techniques determined by

the Director of Finance, based on the written advice of a Financial Advisor, to be in the best interests of the City.

Section 10. Credit Support Instruments. The Director of Finance is authorized to contract from time to time for one or more Credit Support Instruments for any series of Revenue Bonds or any Hedge Agreement if the Director determines, based on the written advice of a Financial Advisor, that the Credit Support Instruments will result in savings to the City, will stabilize interest rates or minimize the risk of increased interest expense or increased risks, burdens, or other costs associated with hedging arrangements or relating to Revenue Bonds or reserve requirements. The Director of Finance is further authorized to agree to the amendment, replacement, assignment or termination of any Credit Support Instrument if the Director of Finance determines, based on the written advice of a Financial Advisor, that the City's best interests will be served by such amendment, replacement, assignment or termination. In the event the Director of Finance determines, based on the written advice of a Financial Advisor, that it is necessary to supplement or amend the Trust Indenture or a Supplemental Indenture in order to permit the use of, or to amend, replace, assign or terminate, a Credit Support Instrument, the Mayor and the Director of Finance are authorized to sign and deliver a Supplemental Indenture amending the Trust Indenture or an amendment of a Supplemental Indenture, approved as to form and correctness by the Director of Law. The cost of obtaining, amending, replacing, assigning or terminating each Credit Support Instrument, except to the extent paid from proceeds of Revenue Bonds or otherwise, shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106 and 60 SF 141 and/or passenger facility charges, as determined by the Director of Finance after consultation with the Director of Port Control.

Section 11. Tax Covenants.

(a) Tax-Exempt Bonds. With respect to Refunding Bonds that are to be issued and sold as Tax-Exempt Bonds, the City covenants that:

(i) It will use, and will restrict the use and investment of, the proceeds of the Tax-Exempt Bonds in such manner and to such extent as may be necessary so that (A) the interest on the Tax-Exempt Bonds will be excluded from gross income for federal income tax purposes, and (B) in the case of any Tax-Exempt Bonds qualifying as bonds, the interest on which is not treated as an item of tax preference under Section 57 of the Code ("Non-AMT Bonds"), such Tax-Exempt Bonds will be treated as Non-AMT Bonds.

(ii) It further covenants that (A) it will take or cause to be taken such actions that may be required of it for the interest on the Tax-Exempt Bonds to be and to remain excluded from gross income for federal income tax purposes, (B) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (C) it, or persons acting for it, will, among other acts of compliance, (1) apply the proceeds of the Tax-Exempt Bonds to the governmental purposes of the borrowing, (2) restrict the yield on investment property, (3) make timely and adequate payments to the federal government, (4) maintain books and records and make calculations and reports, and (5) refrain from certain uses of those

proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

(b) Direct Payment Obligations. With respect to any series of Refunding Bonds that are to be issued and sold as Direct Payment Obligations, the City covenants that:

(i) It will use, and will restrict the use and investment of, the proceeds of the Refunding Bonds in such manner and to such extent as may be necessary so that the Refunding Bonds will qualify as Direct Payment Obligations under the applicable provisions of the Code.

(ii) It further covenants that (A) it will take or cause to be taken such actions that may be required of it for the Refunding Bonds to be and remain Direct Payment Obligations, (B) it will not take or authorize to be taken any actions that would adversely affect that status, and (C) it, or persons acting for it, will, among other acts of compliance, (1) apply or cause the application of the proceeds of the Refunding Bonds to the governmental purpose of the borrowing, (2) restrict yield on investment property, (3) make timely and adequate payments to the federal government, (4) maintain books and records and make calculations and reports and (5) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such tax status.

(c) Further Actions. The Director of Finance, or any other officer of the City having responsibility for issuance of the Refunding Bonds, is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the City with respect to the Refunding Bonds as the City is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, the election to issue a series of Refunding Bonds as Direct Payment Obligations, or any of the elections provided for in or available under the Code for the purpose of assuring, enhancing or protecting the favorable tax treatment or status of the Refunding Bonds or interest thereon or entitlement to Direct Payments relating thereto, or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments of penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Refunding Bonds and the City's entitlement to receive Direct Payments, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Refunding Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Refunding Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax

treatment of the interest on and the tax status of the Refunding Bonds.

Each covenant made in this Section with respect to the Tax-Exempt Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Tax-Exempt Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Tax-Exempt Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Tax-Exempt Bonds.

Section 12. Additional Documents.

The Mayor, the Director of Finance, the Director of Port Control and other City officials as appropriate under the Charter are authorized to sign and deliver such instruments, certificates and documents as are necessary or appropriate to consummate the transactions authorized by this Ordinance, the Bond Purchase Agreements, the Supplemental Indentures, the Trust Indenture, the Escrow Agreements and the Hedge Agreements.

The Director of Finance, the Director of Port Control, the Director of Law and other City officials, as appropriate under the Charter, are authorized to make the necessary arrangements on behalf of the City to establish the date, location, procedure and conditions for the delivery of each series of Refunding Bonds to the Original Purchasers and to take all actions necessary to effect due signing, authentication and delivery of each series of Refunding Bonds under the terms of this Ordinance, the Supplemental Indentures, the Bond Purchase Agreements and the Trust Indenture. The Clerk of Council or other officials of the City as appropriate under the Charter shall furnish the Original Purchasers a true transcript of proceedings certified by the Clerk or other official, of all proceedings had with reference to the issuance of the Refunding Bonds along with such information for the records as is necessary to determine the regularity and validity of the issuance of the Refunding Bonds.

Section 13. Official Statements; Continuing Disclosure.

The Mayor, the Director of Finance, the Director of Port Control and other City officials as appropriate under the Charter, each is authorized on behalf of the City to (i) prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, disclosure documents in the form of a preliminary official statement relating to the issuance of the Refunding Bonds of one or more series, and (ii) determine, and certify or otherwise represent, when each preliminary official statement as so prepared is a "deemed final" official statement (except for permitted omissions) by the City as of its date for purposes of Securities and Exchange Commission ("SEC") Rule 15c2-12(b)(1). The distribution and use of one or more preliminary official statements are hereby authorized and approved.

Those officers and each of them are also authorized, on behalf of the City and in their official capacities, to complete each preliminary official statement with such modifications, changes and supplements as those officers shall approve or authorize for the purpose of preparing and determining, and to certify or otherwise represent, that the official statement

as so revised is a final official statement for purposes of SEC Rule 15c2-12(b)(3) and (4). Those officers each are further authorized to use and distribute, or authorize the use and distribution of, one or more final official statements and supplements thereto in connection with the original issuance of the Refunding Bonds as may, in their judgment, be necessary or appropriate. Those officers each are further authorized to sign and deliver, on behalf of the City and in their official capacities, each final official statement and such certificates in connection with the accuracy of each preliminary official statement and each final official statement and any amendments thereto as may, in their judgment, also be necessary or appropriate. The Director of Finance is authorized to contract for services for the production and distribution of preliminary and final official statements, including by printed and electronic means.

For the benefit of the holders and beneficial owners from time to time of the Refunding Bonds, the City agrees, in accordance with, and as an obligated person with respect to the Refunding Bonds under, SEC Rule 15c2-12, to provide or cause to be provided such financial information and operating data and notices, in such manner, as may be required for purposes of SEC Rule 15c2-12. In order to describe and specify certain terms of the City's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Director of Finance and the Director of Port Control are authorized to prepare, or cause to be prepared, and to sign and deliver, in the name and on behalf of the City, a continuing disclosure agreement or certificate, which shall constitute the continuing disclosure agreement made by the City for the benefit of the holders and beneficial owners of the Refunding Bonds in accordance with SEC Rule 15c2-12. The performance of that agreement shall be subject to the availability of funds and their annual appropriation to meet costs the City would be required to incur to perform it.

Section 14. Lien of Pledge.

The Airport Revenues are subject to the lien of the pledge under the Trust Indenture without any physical delivery of the Airport Revenues or further act, and the lien of such pledge is valid and binding against all parties having claims of any kind against the City (irrespective of whether such parties have notice of such pledge and create a perfected security interest for all purposes of Chapter 1309, Ohio Revised Code) without the necessity for separation of delivery of the Airport Revenues or for the filing or recording of the Trust Indenture or any other resolution or instrument by which such pledge is created or any certificate, statement or other document with respect to such pledge. The pledge of the Airport Revenues under the Trust Indenture shall be effective and the money therefrom and thereof may be applied to the purposes for which pledged without necessity for any further act of appropriation.

Section 15. Financial Advisors and Consultants.

The Director of Finance may obtain the services of one or more Financial Advisors, from time to time, to assist the Director of Finance in making any of the determinations required by this Ordinance to be determined by the Director of Finance or to negoti-

ate any Hedge Agreements. The Director of Finance may rely on the written advice of any Financial Advisor so retained. The Director of Port Control may obtain the services of one or more feasibility consultants, from time to time, to provide reports in connection with the issuance and sale of any Refunding Bonds or the delivery of any Hedge Agreements concerning the utilization and operation of the Airport System, debt service coverage, rates and charges or other matters. Any Financial Advisor or consultant employed under the authority of this Ordinance shall be disinterested in the transaction and be independent of the underwriters or counterparties and any other party interested in the transaction.

Section 16. Appointment of Successor Trustee.

The Director of Finance is hereby authorized to appoint a successor Trustee in the event that the current Trustee, The Bank of New York Mellon Trust Company, N.A., shall resign or be removed, or be dissolved or otherwise become incapable of acting as Trustee under the Trust Indenture, or in case it shall be taken under the control of any public officer or officers or of a receiver appointed by a court, in accordance with the provisions of Section 12.08 of the Trust Indenture.

Section 17. Open Meeting Determination.

It is found and determined that all formal actions of the Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all applicable legal requirements.

Section 18. Separability.

Each section of this Ordinance and each subdivision of any section is declared to be independent, and the finding or holding of any section or subdivision of any section to be invalid or void shall not be deemed or held to affect the validity of any other section or subdivision of this Ordinance.

Section 19. Recitals.

It is determined and recited that all acts, conditions and things necessary to be done precedent to and in the issuing of the Refunding Bonds in order to make the same legal, valid and binding special obligations issued by the City of Cleveland, Ohio will have happened, been done and performed or will happen, be done and performed in regular and due form as required by law; and that no limitation of indebtedness or taxation, either statutory or constitutional, is applicable to the issuance of the Refunding Bonds.

Section 20. Sunset of Authorization.

The authority granted by Section 2 of this Ordinance to issue Refunding Bonds shall expire three years from the effective date of this Ordinance. If a preliminary official statement with respect to the issuance of a series of Refunding Bonds is distributed under the authority of this Ordinance at any time within the three-year period following its effective date, then the authority granted by this Ordinance shall not expire as to that series of Refunding Bonds. The Director of Finance shall notify the Chairman of the Finance Committee and the Clerk of this Council of the initiation of the issuance of any Refunding Bonds under the authority of this Ordinance.

Section 21. Emergency.

This ordinance is declared to be an emergency measure and, provided it

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

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

Ord. No. 66-13.

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

An emergency ordinance authorizing the Director of Law to apply for and accept a grant from the Criminal Justice Services Agency for the 2012 Cleveland Domestic Violence Program; and to enter into one or more contracts with Cuyahoga County and other entities to implement the program.

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

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

Section 1. That the Director of Law is authorized to apply for and accept a grant in the approximate amount of \$115,397.29, and any other funds that may become available during the grant term, from the Criminal Justice Service Agency, to conduct the 2012 Cleveland Domestic Violence Program, for the purposes set forth in the application and according thereto; that the Director of Law is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes set forth in the application for the grant.

Section 2. That the application for the grant, File No. 66-13-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation and shall not be changed without additional legislative authority, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$38,465.76, from Fund No. 01-1001-6397, is approved in all respects.

Section 3. That the Director of Law is authorized to enter into one or more contracts with the County of Cuyahoga and one or more contracts with other entities to implement the program as described in the file.

Section 4. That the cost of the contract or contracts shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance and the cash match from funds appropriated in budget year 2013 for this purpose.

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

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

Ord. No. 67-13.

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

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

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

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

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

Section 1. That the Director of the City Planning Commission is authorized to apply for and accept a grant in the approximate amount up to \$250,000, and any other funds that may become available during the grant term from the Robert Wood Johnson Foundation and PEW Charitable Trusts to conduct the Health Impact Assessment Capacity Building Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the Health Impact Assessment Factsheet and the 2012 Call for Proposal book for the grant contained in the file described below.

Section 2. That the Health Impact Assessment Factsheet and the 2012 Call for Proposal book for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 67-13-A, is made a part of this ordinance as if fully rewritten, is approved in all respects, and shall not be changed without additional legislative authority.

Section 3. That the Director of the City Planning Commission is authorized to enter into one or more contracts with various agencies, entities, or individuals to provide advisory services to implement the grant as described in the file.

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

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

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

Ord. No. 68-13.

By Council Member J. Johnson. An emergency ordinance designating Mount Olivet Church of God in Christ (formerly the Second German Reformed Church) 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 Mount Olivet

Church of God in Christ (formerly the Second German Reformed Church) as a landmark; and

Whereas, the owner of Mount Olivet Church of God in Christ (formerly the Second German Reformed Church) has been properly notified and has consented in writing to the proposed designation; and

Whereas, the Commission has recommended designation of Mount Olivet Church of God in Christ (formerly the Second German Reformed Church) 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 Mount Olivet Church of God in Christ (formerly the Second German Reformed Church), whose street addresses in the City of Cleveland are 1221-23 East 99th Street and 9900-12 Olivet Avenue, N. E., Cuyahoga County Auditor's Permanent Parcel Numbers are 109-10-082, 109-10-083, and 109-10-175, 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 Sublots Numbers 37, 38, 39, and 40 in William Phillips' Subdivision of part of Original One Hundred Acre Lot Number 377, as shown by the recorded plat in Volume 18 of Maps, Page 8 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning at the intersection of the Easterly line of East 99th Street (formerly Hampden Street) with the Southerly line of Olivet Avenue, N. E., (formerly Gertrude Street); thence Southerly along the Easterly line of East 99th Street, 115 feet to its intersection with the Northerly line of Tanner Avenue, N. E., the Northerly line of Tanner Avenue, N. E., being also the Southerly line of Original One Hundred Acre Lot Number 377; thence Easterly along the Northerly line of Tanner Avenue, N. E., 129.46 feet; thence Northerly along the Easterly line of Sublot Number 37, 115 feet to its intersection with the Southerly line of Olivet Avenue, N. E.; thence Westerly along the Southerly line of Olivet Avenue, N. E., 129.46 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways;

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

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

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

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

**Ord. No. 69-13.
By Council Member Kelley (by departmental request).**

An emergency ordinance authorizing actions to manage Existing Hedge Agreements and authorizing and approving related matters.

