

The City Record

Official Publication of the Council of the City of Cleveland



March the Ninth, Two Thousand and Sixteen

Frank G. Jackson
Mayor

Kevin J. Kelley
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward Name

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

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Kevin J. Kelley

Ward	Name	Residence	
1	Terrell H. Pruitt	16920 Throckley Avenue	44128
2	Zack Reed	3734 East 149th Street	44120
3	Joe Cimperman	P.O. Box 91688	44101
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44105
6	Mamie J. Mitchell	12701 Shaker Boulevard, #712	44120
7	TJ Dow	7715 Decker Avenue	44103
8	Michael D. Polensek	17855 Brian Avenue	44119
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Jeffrey D. Johnson	9024 Parkgate Avenue	44108
11	Dona Brady	1272 West Boulevard	44102
12	Anthony Brancatelli	6924 Ottawa Road	44105
13	Kevin J. Kelley	5904 Parkridge Avenue	44144
14	Brian J. Cummins	3104 Mapledale Avenue	44109
15	Matthew Zone	1228 West 69th Street	44102
16	Brian Kazy	4300 West 143rd Street	44135
17	Martin J. Keane	15907 Colletta Lane	44111

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

MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff
 Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer
 Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs
 Martin J. Flask, Executive Assistant to the Mayor of Special Projects
 Monyka S. Price, Executive Assistant to the Mayor, Chief of Education
 Jenita McGowan, Executive Assistant to the Mayor, Chief of Sustainability
 Natoya J. Walker Minor, Executive Assistant to the Mayor, Chief of Public Affairs
 Edward W. Rybka, Executive Assistant to the Mayor, Chief of Regional Development
 Dan Williams, Media Relations Director

OFFICE OF CAPITAL PROJECTS – Matthew L. Spronz, Director

DIVISIONS:
 Architecture and Site Development – Christopher Diehl, Manager
 Engineering and Construction – Richard J. Switalski, Manager
 Real Estate – James DeRosa, Commissioner

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

DEPT. OF LAW – Barbara A. Langhenry, Director, Gary D. Singletary, Chief Counsel, Richard F. Horvath, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel, Victor R. Perez, Chief Assistant Prosecutor, Room 106; Robin Wood, Law Librarian, Room 100

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

Natasha Brandt, Manager, Internal Audit
DIVISIONS:
 Accounts – Lonya Moss Walker, Commissioner, Room 19
 Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122
 City Treasury – James Hartley, Interim Treasurer, Room 115
 Financial Reporting and Control – James Gentile, Controller, Room 18
 Information Technology and Services – Douglas Divish, Commissioner, 205 W. St. Clair Avenue
 Purchases and Supplies – Tiffany White, Commissioner, Room 128
 Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue
 Taxation – Nassim Lynch, Tax Administrator, 205 W. St. Clair Avenue

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

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

DEPT. OF PORT CONTROL – Fred Szabo, Interim 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 – Jeffrey Brown, 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 – Frank D. Williams, Interim Commissioner
 Traffic Engineering – Robert Mavec, Commissioner
 Waste Collection and Disposal – Randell T. Scott, Interim Commissioner

DEPT. OF PUBLIC HEALTH – _____, Director, 75 Erieview Plaza

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

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

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

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Judge Courtroom
 Presiding and Administrative Judge Ronald B. Adrine – Courtroom 15A
 Judge Pinkey S. Carr – Courtroom 15C
 Judge Marilyn B. Cassidy – Courtroom 13A
 Judge Michelle Denise Earley – Courtroom 14C
 Judge Emanuella Groves – Courtroom 14B
 Judge Lauren C. Moore – Courtroom 14A
 Judge Charles L. Patton, Jr. – Courtroom 13D
 Judge Raymond L. Pianka (Housing Court Judge) – Courtroom 13B
 Judge Suzan Marie Sweeney – Courtroom 12C
 Judge Ed Wade – Courtroom 13C
 Judge Joseph J. Zone – Courtroom 14D
 Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Robert J. Furda – Chief Bailiff; Dean Jenkins – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate.

The City Record

71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

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WEDNESDAY, MARCH 9, 2016

No. 5335

CITY COUNCIL

MONDAY, MARCH 7, 2016

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

The following Committees meet at the Call of the Chair:

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

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

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

serve as Clerk of Council Pro Tempore for the purposes of the March 7, 2016, Council Meeting and for all matters requiring the Clerk's signature between March 4 and March 9, 2016.

Your assistance is appreciated.

Sincerely,
Kevin J. Kelley,
Council President

Received.

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2015-2017

MONDAY — Alternating

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

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

MONDAY

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

TUESDAY

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

TUESDAY — Alternating

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

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

WEDNESDAY — Alternating

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, March 7, 2016

The meeting of the Council was called to order at 7:20 p.m. with the President of Council, Kevin J. Kelley, in the Chair.

Council Members present: Dona Brady, Anthony Brancatelli, Joe Cimperman, Jeffrey D. Johnson, Kenneth L. Johnson, Brian Kazy, Kevin J. Kelley, Martin J. Keane, and Michael D. Polensek.

Also present were: Mayor Frank G. Jackson, Chief of Staff Ken Siliman, Chief Operating Officer Darrell Brown, Media Relations Director Dan Williams, Chief of Sustainability Jenita McGowan, Chief of Public Affairs Natoya Walker-Minor, and Directors Langhenry, Dumas, Davis, Szabo, Spronz, Cox, Griffin, Collier, Fumich, and Burrows.

Pursuant to Ordinance No. 2926-76, the opening prayer was offered by Fr. John Ojaimi, St. George Antiochian Orthodox Christian Church, Cleveland, Ohio (Ward 3). Pledge of Allegiance.

MOTION

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

COMMUNICATIONS

File No. 298-16.

March 3, 2016

Allen Dreyer
Deputy Clerk
Cleveland City Council
601 Lakeside Avenue
Cleveland, Ohio 44114

Dear Mr. Dreyer:

You are requested, without objection of Cleveland City Council, to

File No. 320-16.

Motion by Council Member K. Johnson, seconded by Council Member Keane, to hold the next regular meeting of Council on Monday, March 14, 2016, at 7:00 p.m., in Council Chambers on the second floor of Cleveland City Hall. Without objection, the motion is approved. The motion was approved without objection.

OATHS OF OFFICE

File No. 299-16.

Alex Margevicius, Commissioner, Division of Water, Department of Public Utilities. Received.

File No. 300-16.

Jeffrey Brown, Commissioner, Division of Motor Vehicle Maintenance, Department of Public Works. Received.

File No. 313-16.

Stephen Beckner, Sergeant of Police, City of Cleveland. Received.

File No. 314-16.

Steven Carnacchione, Lieutenant of Police, City of Cleveland. Received.

File No. 315-16.

Mathew Mahoney, Sergeant of Police, City of Cleveland. Received.

File No. 316-16.

Joseph Sedlak, Sergeant of Police, City of Cleveland. Received.

File No. 317-16.

David Skrletts, Sergeant of Police, City of Cleveland. Received.

FROM OHIO DIVISION OF LIQUOR CONTROL

File No. 301-16.

RE: #2402245. Transfer of Location Application, D1 D2 D3. East End Cleveland, LLC, 1330 Old River Rd. (Ward 3). Received.

File No. 302-16.

RE: #7196555. Economic Development Transfer Application, D5 D6. Ramb Co Downtown, LLC, 724-728 Prospect Ave. (Ward 3). Received.

File No. 303-16.

RE: #6071812. New License Application, C1, MN9815, Inc., 9815 Madison Ave. (Ward 15). Received.

File No. 304-16.

RE: #22348151290. New License Application, C2, Dolgen Midwest, LLC, 5133 Superior Ave. (Ward 10). Received.

File No. 305-16.

RE: #8026805. Transfer of Ownership Application, C1 C2, Shaker Jamil, Inc., 3850 East 65th St. (Ward 12). Received.

File No. 306-16.

RE: #4025965. Transfer of Ownership Application, C1 C2 D6 D8, HPP, LLC, 11022 Clifton Blvd. (Ward 15). Received.

File No. 307-16.

RE: #9089530. New License Application, C2, Tuhin, Inc., 5110 Clark Ave. (Ward 3). Received.

File No. 308-16.

RE: #17001470005. Transfer of Location Application, D1 D2 D3 D3A D6, Consumed Bakery and Café LLC, 2549 Lorain Ave. (Ward 3). Received.

File No. 309-16.

RE: #2326141. New License Application, D3A, Duck Island Club LLC, 2102 Freeman Ave. (Ward 3). Received.

File No. 310-16.

RE: #2402245. New License Application, D3A, East End Cleveland LLC, 1330 Old River Rd. (Ward 3). Received.

File No. 311-16.

RE: #2317602. New License Application, D5A, Drury Cleveland LLC, 1350 East 6th St. (Ward 3). Received.

File No. 312-16.

RE: #2805847. New License Application, C2, Food Xpress and Gas Inc., 12307 St. Clair Ave. (Ward 8). Received.

File No. 318-16.

RE: #0623379. Transfer of Location Application, D2 D2X D3 D3A, Benny's Sports Bar LLC, 3463 Fulton Rd. (Ward 14). Received.

File No. 319-16.

RE: #4618581. Stock Application, C1, KF Oil & Gas Corporation, 4611 West 130th St. (Ward 16). Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 321-16 — Anthony Ferrante.

Res. No. 327-16 — John "Jack" Kelly.

CONGRATULATIONS RESOLUTIONS

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

Res. No. 322-16 — William A. Salupo.

Res. No. 323-16 — Cleveland Tenants Organization Hall of Fame.

Res. No. 324-16 — John Shinsky.
Res. No. 328-16 — Annetta Fisher.

APPRECIATION RESOLUTION

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

Res. No. 325-16 — Richard J. Konisiewicz.

RECOGNITION RESOLUTION

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

Res. No. 326-16 — Mechanic Street House Concerts, Lynn Phares and Joel Elvery.

FIRST READING EMERGENCY ORDINANCES REFERRED**Ord. No. 290-16.**

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

An emergency ordinance authorizing the Director of Port Control to exercise the third option to renew Contract No. PS 2012-76 with Airports Council International to provide customer service satisfaction surveys, data collection, reporting, benchmarking and other related services.

Whereas, under the authority of Ordinance No. 681-11, passed July 20, 2011, the Director of Port Control entered into Contract No. PS 2012-76 with Airports Council International to provide customer service satisfaction surveys, data collection, reporting, benchmarking and other related services; and

Whereas, Ordinance No. 681-11 requires additional legislation to exercise the first and third options to renew; and

Whereas, the first option to renew was authorized under Ordinance No. 1468-13, passed January 27, 2014; and

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

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

Section 1. That the Director of Port Control is authorized to exercise the third option to renew Contract No. PS 2012-76 for an additional year with Airports Council International to provide customer service satisfaction surveys, data collection, reporting, benchmarking and other related services. This ordinance constitutes the additional legislative authority required by Ordinance No. 681-11 to exercise this option.

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

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

Ord. No. 291-16.

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

An emergency ordinance authorizing the Director of Port Control to enter into an amendment to Contract

No. CAL 1989 for Concourse "C" and Contract No. CAL 1997 for Concourse "D" with United Airlines, Inc. fka Continental Airlines, Inc. to transfer certain ancillary facilities from one lease to the other, to extend the term of the Concourse "C" lease, and to change other terms of the leases in order to restate and memorialize United's presence at Cleveland Hopkins International Airport, for the Department of Port Control.

Whereas, under Ordinance No. 2729-89, passed December 11, 1989, and Ordinance No. 561-97, passed June 2, 1997, this Council, among other things, authorized the Mayor, Director of Port Control, and Director of Finance to enter into special facilities agreements and leases with Continental Airlines, Inc, nka United Airlines, Inc. ("United") to implement Continental's Expansion Program on Concourses "C" and "D" at Cleveland Hopkins International Airport; and

Whereas, due to United's decision to discontinue its use of Concourse D, United desires to amend the agreement and leases authorized by Ordinance Nos. 2729-89 and 561-97; and

Whereas, United desires to amend the Concourse C lease to enable it to consolidate its operations to be exclusively operated from Concourse "C", and to extend the Concourse C lease term for ten years to December 31, 2029; and

Whereas, the City has no objections to the amendments negotiated between the City and United and approves the modification of the terms and conditions of the agreements and leases regarding Concourses "C" and "D" as set forth herein and as authorized by Ordinance Nos. 2729-89 and 561-97; and

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

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

Section 1. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Port Control is authorized to amend City Contract No. CAL 1989 with United Airlines, Inc. fka Continental Airlines, Inc., concerning an agreement and lease for Concourse "C" at Cleveland Hopkins International Airport, to provide for the following:

(a) The transfer of ancillary facilities from the Concourse "D" Lease, Contract No. CAL 1997 ("Concourse "D" Lease") to the Concourse "C" Lease, Contract No. 1989 ("Concourse "C" Lease"). The ancillary facilities include the Airline Lounge ("United Club") which is approximately 10,601 square feet; Baggage Claim Carousel #11 which is approximately 3,753 square feet; approximately 3,500 square feet of ramp level office and support space located below the United Club constructed for an incident center and group room; the Inline Baggage System which is constructed and contained within approximately 15,208 square feet of the leased premises (bag make-up area); the underground hydrant fueling system premises; and the deicing pad special premises consisting of approximately 3.7 acres;

(b) United to consolidate operations in the Concourse "C" Rotunda gates;

(c) United will be required to pay allocated operational and maintenance

costs attributable to the Concourse "C" Rotunda space in accordance with current rates and charges methodology;

(d) United will increase the leased premises from 82,825 square feet to 96,926 square feet under the Concourse C lease to accommodate the additional 10,601 square feet resulting from the United Club transfer from the Concourse "D" Lease and 3,500 square feet of operations space under the United Club also transferred from the Concourse "D" Lease;

(e) The City and United will extend the lease term from December 31, 2019 to December 31, 2029; and

(f) Other terms and conditions needed to protect the City's interest.

Section 2. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Port Control is authorized to amend City Contract No. CAL 1997 with United Airlines, Inc. fka Continental Airlines, Inc. concerning an agreement and lease for Concourse "D" at Cleveland Hopkins International Airport, to provide for the following:

(a) The transfer of ancillary facilities from the Concourse "D" Lease, Contract No. CAL 1997 ("Concourse "D" Lease") to the Concourse "C" Lease, Contract No. 1989 ("Concourse "C" Lease"). The ancillary facilities include the Airline Lounge ("United Club") which is approximately 10,601 square feet; Baggage Claim Carousel #11 which is approximately 3,753 square feet; approximately 3,500 square feet of ramp level office and support space located below the United Club constructed for an incident center and group room; the Inline Baggage System which is constructed and contained within approximately 15, 208 square feet of the leased premises (bag make-up area); the underground hydrant fueling system premises; and the deicing pad special premises consisting of approximately 3.7 acres;

(b) The leased premises on Concourse "D" will remain at 73,609 square feet. However, United will be responsible for all related costs for the entire concourse and out to five (5) feet from the building onto the ramp; and

(c) The City and United agree that there will be no change to the expiration date of the Concourse "D" lease and it will expire on May 31, 2029;

(d) United shall have the right, at any time during the Term, to make a lump sum payment to the Bond Trustee for pre-payment of the entire outstanding balance of the debt service of the Concourse "D" GARBs that remain outstanding at such time.

(e) Other terms and conditions needed to protect the City's interest.

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

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

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

**Ord. No. 292-16.
By Council Members K. Johnson
and Brancatelli (by departmental
request).**

An emergency ordinance authorizing the Director of Public Works to execute a deed of easement granting to the Cleveland Electric Illuminating Company certain easement rights in property located in Highland Park Cemetery, and declaring that the easement rights granted are not needed for the City's public use.

Whereas, the Cleveland Electric Illuminating Company ("CEI") has requested the Director of Public Works to convey certain easement rights in property located in Highland Park Cemetery; and

Whereas, CEI requires an easement to install new electrical service located on a portion of the cemetery for use by the City of Cleveland; and

Whereas, the easement rights to be granted are not needed for the City's public use; and

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

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

Section 1. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that an easement interest in the following described property is not needed for the City's public use:

**DESCRIPTION OF 0.618 ACRES
Electric Utility Easement
City of Cleveland
Highland Park Cemetery
3550 S Green Rd**

Situated in the State of Ohio, County of Cuyahoga, City of Cleveland, Village of Highland Hills, being part of the original 441.749 acres tract described in a deed to City of Cleveland by deed of record in Deed Volume___, Page ___ (no record deed located, see Auditor's Record for a deed description of said 441.749 acres tract, approved by the Council on November 10, 1902, filed on November 11, 1902 and recorder on November 28, 1902) and known as being part of the Original Lot Numbers 56, 57, 66 and 67 of Warrensville Township, said 0.618 acres being part of said Original Lot 57. All references to records herein are those located in the Recorder's Office of Cuyahoga County, Ohio and being more particularly described as follows:

Commencing at a monument found in the centerline intersection of Chagrin Blvd (66' width) with the centerline intersection of S Green Road (60' width), same being the northeast corner of said Outlot number 57 and also the north line of the grantor's tract;

Thence S 89 degrees 37 minutes 19 seconds W a distance of 1885.16 feet with the centerline of Chagrin Blvd, the north line of said Outlot number 57 and the grantor's north line to a point, said point being the northerly extension of the west edge of pavement of an entrance driveway to Highland Park Cemetery;

Thence S 00 degrees 04 minutes 08 seconds W a distance of 171.43 feet with the northerly extension and the west edge of pavement of the entrance driveway to a point, said point being the south edge of pavement of said entrance driveway;

Thence S 84 degrees 16 minutes 24 seconds W a distance 155.65 feet with

the south edge of pavement of the entrance driveway to the TRUE POINT OF BEGINNING;

Thence the following 28 courses and distances across the grantor's tract:

1 - S 05 degrees 56 minutes 44 seconds W a distance of 42.87 feet to a point;

2 - S 03 degrees 14 minutes 17 seconds E a distance of 373.70 feet to a point;

3 - S 23 degrees 54 minutes 52 seconds E a distance of 67.38 feet to a point;

4 - S 06 degrees 09 minutes 14 seconds E a distance of 50.93 feet to a point;

5 - S 03 degrees 01 minutes 55 seconds W a distance of 99.28 feet to a point;

6 - S 09 degrees 06 minutes 13 seconds W a distance of 37.39 feet to a point;

7 - S 04 degrees 06 minutes 14 seconds W a distance of 262.22 feet to a point;

8 - S 12 degrees 35 minutes 53 seconds W a distance of 84.82 feet to a point;

9 - S 24 degrees 11 minutes 48 seconds W a distance of 76.28 feet to a point;

10 - S 60 degrees 29 minutes 17 seconds W a distance of 61.02 feet to a point;

11 - S 67 degrees 30 minutes 11 seconds W a distance of 35.29 feet to a point;

12 - N 90 degrees 00 minutes 00 seconds W a distance of 45.75 feet to a point;

13 - N 43 degrees 06 minutes 59 seconds W a distance of 135.00 feet to a point;

14 - N 46 degrees 53 minutes 01 seconds E a distance of 20.00 feet to a point;

15 - S 43 degrees 06 minutes 59 seconds E a distance of 126.33 feet to a point;

16 - N 90 degrees 00 minutes 00 seconds E a distance of 33.10 feet to a point;

17 - N 67 degrees 30 minutes 11 seconds E a distance of 30.08 feet to a point;

18 - N 60 degrees 29 minutes 17 seconds E a distance of 53.24 feet to a point;

19 - N 24 degrees 11 minutes 48 seconds E a distance of 67.69 feet to a point;

20 - N 12 degrees 35 minutes 53 seconds E a distance of 81.31 feet to a point;

21 - N 04 degrees 06 minutes 14 seconds E a distance of 261.61 feet to a point;

22 - N 09 degrees 06 minutes 13 seconds E a distance of 37.20 feet to a point;

23 - N 03 degrees 01 minutes 55 seconds E a distance of 96.61 feet to a point;

24 - N 06 degrees 09 minutes 14 seconds W a distance of 46.20 feet to a point;

25 - N 23 degrees 54 minutes 52 seconds W a distance of 67.91 feet to a point;

26 - N 03 degrees 14 minutes 17 seconds W a distance of 378.95 feet to a point;

27 - N 05 degrees 56 minutes 44 seconds E a distance of 40.35 feet to a point in the south edge of pavement of entrance driveway;

Thence N 84 degrees 16 minutes 25 seconds E a distance of 20.42 feet with the south edge of pavement of

entrance driveway to the TRUE POINT OF BEGINNING; containing 0.618 acres of land more or less.

The above described area contains a total of 0.618 acres within Cuyahoga County Auditor's Parcel Number 751-01-003, which includes 0.000 acres in the present road occupied.

Grantor claims title by Instrument recorded in Deed Volume ____, Page ____ (no record deed located, see Auditor's Record for a deed description of said 441.749 acres tract, approved by the Council on November 10, 1902, filed on November 11, 1902 and recorder on November 28, 1902) in the records of Cuyahoga County, Ohio.

Bearings used in this description are based on Ohio State Plane Coordinate System, North Zone as per NAD 83.

This description was prepared from existing records and a field survey performed within the months of January, 2015 thru December, 2015.

Resource International, Inc. Mark S. Ward, P.S. Professional Surveyor No. S-7514

Section 2. That the Commissioner of Purchases and Supplies is authorized to convey the above-described easement interest to CEI subject to any conditions stated in this ordinance, at a price of \$1.00 and other valuable consideration, which is determined to be fair market.

Section 3. That the easement shall be non-exclusive and the purpose of the easement shall be to install new electrical service located on a portion of the cemetery for use by the City of Cleveland.

Section 4. That the duration of the easement shall be perpetual; that the easement shall not be assignable without the consent of the Director of Public Works; that the easement shall require that CEI provide reasonable insurance, maintain any CEI improvements located within the easement; pay any applicable taxes and assessments; and shall contain such other terms and conditions that the Director of Law determines to be necessary to protect and benefit the City.

Section 5. That the conveyance referenced above shall be made by official deed of easement prepared by the Director of Law and executed by the Director of Public Works on behalf of the City of Cleveland. The Directors of Public Works and Law are authorized to execute any other documents, including without limitation, contracts for right of entry, as may be necessary to effect this ordinance.

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

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

Ord. No. 293-16.