Whereas, in past years, the City, from time to time, entered into Hedge Agreements, defined in Section 1, to achieve what were then determined to be optimal debt service structures with respect to certain bonds issued by the City, and certain of those agreements, referred to as the Existing Hedge Agreements and more fully described in Section 1, remain in effect; and

Whereas, in order to effectively manage the Existing Hedge Agreements in response to changes in the credit quality of financial institutions serving as counterparties to Hedge Agreements and changes in the financial markets, it is necessary, from time to time, to enter into amendments, modifications, or terminations of Hedge Agreements, including the novation from one counterparty to another counterparty; and

Whereas, the number and credit quality of financial institutions available as counterparties to Hedge Agreements has generally diminished, and recent federal regulations have imposed certain responsibilities on providers of Hedge Agreements toward their counterparties which are expected to further affect the availability of counterparties and the terms of Hedge Agreements; and

Whereas, in order to respond to market conditions on a timely basis to stabilize interest rates or to minimize risks of increased interest expense or to avoid or minimize burdens or risks or costs or other expenses associated with the Existing Hedge Agreements or related Credit Support Instruments, as defined in Section 1, this Council has determined to authorize the amendment, modification, novation or termination of any of the Existing Hedge Agreement as provided in this Ordinance; and

Whereas, this Ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department and providing for the immediate preservation of the public peace, property, health or safety in that authorizing the restructuring of outstanding Hedge Agreements and related agreements is necessary to enable the City to respond to market conditions on a timely basis for the benefit of the City; now, therefore,

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

Section 1. Definitions. The following words and phrases shall have the following meanings, unless the context or use indicates a contrary meaning or intention.

“Credit Support Instrument” means an insurance policy, surety, letter of credit, standby bond purchase agreement or other credit enhancement, support or liquidity device used to enhance the security or liquidity of any Hedge Agreement.

“Existing Hedge Agreements” means the Pension Bonds Hedge Agreement, the Parking Revenue Bonds Hedge Agreement, the Water Revenue Bonds Hedge Agreements and any Hedge Agreement entered into in replacement thereof.

“Financial Advisor” means any financial advisory firm or firms retained by the Director of Finance of the City, from time to time, in connection with any Hedge Agreement.

“Hedge Agreement” means an interest rate swap, swaption, rate cap, rate collar or other hedging transaction undertaken to reduce costs of borrowing by optimizing the relative amounts of fixed and variable rate obligations or minimizing the risk of variations in debt service costs or confirming rates of interest on obligations in advance of their issuance.

“Parking Revenue Bonds Hedge Agreement” means the interest rate swap transaction documented by the ISDA Master Agreement, Schedule and Credit Support Annex, each dated February 13, 2003, as amended from time to time, including August 3, 2006, and the Confirmation dated August 3, 2006, as amended from time to time, including September 15, 2011, between UBS AG and the City, originally entered into in connection with the City’s Parking Facilities Refunding Revenue Bonds, Series 2006.

“Pension Bonds Hedge Agreement” means the swaption transaction documented by the ISDA Master Agreement, Schedule and Confirmation, each dated February 7, 2003, between JPMorgan Chase Bank, N.A. and the City, originally entered into in connection with the City’s Subordinated Income Tax Variable Rate Refunding Bonds, Series 1994, and now relating to obligations issued by the City to refund those bonds.

“Water Revenue Bonds Hedge Agreements” means (a) the interest rate swap transaction documented by the ISDA Master Agreement, Schedule, Credit Support Annex and Confirmation, each dated July 20, 2004, as amended from time to time, including February 12, 2009 and October 23, 2012, between Morgan Stanley Capital Services LLC and the City, and (b) the interest rate swap transaction documented by the ISDA Master Agreement, Schedule, Credit Support Annex and Confirmation, each dated July 20, 2004, as amended from time to time, including February 12, 2009 and October 23, 2012, between JPMorgan Chase Bank, N.A. (formerly Bear Stearns Financial Products, Inc.) and the City, both of which were originally entered into in connection with the City’s Water Revenue Bonds, Series M, 2004, and now relating to various series of refunding obligations issued by the City to refund bonds issued to refund those original bonds.

Section 2. Authorization of Actions to Manage Existing Hedge Agreements. Notwithstanding and as an exception to any contrary provision in any other ordinance of the City, the Director of Finance is authorized to take actions to manage Existing Hedge Agreements as provided in this Ordinance. To permit the City to minimize risks, burdens or costs associated with, and to have the flexibility to manage the continuing obligations under, each Existing Hedging Agreement, any related Credit Support Instrument, or any other related agreement necessary for the consummation of the transactions contemplated by each Existing Hedge Agreement (in each case, including without limitation, managing actual or expected collateral requirements, protecting against the risk of counterparty default, minimizing the risk of variations or increases in financing costs, ensuring compliance with applicable law), this Council authorizes

the Director of Finance to enter into amendments, modifications or novations of, or to terminate, in whole or in part, any Existing Hedge Agreement or any Credit Support Instrument if the Director of Finance determines, based on the written advice of a Financial Advisor, that (a) the amendment, modification, novation or termination is (i) justified by the corresponding benefit to the City, (ii) commercially reasonable based on then-current market conditions, and (iii) in the City’s best interests, and (b) any payments made or to be made by the counterparty to the City, or by the City to the counterparty, are fair value for such amendment, modification, novation or termination, given the credit of the counterparty and the terms and conditions of the amendment, modification, novation or termination.

The Director of Finance is authorized to negotiate the terms of each amendment, modification, novation or termination of any Existing Hedge Agreement. The Director of Finance shall determine the terms and conditions of the amendment, modification, novation or termination of any Existing Hedge Agreement, including without limitation, the rates to be paid by the counterparty to the City and by the City to the counterparty under the Hedge Agreement, the time or times and procedures for the exercise by the counterparty or the City, as the case may be, of any option under the Hedge Agreement, and whether the obligations of the City under the Hedge Agreement shall be secured by a Credit Support Instrument and, if so, the terms and conditions of such Credit Support Instrument. The approval of each amendment, modification, novation or termination of an Existing Hedge Agreement by the Director of Finance shall be conclusively evidenced by the signing and delivery of the applicable instrument by the Director of Finance.

Any payments owed by the City upon such amendment, modification, novation or termination may be paid from money lawfully available and appropriated or to be appropriated for that purpose. The obligation of the City to make payments under any Hedge Agreement does not and shall not represent or constitute a general obligation, debt, bonded indebtedness or a pledge of the faith and credit of the City or the State of Ohio. Nothing gives any party to any Hedge Agreement the right to have excises, ad valorem or other taxes levied by the City or the State of Ohio for the payment of any amounts due under any Hedge Agreement.

Section 3. Financial Advisors. The Director of Finance may obtain the services of one or more Financial Advisors, from time to time, to assist the Director of Finance in making any of the determinations required by this Ordinance to be determined by the Director of Finance or to negotiate any amendment, modification, novation or termination of any Existing Hedge Agreement. Any Financial Advisor employed under the authority of this Ordinance shall be disinterested in the transaction and be independent of the counterparties and any other party interested in the transaction. The Director of Finance may rely on the written advice of any Financial Advisor so retained.

Section 4. Captions, Headings, and Section References. The captions and headings in this Ordinance are solely

for convenience of reference and in no way define, limit, or describe the scope or intent of any sections, subsections, paragraphs, subparagraphs, or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

Section 5. Interpretation. Any provisions of the Codified Ordinances of the City which are inconsistent with the provisions of this Ordinance shall not apply to the matters authorized herein. Nothing in this Ordinance is intended to, and no provision hereof shall be applied in any manner as would, impair the obligation of contract of the City with respect to any outstanding Hedge Agreement, bonds, certificates of indebtedness, other obligations, indentures, or other agreements or contracts made or entered into by the City.

Section 6. Validity. This Council finds and determines that this Ordinance was passed in compliance with all applicable provisions of the City's Charter and the rules of this Council.

Section 7. Severability. Each section of this Ordinance and each subsection or paragraph of any section is hereby declared to be independent, and the finding or holding of any section or any subsection or paragraph of any section to be invalid or void shall not be deemed or held to affect the validity of any other section, subsection or paragraph of this Ordinance.

Section 8. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

Section 9. Emergency. This Ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

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

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 63-13.

By Council Member Cimperman.

An emergency ordinance to name the skate park located at 1785 Merwin on the east bank of the Cuyahoga River in the Flats the "Crooked River Skate Park".

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 name of the skate park located at 1785 Merwin on the east bank of the Cuyahoga River in the Flats shall be the "Crooked River Skate Park" and that the Director of Parks, Recreation and Properties is authorized and directed to take the necessary action to affect the naming of, and to post the proper signs at, the skate park.

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

Ord. No. 65-13.

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

An emergency ordinance to amend Section 1 of Ordinance No. 615-12, passed April 30, 2012, relating to the West 3rd Street lift bridge repairs.

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 1 of Ordinance No. 615-12, passed April 30, 2012, is amended to read as follows:

Section 1. That the Director of Capital Projects is authorized to make a written contract with Zenith Systems L.L.C., based upon its April 11, 2012 proposal, as amended April 18, 2012, for the immediate purchase of labor, equipment, and materials necessary to repair the West 3rd Street lift bridge, including all components, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis, for the Office of Capital Projects, for an estimated cost of **\$2,138,286.**

Section 2. That existing Section 1 of Ordinance No. 615-12, passed April 30, 2012, 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.

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

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

SECOND READING EMERGENCY ORDINANCE PASSED

Ord. No. 27-13.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing supplemental lease-purchase agreements, and other agreements relating to the lease-purchase of the Cleveland Stadium; approving supplemental trust agreements and the issuance of refunding certificates of participation or conversion and remarketing of variable rate certificates of participation; and authorizing and approving related matters.

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

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

MOTION

The Council Meeting adjourned at 7:26 p.m. to meet on Monday, January 28, 2013 at 7:00 p.m. in the Council Chambers.



Patricia J. Britt
City Clerk, Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

January 9, 2013

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, January 9, 2013 at 10:43 a.m. with Director Langhenry presiding.

Present: Directors Langhenry, Smith, Cox, Butler, Acting Director Eckart, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Absent: Mayor Jackson, Directors Dumas and Withers.

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

Jim Hardy, Commissioner, Purchases & Supplies.

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

Resolution No. 23-13.

By Director Dumas.

Whereas, Ord. No. 1350-10, passed November 8, 2010, authorized the purchase by one or more requirements contracts of computer hardware and software, including printers, ancillary accessories, parts, supplies, peripheral devices, and labor and materials for installation, if necessary, and maintenance, support and training, for the various divisions of City government, for a period of three years, with two one-year options to renew, the first of which is exercisable through additional legislative authority; and

Whereas, on March 14, 2012, the City of Cleveland entered into Contract RCD2012*15 with Hewlett-Packard Company under the terms and conditions of State of Ohio Schedule No. 533268-2-24 for a period up to three years; and

Whereas, the Hewlett-Packard Company has requested, by its letter of December 28, 2012, the consent of the City to the employment of MCPc, Inc., an authorized dealer on State of Ohio Schedule No. 533268-2-24, as a subcontractor under Contract RCD2012*15; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Hewlett-Packard

Company under City Contract No. RCD2012*15 for computer hardware and software, including printers, ancillary accessories, parts, supplies, peripheral devices, and labor and materials for installation, if necessary, and maintenance, support and training, for the various divisions of City government, under authority of Ordinance No. 1350-10, passed by the Council of the City of Cleveland on November 8, 2010, is approved.

Sub-contractor

MCPc, Inc.

Yeas: Directors Langhenry, Smith, Cox, Butler, Acting Director Eckart, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Withers.

Resolution No. 24-13.

By Director Dumas.

Whereas, under the authority of Ordinance No. 1080-99, passed by the Cleveland City Council on May 22, 2000 and Board of Control Resolution No. 808-00, adopted December 6, 2000, the City of Cleveland, through the Director of Finance, entered into City Contract No. 57651 with Montgomery Watson Americas, Inc. to acquire implementation consultant services for the Citywide Geographic Information System Program, including the acquisition and implementation of the Accela software platform, for use by the various divisions of City Government; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that under Section 181.102(b) of the Codified Ordinances of Cleveland, Ohio, 1976, True Point Solutions, LLC is selected upon the nomination of the Director of Finance, as determined after a full and complete canvass, as the firm to be employed by contract for a period of two (2) years to provide the professional services necessary to install, design, train, implement, test, integrate, migrate, maintain, and provide technical support and other related services, including any equipment necessary to maintain the City's Accela software platform.

Be it further resolved that the Director of Finance is authorized to enter into a contract with True Point Solutions, LLC, based upon its proposal dated July 30, 2012, for a period of two (2) years for professional services related to the implementation and management of the Accela software platform. The compensation for the above-described services shall not exceed \$200,000 for the period of two (2) years.

Yeas: Directors Langhenry, Smith, Cox, Butler, Acting Director Eckart, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Withers.

Resolution No. 25-13.

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on November 2, 2012, for Citywide tree planting, all items, for the Division of Park Maintenance, Department of Public

Works, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976, are rejected.

Yeas: Directors Langhenry, Smith, Cox, Butler, Acting Director Eckart, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Withers.

Resolution No. 26-13.

By Director Rush.

Whereas, under the authority of Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization 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. 117-22-037, located at 17601 Rook Circle in Ward 10; and

Whereas, Ordinance No. 848-11 passed July 20, 2011, authorized the sale of the parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

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

Whereas, William and Vivian Kirkland have proposed to the City to purchase the parcel for yard expansion; now, therefore,

Be it resolved that under the authority of Ordinance No. 848-11 passed July 20, 2011, by the Cleveland City Council, the consideration for the sale of Permanent Parcel No. 117-22-037, as described in the Ordinance according to the Land Reutilization Program, is established as \$350.00, which amount is determined to be not less than the Fair Market Value of the parcel for uses according to the Land Reutilization Program.

Yeas: Directors Langhenry, Smith, Cox, Butler, Acting Director Eckart, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Withers.

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 commis-

sion 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

CIVIL SERVICE NOTICE

ANNOUNCEMENTS — 2013
1/22/13 - 1/28/13

Announ- cement No.	Exam Method	Classi- fication	Exam Type
1	EE	Chief Architect - Building & Housing	N/C
2	EE	Ground Maintenance Truck Driver II	N/C
3	EE	Manager of Education & Research	N/C
4	WR	Supervising Tax Auditor	Open
5	WR	Supervisor of Radio Service	Open
6	EE	Waste Collection Driver	N/C

PROOF OF CITY RESIDENCY

Any applicant wishing to receive residency credit will be asked to show that he/she is a bona fide resident of the City of Cleveland. The following list gives examples of items that an applicant may present **at the time of filing**. The Civil Service Commission requires a minimum of three items from at least three **different** categories, where applicable. All items must be **current**. Please note that presentation of these items does not constitute conclusive proof of bona fide residency. Acceptable categories include, but are not limited to, the following:

- Lease - from rental agency.
- Lease - from independent party. Must include copy of cancelled check or money order receipts for previous rent and/or security deposit, and fully executed; otherwise, it is unacceptable.
- Utility bills bearing the property address **and** your name.
- Post Office change of address form properly date stamped.
- Official documents relating to home ownership including deed, purchase agreement, or insurance policy.
- Bank statements (Within last three months).

School registration of children.
 Car insurance documents.
 Car registration or Driver's License or Ohio I.D. (**One only**).
 Loans and credit card statements (Within last three months).
 Rental contracts (e.g.: furniture, tools, car, etc.).
 Current bills not listed above (Within last three months).
 The following are examples of **unacceptable** categories of proof:
 Library cards.
 Voter registration cards.
 Birth certificates.
 Notarized letters or affidavits.
 Social Security card.
 Rental receipts from independent party without cancelled checks or money order receipt.

AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under administrative direction, performs architectural services required in the construction, alteration, and addition to buildings. Plans, supervises, and directs assigned personnel. Performs other job-related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam). Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or GED is required. A Bachelor's Degree in Architecture or Engineering from an accredited four year college or university is required. Five years of full time paid experience as a registered Architect or Engineer is required. Experience as a Plans Examiner is preferred. Must be a registered Architect or Engineer and an interim or full-fledged Plans Examiner. A valid State of Ohio Driver's License is required.

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications may not be accepted if copies are not submitted with application at time of filing.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES ANNOUNCEMENT NO. 2

GROUND MAINTENANCE TRUCK DRIVER II (NON-COMP)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a NON COMPETITIVE examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$12.34 to \$19.53 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL

SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON, TUESDAY, JANUARY 22, 2013 UNTIL 4:30 P.M. ON MONDAY, JANUARY 28, 2013.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON MONDAY, JANUARY 28, 2013.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's eligibility will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Operates all mobile motorized equipment and/or vehicles assigned to the Division of Park Maintenance & Properties as directed by supervision (vehicles include but are not limited to those over 26,000 pounds GVWR such as dump trucks, combination vehicles, waste packers, farm tractors, snow clearance equipment/vehicles, and the like). Provides maintenance services to all properties within the jurisdiction of the City of Cleveland, Division of Park Maintenance & Properties. Operates hand and power tools associated with grounds and landscape maintenance. Performs routine maintenance on assigned equipment and vehicles. Supervises student workers and seasonal staff assigned to their crew. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam). Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or GED is required. One year of full time paid experience in the operation of farm tractors greater than 30 horsepower with various grounds maintenance and landscape attachments, preferably in a park maintenance or landscape operations setting is required. One year of full time paid experience in the operation of trucks greater than 26,000 pounds GVWR is required. A valid State of Ohio CDL Class A is required. Must be able to lift and carry 50 pounds. Must be capable of

APPROVED C.S.C. MINUTES ANNOUNCEMENT NO. 1

CHIEF ARCHITECT (BUILDING & HOUSING) (NON-COMP)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a NON COMPETITIVE examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$23,647.10 to \$101,803.10 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON, TUESDAY, JANUARY 22, 2013 UNTIL 4:30 P.M. ON WEDNESDAY, FEBRUARY 27, 2013.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON WEDNESDAY, FEBRUARY 27, 2013.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's eligibility will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY

working in all climates. Must be a City of Cleveland Seasonal Snow Removal Vehicle Operator or a TA Ground Maintenance Truck Driver II.

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications may not be accepted if copies are not submitted with application at time of filing.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES ANNOUNCEMENT NO. 3

MANAGER OF EDUCATION AND RESEARCH (NON-COMP)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a NON COMPETITIVE examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$27,325.58 - \$90,294.88 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON TUESDAY, JANUARY 22, 2013 UNTIL 4:30 P.M. ON WEDNESDAY, FEBRUARY 27, 2013.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON WEDNESDAY, FEBRUARY 27, 2013.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's eligibility will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under general direction, develops, presents, and/or manages training and staff development programs on a

City-wide, departmental, or divisional level or on behalf of the City for outside organizations. Manages City-wide training program and schedule through prioritization and use of service contracts to meet specific training needs. Utilizes the City's HR computer program to document employee training. Tracks and measures success of employee training and makes adjustments, as necessary. Advises and supports supervisors' efforts to reinforce employee accountability for training efforts. Performs training needs assessments as required. Matches required knowledge, skills, and abilities with specific training designed to meet identified needs. Identifies skilled internal trainers and coordinates train-the-trainer preparation for qualified personnel. Consults with and develops cooperative relationships with area employers or organizations and develops ongoing relationships with area institutions of higher learning as appropriate to maximize the City's training resources. Coordinates, produces, and distributes training schedules. Performs research regarding topics for training. Designs or purchases classroom training materials. Performs other duties as assigned. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam). Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or GED is required. A Bachelor's Degree from an accredited four year college or university in Business, Public Administration, Human Resources Management or related field with coursework in organizational development, industrial psychology, adult learning, or related field is required, a Master's Degree is preferred. Seven years of full time paid experience in employee training and development with public or classroom presentation to adult learners, including three at a supervisory level, is required. Experience gained at management level is preferred. Must be computer proficient and have the ability to use Microsoft Office, Excel, Access and Power Point. Must be able to utilize and generate reports using the City's HR database. Must be able to demonstrate excellent oral and written communication skills. A valid State of Ohio Driver's License is required.

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications may not be accepted if copies are not submitted with application at time of filing.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES ANNOUNCEMENT NO. 4

SUPERVISING TAX AUDITOR (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$20,800.00 - \$60,148.40 per year.

FILING OF APPLICATION

Application must be made on the regular application form available online or at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON TUESDAY, 22, 2013 UNTIL 4:30 P.M. ON MONDAY, JANUARY 28, 2013.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON MONDAY, JANUARY 28, 2013.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: Written Test — Applicants will be notified of the time, date, and place of the exam by U.S. Mail.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Supervises a group of Tax Auditors in examination of returns, documents of all types, and the files of taxpayers. Conducts investigations necessary to secure compliance with the income tax ordinance. Conducts field investigations of possible non-compliance. Makes personal audits and investigations of doubtful or more difficult cases. Interprets the ordinance, rules and regulations, and assists taxpayers in making returns. Approves refunds to taxpayers up to a prescribed amount and helps to develop procedures of tax application. He/she lays out and reviews the work of the staff, trains new personnel, and does other related work. Works directly under the Chief of Tax Auditing Bureau and is responsible for referral of special cases. Performs other job-related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or GED is required. A Bachelor's Degree in Accounting, Finance, Business, or related field from an accredited four-year college or university is required. One year of full time paid experience in accounting or accounting consultation is required, three years is preferred. One year experience in the preparation or auditing of income taxes is preferred. (Substitution: Two years of experience may substitute for each year of college education lacking, up to two years of education.) Must be proficient in Microsoft Office Suite and accounting software packages. Strong analytical, problem-solving, writing, and verbal communication skills are required. A valid State of Ohio Driver's License is required. Must be able to lift and carry a minimum of 30 pounds.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee payable in cash or money order (no checks). Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination. Any applicant who can provide proof of unemployment, public assistance, or indigence is exempt from the filing fee. A copy of such proof must be included with the application.

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications may not be accepted if copies are not submitted with application at time of filing.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 5

SUPERVISOR OF RADIO SERVICE (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$15.13 - \$25.48 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available online or at the Office of the Civil Service Commission, 601 Lakeside

Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON TUESDAY, JANUARY 22, 2013 UNTIL 4:30 P.M. ON MONDAY, JANUARY 28, 2013.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON MONDAY, JANUARY 28, 2013.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION: Applicants will be notified of the time, date, and place of the exam by U.S. Mail.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under general supervision, supervises, directs, provides technical input, and assists the Radio Technicians in the performance of tasks involving installation, operation, maintenance, testing, programming, and configuration of the 800 MHz Radio System infrastructure and subscriber equipment. Responsible for maintaining records of work performed, schedules, preparing reports and correspondence, as well as attending and participating in meetings. Reviews design, implementation, and documentation of systems, wiring, etc. Develops and implements subscriber templates. Responsible for purchasing and inventory control of parts, supplies, and equipment. Performs and/or supervises more difficult technical work required for the communications system and other electronic equipment. Ensures compliance with all applicable federal, state, and local requirements. Performs other duties as required. Follows up on orders and handles complaints. Maintains records of prices and sources of supply. Approves invoices for purchases. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or GED is required. An Associate's Degree and/or vocational training certification, with major coursework in communications technology or a related field is required, a Bachelor's Degree is preferred. Two years of full time

paid experience in radio systems technology or a related field with emphasis on installing and servicing vehicle electronics, systems maintenance, and troubleshooting. Prior supervisory/managerial experience preferred. Must have hands on experience with digital two-way radios/electronic communications systems. (Substitution: Two years of paid experience may be substituted for each year of education lacking.) A valid State of Ohio Driver's is required. Must be knowledgeable of computers and have a working knowledge of Microsoft operating system and Office Suite. Must be able to perform work in various settings and in all weather conditions. Must be able to work long shifts and/or irregular hours; and must be available for on-call assignments on an as-needed basis. Must be able to lift and carry 50 pounds.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee payable in cash or money order (no checks). Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination. Any applicant who can provide proof of unemployment, public assistance, or indigence is exempt from the filing fee. A copy of such proof must be included with the application.

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications may not be accepted if copies are not submitted with application at time of filing.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 6

WASTE COLLECTION DRIVER (NON-COMP)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a NON COMPETITIVE examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$12.33 to \$19.51 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO

TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON, TUESDAY, JANUARY 22, 2013 UNTIL 4:30 P.M. ON MONDAY, JANUARY 28, 2013.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON MONDAY, JANUARY 28, 2013.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's eligibility will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Operates the truck mechanism for loading, unloading, and compacting. Drives a dump truck, manual or automatic shift, with hydraulic lifts and compressing operations. Must have a knowledge of the streets of Cleveland. Performs the duties for which the truck was designed. Is responsible for the normal, preventative maintenance of his/her assigned vehicle such as, but not limited to, checking oil, checking tires, checking water, checking fuel, fuel lights, and packer blade operations. Keeps daily written records as required by division. Performs other job-related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam). Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or GED is required. A valid State of Ohio Commercial Driver's License (CDL) — Class B is required. Four years of full time paid experience operating a Waste Collection vehicle or a straight truck is required. Must have a good driving record and must comply with a ten year background check. Must be a City of Cleveland Seasonal Snow Removal Vehicle Operator or a TA Waste Collection Driver.

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications may not be accepted if copies are not submitted with application at time of filing.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

AN EQUAL OPPORTUNITY EMPLOYER

JROBERT BENNETT,
President

January 16, 2013

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, JANUARY 28, 2013

9:30 A.M.

Calendar No. 12-209: 12905 Bellaire Road (Ward 17)

Sameer Shann, owner appeals to add 1,786 square feet to an existing glass contractor business in a one-story building on a 40' x 128' corner parcel in a C1 Local Retail Business District; and the proposed addition/expansion of a nonconforming use requires the Board of Zoning Appeals approval in accordance with Section 359.01; and subject to the regulations under Section 343.11, an office, display or sales space of a contracting establishment is first permitted in a General Retail District, and in connection with which not more than 25% of the building floor area is used for repairing, altering, finishing or refinishing the products or merchandise; and contrary to Section 349.04(i) in the Cleveland Codified Ordinances, 2 additional parking spaces are required for the proposed 1,786 square foot addition and no additional parking space is proposed.

Calendar No. 12-232 11401 Euclid Avenue (Ward 9)

AJAPPJR Uptown 2 appeals to erect a 6-story apartment and commercial space proposed to be on consolidated parcels in an E3 General Retail Business District between Ford Drive and East 115th Street; and in accordance with Section 343.18(2)(b) a driveway must be 15 feet from the property line along Ford Drive and under Section 349.04 accessory off-street parking to accommodate 84 residential units and approximately 28,000 square feet of commercial space requires 250 parking spaces. Pursuant to Sections 352.08-12, an 8 foot wide transition landscaped strip providing 75 percent year-round opacity is required at the rear of the property where it abuts the residential district; and by the provisions under Section 355.04(b) the maximum gross floor area shall not exceed one and one-half times the lot area and an approximate 118,000 square feet of floor area is proposed, contrary to approximately 79,500 square feet that is the maximum allowed. The building is proposed to be set back zero feet from Euclid Avenue and Ford Drive, contrary to Section 357.07 and the specific 10 foot setback line along Euclid Avenue and approximately 5 feet (35 feet from street center line) for Ford Drive; and proposing an 8 foot wide side yard, contrary to Section 357.09 and

an interior side yard equal to one quarter of the height of the building, or 20 feet 6 inches, that is required according to the Cleveland Codified Ordinances.

Calendar No. 12-233: 8220 Carnegie Avenue (Ward 6)

PNC Bank, owner, appeals to erect five (5) 2'-6" x 6'-8" double faced wall projecting banner signs in a General Retail Business District on a corner building and requesting 88 square feet contrary to the maximum of 12 square feet that is allowed by the provisions for signs permitted in accordance with the Schedule of Permitted Types, Number, Area and Height Table, provided under Section 350.14(b) in the Cleveland Codified Ordinances.

Calendar No. 12-234: 2277 East 49th Street PPN 104-24-063 (Ward 5)

Farid Elabed and Fatima Lange, owners, appeal under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Ohio Code of Ordinances from a decision of the Commissioner of Assessments and Licenses as authorized under Section 209.05 to file a written return to the County Auditor for a decision of the Commissioner of Park Maintenance and Properties, to certify the costs of abatement services in the sum of \$92.58 for a vacant lot at 2277 East 49th Street, Permanent Parcel Number 103-24-063, and to allow the costs to become a lien on the property and to be collected in the same manner as other taxes and returned to the City general fund in accordance with Ohio Revised Code Chapter 731.

Calendar No. 12-235: 2256 East 55th Street PPN 103-24-080 (Ward 5)

Elabed, LLC, owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Ohio Code of Ordinances from a decision of the Commissioner of Assessments and Licenses as authorized under Section 209.05 to file a written return to the County Auditor for a decision of the Commissioner of Park Maintenance and Properties, to certify the costs of abatement services in the sum of \$449.61 for a vacant lot at 2256 East 55th Street, Permanent Parcel Number 103-24-080, and to allow the costs to become a lien on the property and to be collected in the same manner as other taxes and returned to the City general fund in accordance with Ohio Revised Code Chapter 731.

Calendar No. 12-236: 2256 East 55th Street PPN 103-24-081 (Ward 5)

Elabed, LLC, owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Ohio Code of Ordinances from a decision of the Commissioner of Assessments and Licenses as authorized under Section 209.05 to file a written return to the County Auditor for a decision of the Commissioner of Park Maintenance and Properties, to certify the costs of abatement services in the sum of \$174.30 for a vacant lot at 2256 East 55th Street, Permanent Parcel Number 103-24-081, and to allow the costs to become a lien on the property and

to be collected in the same manner as other taxes and returned to the City general fund in accordance with Ohio Revised Code Chapter 731.

Calendar No. 12-192: 2276 East 55th Street PPN 103-24-084 (Ward 5)

Fatima Lange, owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Ohio Code of Ordinances from a decision of the Commissioner of Assessments and Licenses as authorized under Section 209.05 to file a written return to the County Auditor for a decision of the Commissioner of Park Maintenance and Properties, to certify the costs of abatement services in the sum of \$256.22 for a vacant lot at 2276 East 55th Street, Permanent Parcel Number 103-24-084, and to allow the costs to become a lien on the property and to be collected in the same manner as other taxes and returned to the City general fund in accordance with Ohio Revised Code Chapter 731.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, JANUARY 14, 2013

At the meeting of the Board of Zoning Appeals on Monday, January 14, 2013, the following appeals were heard by the Board.

The following appeal was **APPROVED:**

Calendar No. 12-221: Violation Notice 4019-21 Brooklyn Avenue

Diane Stiver appealed from a decision rendered by the City of Cleveland Parking Violations Bureau, Waste Collection and Photo Safety Division for failure to comply with Section 551.111(B); penalty reduced to \$250.00.

The following appeals were **POSTPONED:**

Calendar No. 12-207: 4455 Pearl Road postponed to April 1, 2013.

Calendar No. 12-218: 5401 St. Clair Avenue postponed to March 4, 2013.

Calendar No. 12-220: 1170 Ivanhoe Road postponed to March 11, 2013.

Calendar No. 12-205: 3675 East 65th Street scheduled for January 22, 2013 postponed to February 25, 2013.

The following appeals heard by the Board on January 7, 2013 were adopted and approved on January 14, 2013:

The following appeals were **APPROVED:**

Calendar No. 12-213: Violation Notice 3914 Arnold Avenue

Litsandra Mulero appealed from a decision rendered by the City of Cleveland Parking Violations Bureau, Waste Collection and Photo Safety Division for failure to com-

ply with Section 551.111(B); penalty reduced to \$250.00.