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

An emergency ordinance authorizing the Director of Public Works to execute a deed of easement granting to OneCommunity certain easement

rights in property located along East Boulevard in Wade Park, and declaring that the easement rights granted are not needed for the City's public use.

Whereas, OneCommunity has requested the Director of Public Works to convey certain easement rights in property located along East Boulevard in Wade Park; and

Whereas, OneCommunity requires an easement to install a fiber line needed for the Cleveland Museum of Natural History Museum expansion project; and

Whereas, the easement rights to be granted are not needed for the City's public use; and

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

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

Section 1. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that an easement interest in the following described property is not needed for the City's public use:

**LEGAL DESCRIPTION FOR
PROPOSED 5' WIDE FIBER OPTIC
EASEMENT, WITHIN
PERMANENT PARCEL
No. 120-36-001**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 394, and being bounded and described as follows:

Beginning at a monument box with an iron pin found at the northerly right of way line of East Boulevard, and the centerline of East 108th Street:

Thence South 05° 22' 14" East, 68.50 feet, to the southerly curb line of East Boulevard, and being The Principal Place of Beginning;

Thence South 05° 31' 20" East, 5.03 feet, to a point;

Thence South 78° 04' 46" West, 109.59 feet, to a point;

Thence South 81° 26' 46" West, 150.17 feet, to a point;

Thence South 82° 01' 46" West, 79.63 feet, to a point;

Thence South 73° 29' 46" West, 81.13 feet, to a point;

Thence South 1° 01' 40" East, 73.95 feet, to a point, along the face of the building;

Thence along the face of the building, South 73° 23' 25" West, 5.19 feet, to a point;

Thence North 1° 01' 40" West, 79.14 feet, to a point;

Thence North 73° 29' 46" East, 85.30 feet, to a point;

Thence along the southerly curb of East Boulevard, North 82° 01' 46" East, 80.00 feet, to a point;

Thence continuing along the southerly curb of East Boulevard, North 81° 26' 46" East, 150.00 feet, to a point;

Thence along the southerly curb of East Boulevard, North 78° 04' 46" East, 110.00 feet to The Principal Place of Beginning and containing 0.0573 acres of land as calculated and described by Norman R. Hoovler, P.S. 8259 for AECOM in February 2016.

This legal description is intended to describe a new 5' wide fiber optic line easement, for the Cleveland Museum of Natural History, leased from the City of Cleveland.

Lease area subject to all legal highways and easements of record.

Section 2. That the Commissioner of Purchases and Supplies is authorized to convey the above-described easement interest to OneCommunity subject to any conditions stated in this ordinance at a price determined to be fair market value by the Board of Control.

Section 3. That the easement shall be non-exclusive and the purpose of the easement shall be to install a fiber line needed for the Cleveland Museum of Natural History Museum expansion project.

Section 4. That the duration of the easement shall be perpetual; that the easement shall not be assignable without the consent of the Director of Public Works; that the easement shall require that OneCommunity provide reasonable insurance, maintain any OneCommunity improvements located within the easement; pay any applicable taxes and assessments; and shall contain such other terms and conditions that the Director of Law determines to be necessary to protect and benefit the City.

Section 5. That the conveyance referenced above shall be made by official deed of easement prepared by the Director of Law and executed by the Director of Public Works on behalf of the City of Cleveland. The Directors of Public Works and Law are authorized to execute any other documents, including without limitation, contracts for right of entry, as may be necessary to effect this ordinance.

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

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

Ord. No. 294-16.

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

An emergency ordinance authorizing the Director of Public Utilities to enter into a Stormwater Management Program Service Agreement with the Northeast Ohio Regional Sewer District for implementation of its Regional Stormwater Management Program and to enter into additional agreements with the District for individual projects; determining to make the public improvement of upgrading of the Local Stormwater System; authorizing the Director to enter into contracts for the making of such improvement; authorizing the purchase by standard purchase and requirements contracts of related equipment; authorizing the acquisition of various rights and interests in real property; authorizing the relocation or modification of fixtures or features on said property; and authorizing various professional services contracts for the Department of Public Utilities in connection with the public improvement.

Whereas, the Northeast Ohio Regional Sewer District (District), pursuant to the authority of Ohio

Revised Code Chapter 6119, and Title V of the District's Stormwater Management Code (Title V), is authorized to provide overall Stormwater Management of the Regional Stormwater System, including planning, financing, design, improvement, construction, inspection, monitoring, maintenance, operation, and regulation for the proper handling of stormwater runoff and the development and provision of technical support information and services to Member Communities; and

Whereas, the District has been established as a regional governmental entity mandated to operate and maintain a Regional Stormwater System in a general area which fully encompasses the City of Cleveland; and

Whereas, flooding is a significant threat to public and private property; streambank erosion is a significant threat to public and private property, water quality, wildlife, and aquatic and terrestrial habitats; and inadequate stormwater management damages the water resources of Northeast Ohio, impairing the ability of these waters to sustain ecological and aquatic systems; and

Whereas, there is a manifest need for a watershed-based approach to stormwater management to effectively and efficiently plan, design, construct, and maintain long-term solutions to stormwater problems; and

Whereas, to ensure the consistent and coordinated delivery of District Regional Stormwater Management Program services within the City of Cleveland, a Stormwater Service Agreement between the District and the City of Cleveland is required; 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 hereby authorizes the Director of Public Utilities to enter into a Stormwater Management Program Service Agreement with the Northeast Ohio Regional Sewer District, in a form approved by the Director of Law, for implementation of its Regional Stormwater Management Program to ensure the consistent and coordinated delivery of District Regional Stormwater Management Program services within the City of Cleveland.

Section 2. That this Council hereby authorizes the Director of Public Utilities to enter into any and all related agreements associated with the Stormwater Management Program Service Agreement, including but not limited to, making application and accepting funds from the Northeast Ohio Regional Sewer District under the Community Cost Share Program.

Section 3. That pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of the upgrade of the Local Stormwater System, as defined in the Agreement between the Northeast Ohio Regional Sewer District and the City authorized in Sections 1 and 2, by community-specific stormwater management projects.

Section 4. That the Director of Public Utilities is hereby authorized and directed to enter into contracts for the making of the above public improvement(s) with the lowest responsible bidder after competitive bidding for a

gross price for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price or, where appropriate, component parts may be competitively bid as requirement contracts upon a unit price for each component. Upon the request of said Director, each contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement.

Section 5. That the Director of Public Utilities is hereby authorized and directed to make written standard purchase contracts and written requirements contracts in accordance with the Charter and Ordinances of the City of Cleveland, 1976, the period of said requirements to be determined by the Director but not to exceed two (2) years, for the necessary vehicles, equipment, machinery, and all other mechanical, electronic, electrical and other equipment and supplies and related materials needed in conjunction with the making of the public improvement authorized by Section 3 of this ordinance, and labor and materials to install and maintain any necessary items, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Divisions of the Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine.

Section 6. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of the City of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to purchase, lease, or otherwise acquire easements, fee interests, licenses, permits and other rights or interests in real property if necessary for the public improvement authorized in Section 3 of this ordinance.

Section 7. That the Director of Public Utilities is hereby authorized to execute on behalf of the City of Cleveland all necessary documents to acquire said rights or interest in real property and to employ title companies, surveyors, escrow agents, appraisers, environmental consultants, field service consultants and other consultants necessary for the acquisition or use of the rights or interests in real property authorized by Section 6 of this ordinance.

Section 8. That the Director of Public Utilities is hereby authorized to enter into agreements with the holders of said rights or interests in real property to relocate or otherwise modify existing fixtures or features of said property to permit the construction of the public improvement authorized in Section 3.

Section 9. That the Director of Public Utilities is hereby authorized and directed to employ by contract or contracts design engineers, construction managers, architects and other consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide the professional services necessary for the making of the public improve-

ment described in Section 3 of this ordinance. The selection of said consultant or consultants for such services shall be made by the Board of Control upon the nomination of the Director of Public Utilities from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Public Utilities for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. All contracts authorized in this ordinance shall be prepared by the Director of Law, approved by the Director of Public Utilities, and certified by the Director of Finance.

Section 10. That the Director of Public Utilities is hereby authorized and directed to apply and pay for such permits, licenses, or other authorizations required by any regulatory entity or other public authority to perform the work authorized by this ordinance.

Section 11. The cost of any agreements entered into pursuant to Sections 3 through 10 inclusive of this ordinance shall be charged against the proper account, which shall be established upon implementation of the Agreement authorized by Section 1, and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchase and Supplies pursuant to a requisition against said contract(s) by the Director of Finance.

Section 12. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 295-16.

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

An emergency ordinance to levy special assessments to relay and repair sidewalks, (including adjustments of castings, if necessary) encroaching upon the public right-of-way on Clifton Boulevard from West 115th Street to Lake Avenue.

Whereas, this Council declared it necessary to relay and repair sidewalks encroaching into the public right-of-way on Clifton Boulevard from West 115th Street to Lake Avenue in Resolution No. 271-13, adopted March 25, 2013; and

Whereas, this Council appointed a Board to hear and determine all objections to Resolution No. 681-13, adopted May 6, 2013; and

Whereas, this Council accepted the Board's report and determined to proceed in Ordinance No. 848-13, passed August 14, 2013; and

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

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

Section 1. That the assessment of the cost and expense of relaying and repairing sidewalks and adjusting castings, if necessary, encroaching upon the public right of ways of the following street: Clifton Boulevard from West 115th Street to Lake Avenue in the City of Cleveland as set forth in Resolution No. 271-13 adopted March 25, 2013, and amounting in the aggregate to \$73,227.60, as reported to this Council by the Commissioner of Assessments and Licenses in File No. 295-16-A, is adopted and conformed, and that there are levied and assessed on the lots and lands within the Improvement fifty percent (50%) of each of the several amounts reported as aforesaid, which assessments and the description of the lots and lands are now on file in the office of the Clerk of Council and which assessments are in proportion to the special benefits and are not in excess of any statutory limitation.

Section 2. That this Council finds and determines that the revised assessments now on file in the office of the Clerk are in the same proportion to the estimated assessments as originally filed as the actual cost of the above-described improvements are to the estimated cost of the improvements as originally filed.

Section 3. That the assessment against each lot or parcel of land shall be payable in cash within forty (40) days after the passage of this ordinance or at the option of the owner in five (5) annual installments. All cash payments shall be made to the Commissioner of Assessments and Licenses of this City. All assessments and installments remaining unpaid at the expiration of said forty (40) days shall be certified by the Clerk of this Council to the County Auditor as provided by law to be placed by him on the tax duplicate and collected as other taxes are collected.

Section 4. That the Clerk of Council is directed to file a certified copy of this ordinance with the Auditor of Cuyahoga County within twenty (20) days of the date of its passage as required by Section 319.61, Ohio Revised Code.

Section 5. That it is found and determined that all formal action of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements.

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

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

Ord. No. 296-16,

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

An emergency ordinance to vacate a portion of West 21st Street (12.00 feet wide) and a portion of Moore Avenue N.W. (66.00 feet wide).