Calendar No. 12-219: 2170 West 7th Street

Victor Selig appealed to erect a three-story single family residence with attached garage in a B1 Multi-Family District.

Calendar No. 12-184: 6555 Carnegie Avenue

Hemingway at 6555 LLC appealed to erect a 180 foot telecommunications tower in a Midtown Mixed Use District 3; subject to conditions.

Calendar No. 12-214: 3204 Carroll Avenue

Scott Maloney appealed to establish a 10 car parking lot in a B1 Two-Family District.

The following appeals were **DENIED:**

Calendar No. 12-211: Violation Notice 4250 West 38th Street

George Caraman appealed from a decision rendered by the City of Cleveland Parking Violations Bureau Waste Collection and Photo Safety Division for failure to comply with Section 551.111(B) in the Cleveland Codified Ordinances; decision of the Hearing Examiner affirmed.

Violation Notice

Calendar No. 12-210: 3432 West 117th Street

Kari Bast-Payne appealed from a Notice of Violation issued by the Department of Building and Housing for failure to comply with Section 337.178.(a) in the Cleveland Codified Ordinances.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of January 2, 2013

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

* * *

Docket A-206-12.

RE: Appeal of Annette Scott, Owner of the One Dwelling Unit Single-Family Residence Two & One/half Story Wood Frame/Siding/Masonry Veneer Property, located on the premises known as 480 Cleveland Road, from a CONDEMNATION ORDER — MAIN STRUCTURE, date July 27, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant thirty (30) days in which to obtain permits and an additional

sixty (60) days in which to complete abatement of the violations, noting that failure to meet either date will result in the property being REMANDED immediately; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

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

* * *

Docket A-253-12.

RE: Appeal of Andre Williams, Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property, located on the premises known as 14007 Idarose Avenue, from a CONDEMNATION ORDER — MAIN STRUCTURE, dated September 11, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant thirty (30) days in which to obtain permits and six (6) months in which to complete abatement of the violations, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

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

* * *

Docket A-254-12.

RE: Appeal of Pam Finch, Owner of the One Dwelling Unit Residential Property, located on the premises known as 16901 Lotus Drive, from a LIMITATION ON THE PERMIT, dated September 11, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant a six (6) month Extension of Time on the permit, noting that an additional six (6) months is available if the Appellant appears before the Board and requests that extension due to the inaction of the insurance company. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

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

* * *

Docket A-257-12.

RE: Appeal of Maxies E. Morrell, Owner of the Two Dwelling Units Two-Family Residence One & One/half Story Frame Property, located on the premises known as 3652 Independence Road, from a CONDEMNATION ORDER — MAIN STRUCTURE, dated September 12, 2012 of the Director of the Depart-

ment of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that based on the photographic evidence presented and the fact that the Appellant was not present for hearing, the appeal for additional time is DENIED; 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. Maschke.

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

* * *

Docket A-258-12.

RE: Appeal of Patricia Otloski & Wanda Otloski, Owners of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property, located on the premises known as 4962 Mead Avenue, from a CONDEMNATION ORDER — MAIN STRUCTURE & GARAGE, dated September 11, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant sixty (60) days in which to submit either a renovation plan or another disposition plan for the property to the Department of Building and Housing, noting that the property is to remain secured and the grounds debris-free during that period of time. 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. Maschke.

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

* * *

Docket A-259-12.

RE: Appeal of Charles Sogbesan, Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property, located on the premises known as 3695 East 59th Street, from a CONDEMNATION ORDER — MAIN STRUCTURE, dated August 31, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY the request for additional time and to REMANDED the property to the Department of Building and Housing for supervision and any required further action, noting the condition of the property represented by photographs and the absence of the Appellant at the hearing. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

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

Docket A-260-12.

RE: Appeal of Leon Fletcher, Owner of the A-3 Assembly - Recreation or Religious Facilities One & One/half Story Masonry Property located on the premises known as 721 Eddy Road from a CONDEMNATION ORDER — MAIN STRUCTURE, dated September 12, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant ninety (90) days in which to present a plan and obtain all required permits to renovate the property, at which time the Building Department will give the Appellant six (6) months to complete the renovation of the property with an Extension of Time to be granted if the Appellant is making satisfactory progress in that six (6) month period; the property is to remain boarded and secured and the grounds debris-free during that period of time. 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. Maschke.

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

* * *

Docket A-261-12.

RE: Appeal of Ferrell Okie Lee (Deceased) C/O Artistine Beavers Cunningham, Owner of the S-2 Storage - Low Hazard (Non-combustibles) One Story Masonry Property located on the premises known as 2980 East 81st Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated October 10, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant thirty (30) days in which to clean out and remove personal items from 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. Bradley and seconded by Mr. Maschke.

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

* * *

Docket A-263-12.

RE: Appeal of Willie R. Townes, Owner of the MXD Mixed Uses - Multiple Uses In One Building Two Story Frame Property, and MXD Mixed Uses - Multiple Uses In One Building One Story Garage - Detached; Wood Frame Property, located on the premises known as 3291 East 49th Street, from a CONDEMNATION ORDER — MAIN STRUCTURE & GARAGE, dated October 11, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City

of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant two (2) weeks in which to present a plan and obtain all required permits, and to grant the Appellant six (6) months, on the residential structure and six (6) months on the commercial structure in which to complete abatement of the violations. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

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

* * *

Docket A-264-12.

RE: Appeal of CNL APF Partners, LP, Owner of the Business - Offices, Laboratories, Adult School One Story Frame Property, located on the premises known as 16015 Lakeshore Boulevard, from a CONDEMNATION ORDER — MAIN STRUCTURE, dated September 19, 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 requested sixty (60) days in which to completed plans and submit them to the Building Department for permits, and one hundred eighty (180) days in which to complete the construction of the white box and an additional one hundred eighty (180) in which to complete the renovation of the property for rental or occupancy. 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. Maschke.

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

* * *

APPROVAL OF RESOLUTIONS:

Separate motions were entered by Mr. Denk 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):

APPROVAL OF RESOLUTIONS:

A-215-12 — Cuyahoga County (Not Adopted)
 A-244-12 — Khoa Dane Nguyen
 A-245-12 — Johnnie Benson
 A-247-12 — Rosetta M. Wyar
 A-248-12 — Rosetta M. Wyar
 A-250-12 — Sabrina Sutton
 A-251-12 — Allan E. Bryson
 A-252-12 — John P. Ginley
 A-255-12 — Joyce & Alisha Harper
 A-317-12 — The Cleveland Public Library

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

APPROVAL OF MINUTES:

Separate motions were entered by Mr. Denk 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):

December 19, 2012

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

* * *

JOSEPH F. DENK
Chairman

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

**Notice of Public Hearing
By the Council Committee
On City Planning**

**Mercedes Cotner
Committee Room 217
City Hall, Cleveland, Ohio
On Wednesday, January 30, 2013
1:00 p.m.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Wednesday, January 30, 2013, at 1:00 p.m., to consider the following ordinance now pending in the Council:

Ord. No. 842-12.

By Council Member Reed.
An ordinance changing the Use and Area Districts of land on the southwest side of Turney Road between Warner Rd. and Macomb Avenue as shown shaded on the attached map to a Two Family Residential District and a 'B' Area District. (Map Change No. 2397, Sheet Number 6).

Ord. No. 843-12.

By Council Member Reed.
An ordinance changing the Use Districts of land on the south side of the intersection of Warner Road and Turney Road as shown shaded on the attached map to Open Space and Recreation (Map Change No. 2396, Sheet Number 6).

Ord. No. 844-12.

By Council Member Reed.
An ordinance changing the Use District of lands located on the east side of Warner Road south of Turney Road to Grand Division Avenue from General Retail to Local Retail (Map Change No. 2398, Sheet Number 6).

Ord. No. 1085-12.

By Council Member Miller.
An ordinance to change the Use District of land on the north side of Coit Road between E. 140th Street and E. 141 Street to Residence Office (Map Change No. 2404; Sheet No. 7).

Ord. No. 1401-12.

By Council Member J. Johnson.
An emergency ordinance designating Immaculate Conception Church, School, Rectory, and Accessory Buildings as a Cleveland Landmark.

Ord. No. 1402-12.

By Council Member J. Johnson.
An emergency ordinance designating the Judge Jean Murrell Capers Tennis Courts at Rockefeller Park as a Cleveland Landmark.

Ord. No. 1403-12.

By Council Member J. Johnson.
An emergency ordinance designating North Presbyterian Church as a Cleveland Landmark.

Ord. No. 1404-12.

By Council Member J. Johnson.
An emergency ordinance designating the Sidney Hillman Memorial Building (Amalgamated Clothing Workers Union of America), also known as the Norma Herr Women's Center, as a Cleveland Landmark.

Ord. No. 1419-12.

By Council Member Brancatelli.
An ordinance changing the Use District of land on the northeast corner of E. 63rd Street and Waterman Avenue from Two Family Residential to Open Space and Recreation (Map Change Number 2406).

Ord. No. 1420-12.

By Council Member Brancatelli.
An ordinance changing the Use District of land on the north side of Regent Road and south side of Temple Avenue from Two Family Residential or Semi-Industry and a '2' Height District to an Open Space and Recreation Use District and a '1' Height District (Map Change Number 2407).

Ord. No. 1424-12.

By Council Member Brancatelli.
An ordinance changing the Use District of land fronting on Engel Avenue northeasterly from Broadway Avenue to Two Family Residential and a 'B' Area District (Map Change Number 2411).

Ord. No. 1425-12.

By Council Member Brancatelli.
An ordinance changing the Use and Area Districts of land fronting on the north side of Ovington Avenue between E. 65 St. and E. 66 St. Two Family Residential and a 'B' Area District (Map Change Number 2412).

Ord. No. 1461-12.

By Council Member Brancatelli.
An ordinance changing the Use and Height Districts of land located on the northeast side of Broadway Avenue between Wire Avenue and Jones Road to Local Retail Business District and a 'B' Area District (Map Change Number 2417).

Ord. No. 1462-12.

By Council Member Brancatelli.
An ordinance changing the Use District of lands on the east side of E. 49th Street south of Chard Avenue to Two Family Residential (Map Change Number 2424).

Ord. No. 1463-12.

By Council Member Brancatelli.
An ordinance changing the Use and Height Districts of land located on the south side of Morgan Avenue

and on the north side of Regent Road to Residence Industry District and a '1' Height District (Map Change Number 2418).

Ord. No. 1464-12.

By Council Member Brancatelli.
An ordinance changing the Use District and Height District of lands located between E. 55 St. and E. 49th Street known as Morabito Site shown on the attached map to Semi-Industry and a '3' Height District (Map Change Number 2420).

Ord. No. 1465-12.

By Council Member Brancatelli.
An ordinance changing the Use District of land on the north side of Dolloff Road at its intersection with Barkwill Avenue to approximately E. 55 St. as shown on the attached map to Local Retail Business District (Map Change Number 2421).

Ord. No. 1466-12.

By Council Member Brancatelli.
An ordinance changing the Use, Area and Height Districts of lands bounded by Blanche Avenue, E. 55th Street, Ackley Road, Mound Avenue and E. 53 St. as shown shaded on the attached maps to Two Family Residential, a 'B' Area District and a '1' Height District (Map Change Number 2422).

Ord. No. 1467-12.

By Council Member Brancatelli.
An ordinance changing the Use Districts of lands located on the east side of E. 55th Street at Lufkin Avenue as shown shaded on the attached map to Multi-Family Residential District (Map Change Number 2426).

Ord. No. 1470-12.

By Council Members Cleveland and Brancatelli.
An ordinance changing the Use and Height Districts of land on the south side of Morgan Avenue between at E. 68th Street to E. 75th Street to Two Family Residential and a 1 Height District (Map Change Number 2413).

Ord. No. 1471-12.

By Council Members Cleveland and Brancatelli.
An ordinance changing the Use, Area and Height District of lands on the north and south sides of Broadway from 177 to Marble Avenue and Union Avenue from E. 65 St. to E. 82nd St. is changed to a Local Retail Business District, a 'C' Area District and a '2' Height District as shown on the attached maps (Map Change Number 2416).

Ord. No. 1594-12.

By Council Member J. Johnson.
An emergency ordinance designating University Circle United Methodist Church (formerly known as Epworth-Euclid Church) as a Cleveland Landmark.

Ord. No. 1595-12.

By Council Member J. Johnson.
An emergency ordinance designating the Sarah Redman Apartments as a Cleveland Landmark.

Ord. No. 1596-12.

By Council Member J. Johnson.
An emergency ordinance designating Park Lane Villa as a Cleveland Landmark.

Ord. No. 1597-12.

By Council Member J. Johnson.
An emergency ordinance designating Judson Manor (formerly known as Wade Park Manor) as a Cleveland Landmark.

All interested persons are urged to be present or to be represented at the above time and place.

Phyllis E. Cleveland, Chair
Committee on City Planning

January 16, 2013 and January 23, 2013

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."

NO BIDS

**ADOPTED RESOLUTIONS
AND ORDINANCES**

Res. No. 16-13.

By Council Member Zone.

An emergency resolution declaring this Council's support of the proposal of Detroit Shoreway Community Development Organization to the Ohio Housing Finance Agency for the use of low-income housing tax credits for new construction of Aspen Place apartments on Lorain Avenue.

Whereas, each year the Ohio Housing Finance Agency allocates housing credits for affordable housing developments throughout Ohio using a competitive proposal process; and

Whereas, Detroit Shoreway Community Development Organization is proposing to construct 34 affordable apartments in a three story mixed-use building located on Lorain Avenue at West 61st Street, Cleveland, Ohio; and

Whereas, 100% of these homes will be affordable to families with incomes at or below 60% of the area median income and no housing units will be market rate; and

Whereas, 10% of these housing units will be affordable to households whose annual income is at or below 30% of the area median income; and

Whereas, the Detroit Shoreway Community Development Organization's proposal will include retail on the ground floor and will be built on vacant land currently owned by the Greater Cleveland Regional Transit Authority, within the nationally renowned EcoVillage and will serve as a prime example of transit-oriented development and spur additional private investment along Lorain Avenue; and

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

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

Section 1. That this Council hereby declares its support of the proposal of Detroit Shoreway Community Development Organization to the Ohio Housing Finance Agency for the use of low-income housing tax credits for new construction of Aspen Place apartments on Lorain Avenue.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to the Executive Director of the Detroit Shoreway Community Development Organization.

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

Adopted January 7, 2013.

Effective January 8, 2013.

Res. No. 17-13.

By Council Member Zone.

An emergency resolution declaring this Council's support of the proposal of Detroit Shoreway Community Development Organization to the Ohio Housing Finance Agency for the use of low-income housing tax credits for the preservation of three apartment buildings on Detroit Avenue in Cleveland, Ohio.

Whereas, each year the Ohio Housing Finance Agency allocates housing credits for affordable housing developments throughout Ohio using a competitive proposal process; and

Whereas, Detroit Shoreway Community Development Organization is proposing to preserve and rehabilitate 45 units of affordable housing in 3 separate apartment buildings located on Detroit Avenue: the Kennedy

Building at 6425 Detroit Avenue; Muirville Apartments at 8001-05 Detroit Avenue; and Detroit Chateau at 7918 Detroit Avenue; and; and

Whereas, 100% of these homes will be affordable to families with incomes at or below 60% of the area median income and no housing units will be market rate; and

Whereas, at least 50% of these housing units will be affordable to households whose annual income is at or below 50% of the area median income; and

Whereas, 10% of these housing units will be affordable to households whose annual income is at or below 30% of the area median income; and

Whereas, the Detroit Shoreway Community Development Organization's proposal will make major capital improvements to the buildings and each unit will receive approximately \$50,000 worth of improvements; and

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

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

Section 1. That this Council hereby declares its support of the proposal of Detroit Shoreway Community Development Organization to the Ohio Housing Finance Agency for the use of low-income housing tax credits for the preservation of three apartment buildings on Detroit Avenue.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to the Executive Director of the Detroit Shoreway Community Development Organization.

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

Adopted January 7, 2013.

Effective January 8, 2013.

Res. No. 18-13.

By Council Member Zone.

An emergency resolution declaring this Council's support of the proposal of Detroit Shoreway Community Development Organization to the Ohio Housing Finance Agency for the use of low-income housing tax credits for rehabilitation of the Templin-Bradley Company building at 5700 Detroit Avenue.

Whereas, each year the Ohio Housing Finance Agency allocates housing credits for affordable housing developments throughout Ohio using a competitive proposal process; and

Whereas, Detroit Shoreway Community Development Organization is proposing to rehabilitate and adapt the Templin-Bradley Company building which is a vacant warehousing facility, into 30 mixed-income housing units at 5700 Detroit Avenue, Cleveland, Ohio; and

Whereas, 10% of the units will be affordable to individuals or families whose incomes are at or below 30% of the area median income; and

Whereas, 10% of the units will be affordable to individuals or families

whose incomes are at or below 35% of the area median income; and

Whereas, 30% of the units will be affordable to individuals or families whose incomes are at or below 60% if the area median income; and

Whereas, 50% of the units will be market rate; and

Whereas, the Detroit Shoreway Community Development Organization's proposal is a 7.75 million dollar proposal that will preserve the historic structure and provide a much needed anchor at the eastern gateway of the Gordon Square Arts District; and

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

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

Section 1. That this Council hereby declares its support of the proposal of Detroit Shoreway Community Development Organization to the Ohio Housing Finance Agency for the use of low-income housing tax credits for rehabilitation of the Templin-Bradley Company building at 5700 Detroit Avenue.

Section 2. That the Clerk of Council is hereby directed to transmit certified copies of this resolution to the Executive Director of the Detroit Shoreway Community Development Organization.

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

Adopted January 7, 2013.

Effective January 8, 2013.

Res. No. 19-13.

By Council Member Brancatelli.

An emergency resolution declaring this Council's support of the Cleveland Housing Network Inc.'s application to the Ohio Housing Finance Agency for low-income housing tax credits for the Slavic Village Green Homes I project.

Whereas, each year the Ohio Housing Finance Agency allocates low-income housing credits for affordable housing developments throughout Ohio using a competitive proposal process; and

Whereas, the Cleveland City Council has recognized the need to maintain affordable housing in Cleveland's neighborhoods; and

Whereas, Slavic Village Green Homes I will consist of a mix of substantially rehabilitated single-family homes and the construction of new single family homes in the Slavic Village neighborhood, which is one of the six Strategic Investment Initiative areas; and

Whereas, the Slavic Village Green Homes I project will strengthen and support the existing housing investment within the Slavic Village neighborhood, including Opportunity Housing, a for-sale market rate project, Cleveland Green Homes, Cleveland Green Homes East, Cleveland Green Homes II, Cleveland NSP Homes I, and Cleveland Green Homes III; and

Whereas, Slavic Village is nationally recognized as the epicenter of the national home mortgage foreclosure crisis that continues to hit Ohio, and in particular, the City of Cleveland; and

Whereas, working together for over 30 years, Cleveland Housing Network, Inc. and its non-profit development partners and the City of Cleveland have demonstrated the ability to use tax credits to leverage local resources and complete successful projects that meet community development objectives concerning vacant properties and provide needed affordable housing to low-income families; and

Whereas, in the current environment of large numbers of vacant single family homes, a weak homeownership market, and an increasing poverty rate, this tool is needed more than ever; and

Whereas, Cleveland City Council remains committed to a continued partnership with the Cleveland Housing Network Inc. and the development of Slavic Village Green Homes I project, as we work together to address the foreclosure crisis and meet the needs of our low income families for decent affordable housing; and

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

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

Section 1. That this Council supports Cleveland Housing Network Inc.'s application to the Ohio Housing Finance Agency for low-income housing tax credits for the Slavic Village Green Homes I project.

Section 2. That the Clerk of Council is hereby directed to transmit a copy of this resolution to Robert S. Curry, Executive Director, Cleveland Housing Network, Inc.

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

Adopted January 7, 2013.

Effective January 8, 2013.

Res. No. 31-13.

By Council Member Polensek.

An emergency resolution objecting to a New C1 Liquor Permit at 15707 St. Clair Avenue.

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 Liquor Permit at Dolgen Midwest, LLC, DBA Dollar General Store #13729, 15707 St. Clair Avenue, Cleveland, Ohio 44110, Permanent Number 22348151420; 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 ordi-

nances of this state or any other state; and

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C1 Liquor Permit at Dolgen Midwest, LLC, DBA Dollar General Store #13729, 15707 St. Clair Avenue, Cleveland, Ohio 44110, Permanent Number 22348151420; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted January 7, 2013.

Effective January 8, 2013.

Res. No. 32-13.

By Council Member Dow.

An emergency resolution objecting to the transfer of liquor license of a D1 and D2 Liquor Permit to 6816 Superior Road.

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of liquor license of a D1 and D2 Liquor Permit from Margaret W. Foxworth, DBA Johnnies South of the Border, 5803 Outhwaite Avenue, 1st floor and partial basement, Cleveland, Ohio 44104, Permanent Number 2861689 to Margaret W. Foxworth, DBA Johnnies South of the Border, 6816 Superior Road, Cleveland, Ohio 44103, Permanent Number 28616890001; and

Whereas, the granting of this application for a liquor permit to this high

crime area, which is already saturated with other liquor outlets, is contrary to the best interests of the entire community; and

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of liquor license of a D1 and D2 Liquor Permit from Margaret W. Foxworth, DBA Johnnies South of the Border, 5803 Outhwaite Avenue, 1st floor and partial basement, Cleveland, Ohio 44104, Permanent Number 2861689 to Margaret W. Foxworth, DBA Johnnies South of the Border, 6816 Superior Road, Cleveland, Ohio 44103, Permanent Number 28616890001; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted January 7, 2013.
Effective January 8, 2013.

Res. No. 33-13.
By Council Member Reed.
An emergency resolution withdrawing objection to the renewal of a C2, C2X and D6 Liquor Permit at 11609 Miles Road and repealing Resolution No. 1139-12 objecting to said renewal.

Whereas, this Council objected to a C2, C2X and D6 Liquor Permit to 11609 Miles Road by Resolution No. 1139-12 adopted by the Council on August 8, 2012; and

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

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

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

Section 1. That objection to a C2, C2X and D6 Liquor Permit to Habibi, Inc., DBA Frank's Marathon, 11609 Miles Road, Cleveland, Ohio 44105, Permanent Number 3479133 be and the same is hereby withdrawn and Resolution No. 1139-12, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted January 7, 2013.
Effective January 8, 2013.

Res. No. 34-13.
By Council Member K. Johnson.
An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 2603 Woodhill Road and repealing Resolution No. 1486-12, objecting to said transfer.

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to 2603 Woodhill Road by Resolution No. 1486-12 adopted by the Council on October 15, 2012; and

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

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

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

Section 1. That objection to the transfer of ownership of a C1 and C2 Liquor Permit to Mos Woodhill Deli, Inc., 2603 Woodhill Road, Cleveland, Ohio 44104, Permanent No. 6192207, be and the same is hereby withdrawn and Resolution No. 1486-12, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted January 7, 2013.
Effective January 8, 2013.

Res. No. 35-13.
By Council Member Cummins.

An emergency resolution withdrawing objection to the renewal of a D1, D2, D3, D3A, D5 and D6 Liquor Permit at 3194 West 25th Street, 1st floor and basement, and repealing Resolution No. 1032-12 objecting to said renewal.

Whereas, this Council objected to a D1, D2, D3, D3A, D5 and D6 Liquor Permit to 3194 West 25th Street, 1st floor and basement by Resolution No. 1032-12 adopted by the Council on August 8, 2012; and

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

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

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

Section 1. That objection to a D1, D2, D3, D3A, D5 and D6 Liquor Permit to 2109 Tate, Inc., DBA Teri O's Lounge, 3194 West 25th Street, 1st floor and basement, Cleveland, Ohio 44109, Permanent Number 9116320005 be and the same is hereby withdrawn and Resolution No. 1139-12, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted January 7, 2013.
Effective January 8, 2013.

Ord. No. 20-13.
By Council Members Cimperman, Mitchell and Kelley (by departmental request).

An emergency ordinance to amend Ordinance No. 1642-12, passed December 3, 2012, relating to Day Care Center fees, applications, inspections and contagious disease notification, to repeal existing Sections 227.03, 227.04, 227.05, 227.33, 227.34 and 227.35.

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. 1642-12, passed December 3, 2012, is amended to read as follows:

Section 1a. That existing Sections 227.03, 227.04, 227.05, 227.33, 227.34 and 227.35 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 924-09, passed August 5, 2009, are repealed.

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

Passed January 7, 2013.
Effective January 8, 2013.

**Ord. No. 21-13.
By Council Members Pruitt and Kelley (by departmental request).
An emergency ordinance authorizing the Director of Public Utilities to enter into one or more contracts with GDS Associates, Inc. for professional services necessary for resource beneficial use analysis and power supply plan for the Division of Cleveland Public Power.**

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

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

Section 1. That the Director of Public Utilities is authorized to enter into one or more contracts with GDS Associates, Inc. for professional services necessary for resource beneficial use analysis and power supply plan for the Division of Cleveland Public Power on the basis of its proposal dated December 12, 2012, for the Department of Public Utilities. The contract or contracts shall be paid from Fund No. 58 SF 001, Request No. RQN 2005, RL 2012-069.

Section 2. That the contract or contracts shall be prepared by the Director of Law and shall contain such terms and conditions as the Director deems necessary, including a provision requiring the contractor to comply with federal equal employment opportunity ("EEO") standards.

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

Passed January 7, 2013.
Effective January 7, 2013.

**Ord. No. 22-13.
By Council Members Miller and Kelley (by departmental request).**

An emergency ordinance giving final consent of the City of Cleveland to the State of Ohio for the rehabilitation of the Harvard Avenue bridge over Wheeling & Lake Erie Railroad Company railroad just west of East 103rd Street; authorizing the Director of Capital Projects to enter into contracts with the State of Ohio; and causing payment to the State of Ohio for the City's share of the improvement.

Whereas, under Ordinance No. 745-11, passed August 17, 2011, this Council authorized the City of Cleveland to cooperate with the Director of Transportation for the rehabilitation of the Harvard Avenue bridge over Wheeling & Lake Erie Railway Company railroad just west of East 103rd Street (the "Improvement"); and

Whereas, the City shall cooperate with the Ohio Director of Transportation in the above described project by assuming and bearing one hundred percent (100%) of the entire cost of the Improvement, less the amount of Federal-aid NOACA funds set aside by the Director of Transportation for the financing of this Improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation, and further, the City agrees to assume and bear one hundred percent (100%) of the cost of

Preliminary Engineering, excluding in-house preliminary engineering charges incurred by the State, and

Whereas, the share of the City's cost of the Improvement is now estimated to be \$484,184.00, but may be adjusted when the percentages of actual costs are determined; and

Whereas, the Ohio Director of Transportation has approved the legislation proposing cooperating and has caused to be made plans and specifications and an estimate of costs and expense for the Improvement and has transmitted copies of the same to this legislative authority; and

Whereas, the City desires the Ohio Director of Transportation to proceed with the Improvement; and

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

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

Section 1. That this Council requests the Ohio Director of Transportation to proceed with the Improvement.

Section 2. That the Director of Capital Projects is authorized to enter into contracts with the State and/or their pre-qualified consultants for the preliminary engineering phase of the Project and to enter into contracts with the Director of Transportation necessary to complete the Improvement. Upon the request of ODOT, the Director of Capital Projects is also empowered to assign all rights, title, and interests of the City to ODOT arising from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

Section 3. (a) That the City shall, at its own expense, make all removals and/or relocations of publicly-owned utilities which do not comply with the reimbursement provisions of the ODOT Utilities Manual. Publicly-owned facilities which do comply with the reimbursement provisions of the ODOT Utilities Manual will be removed and/or relocated at project expense, exclusive of betterments.

(b) The removals and/or relocation of all utilities shall be done in such a manner as not to interfere with the operation of the contractor constructing the Improvement and that the utility removals and/or relocations shall be approved by the State and performed in accordance with the provisions of the ODOT Construction and materials Specifications.

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

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

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

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

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

(e) Regulate parking in accordance with Section 4511.66 of the Revised Code, unless otherwise controlled by City ordinance or resolution.

Section 5. That the Clerk of Council is authorized and directed to transmit to the State three (3) certified copies of this ordinance immediately on its taking effect, and it shall become the basis for proceeding with the Improvement.

Section 6. That this Council is authorized to cause payment to the State of the City's share of the Improvement, payable from Fund Nos. 20 SF 380, 20 SF 383, 20 SF 394, 20 SF 500, 20 SF 506, 20 SF 510, 20 SF 520, 20 SF 528, 20 SF 534, 20 SF 540, 20 SF 546, 52 SF 001 and 54 SF 001, RQS 0103, RL 2012-194.

Section 7. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed January 7, 2013.
Effective January 7, 2013.

**Ord. No. 30-13.
By Council Member Westbrook.**

An emergency ordinance to amend Section 1 of Ordinance No. 1651-12, passed November 19, 2012 that authorizes the Clerk of Council to enter into an agreement with Cobalt Group, Inc. for the professional services necessary to provide for implementation of an operations and sustainability plan for Cleveland City Council.

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

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

Section 1. That Section 1 of Ordinance No. 1651-12, passed November 19, 2012 is amended to read as follows:

Section 1. That the Council President is authorized to enter into an agreement with Cobalt Group, Inc. ("Consultant") for the professional services necessary to provide for the implementation of an operations and sustainability plan for Cleveland City Council, including the services set forth in Consultant's 2013 Statement of Work and those services as may be directed by the Clerk of Council or her designee. This agreement shall be entered into as of January 1, 2013 and shall be for a term of one year, concluding December 31, 2013.

The agreement shall be certified in an amount not to exceed \$66,000.00 from fund 01, dept. 0101, subfund 001, and object code 6320.

Section 2. That the existing Section 1 of Ordinance No. 1651-12, passed November 19, 2012 is repealed.

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

Passed January 7, 2013.
Effective January 8, 2013.

COUNCIL COMMITTEE MEETINGS

**Monday, January 14, 2013
9:30 a.m.**

Public Service Committee: Present: Miller, Chair; Cummins, Vice Chair; Dow, Keane, Polensek, Pruitt, Sweeney. *Authorized Absence:* Cleveland, K. Johnson.

2:00 p.m.

Finance Committee: Present: Kelley, Chair; Sweeney, Vice Chair;

Brady, Brancatelli, Cleveland, Keane, Miller, Mitchell, Pruitt, Westbrook, Zone.

**Tuesday, January 15, 2013
9:30 a.m.**

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

1:30 p.m.