Whereas, under Resolution No. 1031-14, adopted October 27, 2014, this Council declared its intention to vacate a portion of West 21st Street (12.00 feet wide) and a portion of Moore Avenue N.W. (66.00 feet wide); and

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

Whereas, on February 9, 2016, the Board of Revision of Assessments approved the above vacation under the provisions of Section 176 of the Charter of the City of Cleveland subject to both interested parties entering into an agreement on or before January 31, 2016; and

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

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

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

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

A portion of West 21th Street
(12.00 feet wide)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being all that remaining portion of West 21st Street (12.00 feet wide) vacated by ordinance 382-58 passed 2-17-1958 extending from the north line of Moore Avenue N.W. (66.00 feet wide) northerly to the easterly prolongation of the north line of Gould Court N.W. (16.5 feet wide).

A portion of Moore Avenue N.W.
(66.00 feet wide)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being all that portion of Moore Avenue N.W. (66.00 feet wide) extending from that portion of Moore Avenue N.W. (66.00 feet wide) vacated by ordinance 2031-97 passed April 6th 1998 to the west line of West 20th Street (66.00 feet wide).

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

Section 2. That there is reserved to the City of Cleveland, an easement of full width as described above for AT&T, Cleveland Public Power, Dominion East Ohio Gas Company, and The Illuminating Company.

That no structures shall be erected on the premises described in this easement except those constructed under the approval of, and in compliance with, plans approved by AT&T, Cleveland Public Power, Dominion East Ohio Gas Company, The Illuminating Company, and the City of Cleveland.

Section 3. Provided that all required approvals have been obtained including an agreement between both interested parties on or before January 31, 2016, the Manager of Engineering and Construction is directed to record the vacation plat in the office of the Recorder of Cuyahoga County.

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

Section 5. That this ordinance is declared to be an emergency measure

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

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

Ord. No. 297-16,

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

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to Schofield Properties, LLC to encroach into the public right-of-way of East 9th Street by installing, using, and maintaining an underground vault.

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

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

Section 1. That the Director of Capital Projects is authorized to issue a permit, revocable at the will of Council, to Schofield Properties, LLC, 2000 East 9th Street, Cleveland Ohio 44114 ("Permittee"), to encroach into the public right-of-way beneath East 9th Street by installing, using, and maintaining an underground vault, at the following location:

Vault Encroachment

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being further bounded and described as follows:

Commencing at an iron pin monument found at the centerline intersection of Euclid Avenue, (99 feet wide), and East 9th Street, (99 feet wide); thence along said centerline of East 9th Street, South 34°17'14" East, for a distance of 60.45 feet to a point therein;

Thence South 55°42'46" West, for a distance of 41.50 feet to a point 8.00 feet northeasterly from the southwesterly line of said East 9th Street, said point also being the TRUE POINT OF BEGINNING;

Thence clockwise along the following eight (8) courses and distances:

1. Thence along a line 8.00 feet northeasterly from and parallel to said southwesterly line of East 9th Street, South 34°17'14" East, for a distance of 118.30 feet to a point;

2. Thence North 55°42'46" East, for a distance of 12.00 feet to a point 20.00 feet northeasterly from said southwesterly line of East 9th Street;

3. Thence along a line 20.00 feet northeasterly from and parallel to said southwesterly line of East 9th Street, South 34°17'14" East, for a distance of 10.00 feet to a point;

4. Thence South 55°42'46" West, for a distance of 12.00 feet to a point 8.00 feet northeasterly from said southwesterly line of East 9th Street;

5. Thence along a line 8.00 feet northeasterly from and parallel to said southwesterly line of East 9th Street, South 34°17'14" East, for a distance of 17.75 feet to a point;

6. Thence South 55°42'46" West, for a distance of 8.00 feet to a point on the southeasterly extension of said southwesterly line of East 9th Street;

7. Thence along said southwesterly line of East 9th Street, and it's south-

easterly extension, North 34°17'14" West, for a distance of 146.05 feet to a point therein;

8. Thence North 55°42'46" East, for a distance of 8.00 feet to the TRUE POINT OF BEGINNING, containing 0.0296 acres (1,288 sq. ft.) of land, more or less, and subject to all easements, restrictions and covenants of record, as surveyed under the supervision of Steve Mullaney, PS 7900, for Glaus, Pyle, Schomer, Burns and DeHaven, Inc., dba GPD Group, in January of 2016.

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

Section 2. That Permittee may assign the permit only with the prior written consent of the Director of Capital Projects. That the encroaching structure(s) permitted by this ordinance shall conform to plans and specifications first approved by the Manager of Engineering and Construction. That Permittee shall obtain all other required permits, including but not limited to Building Permits, before installing the encroachment(s).

Section 3. That the Director of Law shall prepare the permit authorized

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

Section 4. That the permit shall reserve to the City reasonable right of entry to the encroachment location(s).

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

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

MOTION

On the motion of Council Member K. Johnson, the absences of Council Members Phyllis E. Cleveland, Kevin Conwell, Brian J. Cummins, TJ Dow, Mamie J. Mitchell, Terrell H. Pruitt, Zack Reed, and Matt Zone are hereby authorized. Seconded by Council Member Keane.

MOTION

The Council Meeting adjourned at 7:32 p.m. to meet on Monday, March 14, 2016, at 7:00 p.m. in the Council Chamber.



Allan Dreyer
Deputy Clerk,
Clerk of Council Pro Tempore

THE CALENDAR

The following measure will be on its final passage on March 21, 2016:

Ord. No. 125-16.

By Council Member Kelley (by departmental request).

An emergency ordinance to make appropriations and provide current expenses for the daily operation of all municipal departments of the City of Cleveland for the fiscal year from January 1, 2016 until December 31, 2016.

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

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

Section 1. That to provide for the current expenses for the City of Cleveland for the fiscal year ending December 31, 2016, the following sums be and they are hereby appropriated viz:

The sum of Five Hundred Sixty Six Million, Eight Hundred Sixteen Thousand, Six Hundred Twenty Eight Dollars (\$566,816,628) from the General Fund;

The sum of Seventy Nine Million, One Hundred Twenty Seven Thousand, Four Hundred Seventy Nine Dollars (\$79,127,479) from the Special Revenue Funds;

The sum of One Hundred Twenty Two Million, Eight Hundred Sixty Two Thousand, Three Hundred Sixty Six Dollars (\$122,862,366) from the Internal Service Funds;

The sum of Seven Hundred Forty Four Million, Seven Hundred Seventy One Thousand, One Hundred Fifty Two Dollars (\$744,771,152) from the Enterprise Funds;

The sum of Eleven Million, Six Hundred Forty Thousand, Eight Hundred Twenty Nine Dollars (\$11,640,829) from the Trust and Agency Funds;

The sum of Sixty Five Million, Thirty Five Thousand, Six Hundred Eighty One Dollars (\$65,035,681) from the Debt Service Fund;

All set forth in the Mayor's Estimate on file with Council and identified in the aggregate amount for each department as follows:

GENERAL FUND

Legislative Branch	\$ 7,326,653
Judicial Branch	39,365,935
Executive Branch	
General Government	14,942,983
Department of Aging	1,173,863
Department of Human Resources	2,440,965
Department of Law	11,821,850
Department of Finance	16,860,237
Department of Public Health	7,479,561
Department of Public Safety	330,753,065
Department of Public Works	67,805,937
Department of Community Development	303,015
Department of Building and Housing	9,846,265
Department of Economic Development	1,717,892
Nondepartmental	54,978,407
Total Executive Branch	520,124,040
TOTAL GENERAL FUND	566,816,628

Special Revenue Funds	79,127,479
Internal Service Funds	122,862,366
Enterprise Funds	744,771,152
Agency Funds	11,640,829
Debt Service Funds	65,035,681
TOTAL APPROPRIATIONS FOR 2016	\$1,590,254,135

GENERAL FUND

LEGISLATIVE BRANCH

Council and Clerk of Council		\$	7,326,653
I. Personnel and Related Expenses	\$	5,180,810	
II. Other Expenses		2,145,843	
TOTAL LEGISLATIVE BRANCH		\$	7,326,653

JUDICIAL BRANCH

Municipal Court - Judicial Division		\$	23,684,513
I. Personnel and Related Expenses	\$	20,952,710	
II. Other Expenses		2,731,803	
Municipal Court - Clerk's Division		\$	11,567,341
I. Personnel and Related Expenses	\$	10,108,679	
II. Other Expenses		1,458,662	
Municipal Court - Housing Division		\$	4,114,081
I. Personnel and Related Expenses	\$	3,861,863	
II. Other Expenses		252,218	
TOTAL JUDICIAL BRANCH		\$	39,365,935

EXECUTIVE BRANCH

GENERAL GOVERNMENT

Office of the Mayor		\$	2,878,487
I. Personnel and Related Expenses	\$	2,771,030	
II. Other Expenses		107,457	
Office of Capital Projects		\$	5,380,959
I. Personnel and Related Expenses	\$	4,864,932	
II. Other Expenses		516,027	
Landmarks Commission		\$	211,221
I. Personnel and Related Expenses	\$	199,233	
II. Other Expenses		11,988	
Board of Building Standards and Appeals		\$	139,614
I. Personnel and Related Expenses	\$	129,324	
II. Other Expenses		10,290	
Board of Zoning Appeals		\$	235,910
I. Personnel and Related Expenses	\$	215,263	
II. Other Expenses		20,647	
Civil Service Commission		\$	1,453,301
I. Personnel and Related Expenses	\$	654,955	
II. Other Expenses		798,346	
Community Relations Board		\$	1,363,133
I. Personnel and Related Expenses	\$	1,246,740	
II. Other Expenses		116,393	
City Planning Commission		\$	1,664,543
I. Personnel and Related Expenses	\$	1,567,274	
II. Other Expenses		97,269	
Boxing and Wrestling Commission		\$	49,840
I. Personnel and Related Expenses	\$	49,840	

Office of Equal Opportunity		\$	673,928
I. Personnel and Related Expenses	\$	653,931	
II. Other Expenses		19,997	
Office of Budget & Management-Budget Administration		\$	892,047
I. Personnel and Related Expenses	\$	804,493	
II. Other Expenses		87,554	
TOTAL GENERAL GOVERNMENT		\$	14,942,983

DEPARTMENT OF AGING

Department of Aging		\$	1,173,863
I. Personnel and Related Expenses	\$	923,273	
II. Other Expenses		250,590	
TOTAL DEPARTMENT OF AGING		\$	1,173,863

DEPARTMENT OF HUMAN RESOURCES

Department of Human Resources		\$	2,440,965
I. Personnel and Related Expenses	\$	1,403,343	
II. Other Expenses		1,037,622	
TOTAL DEPARTMENT OF HUMAN RESOURCES		\$	2,440,965

DEPARTMENT OF LAW

Department of Law		\$	11,821,850
I. Personnel and Related Expenses	\$	6,928,465	
II. Other Expenses		4,893,385	
TOTAL DEPARTMENT OF LAW		\$	11,821,850