Employment, Affirmative Action and Training Committee: Present: Zone, Chair; Pruitt, Vice Chair; Cummins, J. Johnson, K. Johnson, Mitchell, Westbrook.

**Wednesday, January 16, 2013
10:00 a.m.**

Aviation and Transportation Committee: Present: Keane, Chair; Pruitt, Vice Chair; Cummins, J. Johnson, K. Johnson, Kelley. *Authorized Absence:* Mitchell.

Index

O—Ordinance; R—Resolution; F—File
 Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
 Bold type in sections indicates amendments

Agreements

Amend Sect. 1 of Ord. No. 1651-12 — Colbalt Group, Inc. — Operations and Sustainability Plan (O 30-13) **64**
 Rate Swap and Hedge Agreements — Finance Department (O 69-13) 51

Appreciation

Adams, Kathleen (R 106-13) 44

Board of Building Standards and Building Appeals

Alhambra Road, 801, (Ward 11) — Johnnie Benson, owner — appeal adopted on 1/2/13 (Doc. A-245-12) 59
 Clark Avenue, 2704, (Ward 14) — Cleveland Public Library, owner — appeal adopted on 1/2/13 (Doc. A-317-12) 59
 Cleveland Road, 480, (Ward 10) — Annette Scott, owner — appeal resolved on 1/2/13 (Doc. A-206-12) 58
 Earlwood Road, 13705, (Ward 10) — Allan E. Bryson, owner — appeal adopted on 1/2/13 (Doc. A-251-12) 59
 East 142nd Street, 4309, (Ward 1) — Sabrina Sutton, owner — appeal adopted on 1/2/13 (Doc. A-250-12) 59
 East 49th Street, 3291, (Ward 5) — Willie R. Townes, owner — appeal resolved on 1/2/13 (Doc. A-263-12) 59
 East 55th Street, 2531, (Ward 5) — Joyce Harper and Alisha Harper, owners — appeal adopted on 1/2/13 (Doc. A-255-12) 59
 East 59th Street, 3695, (Ward 12) — Charles Sogbesan, owner — appeal resolved on 1/2/13 (Doc. A-259-12) 59
 East 81st Street, 2980, (Ward 5) — Ferrell Okie Lee, (Deceased), c/o Artistine Beavers Cunningham, owner — appeal resolved on 1/2/13 (Doc. A-261-12) 59
 Eddy Road, 721, (Ward 10) — Leon Fletcher, owner — appeal resolved on 1/2/13 (Doc. A-260-12) 59
 Hague Avenue, 6801, (Ward 15) — Rosetta M. Wyar, owner — appeal adopted on 1/2/13 (Doc. A-248-12) 59
 Hague Avenue, 6803, (Ward 15) — Rosetta M. Wyar, owner — appeal adopted on 1/2/13 (Doc. A-247-12) 59
 Idarose Avenue, 14007, (Ward 10) — Andre Williams, owner — appeal resolved on 1/2/13 (Doc. A-253-12) 58
 Independence Road, 3652, (Ward 12) — Maxies E. Morrell, owner — appeal resolved on 1/2/13 (Doc. A-257-12) 58
 Lakeshore Boulevard, 16015, (Ward 11) — CNL APF Partners, LP, owner — appeal resolved on 1/2/13 (Doc. A-264-12) 59
 Lotus Drive, 16901, (Ward 1) — Pam Finch, owner — appeal resolved on 1/2/13 (Doc. A-254-12) 58
 Mead Avenue, 4962, (Ward 5) — Patricia Otloski and Wanda Otloski, owners — appeal resolved on 1/2/13 (Doc. A-258-12) 59
 Quincy Avenue, 9300, (Ward 6) — Cuyahoga County (Juvenile Detention Center), owner — appeal adopted on 1/2/13 (Doc. A-215-12) 59
 West 93rd Street, 2125, (Ward 16) — John P. Ginley, owner — appeal adopted on 1/2/13 (Doc. A-252-12) 59
 Woodlawn Avenue, 1878, (Ward 9) — Khao Dane Nguyen and Diana Diem Ly, owners — appeal adopted on 1/2/13 (Doc. A-244-12) 59

Board of Control — Community Development Department

Rook Circle, 17601 (Ward 10) — PPN 117-22-037 — William and Vivian Kirkland per Ord. 848-11 (BOC Res. 26-13)	53
---	----

Board of Control — Finance Department

Computer hardware, software, printers, accessories, parts and supplies — approve subcontractor — Contract #RCD2012*15 (BOC Res. 23-13)	52
Geographic Information System (city-wide) program Accela software maintenance — per C.O. Sec. 181.102(b) to True Point Solutions, LLC (BOC Res. 24-13)	53

Board of Control — Land Reutilization Program

Rook Circle, 17601 (Ward 10) — PPN 117-22-037 — William and Vivian Kirkland per Ord. 848-11 (BOC Res. 26-13)	53
---	----

Board of Control — Park Maintenance and Properties Division

Tree planting — per C.O. Sec. 181.101 — all bids rejected (BOC Res. 25-13)	53
--	----

Board of Control — Professional Service Contracts

Geographic Information System (city-wide) program Accela software maintenance — per C.O. Sec. 181.102(b) to True Point Solutions, LLC — Dept. of Public Utilities (BOC Res. 24-13)	53
---	----

Board of Control — Public Works Department

Tree planting — per C.O. Sec. 181.101 — all bids rejected (BOC Res. 25-13)	53
--	----

Board of Control — Requirement Contracts

Computer hardware, software, printers, accessories, parts and supplies — approve subcontractor — Contract #RCD2012*15 — Dept. of Finance (BOC Res. 23-13)	52
--	----

Board of Zoning Appeals — Report

Arnold Avenue, 3914, (Ward 14) — Litsandra Mulero, owner — appeal granted and adopted on 1/14/13 (Cal. 12-213)	58
Brooklyn Avenue, 4019-21, (Ward 13) — Diane Stiver, owner — appeal heard on 1/14/13 (Cal. 12-221)	58
Carnegie Avenue, 6555, (Ward 5) — Hemingway at 6555 LLC, owner — appeal granted and adopted on 1/14/13 (Cal. 12-184)	58
Carroll Avenue, 3204, (Ward 3) — Scott Maloney, owner — appeal granted and adopted on 1/14/13 (Cal. 12-214)	58
East 55th Street, 2276, (PPN 103-24-084), (Ward 5) — Fatima Lange, owner — appeal to be heard on 1/28/13 (Cal. 12-192)	58
East 65th Street, 3675, (Ward 12) — Mosinski Funeral Homes, Inc., owner — appeal postponed to 2/25/13 on 1/14/13 (Cal. 12-205)	58
Ivanhoe Road, 1170, (Ward 10) — 1170 Ivanhoe LLC, owner and JJAK Mulch Services, LLC, John Hirko, prospective tenant — appeal postponed to 3/11/13 on 1/14/13 (Cal. 12-220)	58
Pearl Road, 4455, (Ward 13) — Matthew Fuchs, owner — appeal postponed to 4/1/13 on 1/14/13 (Cal. 12-207)	58
St. Clair Avenue, 5401, (Ward 8) — Raj Patel, owner — appeal postponed to 3/4/13 on 1/14/13 (Cal. 12-218)	58
West 117th Street, 3432, (Ward 17) — Kari Bast-Payne, owner — appeal denied and adopted on 1/14/13 (Cal. 12-210)	58
West 38th Street, 4250, (Ward 13) — George Caraman, owner — appeal denied and adopted on 1/14/13 (Cal. 12-211)	58
West 7th Street, 2170, (Ward 3) — Victor Selig, owner — appeal granted and adopted on 1/14/13 (Cal. 12-219)	58

Board of Zoning Appeals — Schedule

Bellaire Road, 12905, (Ward 17) — Sameer Shann, owner — appeal to be heard on 1/28/13 (Cal. 12-209)	57
Carnegie Avenue, 8220, (Ward 6) — PNC Bank, owner — appeal to be heard on 1/28/13 (Cal. 12-233)	57
East 49th Street, 2277, (PPN 104-24-063), (Ward 5) — Farid Elabed and Fatima Lange, owners — appeal to be heard on 1/28/13 (Cal. 12-234)	57
East 55th Street, 2256, (PPN 103-24-080), (Ward 5) — Elabed, LLC, owner — appeal to be heard on 1/28/13 (Cal. 12-235)	57
East 55th Street, 2256, (PPN 103-24-081), (Ward 5) — Elabed, LLC, owner — appeal to be heard on 1/28/13 (Cal. 12-236)	57
Euclid Avenue, 11401, (Ward 9) — AJAPPJR Uptown 2, owner — appeal to be heard on 1/28/13 (Cal. 12-232)	57

Bonds

Airport System Revenue Bonds (O 64-13)..... 44

Bridges

Amend Section 1 of Ord. No. 615-12 — West 3rd St. Lift Bridge Repairs (Ward 03) (O 65-13) 52
Final consent for the rehab of the Harvard Avenue Bridge — State of Ohio (O 22-13) 64

Building and Housing Department

Hussain, Navid — Oath of Office — Commissioner — Construction & Permitting — Building and
Housing Department (F 82-13) 44

Capital Projects

Amend Section 1 of Ord. No. 615-12 — West 3rd St. Lift Bridge Repairs (Ward 03) (O 65-13) 52
Final consent for the rehab of the Harvard Avenue Bridge — State of Ohio (O 22-13) 64

City Planning Commission

Blanche Ave., E. 55th St., Ackley Rd., Mound Ave. and E. 53 St. — Change Use, Area and
Height Districts (Ward 12) (O 1466-12) 60
Broadway Ave. (Between Wire Ave. and Jones Rd.) — Change Use and Height Districts
(Ward 12) (O 1461-12) 60
Broadway Ave. (From I-77 to Marble Ave.) & Union Ave. (From E. 65 St. to E. 82nd St.) —
Change Use, Area and Height Districts (Ward(s) 05, 12) (O 1471-12) 60
Coit Rd. (Between E. 140th St. & E. 141 St.) — Change Use District (Ward 10) (O 1085-12) 60
Dolloff Rd. and Barkwill Ave. — Change Use District (Ward 12) (O 1465-12) 60
E. 49th St. (South of Chard Ave.) — Change Use District (Ward 12) (O 1462-12) 60
E. 55 St. and E. 49th St. (Morabito Site) — Change Use and Height Districts (Ward 12)
(O 1464-12) 60
E. 55th St. and Lufkin Ave. — Change Use District (Ward 12) (O 1467-12) 60
E. 63rd St. and Waterman Ave. (Northeast Corner) — Change Use District (Ward 12) (O 1419-12) 60
Engel Ave. (Northeasterly from Broadway Ave.) — Change Use District (Ward 12) (O 1424-12) 60
Health Impact Assessment Capacity Building Program — Grant — Robert Wood Johnson
Foundation & Pew Charitable Trusts (O. 67-13)..... 50
Immaculate Conception Church, School, Rectory, and Accessory Buildings — PPN 104-07-030 —
designate as landmark (Ward 08) (O 1401-12) 60
Intersection of Warner Rd. and Turney Rd. — Change Use District (Ward 02) (O 843-12) 60
Judge Jean Murrell Capers Tennis Courts at Rockefeller Park — East 105th St., 1626 — PPN
107-01-001 — designate as landmark (Ward 08) (O 1402-12)..... 60
Judson Manor — East 107th St., 1886-1922, Park Lane, N.E., 10604-26, Chester Ave.,
10623-27 — PPN 119-20-019 / 020/ 021/ 033 — designate as landmark (Ward 08) (O 1597-12) 61
Morgan Ave. (Between E. 68th St. to E. 75th St.) — Change Use and Height Districts
(Ward(S) 05, 12) (O 1470-12) 60
Morgan Ave. and Regent Rd. (North Side) — Change Use and Height Districts (Ward 12)
(O 1463-12) 60
Mount Olivet Church of God In Christ — East 99th St., 1221-23 & Olivet Ave., 9900-12 —
PPN 109-10-082 / 083 / 175 — designate as landmark (Ward 08) (O 68-13) 50
North Presbyterian Church — Superior Ave., 4001-21 and East 40th St., 1451 — PPN 104-07-035 —
designate as landmark (Ward 08) (O 1403-12) 60
Ovington Ave. (Between E. 65 St. and E. 66 St.) — Change Use, Area Districts (Ward 12)
(O 1425-12) 60
Park Lane Villa — Park Lane, N.E., 10500-28 and East 105th St., 1887-1913 —
PPN 119-20-001 / 022 — designate as landmark (Ward 08) (O 1596-12) 60
Regent Road (North Side) and Temple Avenue (South Side) — Change Use District (Ward 12)
(O 1420-12) 60
Sarah Redman Apartments — East 99th St., 1269 — PPN 109-10-167 — designate as landmark
(Ward 08) (O 1595-12) 60
Sidney Hillman Memorial Building — Payne Ave., 2219-27 — PPN 102-25-014 / 033 / 044 —
designate as landmark (Ward 08) (O 1404-12) 60
Turney Rd. (Between Warner Rd. and Macomb Ave.) — Change Use and Area Districts (Ward 02)
(O 842-12) 60
University Circle United Methodist Church — East 107th St., 1905-29 and Chester Ave., 10725 —
PPN 119-20-028 — designate as landmark (Ward 08) (O 1594-12) 60
Warner Rd. (South of) Turney Rd. — Change Use District (Ward 02) (O 844-12) 60

Clerk of Council

Amend Sect. 1 of Ord. No. 1651-12 — Colbalt Group, Inc. — agreement — Operations and
Sustainability Plan (O 30-13)..... 64

Cleveland Housing Network

Slavic Village Green Homes I Project — Low-Income Housing Tax Credits — Ohio Housing
Finance Agency (Ward 12) (R 19-13)..... 62

Cleveland Public Power

Utilities Department — professional services — contracts — GDS Associates, Inc. (O 21-13).....	64
--	----

Codified Ordinances

Amend Ord. No. 1642-12 — Day Care Center Fees, Applications, Inspections and Contagious Disease Notification — Health Department (O 20-13).....	63
--	----

Communications

Detroit Shoreway Community Development Org. — Low-Income Housing Tax Credit Received — OHFA — Aspen Place (Ward 15) (F 70-13).....	43
Detroit Shoreway Community Development Org. — Low-Income Housing Tax Credit Received — OHFA -Templin-Bradley Co. Loft (Ward 15) (F 71-13).....	43
Detroit Shoreway Community Development Org. — Low-Income Housing Tax Credit Received — OHFA — Historic Detroit Ave. Apartments (Ward 15) (F 72-13).....	43

Condolences

Cousins, Jr., Arnold (R 94-13).....	44
Cummings, Anita Paulette (R 98-13).....	44
Geis, Katherine Phillipp (R 93-13).....	44
Green, Dr. Wanda Jean (R 102-13).....	44
Harley, Roy “ Dutch” (R 101-13).....	44
Howard, Ralph (R 99-13).....	44
Kilbane, Jack (R 107-13).....	44
Lobins, Maxine (R 108-13).....	44
Long, Shirley Ann (R 95-13).....	44
Shuckahosee, Elaine Frances (R 100-13).....	44
Wilcox, Ada Pearl (R 96-13).....	44
Woods, Deacon Roosevelt C. (R 97-13).....	44

Congratulations

Cox, Reverend Ian F. (R 104-13).....	44
Cuyahoga Metropolitan Housing Authority — 80th Anniversary (R 103-13).....	44
Loftus, Chief Greg (R 105-13).....	44

Contracts

Amend Section 1 of Ord. No. 615-12 — West 3rd St. Lift Bridge Repairs (Ward 03) (O 65-13).....	52
Health Impact Assessment Capacity Building Program — Grant — Robert Wood Johnson Foundation & Pew Charitable Trusts (O. 67-13).....	50
Utilities Department — professional services — GDS Associates, Inc. (O 21-13).....	64

Cuyahoga County

Cleveland Domestic Violence Program, 2012 — Grant — Criminal Justice Services Agency — Law Department (O 66-13).....	50
---	----

Cuyahoga Metropolitan Housing Authority

Cuyahoga Metropolitan Housing Authority — 80th Anniversary — Congratulations (R 103-13).....	44
--	----

Detroit Shoreway Community Development Organization

Low-Income Housing Tax Credit Received — OHFA — Aspen Place (Ward 15) (F 70-13).....	43
Low-Income Housing Tax Credit Received — OHFA — Historic Detroit Ave. Apartments (Ward 15) (F 72-13).....	43
Low-Income Housing Tax Credit Received — OHFA -Templin-Bradley Co. Loft (Ward 15) (F 71-13).....	43
Low-Income Housing Tax Credits — Ohio Housing Finance Agency — Aspen Place Apartments (Ward 15) (R 16-13).....	61
Low-Income Housing Tax Credits — Ohio Housing Finance Agency — Detroit Ave. Apt. Bldgs. (Ward 15) (R 17-13).....	61
Low-Income Housing Tax Credits — Ohio Housing Finance Agency — Rehab. Of Templin — Bradley Co. Bldg. (Ward 15) (R 18-13).....	61

Fees

Amend Ord. No. 1642-12 — Day Care Center Fees, Applications, Inspections and Contagious Disease Notification — Health Department (O 20-13).....	63
--	----

Finance Department

Airport System Revenue Bonds (O 64-13)..... 44
 Rate Swap and Hedge Agreements (O 69-13) 51
 Refunding Stadium Cop's (O 27-13)..... 52

Fire Division

Burchak, II, Erik G. — Oath of Office — Lieutenant — Division of Fire — Safety Department
 (F 79-13)..... 43
 Vargo, Jr., Ronald A. — Oath of Office -Captain — Division of Fire — Safety Department
 (F 80-13)..... 44
 Zywiec, Bryan J. — Oath of Office — Lieutenant — Division of Fire — Safety
 Department (F 81-13) 44

Grants

Cleveland Domestic Violence Program, 2012 — Criminal Justice Services Agency — Cuyahoga
 County — Law Department (O 66-13)..... 50
 Cuyahoga County 2012 Community Recycling Grant — Public Works (F 87-13)..... 43
 Health Impact Assessment Capacity Building Program — Robert Wood Johnson Foundation &
 Pew Charitable Trusts (O 67-13) 50

Health Department

Amend Ord. No. 1642-12 — Day Care Center Fees, Applications, Inspections and Contagious
 Disease Notification (O 20-13) 63

Landmark Commission

Immaculate Conception Church, School, Rectory, and Accessory Buildings — PPN 104-07-030 —
 designate as landmark — City Planning Commission (Ward 08) (O 1401-12) 60
 Judge Jean Murrell Capers Tennis Courts at Rockefeller Park — East 105th St., 1626 — PPN
 107-01-001 — designate as landmark — City Planning Commission (Ward 08) (O 1402-12)..... 60
 Judson Manor — East 107th St., 1886-1922, Park Lane, N.E., 10604-26, Chester Ave.,
 10623-27 — PPN 119-20-019 / 020/ 021/ 033 — designate as landmark — City Planning
 Commission (Ward 08) (O 1597-12)..... 61
 Mount Olivet Church of God In Christ — East 99th St., 1221-23 & Olivet Ave., 9900-12 —
 PPN. 109-10-082 / 083 / 175 — designate as landmark — City Planning Commission
 (Ward 08) (O 68-13) 50
 North Presbyterian Church — Superior Ave., 4001-21 and East 40th St., 1451 — PPN 104-07-035 —
 designate as landmark — City Planning Commission (Ward 08) (O 1403-12) 60
 Park Lane Villa — Park Lane, N.E., 10500-28 and East 105th St., 1887-1913 —
 PPN 119-20-001 / 022 — designate as landmark — City Planning Commission
 (Ward 08) (O 1596-12) 60
 Sarah Redman Apartments — East 99th St., 1269 — PPN 109-10-167 — designate as landmark —
 City Planning Commission (Ward 08) (O 1595-12)..... 60
 Sidney Hillman Memorial Building — Payne Ave., 2219-27 — PPN 102-25-014 / 033 / 044 —
 designate as landmark — City Planning Commission (Ward 08) (O 1404-12) 60
 University Circle United Methodist Church — East 107th St., 1905-29 and Chester Ave., 10725 —
 PPN 119-20-028 — designate as landmark — City Planning Commission (Ward 08) (O 1594-12) 60

Law Department

Cleveland Domestic Violence Program, 2012 — Grant — Criminal Justice Services Agency —
 Cuyahoga County (O 66-13) 50

Lease Agreement

Refunding Stadium COP'S (O 27-13) 52

Liquor Permits

Euclid Ave., 1438 — new application (Ward 03) (F 88-13) 44
 Euclid Ave., 1938 — transfer of liquor license application (Ward 08) (F 89-13)..... 44
 Lake Ave., 8905 — stock ownership application (Ward 16) (F 92-13)..... 44
 Miles Rd., 11609 — withdraw objection to renewal — repeal Res. 1139-12 (Ward 02) (R 33-13)..... 63
 Pearl Rd., 4475 — stock ownership application (Ward 13) (F 91-13) 44
 St. Clair Ave., 15707 — objection to issuance (Ward 11) (R 31-13) 62
 Superior Rd., 6816 — objection to transfer of liquor license (Ward 07) (R 32-13) 62
 Waterloo Rd., 15504 — transfer of ownership application (Ward 11) (F 90-13) 44
 West 25th St., 3194 (1st Fl. & Bsmt.) — withdraw objection to renewal — repeal Res. 1032-12
 (Ward 14) (R 35-13) 63
 Woodhill Rd., 2603 — withdraw objection to transfer of ownership — repeal Res. 1486-12
 (Ward 04) (R 34-13) 63

Oath of Office

Burchak, II, Erik G. — Oath of Office — Lieutenant — Division of Fire — Safety Department (F 79-13).....	43
Crespo, Magdalena — Oath of Office -Sergeant — Police Division — Safety Department (F 76-13).....	43
Eggelmeyer, Elberth — Oath of Office -Sergeant — Police Division — Safety Department (F 77-13).....	43
Gissentaner, Samuel — Oath of Office — Interim Commissioner — Recreation Department — Public Works (F 85-13).....	44
Hussain, Navid — Oath of Office — Commissioner — Construction & Permitting — Building and Housing Department (F 82-13).....	44
Johnson, Kim R. — Oath of Office — Interim Assistant Director — Public Works Department (F 86-13).....	44
Ludrosky, John — Oath of Office -Sergeant — Police Division — Safety Department (F 73-13).....	43
Mokshefsky, William — Oath of Office — Sergeant — Police Division — Safety Department (F 78-13).....	43
Scott, Randell T. — Oath of Office — Interim Commissioner — Waste Collection — Public Works Department (F 83-13).....	44
Steckle, Jason — Oath of Office -Sergeant — Police Division — Safety Department (F 75-13).....	43
Strollo, Robert — Oath of Office -Sergeant — Police Division — Safety Department (F 74-13).....	43
Thompson, Antionette — Oath of Office — Interim Commissioner — Parking Facilities Division — Public Works Department (F 84-13).....	44
Vargo, Jr., Ronald A. — Oath of Office -Captain — Division of Fire — Safety Department (F 80-13).....	44
Zywiec, Bryan J. — Oath of Office — Lieutenant — Division of Fire — Safety Department (F 81-13).....	44

Ohio Department of Transportation (ODOT)

Final consent for the rehab of the Harvard Avenue Bridge — State of Ohio (O 22-13).....	64
---	----

Ohio House Finance Agency

Detroit Shoreway Community Development Org. — Low-Income Housing Tax Credit Received — Templin-Bradley Co. Loft (Ward 15) (F 71-13).....	43
Detroit Shoreway Community Development Org. — Low-Income Housing Tax Credit Received — Historic Detroit Ave. Apartments (Ward 15) (F 72-13).....	43
Detroit Shoreway Community Development Org. — Low-Income Housing Tax Credit Received — Aspen Place (Ward 15) (F 70-13).....	43
Detroit Shoreway Community Development Organization — Low-Income Housing Tax Credits — Aspen Place Apartments (Ward 15) (R 16-13).....	61
Detroit Shoreway Community Development Organization — Low-Income Housing Tax Credits — Detroit Ave. Apt. Bldgs. (Ward 15) (R 17-13).....	61
Detroit Shoreway Community Development Organization — Low-Income Housing Tax Credits — Rehab. Of Templin -Bradley Co. Bldg. (Ward 15) (R 18-13).....	61
Slavic Village Green Homes I Project — CHN — Low-Income Housing Tax Credits (Ward 12) (R 19-13).....	62

Parking Facilities Division

Thompson, Antionette — Oath of Office — Interim Commissioner — Public Works Department (F 84-13).....	44
---	----

Police Division

Crespo, Magdalena — Oath of Office -Sergeant — Police Division — Safety Department (F 76-13).....	43
Eggelmeyer, Elberth — Oath of Office -Sergeant — Police Division — Safety Department (F 77-13).....	43
Ludrosky, John — Oath of Office -Sergeant — Police Division — Safety Department (F 73-13).....	43
Mokshefsky, William — Oath of Office — Sergeant — Police Division — Safety Department (F 78-13).....	43
Steckle, Jason — Oath of Office -Sergeant — Police Division — Safety Department (F 75-13).....	43
Strollo, Robert — Oath of Office -Sergeant — Police Division — Safety Department (F 74-13).....	43

Port Control Department

Airport System Revenue Bonds (O 64-13).....	44
---	----

Professional Services

Amend Sect. 1 of Ord. No. 1651-12 — Colbalt Group, Inc. — agreement — Operations and Sustainability Plan (O 30-13).....	64
Utilities Department — contracts — GDS Associates, Inc. (O 21-13).....	64

Public Hearing (Notices)

Blanche Ave., E. 55th St., Ackley Rd., Mound Ave. and E. 53 St. — Change Use, Area and Height Districts — City Planning Commission (Ward 12) (O 1466-12) 60

Broadway Ave. (Between Wire Ave. and Jones Rd.) — Change Use and Height Districts — City Planning Commission (Ward 12) (O 1461-12) 60

Broadway Ave. (From I-77 to Marble Ave.) & Union Ave. (From E. 65 St. to E. 82nd St.) — Change Use, Area and Height Districts — City Planning Commission (Ward(s) 05, 12) (O 1471-12) 60

Coit Rd. (Between E. 140th St. & E. 141 St.) — Change Use District — City Planning Commission (Ward 10) (O 1085-12) 60

Dolloff Rd. and Barkwill Ave. — Change Use District — City Planning Commission (Ward 12) (O 1465-12) 60

E. 49th St. (South of Chard Ave.) — Change Use District — City Planning Commission — City Planning Commission (Ward 12) (O 1462-12) 60

E. 55 St. and E. 49th St. (Morabito Site) — Change Use and Height Districts- City Planning Commission (Ward 12) (O 1464-12) 60

E. 55th St. and Lufkin Ave. — Change Use District — City Planning Commission (Ward 12) (O 1467-12) 60

E. 63rd St. and Waterman Ave. (Northeast corner) — Change Use District — City Planning Commission (Ward 12) (O 1419-12) 60

Engel Ave. (Northeasterly from Broadway Ave.) — Change Use District — City Planning Commission (Ward 12) (O 1424-12) 60

Immaculate Conception Church, School, Rectory, and Accessory Buildings — PPN 104-07-030 — designate as landmark — City Planning Commission (Ward 08) (O 1401-12) 60

Intersection of Warner Rd. and Turney Rd. — Change Use District — City Planning Commission (Ward 02) (O 843-12) 60

Judge Jean Murrell Capers Tennis Courts At Rockefeller Park — East 105th St., 1626 — PPN 107-01-001 — designate as landmark — City Planning Commission (Ward 08) (O 1402-12) 60

Judson Manor — East 107th St., 1886-1922, Park Lane, N.E., 10604-26, Chester Ave., 10623-27 — Ppn 119-20-019 / 020/ 021/ 033 — Designate As Landmark — City Planning Commission (Ward 08) (O 1597-12) 61

Morgan Ave. (Between E. 68th St. to E. 75th St.) — Change Use and Height Districts — City Planning Commission (Ward(s) 05, 12) (O 1470-12) 60

Morgan Ave. and Regent Rd. (North side) — Change Use and Height District — City Planning Commission (Ward 12) (O 1463-12) 60

North Presbyterian Church — Superior Ave., 4001-21 and East 40th St., 1451 — PPN 104-07-035 — designate as landmark — City Planning Commission (Ward 08) (O 1403-12) 60

Ovington Ave. (Between E. 65 St. and E. 66 St.) — Change Use, Area Districts — City Planning Commission (Ward 12) (O 1425-12) 60

Park Lane Villa — Park Lane, N.E., 10500-28 and East 105th St., 1887-1913 — PPN 119-20-001 / 022 — designate as landmark — City Planning Commission (Ward 08) (O 1596-12) 60

Regent Road (North side) and Temple Avenue (South side) — Change Use District — City Planning Commission (Ward 12) (O 1420-12) 60

Sarah Redman Apartments — East 99th St., 1269 — PPN 109-10-167 — designate as landmark — City Planning Commission (Ward 08) (O 1595-12) 60

Sidney Hillman Memorial Building — Payne Ave., 2219-27 — PPN 102-25-014 / 033 / 044 — designate as landmark — City Planning Commission (Ward 08) (O 1404-12) 60

Turney Rd. (Between Warner Rd. and Macomb Ave.) — Change Use and Area Districts — City Planning Commission (Ward 02) (O 842-12) 60

University Circle United Methodist Church — East 107th St., 1905-29 and Chester Ave., 10725 — PPN 119-20-028 — designate as landmark — City Planning Commission (Ward 08) (O 1594-12) 60

Warner Rd. (South of) Turney Rd. — Change Use District — City Planning Commission (Ward 02) (O 844-12) 60

Public Works

Cuyahoga County 2012 Community Recycling Grant (F 87-13) 43

Gissentaner, Samuel — Oath of Office — Interim Commissioner — Recreation Department (F 85-13) 44

Johnson, Kim R. — Oath Of Office — Interim Assistant Director — Public Works Department (F 86-13) 44

Merwin Ave., 1785 — Name The Skate Park — The “Crooked River Skate Park” (Ward 03) (O 63-13) 52

Scott, Randell T. — Oath of Office — Interim Commissioner — Waste Collection — Public Works Department (F 83-13) 44

Thompson, Antionette — Oath of Office — Interim Commissioner — Parking Facilities Division — Public Works Department (F 84-13) 44

Purchases

Refunding Stadium COP'S (O 27-13) 52

Recreation And Properties Department

Gissentaner, Samuel — Oath of Office — Interim Commissioner — Recreation Department — Public Works (F 85-13) 44

Resolution of Support

Detroit Shoreway Community Development Organization — Low-Income Housing Tax Credits — Ohio Housing Finance Agency — Aspen Place Apartments (Ward 15) (R 16-13)..... 61