DEPARTMENT OF FINANCE

Finance Administration		\$	1,254,826
I. Personnel and Related Expenses	\$	863,132	
II. Other Expenses		391,694	
Division of Accounts		\$	2,062,394
I. Personnel and Related Expenses	\$	1,319,790	
II. Other Expenses		742,604	
Division of Assessments and Licenses		\$	3,818,377
I. Personnel and Related Expenses	\$	2,243,267	
II. Other Expenses		1,575,110	
Division of Treasury		\$	780,692
I. Personnel and Related Expenses	\$	663,598	
II. Other Expenses		117,094	
Division of Purchases and Supplies		\$	718,159
I. Personnel and Related Expenses	\$	675,893	
II. Other Expenses		42,266	
Bureau of Internal Audit		\$	1,294,326
I. Personnel and Related Expenses	\$	660,690	
II. Other Expenses		633,636	
Division of Financial Reporting and Control		\$	1,382,318
I. Personnel and Related Expenses	\$	1,361,383	
II. Other Expenses		20,935	
Information Systems Services		\$	5,549,145
I. Personnel and Related Expenses	\$	2,851,141	
II. Other Expenses		2,698,004	
TOTAL DEPARTMENT OF FINANCE		\$	16,860,237

DEPARTMENT OF PUBLIC HEALTH

Public Health Administration		\$	1,318,807
I. Personnel and Related Expenses	\$	928,343	
II. Other Expenses		390,464	
Division of Health		\$	4,392,501
I. Personnel and Related Expenses	\$	2,064,310	
II. Other Expenses		2,328,191	
Division of Environment		\$	1,351,980
I. Personnel and Related Expenses	\$	1,083,415	
II. Other Expenses		268,565	
Division of Air Quality		\$	416,273
I. Personnel and Related Expenses	\$	124,573	
II. Other Expenses		291,700	
TOTAL DEPARTMENT OF PUBLIC HEALTH		\$	7,479,561

DEPARTMENT OF PUBLIC SAFETY

Public Safety Administration		\$	5,178,921
I. Personnel and Related Expenses	\$	3,493,726	
II. Other Expenses		1,685,195	
Division of Police		\$	190,636,623
I. Personnel and Related Expenses	\$	180,737,000	
II. Other Expenses		9,899,623	
Division of Fire		\$	86,839,122
I. Personnel and Related Expenses	\$	82,952,783	
II. Other Expenses		3,886,339	
Division of Emergency Medical Services		\$	24,852,593
I. Personnel and Related Expenses	\$	22,225,137	
II. Other Expenses		2,627,456	
Division of Animal Care and Control		\$	1,522,099
I. Personnel and Related Expenses	\$	1,148,385	
II. Other Expenses		373,714	
Division of Correction		\$	14,319,406
I. Personnel and Related Expenses	\$	10,734,410	
II. Other Expenses		3,584,996	
Office of Professional Standards		\$	878,008
I. Personnel and Related Expenses	\$	837,790	
II. Other Expenses		40,218	
Police Review Board		\$	91,368
I. Personnel and Related Expenses	\$	80,006	
II. Other Expenses		11,362	
Community Police Commission		\$	755,210
I. Personnel and Related Expenses	\$	361,800	
II. Other Expenses		393,410	
Police Inspector General		\$	148,760
I. Personnel and Related Expenses	\$	142,960	
II. Other Expenses		5,800	
Department of Justice		\$	5,530,955
I. Personnel and Related Expenses	\$	3,637,550	
II. Other Expenses		1,893,405	
TOTAL DEPARTMENT OF PUBLIC SAFETY		\$	330,753,065

DEPARTMENT OF PUBLIC WORKS

Division of Public Works Administration		\$	3,423,573
I. Personnel and Related Expenses	\$	3,155,148	
II. Other Expenses		268,425	
Division of Recreation		\$	12,269,754
I. Personnel and Related Expenses	\$	8,376,666	
II. Other Expenses		3,893,088	

Division of Parking Facilities-On Street		\$	1,244,531
I. Personnel and Related Expenses	\$	1,184,880	
II. Other Expenses		59,651	
Division of Property Management		\$	7,764,389
I. Personnel and Related Expenses	\$	5,510,646	
II. Other Expenses		2,253,743	
Division of Park Maintenance and Properties		\$	14,077,504
I. Personnel and Related Expenses	\$	8,986,464	
II. Other Expenses		5,091,040	
Division of Waste Collection and Disposal		\$	25,336,455
I. Personnel and Related Expenses	\$	14,194,775	
II. Other Expenses		11,141,680	
Division of Traffic Engineering		\$	3,689,731
I. Personnel and Related Expenses	\$	2,795,792	
II. Other Expenses		893,939	
TOTAL DEPARTMENT OF PUBLIC WORKS		\$	<u>67,805,937</u>

DEPARTMENT OF COMMUNITY DEVELOPMENT DIRECTOR'S OFFICE

Department of Community Development Director's Office		\$	303,015
I. Personnel and Related Expenses	\$	292,589	
II. Other Expenses		10,426	
TOTAL DEPARTMENT OF COMMUNITY DEVELOPMENT		\$	<u>303,015</u>

DEPARTMENT OF BUILDING AND HOUSING

Building and Housing Director's Office		\$	2,167,020
I. Personnel and Related Expenses	\$	1,700,463	
II. Other Expenses		466,557	
Division of Code Enforcement		\$	6,200,779
I. Personnel and Related Expenses	\$	6,007,949	
II. Other Expenses		192,830	
Division of Construction Permitting		\$	1,478,466
I. Personnel and Related Expenses	\$	1,452,823	
II. Other Expenses		25,643	
TOTAL DEPARTMENT OF BUILDING AND HOUSING		\$	<u>9,846,265</u>

DEPARTMENT OF ECONOMIC DEVELOPMENT

Economic Development		\$	1,717,892
I. Personnel and Related Expenses	\$	1,694,833	
II. Other Expenses		23,059	
TOTAL DEPARTMENT OF ECONOMIC DEVELOPMENT		\$	<u>1,717,892</u>

NONDEPARTMENTAL

County Auditor Deductions		\$	1,725,000
II. Other Expenses	\$	1,725,000	
Other Administrative		\$	22,463,073
II. Other Expenses	\$	22,463,073	
Transfers to Other Funds		\$	30,790,334
II. Other Expenses	\$	30,790,334	
TOTAL NONDEPARTMENTAL		\$	<u>54,978,407</u>
TOTAL EXECUTIVE BRANCH		\$	<u>520,124,040</u>
TOTAL GENERAL FUND		\$	<u>566,816,628</u>

SPECIAL REVENUE FUND

Restricted Income Tax Fund		\$ 40,527,692
I. Capital	\$ 6,841,261	
II. Debt Service	33,686,431	
Street Construction, Maintenance & Repair Fund		\$ 27,040,562
I. Personnel and Related Expenses	\$ 15,847,945	
II. Other Expenses	11,192,617	
Schools Recreation & Cultural Activities Fund		\$ 1,175,000
II. Other Expenses	\$ 1,175,000	
Division of Public Auditorium & Stadium- Stadium		\$ 10,384,225
II. Other Expenses	\$ 10,384,225	
TOTAL SPECIAL REVENUE FUNDS		\$ 79,127,479

DEBT SERVICE FUND

Sinking Fund Commission		\$ 65,035,681
III. Debt Service	\$ 65,035,681	
TOTAL DEBT SERVICE FUNDS		\$ 65,035,681

INTERNAL SERVICE FUND

Sinking Fund Commission		\$ 735,488
I. Personnel and Related Expenses	\$ 195,638	
II. Other Expenses	539,850	
Information Systems Services-Telephone Exchange		\$ 7,527,634
I. Personnel and Related Expenses	\$ 1,483,359	
II. Other Expenses	6,044,275	
Division of Motor Vehicle Maintenance		\$ 15,845,613
I. Personnel and Related Expenses	\$ 5,804,369	
II. Other Expenses	10,041,244	
Division of Printing and Reproduction		\$ 2,390,767
I. Personnel and Related Expenses	\$ 924,832	
II. Other Expenses	1,465,935	
City Storeroom and Central Warehouse		\$ 576,341
I. Personnel and Related Expenses	\$ 111,583	
II. Other Expenses	464,758	
Health Self Insurance		\$ 77,788,871
II. Other Expenses	\$ 77,788,871	
Prescription Self Insurance		\$ 17,997,652
II. Other Expenses	\$ 17,997,652	
TOTAL INTERNAL SERVICE FUNDS		\$ 122,862,366

ENTERPRISE FUNDS

DEPARTMENT OF PUBLIC UTILITIES

Utilities Administration		\$ 6,112,829
I. Personnel and Related Expenses	\$ 4,872,560	
II. Other Expenses	1,240,269	
Radio		\$ 3,391,856
I. Personnel and Related Expenses	\$ 607,530	
II. Other Expenses	2,784,326	
Division of Fiscal Control		\$ 8,327,795
I. Personnel and Related Expenses	\$ 5,673,150	
II. Other Expenses	2,654,645	
Division of Water		\$ 315,992,588
I. Personnel and Related Expenses	\$ 85,419,013	
II. Other Expenses	230,573,575	

Division of Water Pollution Control		\$ 26,431,570
I. Personnel and Related Expenses	\$ 11,099,397	
II. Other Expenses	15,332,173	
Division of Cleveland Public Power		\$ 207,111,821
I. Personnel and Related Expenses	\$ 25,640,346	
II. Other Expenses	181,471,475	
TOTAL DEPARTMENT OF PUBLIC UTILITIES		\$ 567,368,459

DEPARTMENT OF PORT CONTROL

Divisions of Cleveland Hopkins & Burke Lakefront Airports - Operations		\$ 160,341,280
I. Personnel and Related Expenses	\$ 30,847,795	
II. Other Expenses	129,493,485	
TOTAL DEPARTMENT OF PORT CONTROL		\$ 160,341,280

DEPARTMENT OF PUBLIC WORKS

Division of Cemeteries		\$ 1,722,741
I. Personnel and Related Expenses	\$ 1,275,223	
II. Other Expenses	447,518	
Golf Course Fund		\$ 18,338
I. Personnel and Related Expenses	\$ 338	
II. Other Expenses	18,000	
Division of Parking Facilities-Off Street Parking		\$ 11,018,354
I. Personnel and Related Expenses	\$ 1,399,859	
II. Other Expenses	9,618,495	
Division of Public Auditorium		\$ 2,685,224
I. Personnel and Related Expenses	\$ 1,305,823	
II. Other Expenses	1,379,401	
Division of West Side Market		\$ 1,576,756
I. Personnel and Related Expenses	\$ 482,635	
II. Other Expenses	1,094,121	
Division of Property Management - East Side Market		\$ 40,000
II. Other Expenses	\$ 40,000	
TOTAL DEPARTMENT OF PUBLIC WORKS		\$ 17,061,413
TOTAL ENTERPRISE FUNDS		\$ 744,771,152

AGENCY FUND

Central Collection Agency		\$ 11,640,829
I. Personnel and Related Expenses	\$ 7,521,875	
II. Other Expenses	4,118,954	
TOTAL AGENCY FUND		\$ 11,640,829

Section 2. That the appropriations herein made are based upon the detail of expenditures set forth in the Mayor's Estimate, but are appropriated to the several departments, offices, and purposes in the aggregate for I. - Personnel and Related Expenses; and II. - Other Expenses and are not severally and individually appropriated in said detail. Any unencumbered balance in an appropriation fund at the close of the year 2015 is hereby appropriated to such fund for the payment of unpaid obligations lawfully incurred in 2016 or prior years. The Mayor's Estimate, as modified by the schedule published pursuant to Section 39 of the Charter shall within the sums appropriated in Section 1 hereof, constitute the expenditure budget for the year 2016 and shall be subject to the control of the Mayor, provided, however, that no transfer from I. - Personnel and Related Expenses, or II. - Other Expenses within any department or office, or from one department or office to another shall be made except as provided in Section 41 of the Charter.

Section 3. That the Commissioner of Accounts is hereby authorized to draw warrants upon the City Treasury for the amount appropriated in this ordinance, whenever claims are presented properly approved by the head of the department or by the chief of a commission for which indebtedness was incurred.

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

BOARD OF CONTROL

March 2, 2016

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, March 2, 2016 at 10:40 a.m. with Director Langhenry presiding.

Present: Directors Langhenry, Davis, Interim Director Szabo, Director Cox, Acting Directors Withers, Cosgrove, Directors Southerington, Nichols, Fumich, and O'Leary.

Absent: Mayor Jackson, Director Dumas, and Interim Director Walker-Minor

Others: Tiffany White, Commissioner, Purchases & Supplies.

Melissa Burrows, Director, Office of Equal Opportunity.

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

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

Resolution No. 82-16.

By Director Davis.

Be it resolved by the City of Cleveland that the employment of the following subcontractors by Jack Doheny Companies, Inc. under Contract No. RC2015*65 for the requirement contract for labor and materials necessary to repair and maintain catch basin cleaning trucks - Group 2 (all items) and under Contract No. RC2015*66 for the requirement contract for labor and materials necessary to repair and maintain combination sewer and catch basin cleaning trucks - Group 1 (all items), for the Division of Water Pollution Control, Department of Public Utilities, is approved:

Subcontractor	CSB/MBE/FBE Work
Murphy Tractor & Equipment	Non-certified TBD
Erie Shore Industrial Radiator	Non-certified TBD

Yeas: Directors Langhenry, Davis, Interim Director Szabo, Director Cox, Acting Directors Withers, Cosgrove, Directors Southerington, Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson, Director Dumas, and Interim Director Walker-Minor

Resolution No. 83-16.

By Director Davis.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on January 14, 2016 for an estimated quantity of crane and hoist inspection and maintenance, all items, for the Divisions of Water, Water Pollution Control, and Cleveland Public Power, Department of Public Utilities, under the authority of Ordinance No. 328-15, passed April 20, 2015, are rejected.

Yeas: Directors Langhenry, Davis, Interim Director Szabo, Director Cox, Acting Directors Withers, Cosgrove, Directors Southerington, Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson, Director Dumas, and Interim Director Walker-Minor

Resolution No. 84-16.

By Director Davis.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Mr. Excavator, Inc., for an estimated quantity of Fence Installation, Maintenance and/or Repair, all items, for the various divisions of the Department of Public Utilities, for a period of one year starting upon execution of a contract or the day following expiration of the currently effective contract for the goods or services, with two one-year options to renew, received on September 18, 2015 under the authority of Ordinance No. 567-13, passed May 6, 2013, which on the basis of the estimated quantity would amount to \$991,926.00 (2%, 10 days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the required goods and/or services necessary for the specified items.

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Mr. Excavator, Inc. for the above-mentioned service is approved:

SUBCONTRACTOR	AMOUNT PERCENTAGE
Petty Group, LLC. (CSB)	\$380,677.00 38%

Yeas: Directors Langhenry, Davis, Interim Director Szabo, Director Cox, Acting Directors Withers, Cosgrove, Directors Southerington, Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson, Director Dumas, and Interim Director Walker-Minor

Resolution No. 85-16.

By Director Davis.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Emerald Environmental Services, Inc. for an estimated quantity of the purchase of hauling and disposing of water plant residuals, items 2 and 3, for the Division of Water, Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services,

with two one-year options to renew, received on January 14, 2016 under the authority of Ordinance No. 654-15, passed July 22, 2015, which on the basis of the estimated quantity would amount to \$237,560.00 (1%, 10 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services necessary for the specified items. The requirement contract shall further provide that the Contractor shall furnish all the City's requirements for such goods and/or services, whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

Yeas: Directors Langhenry, Davis, Interim Director Szabo, Director Cox, Acting Directors Withers, Cosgrove, Directors Southerington, Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson, Director Dumas, and Interim Director Walker-Minor

Resolution No. 86-16.

By Interim Director Szabo.

Whereas, under the authority of Ordinance No. 830-12, passed by the Council of the City of Cleveland on July 11, 2012, and Board of Control Resolution No. 29-13, adopted January 6, 2013, the City through its Director of Port Control, entered into Contract No. PS2013*042 with Vic Thompson Company ("Consultant"), to provide professional services necessary to complete the preliminary design phase (30%) for the In-line Baggage System project at Cleveland Hopkins International Airport, for the various divisions of the Department of Port Control; and

Whereas, under the authority of Board of Control Resolution No. 11-15, adopted January 14, 2015, the City, through its Director of Port Control, entered into a First Modification to City Contract No. PS2013*042, revising the scope of work and increasing the compensation from an amount not to exceed \$849,996.00 to an amount not to exceed \$2,768,003.00; and

Whereas, under the authority of Ordinance No. 1487-15, passed by the Council of the City of Cleveland December 7, 2015, the City has determined it necessary to further revise the scope of work to provide program/construction management services, including monitoring construction activities for all the demolition, construction and restoration of a baggage screening system at Cleveland Hopkins International Airport; and

Whereas, the Consultant has proposed by its proposal dated January 7, 2016 to perform the additional work necessary for an amount of \$1,793,335.50; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Port Control is authorized to enter into a Second Modification to City Contract No. PS2013*042 for additional professional services related to the In-Line

Baggage System for program/construction management services, including monitoring construction activities for all the demolition, construction and restoration of a baggage screening system. The amount to be paid for all services shall be increased by \$1,793,335.50 from \$2,768,003.00 to a total amount not to exceed \$4,561,338.50.

Be it further resolved that the amounts attributed to the following subconsultants approved in Board of Control Resolution No. 29-13, as amended by Resolution No. 11-15, adopted January 6, 2013 and January 14, 2015, respectively, are amended as follows:

<u>Subconsultant</u>	<u>Percentage</u>	<u>Amount</u>
G & T Associates, Inc.	12.93% DBE	\$589,721.73
Stadelman Associates, Inc.	Non-DBE	\$211,596.43
Michael Baker International, Inc. f/k/a Michael Baker Jr., Inc.	Non-DBE	\$920,110.09

Be it further resolved that all other terms of Resolution No. 29-13, as amended by Resolution No. 11-15, not expressly amended by this resolution shall remain unchanged and in full force and effect.

Yeas: Directors Langhenry, Davis, Interim Director Szabo, Director Cox, Acting Directors Withers, Cosgrove, Directors Southerington, Nichols, Fumich, and O'Leary.
Nays: None.

Absent: Mayor Jackson, Director Dumas, and Interim Director Walker-Minor

Resolution No. 87-16.

By Interim Director Szabo.

Whereas, under the authority of Ordinance No. 168-89, passed by the Council of the City of Cleveland on February 27, 1989, the City through its Director of Port Control, entered into a Lease By Way of Concession, Contract No. 40878, with Figgie International, Inc. for the use and occupancy of approximately 2.26 acres at Cleveland Hopkins International Airport for constructing, establishing, maintaining and operating a private hangar facility; and Whereas, Board of Control Resolution No. 58-16, adopted February 10, 2016, under the authority of Ordinance No. 168-15, incorrectly identified the "private hangar facility" as "the Secondary Hangar" now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 58-16, adopted February 10, 2016, is amended by substituting "Building No. 215" for "the Secondary Hangar" where appearing in the resolution.

Be it further resolved that all other provisions of Resolution No. 58-16 not expressly amended by this resolution shall remain unchanged and in full force and effect.

Yeas: Directors Langhenry, Davis, Interim Director Szabo, Director Cox, Acting Directors Withers, Cosgrove, Directors Southerington, Nichols, Fumich, and O'Leary.
Nays: None.

Absent: Mayor Jackson, Director Dumas, and Interim Director Walker-Minor

Resolution No. 88-16.

By Interim Director Szabo.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Cleveland Construction, Inc., under City Contract No. PI2015*022 for the public improvement of rehabilitating the exterior terminal building facade and the terminal ticketing lobby at Cleveland Hopkins International Airport under the authority of Ordinance No. 1587-09 and Ordinance No. 1588-09, both passed by the Council of the City of Cleveland on November 30, 2009 and Board of Control Resolution No. 72-15, adopted March 11, 2015, is approved.

<u>Subcontractors</u>	<u>CSB/MBE/FBE%</u>	<u>Amount</u>
Centofanti Concrete & Excavating	0.000% non-certified	\$15,000.00
Area Temps	0.000% non-certified	\$10,000.00

Yeas: Directors Langhenry, Davis, Interim Director Szabo, Director Cox, Acting Directors Withers, Cosgrove, Directors Southerington, Nichols, Fumich, and O'Leary.
Nays: None.

Absent: Mayor Jackson, Director Dumas, and Interim Director Walker-Minor

Resolution No. 89-16.

By Interim Director Szabo.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Ozanne Construction Company, Inc., under City Contract No. PS2015*136 providing design/build services for the Parking Redevelopment Program - Phase II, installing canopies over certain parking lots and contiguous pedestrian areas, and installing landscaping, fencing and other amenities, for the Division of Cleveland Hopkins International Airport, Department of Port Control, under the authority of Ordinance No. 247-11, passed by the Council of the City of Cleveland on June 6, 2011, and Board of Control Resolution No. 138-15, adopted April 22, 2015, is approved.

Be it further resolved by the Board of Control of the City of Cleveland that employment of the following subcontractors by Ozanne Construction Company, Inc. for the above-mentioned design/build services is approved:

<u>Subcontractor</u>	<u>CSB/MBE/FBE%</u>	<u>Amount</u>
Westlake Reed Leskosky	Non-Certified 96.350%	\$ 373,957.00
Petty Group	CSB/MBE 0.540%	\$ 50,764.00
North Electric	CSB/MBE 10.951%	\$1,028,500.00
Forest City Erectors	FBE 12.932%	\$1,214,600.00
Platform Contracting	Non-Certified 0.000%	\$ 506,112.00

Be it further resolved that the employment of the following subcontractors by Westlake Reed Leskosky, a subcontractor to Ozanne Construction Company, Inc. under City Contract No. PS2015*136, is approved.

<u>Subcontractor</u>	<u>CSB/MBE/FBE%</u>	<u>Amount</u>
Robert P. Madison International	CSB/MBE 12.884%	\$50,000.00
Studio Graphique, Inc.	CSB/FBE 4.123%	\$16,000.00
Knight & Stolar, Inc.	CSB/FBE 4.831%	\$18,750.00
KS Associates	FBE 0.000%	\$25,000.00
TranSystems Corp. of Ohio	Non-Certified 0.000%	\$25,044.24

Be it further resolved that the employment of the following subcontractor by Forest City Erectors, a subcontractor to Ozanne Construction Company, Inc. under City Contract No. PS2015*136, is approved.

<u>Subcontractor</u>	<u>CSB/MBE/FBE%</u>	<u>Amount</u>
Jones Technologies	CSB/MBE 0.360%	\$33,800.00

Be it further resolved that the employment of the following subcontractors by Platform Contracting, a subcontractor to Ozanne Construction Company, Inc., under City Contract No. PS2015*136, is approved.