Detroit Shoreway Community Development Organization — Low-Income Housing Tax Credits — Ohio Housing Finance Agency — Detroit Ave. Apt. Bldgs. (Ward 15) (R 17-13)..... 61

Detroit Shoreway Community Development Organization — Low-Income Housing Tax Credits — Ohio Housing Finance Agency — Rehab. Of Templin -Bradley Co. Bldg. (Ward 15) (R 18-13)..... 61

Slavic Village Green Homes I Project — CHN — Low-Income Housing Tax Credits — Ohio Housing Finance Agency (Ward 12) (R 19-13) 62

Safety Department

Burchak, II, Erik G. — Oath of Office — Lieutenant — Division of Fire (F 79-13) 43

Crespo, Magdaelena — Oath of Office -Sergeant — Police Division (F 76-13) 43

Eggelmeyer, Elberth — Oath of Office -Sergeant — Police Division (F 77-13)..... 43

Ludrosky, John — Oath of Office -Sergeant — Police Division (F 73-13)..... 43

Mokshefsky, William — Oath of Office — Sergeant — Police Division (F 78-13) 43

Steckle, Jason — Oath of Office -Sergeant — Police Division (F 75-13)..... 43

Strollo, Robert — Oath of Office -Sergeant — Police Division (F 74-13) 43

Vargo, Jr., Ronald A. — Oath of Office -Captain — Division of Fire (F 80-13) 44

Zywiec, Bryan J. — Oath of Office — Lieutenant — Division of Fire (F 81-13) 44

Stadium

Refunding Stadium COP'S (O 27-13) 52

State of Ohio

Final consent for the rehab of the Harvard Avenue Bridge (O 22-13) 64

Tax Credits

Detroit Shoreway Community Development Org. — Low-Income Housing Tax Credit Received — OHFA — Aspen Place (Ward 15) (F 70-13)..... 43

Detroit Shoreway Community Development Org. — Low-Income Housing Tax Credit Received — OHFA -Templin-Bradley Co. Loft (Ward 15) (F 71-13) 43

Detroit Shoreway Community Development Org. — Low-Income Housing Tax Credit Received — OHFA — Historic Detroit Ave. Apartments (Ward 15) (F 72-13) 43

Detroit Shoreway Community Development Organization — Low-Income Housing Tax Credits — Ohio Housing Finance Agency — Aspen Place Apartments (Ward 15) (R 16-13)..... 61

Detroit Shoreway Community Development Organization — Low-Income Housing Tax Credits — Ohio Housing Finance Agency — Detroit Ave. Apt. Bldgs. (Ward 15) (R 17-13)..... 61

Detroit Shoreway Community Development Organization — Low-Income Housing Tax Credits — Ohio Housing Finance Agency — Rehab. Of Templin -Bradley Co. Bldg. (Ward 15) (R 18-13)..... 61

Slavic Village Green Homes I Project — CHN — Low-Income Housing Tax Credits — Ohio Housing Finance Agency (Ward 12) (R 19-13) 62

Utilities Department

Professional Services — contracts — GDS Associates, Inc. (O 21-13) 64

Ward 01

Geis, Katherine Phillipp — Condolence (R 93-13) 44

Ward 02

Cummings, Anita Paulette -Condolence (R 98-13) 44

Geis, Katherine Phillipp — Condolence (R 93-13) 44

Intersection of Warner Rd. and Turney Rd. — Change Use District — City Planning Commission (O 843-12) 60

Miles Rd., 11609 — withdraw objection to renewal — repeal Res. 1139-12 — liquor permit (R 33-13)..... 63

Turney Rd. (Between Warner Rd. and Macomb Ave.) — Change Use and Area Districts — City Planning Commission (O 842-12)..... 60

Warner Rd. (South of) Turney Rd. — Change Use District — City Planning Commission (O 844-12) 60

Ward 03

Amend Section 1 of Ord. No. 615-12 — West 3rd St. Lift Bridge Repairs (O 65-13)..... 52

Euclid Ave., 1438 — new application — liquor permit (F 88-13) 44

Geis, Katherine Phillipp — Condolence (R 93-13) 44

Harley, Roy “ Dutch” — Condolence (R 101-13)..... 44

Merwin Ave., 1785 — Name The Skate Park — The “Crooked River Skate Park” (O 63-13) 52

Ward 04

Cousins, Jr., Arnold (R 94-13) 44
 Geis, Katherine Phillipp — Condolence (R 93-13) 44
 Long, Shirley Ann (R 95-13) 44
 Woodhill Rd., 2603 — withdraw objection to transfer of ownership — repeal Res. 1486-12 —
 liquor permit (R 34-13) 63

Ward 05

Broadway Ave. (From I-77 to Marble Ave.) & Union Ave. (From E. 65 St. to E. 82nd St.) —
 Change Use, Area and Height Districts — City Planning Commission (Ward(s) 05, 12)
 (O 1471-12) 60
 Cuyahoga Metropolitan Housing Authority — 80th Anniversary — Congratulations (R 103-13)..... 44
 Geis, Katherine Phillipp — Condolence (R 93-13) 44
 Morgan Ave. (Between E. 68th St. to E. 75th St.) — Change Use and Height District — City
 Planning Commission (Ward(s) 05, 12) (O 1470-12) 60

Ward 06

Cox, Reverend Ian F. — Congratulations (R 104-13) 44
 Geis, Katherine Phillipp — Condolence (R 93-13) 44
 Green, Dr. Wanda Jean — Condolence (R 102-13) 44

Ward 07

Geis, Katherine Phillipp — Condolence (R 93-13) 44
 Superior Rd., 6816 — objection to transfer of liquor license — liquor permit (R 32-13)..... 62

Ward 08

Euclid Ave., 1938 — transfer of liquor license application — liquor permit (F 89-13)..... 44
 Geis, Katherine Phillipp — Condolence (R 93-13) 44
 Immaculate Conception Church, School, Rectory, and Accessory Buildings — PPN 104-07-030 —
 designate as landmark — City Planning Commission (O 1401-12) 60
 Judge Jean Murrell Capers Tennis Courts at Rockefeller Park — East 105th St., 1626 — PPN
 107-01-001 — designate as landmark — City Planning Commission (O 1402-12)..... 60
 Judson Manor — East 107th St., 1886-1922, Park Lane, N.E., 10604-26, Chester Ave.,
 10623-27 — PPN 119-20-019 / 020/ 021/ 033 — designate as landmark — City Planning
 Commission (O 1597-12)..... 61
 Mount Olivet Church of God In Christ — East 99th St., 1221-23 & Olivet Ave., 9900-12 —
 PPN. 109-10-082 / 083 / 175 — designate as landmark — City Planning Commission
 (O 68-13)..... 50
 North Presbyterian Church — Superior Ave., 4001-21 and East 40th St., 1451 — PPN 104-07-035 —
 designate as landmark — City Planning Commission (O 1403-12)..... 60
 Park Lane Villa — Park Lane, N.E., 10500-28 and East 105th St., 1887-1913 —
 PPN 119-20-001 / 022 — designate as landmark — City Planning Commission (O 1596-12) 60
 Sarah Redman Apartments — East 99th St., 1269 — PPN 109-10-167 — designate as landmark —
 City Planning Commission (O 1595-12) 60
 Sidney Hillman Memorial Building — Payne Ave., 2219-27 — PPN 102-25-014 / 033 / 044 —
 designate as landmark — City Planning Commission (O 1404-12) 60
 University Circle United Methodist Church — East 107th St., 1905-29 and Chester Ave., 10725 —
 PPN 119-20-028 — designate as landmark — City Planning Commission (O 1594-12) 60

Ward 09

Geis, Katherine Phillipp — Condolence (R 93-13) 44

Ward 10

Coit Rd. (Between E. 140th St. & E. 141 St.) — Change Use District — City Planning
 Commission (O 1085-12)..... 60
 Geis, Katherine Phillipp — Condolence (R 93-13) 44
 Wilcox, Ada Pearl — Condolence (R 96-13)..... 44
 Woods, Deacon Roosevelt C. — Condolence (R 97-13) 44

Ward 11

Adams, Kathleen — Appreciation (R 106-13) 44
 Geis, Katherine Phillipp — Condolence (R 93-13) 44
 St. Clair Ave., 15707 — objection to issuance — liquor permit (R 31-13)..... 62
 Waterloo Rd., 15504 — transfer of ownership application — liquor permit (F 90-13) 44

Ward 12

Blanche Ave., E. 55th St., Ackley Rd., Mound Ave. and E. 53 St. — Change Use, Area and Height Districts — City Planning Commission (O 1466-12) 60

Broadway Ave. (Between Wire Ave. and Jones Rd.) — Change Use and Height Districts — City Planning Commission (O 1461-12)..... 60

Broadway Ave. (From I-77 to Marble Ave.) & Union Ave. (From E. 65 St. to E. 82nd St.) — Change Use, Area and Height Districts — City Planning Commission (Ward(s) 05, 12) (O 1471-12) 60

Dolloff Rd. and Barkwill Ave. — Change Use District — City Planning Commission (O 1465-12) 60

E. 49th St. (South of Chard Ave.) — Change Use District — City Planning Commission — City Planning Commission (O 1462-12)..... 60

E. 55 St. And E. 49th St.(Morabito Site) — Change Use and Height Districts — City Planning Commission (O 1464-12)..... 60

E. 55th St. and Lufkin Ave. — Change Use District — City Planning Commission (O 1467-12)..... 60

E. 63rd St. and Waterman Ave. (Northeast Corner) — Change Use District — City Planning Commission (O 1419-12)..... 60

Engel Ave. (Northeasterly From Broadway Ave.) — Change Use District — City Planning Commission (O 1424-12)..... 60

Geis, Katherine Phillipp — Condolence (R 93-13) 44

Morgan Ave. (Between E. 68th St. to E. 75th St.) — Change Use and Height Districts — City Planning Commission (Ward(s) 05, 12) (O 1470-12) 60

Morgan Ave. and Regent Rd. (North Side) — Change Use and Height District — City Planning Commission (O 1463-12)..... 60

Ovington Ave. (Between E. 65 St. and E. 66 St.) — Change Use, Area Districts — City Planning Commission (O 1425-12)..... 60

Regent Road (North side) And Temple Avenue (South side) — Change Use District — City Planning Commission (O 1420-12)..... 60

Shuckahosee, Elaine Frances — Condolence (R 100-13) 44

Slavic Village Green Homes I Project — CHN — Low-Income Housing Tax Credits — Ohio Housing Finance Agency (R 19-13) 62

Ward 13

Geis, Katherine Phillipp — Condolence (R 93-13) 44

Pearl Rd., 4475 — stock ownership application — liquor permit (F 91-13) 44

Ward 14

Geis, Katherine Phillipp — Condolence (R 93-13) 44

West 25th St., 3194 (1st Fl. & Bsmt.) — withdraw objection to renewal — repeal Res. 1032-12 — liquor permit (R 35-13) 63

Ward 15

Detroit Shoreway Community Development Org. — Low-Income Housing Tax Credit Received — OHFA — Aspen Place (F 70-13)..... 43

Detroit Shoreway Community Development Org. — Low-Income Housing Tax Credit Received — OHFA -Templin-Bradley Co. Loft (F 71-13)..... 43

Detroit Shoreway Community Development Org. — Low-Income Housing Tax Credit Received — OHFA — Historic Detroit Ave. Apartments (F 72-13)..... 43

Detroit Shoreway Community Development Organization — Low-Income Housing Tax Credits — Ohio Housing Finance Agency — Aspen Place Apartments (R 16-13)..... 61

Detroit Shoreway Community Development Organization — Low-Income Housing Tax Credits — Ohio Housing Finance Agency — Detroit Ave. Apt. Bldgs. (R 17-13) 61

Detroit Shoreway Community Development Organization — Low-Income Housing Tax Credits — Ohio Housing Finance Agency — Rehab. Of Templin -Bradley Co. Bldg. (R 18-13) 61

Geis, Katherine Phillipp — Condolence (R 93-13) 44

Ward 16

Geis, Katherine Phillipp — Condolence (R 93-13) 44

Howard, Ralph — Condolence (R 99-13)..... 44

Lake Ave., 8905 — stock ownership application — liquor permit (F 92-13)..... 44

Shuckahosee, Elaine Frances — Condolence (R 100-13) 44

Ward 18

Geis, Katherine Phillipp — Condolence (R 93-13) 44

Kilbane, Jack — Condolence (R 107-13)..... 44

Loftus, Chief Greg — Congratulations (R 105-13) 44

Shuckahosee, Elaine Frances — Condolence (R 100-13) 44

Ward 19

Geis, Katherine Phillipp — Condolence (R 93-13) 44
 Kilbane, Jack — Condolence (R 107-13)..... 44
 Lobins, Maxine — Condolence (R 108-13)..... 44

Waste Collection and Disposal Division

Scott, Randell T. — Oath of Office — Interim Commissioner — Waste Collection — Public
 Works Department (F 83-13) 44

Zoning

Blanche Ave., E. 55th St., Ackley Rd., Mound Ave. and E. 53 St. — Change Use, Area and
 Height Districts — City Planning Commission (Ward 12) (O 1466-12) 60
 Broadway Ave. (Between Wire Ave. and Jones Rd.) — Change Use and Height Districts — City
 Planning Commission (Ward 12) (O 1461-12) 60
 Broadway Ave. (From I-77 to Marble Ave.) & Union Ave. (From E. 65 St. to E. 82nd St.) —
 Change Use, Area and Height Districts — City Planning Commission (Ward(s) 05, 12)
 (O 1471-12) 60
 Coit Rd. (Between E. 140th St. & E. 141 St.) — Change Use District — City Planning
 Commission (Ward 10) (O 1085-12) 60
 Dolloff Rd. And Barkwill Ave. — Change Use District — City Planning Commission (Ward 12)
 (O 1465-12) 60
 E. 49th St. (South of Chard Ave.) — Change Use District — City Planning Commission — City
 Planning Commission (Ward 12) (O 1462-12) 60
 E. 55 St. and E. 49th St.(Morabito Site) — Change Use and Height Districts — City Planning
 Commission (Ward 12) (O 1464-12) 60
 E. 55th St. and Lufkin Ave. — Change Use District — City Planning Commission (Ward 12)
 (O 1467-12) 60
 E. 63rd St. and Waterman Ave. (Northeast corner) — Change Use District — City Planning
 Commission (Ward 12) (O 1419-12) 60
 Engel Ave. (Northeasterly from Broadway Ave.) — Change Use District — City Planning
 Commission (Ward 12) (O 1424-12) 60
 Intersection of Warner Rd. and Turney Rd. — Change Use District — City Planning Commission
 (Ward 02) (O 843-12) 60
 Morgan Ave. (Between E. 68th St. to E. 75th St.) — Change Use and Height District — City
 Planning Commission (Ward(s) 05, 12) (O 1470-12) 60
 Morgan Ave. and Regent Rd. (North Side) — Change Use and Height District — City Planning
 Commission (Ward 12) (O 1463-12) 60
 Ovington Ave. (Between E. 65 St. and E. 66 St.) — Change Use, Area Districts — City
 Planning Commission (Ward 12) (O 1425-12) 60
 Regent Road (North side) and Temple Avenue (South side) — Change Use District — City
 Planning Commission (Ward 12) (O 1420-12) 60
 Turney Rd. (Between Warner Rd. and Macomb Ave.) — Change Use and Area Districts — City
 Planning Commission (Ward 02) (O 842-12) 60
 Warner Rd. (South of) Turney Rd. — Change Use District — City Planning Commission
 (Ward 02) (O 844-12) 60