<u>Subcontractor</u>	<u>CSB/MBE/FBE%</u>	<u>Amount</u>
McKinney Drilling Co.	Non-Certified 0.000%	\$216,400.00
Akron Erectors, Inc.	Non-Certified 0.000%	\$ 30,000.00

Be it further resolved that the approval of the employment of the following subcontractors to Ozanne Construction Company, Inc. by this Board of Control under Resolution No. 138-15 is rescinded.

<u>Subcontractor</u>	<u>CSB/MBE/FBE%</u>	<u>Amount</u>
Gateway Electric	CSB/MBE 6.143%	\$577,000.00
North Coast Concrete	CSB 6.072%	\$570,300.00
Ballast Fence	CSB/FBE 0.562%	\$ 52,800.00
JWT & A	CSB/MBE 0.532%	\$ 50,000.00

Be it further resolved that Board of Control Resolution No. 138-15, is amended by changing the participation amounts stated for certain subcontractors to the following:

<u>Subcontractor</u>	<u>CSB/MBE/FBE%</u> <u>Amount</u>
Jones Technologies	CSB/MBE 0.360% \$ 33,800.00
North Coast Paving	CSB 1.863% \$175,000.00
Chieftain Truck & Excavating	CSB/MBE 2.928% \$275,000.00

Be it further resolved that all other terms of Resolution No. 138-15 not expressly amended by this resolution shall remain unchanged and in full force and effect.

Yeas: Directors Langhenry, Davis, Interim Director Szabo, Director Cox, Acting Directors Withers, Cosgrove, Directors Southerington, Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson, Director Dumas, and Interim Director Walker-Minor

Resolution No. 90-16.

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Al's High Tech, Inc., for an estimated quantity of new and rebuilt motors, pumps and related repairs, all items, for the Division of Property Management, Department of Public Works, for a period of one year, beginning with the date of execution of a contract, with two one-year options to renew, received on December 16, 2015 under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$160,000.00 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a requirement contract for the goods and/or services specified.

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

Be it further resolved by the Board of Control that the employment of the following subcontractors by Al's High Tech, Inc. is approved:

<u>Subcontractor</u>	<u>Percentage</u> <u>Amount</u>
Ake Environmental	(CSB) 7.5% \$12,000.00
Samsel Supply Company	(CSB) 6.25% \$10,000.00
D.E. Williams Electric	(CSB) 6.25% \$10,000.00

Yeas: Directors Langhenry, Davis, Interim Director Szabo, Director Cox, Acting Directors Withers, Cosgrove, Directors Southerington, Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson, Director Dumas, and Interim Director Walker-Minor

Resolution No. 91-16.

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Multitude Services, for an estimated quantity of capital maintenance and repair of city facilities specialized cleaning and sanitizing, all items, for the Division of Property Management, Department of Public Works, for a period of one year, beginning with the date of execution of a contract, with one one-year option to renew, received on December 2, 2015 under the authority of Section 131.67 of the Codified Ordinances of Cleveland, Ohio, 2014, which on the basis of the estimated quantity would amount to \$37,000.00 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a requirement contract for the goods and/or services specified.

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

Yeas: Directors Langhenry, Davis, Interim Director Szabo, Director Cox, Acting Directors Withers, Cosgrove, Directors Southerington, Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson, Director Dumas, and Interim Director Walker-Minor

Resolution No. 92-16.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcels 002-35-056 and 002-35-206 located on West 50th Street and West 49th Place; and

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

Whereas, Gregory Zucca and Katherine Zucca have proposed to the City to purchase and develop the parcels for single family housing and convey the southerly 9 foot portion of 002-35-056 to the adjacent property owner, Cuyahoga Community Land Trust Inc.; and

Whereas, the following conditions exist:

1. The member of Council from Ward 3 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and

Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Gregory Zucca and Katherine Zucca for the sale and development of Permanent Parcel 002-35-056 and 002-35-206 located on West 50th Street and West 49th Place, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcels shall be \$400.00, which amount is determined to be not less than the fair market value of the parcels for uses according to the Program.

Yeas: Directors Langhenry, Davis, Interim Director Szabo, Director Cox, Acting Directors Withers, Cosgrove, Directors Southerington, Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson, Director Dumas, and Interim Director Walker-Minor

KEITH D. SCHEURMAN,
Acting Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

ROBERT BENNETT,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY MARCH 21, 2016

9:30 A.M.

Calendar No. 16-020: 12603 Buckeye Road (Ward 6)

Carlin and Sunnah McNary, owners, propose to establish use as a barber shop in a C2 Residence-Office District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances.

1. Section 345.01(b)(2)(G) which states that barber shops are first permitted in a Local Retail Business District.

2. Section 325.03 which states that off-street parking space shall be a minimum of 180 square feet and the proposed spaces are 130 square feet. (Filed January 29, 2016)

Calendar No. 16-022: 5162 Broadway Avenue (Ward 5)

Community Assessment and Treatment Services, owner, proposes to establish use as an outpatient substance abuse treatment clinic in a C2 Local Retail Business District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances.

1. Section 343.01(b)(2) which states that Local Retail Business District allows uses permitted and regulated in the adjacent Two-Family Residential District.

2. Section 337.03 which states that use for drug and alcohol patients is not permitted. (Filed February 3, 2016)

Calendar No. 16-023: 4304 West 191st Street (Ward 17)

Marilyn A. Lombardo, owner, proposes to construct a 15' x 20' garage addition to existing single family dwelling in and A1 One-Family Residential District. The owner appeals for relief from the following section of the Cleveland Codified Ordinances:

1. Section 357.09(b)(2)(B) which states that in a Two-Family District no interior side yard on a lot occupied by a dwelling house shall be less than five (5) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth (1/4) the height of the main building on the premises. The proposed building height is approximately 18 feet thus no interior side yard shall be less than 4' - 6" where a 1' - 6" side yard is proposed. The proposed aggregate width of side yards is approximately 6' - 4". (Filed February 12, 2016)

Calendar No. 16-024: 1627 West Schaaf Road (Ward 13)

Robert Skirkenic, owner, proposes to construct a new accessory 1,064 square foot three car garage in an A1 One-Family Residential District. The owner appeals for relief from the following Sections of the Cleveland Codified Ordinances:

1. Section 353.05 which states that the Maximum Height of Accessory Buildings in Residence Districts shall not exceed fifteen feet.

2. Section 357.05(b)(1) which states that on the rear third of a corner lot in a Residence District where the rear lot line abuts a Residence District, the building line shall be not less than ten (10) feet back from the side street line.

3. Section 357.05(b)(2) which states that on the rear of a corner lot in any use district where the rear lot line of the corner lot is also the side line of the butt lot in the rear or the boundary line of an alley between them, and a setback building line is established for such butt lot, no building shall be erected

nearer to the side street at the rear line of the corner lot that the setback building line of the butt lot; provided that for each foot the building on the corner lot sets in from the rear lot line or from the center of a rear alley, it may be set one (1) foot nearer to the side street line. (Filed February 16, 2016)

Calendar No. 16-025: 2052 West 44th Street (Ward 3)

B.R. Knez, prospective purchaser, proposes to construct a 1,686 square foot, two story single family residence on a 3,750 square foot Cleveland Landbank parcel in a B1 Two-Family Residential District. The applicant appeals for relief from the following Sections of the Cleveland Codified Ordinances:

1. Section 357.09 (b)(2) (B) which states that in a Two-Family District no interior side yard on a lot occupied by a dwelling house shall be less than five (5) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth (1/4) the height of the main building on the premises. The proposed building height is approximately 30.8 feet thus no interior side yard shall be less than 7.7 feet; a 5.0' side yard is proposed.

2. Section 357.09(b)(2)(B) which states that the minimum required lot width is 40'; proposed lot width is 30'. And that the minimum lot size required is 4,800 square feet and 3,750 square feet are proposed. (Filed February 16, 2016)

Calendar No. 16-028: 1900 East 101st Street (Ward 7)

Innova Phase 2 L.P., owner, proposes to erect an 8 story, 161 suite, extended stay hotel in an F3 Local Retail Business District. The owner appeals for relief from the following Sections of the Cleveland Codified Ordinances:

1. Section 343.11(b)(5) which states that a Hotel use is first permitted in a General Retail Business District.

2. Section 349.04(a) which states that off-street parking is required at the rate of one for each dwelling unit plus one for each four guest rooms, plus one for each three employees. Parking compliance will be achieved with the construction of planned garage and parking lot on adjacent phased development lots, for which permits have not yet been issued. (Filed February 19, 2016)

**POSTPONED FROM
FEBRUARY 22, 2016**

Calendar No. 15-261: 11701 Corlett Avenue (Ward 2)

Darnell Dozier, owner, proposes to establish a Residential/Halfway House Substance Abuse Treatment Program Facility in a C1 Multi-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances.

1. Section 337.08 which states that residential halfway house substance abuse treatment and program facility is not permitted in a Multi-Family District. The use is first permitted in General Retail Business District. If

residents are subject to correctional system oversight, facility is also classified as a correctional halfway house, as defined in 325.121, and subject to the regulations of 347.15.

2. Section 347.15 (c) which states that Board of Zoning Appeals approval required.

3. Section 347.15(d)(1) which states that the use is first permitted in General Retail, but cannot be within 500 feet of Residential District, Park, Playground, Library, Church, or School.

4. Section 347.15(f) which states that a minimum of 200 square feet of floor area is required for each resident and staff member on premises after 11 PM. No correctional halfway house shall operate with less than 20 persons.

5. Section 347.15(g) which states that One space per three residents, plus one space per staff member required.

6. Section 347.15(j) which states that the application must include policies, program statements, client group information, description of supervision and security arrangements. (Filed December 7, 2015 - Testimony Taken)

First postponement made at the request of the Councilman. Appellant missed January 19, 2016 hearing due to an unexpected medical issue. Second postponement made at the request of the board in order to allow for time for legal review of the "one step rule".

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, MARCH 7, 2016

At the meeting of the Board of Zoning Appeals on Monday, March 7, 2016 the following appeals were scheduled for hearing before the Board.

The following appeals were **APPROVED:**

Calendar No. 16-004: 1616 West 25th Street

Ojala properties, owner, proposes to add use of hookah lounge to existing restaurant with entertainment in a D3 Local Retail Business District and a Pedestrian Retail Overlay District.

Calendar No. 16-012: 3256 West 25th Street

James Denkins Trustee, owner, and Detroit Shoreway Development Corporation, prospective purchaser propose to change use of a factory and office building to 36 apartment units in a C1 General Retail Business District and a Pedestrian Retail Overlay District.

Calendar No. 16-016: 1459 West 114th Street

Mary Glazier, owner, proposes to erect a 20' x 17' one story frame bathroom addition to existing single family residence in a B1 Two-Family Residential District.

Calendar No. 16-018: 3498 West 45th Street

Hytech Properties LLC, owner, proposes to change use of existing 23' x 38' two story frame single family residence to two family residence in a B1 Two Family Residential District.

Calendar No. 16-019: 2325 Scranton Road
 Gina Lopez and Scott Heimen, owners, propose to construct a new 3,929 square foot single family residence in a C2 Local Retail Business District.

Calendar No. 16-021: 14723 Miles Avenue
 Joseph and Frank Vinciguerra owners, propose to construct a new garage addition to a food production use in a C1 General Retail Business District.

The following appeals were **DENIED:**

None.

The following appeals were **WITHDRAWN:**

None.

The following appeal was **DISMISSED:**

Calendar No. 16-010: 13512 Ardoon Avenue
 Lavern Gore, owner, proposes to erect a 24' x 30' 2 story frame single family residence with an attached two car garage as an addition to the rear of an existing single family house in an A1 One-Family District.

The following case was **POSTPONED:**

Calendar No. 16-017: 781 Starkweather Avenue
 Kristen McCann and Jonathan Rose. Postponed to April 11, 2016.

The following case was heard by the Board of Zoning Appeals on Monday, February 29, 2016 and the decisions were adopted and approved on Monday, March 7, 2016:

The following appeals were **APPROVED:**

Calendar No. 15-268: 1252 East 55th Street
 East 55th Street, A.C.E LLC, owner, proposes to establish use as food scrap composting facility in a B3 General Industry District.

Calendar No. 16-003: 2137 West 6th Street
 Joe Chura, owner, proposes to erect a 20' - 6" x 33' four story frame single family residence on front half of a lot with an existing single family residence on rear half of lot in a B1 Multi-Family Residential District.

Calendar No. 16-13: 1535 Vine Court
 Thomas Lenghan, owner, proposes to erect a multi-family townhouse building in a D2 Residence Industry District.

Calendar No. 16-14: 1735 East 45th Street
 Morgan Art of Paper Making Conservatory, owner, proposes to install approximately 72 linear feet of 6 foot high chain link fence with 3 strands of barbed wire in the actual front yard and actual rear yard in a C3 Semi-Industry District.

Calendar No. 16-15: 1739 East 45th Street
 Morgan Art of Paper Making Conservatory, owner, proposes to install approximately 255 linear feet of 6 foot high chain link fence with 3 strands of barbed wire in the actual front yard and side yard in a C3 Semi-Industry District.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

Notice of Public Hearing By the Council Committee On Development, Planning and Sustainability

Mercedes Cotner Committee Room 217 City Hall, Cleveland, Ohio On Monday, March 15, 2016 9:30 a.m.

Notice is hereby given to all interested property owners that the Council Committee on Development, Planning and Sustainability will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Monday, March 15, 2016, at 9:30 a.m., to consider the following ordinances now pending in the Council:

Ord. No. 1370-15.
 By Council Members Cimperman and Brancatelli.

An ordinance changing the Use Districts of parcels south of Castle Avenue and north of Buhner Avenue between I-71 and Quigley Road to a Limited Local Retail or Open Space Recreation, Changing the Area District to K, Changing the Height District to 2 and establishing an Urban Form Overlay District as identified on the attached map (Map Change No. 2526).

Ord. No. 72-16.
 By Council Member Kazy.
 An ordinance establishing the Rockport Design Review District along West 130th Street between Kirton Avenue and Astor Avenue as shown shaded on the attached map. (Map Change No. 2531).

Ord. No. 73-16.
 By Council Member Kazy.
 An ordinance changing the Use, Area and Height Districts of parcels along the east and west sides of West 130th Street, South of Erwin Avenue to Sprecher Avenue to LLR (Limited Retail), a 'G' area District and a '2' Height District as identified on the attached map (Map Change No. 2530).

Ord. No. 118-16.
 By Council Members Cleveland, Mitchell, Brancatelli and Kelley (by departmental request).

An ordinance establishing the Opportunity Corridor Design Review District on the north and south side of the proposed Opportunity Corridor roadway between East 55th Street and Cedar Avenue as shown shaded on the attached Map. (Map Change No. 2527).

Anthony Brancatelli, Chair
 Committee on Development, Planning and Sustainability

March 2, 2016 and March 9, 2016

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, MARCH 16, 2016

File No. 31-16 — Willard Parking Garage Trench Drain Improvement Phase I, by the Division of Architecture and Site Development, Office of Capital Projects, as authorized by Ordinance No. 246-15, passed by the Council of the City of Cleveland, April 13, 2015.

THERE WILL BE A **NON-REFUNDABLE FEE** FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF TWENTY FIVE DOLLARS (\$25.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR MONEY ORDER (NO COMPANY CHECKS NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS).

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, MARCH 10, 2016 AT 2:00 P.M. CLEVELAND CITY HALL, ROOM 517A, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

March 2, 2016 and March 9, 2016

WEDNESDAY, MARCH 23, 2016

File No. 32-16 — Bryant Avenue, East 150th Street, West 48th Street, and West 134th Street Sewer Project, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 1292-15, passed by the Council of the City of Cleveland, December 7, 2015.

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

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, MARCH 10, 2016 AT 10:00 A.M. THE DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

March 2, 2016 and March 9, 2016

THURSDAY, MARCH 24, 2016

File No. 33-16 — Gateway East Garage Concrete Improvements (Re-Bid), for the Division of Architecture and Site Development, Office of Capital Projects, as authorized by Ordinance No. 533-12, passed by the Council of the City of Cleveland, June 4, 2012.

THERE WILL BE A **NON-REFUNDABLE FEE** FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF TWENTY FIVE DOLLARS (\$25.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR MONEY ORDER (NO COMPANY CHECKS NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS).

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, MONDAY, MARCH 14 2016 AT 10:00 A.M. CLEVELAND CITY HALL, ROOM 517A, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

March 9, 2016 and March 16, 2016

WEDNESDAY, MARCH 30, 2016

File No. 30-16 — Riot Control Gear, Batons & Accessories, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 880-14, passed by the Council of the City of Cleveland, July 16, 2014.

*THERE WILL BE AN **OPTIONAL** PRE-BID MEETING, ON FRIDAY, MARCH 18, 2016 AT 11:00 A.M. 601 LAKESIDE AVENUE, CITY HALL, ROOM 18, DIVISION OF FINANCIAL REPORTING CONTROL (FRC) CONFERENCE ROOM, CLEVELAND, OHIO 44114.

March 9, 2016 and March 16, 2016

FRIDAY, APRIL 1, 2016

File No. 37-16 — Contractual Repair of Water Mains, Fire Hydrants, Valves, Service Connections and Appurtenances - Area B, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 607-15, passed by the Council of the City of Cleveland, June 1, 2015.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, MARCH 17, 2016 AT 3:30 P.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, 2ND FLOOR ATRIUM CONFERENCE ROOM, CLEVELAND, OHIO 44114.

March 9, 2016 and March 16, 2016

WEDNESDAY, APRIL 6, 2016

File No. 34-16 — 2016-A Water Main Renewal, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1366-15, passed by the Council of the City of Cleveland, November 30, 2015.

THERE WILL BE A **NON-REFUNDABLE FEE** FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF ONE HUNDRED DOLLARS (\$100.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR MONEY ORDER (NO COMPANY CHECKS NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS).

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, MARCH 17, 2016 AT 2:30 P.M. 1201 LAKESIDE AVENUE, 2ND FLOOR ATRIUM CONFERENCE ROOM, CLEVELAND, OHIO 44114.

File No. 40-16 — Rigging Services, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 382-15, passed by the Council of the City of Cleveland, April 20, 2015.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, TUESDAY, MARCH 22, 2016 AT 2:00 P.M. LOCATED AT THE TOM L. JOHNSON BUILDING, 1300 LAKESIDE AVENUE, CONFERENCE ROOM A., CLEVELAND, OHIO 44114.

March 9, 2016 and March 16, 2016

THURSDAY, APRIL 7, 2016

File No. 35-16 — 2016-B Water Main Renewal, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1366-15, passed by the Council of the City of Cleveland, November 30, 2015.

THERE WILL BE A **NON-REFUNDABLE FEE** FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF ONE HUNDRED DOLLARS (\$100.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR MONEY ORDER (NO COMPANY CHECKS NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS).

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, MARCH 17, 2016 AT 2:30 P.M. 1201 LAKESIDE AVENUE, 2ND FLOOR ATRIUM CONFERENCE ROOM, CLEVELAND, OHIO 44114.

March 9, 2016 and March 16, 2016

FRIDAY, APRIL 8, 2016

File No. 36-16 — 2016-C Water Main Renewal, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1366-15, passed by the Council of the City of Cleveland, November 30, 2015.

THERE WILL BE A **NON-REFUNDABLE FEE** FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF ONE HUNDRED DOLLARS (\$100.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR MONEY ORDER (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS).

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, MARCH 17, 2016 AT 2:30 P.M. 1201 LAKESIDE AVENUE, 2ND FLOOR ATRIUM CONFERENCE ROOM, CLEVELAND, OHIO 44118.

March 9, 2016 and March 16, 2016

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 186-16.
By Council Member Kelley.
An emergency resolution declaring the month of March 2016 as National Social Work Month, recognizing the numerous contributions made by America's social workers, and calling upon all citizens to join with the National Association of Social Workers in celebration and support of the social work profession.

Whereas, the primary mission of the social work profession is to enhance well-being and help meet the basic needs of all people, especially the most vulnerable in society; and

Whereas, social work is one of the fastest growing careers in the United States with more than 640,000 members of the profession; and

Whereas, with over 24,000 licensed social workers in Ohio, their help reaches every part of the community at every stage of life; and

Whereas, social workers work in all areas of our society to improve happiness, health and prosperity, including in government, schools, universities, social service agencies, communities, the military and mental health and health care facilities; and

Whereas, social workers daily embody this year's Social Work Month theme, "Forging Solutions Out of Challenges," by helping individuals, communities and the larger society tackle and solve issues that confront them; and

Whereas, social workers have helped this nation live up to its ideals by successfully pushing for equal rights for all, including women, African Americans, Latinos, people who are LGBTQ and various ethnic, cultural and religious groups; and

Whereas, social workers have helped people in this nation overcome racial strife and economic and health care uncertainty by successfully advocating for initiatives such as Medicaid, unemployment insurance, workplace safety, Social Security benefits, the Civil Rights Act, the Voting Rights Act, and the Affordable Care Act; and

Whereas, social workers are the largest group of mental health care providers in the United States and work daily to help people overcome depression, anxiety, substance abuse and other disorders so they can lead more fulfilling lives; and

Whereas, the U.S. Department of Veterans Affairs employs more than 12,000 professional social workers who help bolster our nation's security by providing support to active duty military personnel, veterans and their families; and

Whereas, thousands of child, family and school social workers across the country provide assistance to protect children and improve the social and psychological functioning of children and their families; and

Whereas, social workers help children find loving homes and create new families through adoption; and

Whereas, social workers in schools work with families and schools to foster future generations by ensuring students reach their full academic and personal potential; and

Whereas, social workers work with older adults and their families to improve their quality of life and ability to live independently as long as possible and get access to quality mental health and health care; and

Whereas, social workers have helped the United States and other nations overcome earthquakes, floods, wars and other disasters by helping survivors get services such as food, shelter, and health care and mental health care to address stress and anxiety; and

Whereas, this Council recognizes this important profession and the critical role it plays in our Cleveland community, Ohio, and the nation; and

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

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

Section 1. That this Council declares the month of March 2016 as National Social Work Month, recognizes the numerous contributions made by America's social workers, and calls upon all citizens to join with the National Association of Social

Workers in celebration and support of the social work profession.

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

Adopted February 29, 2016.

Effective March 1, 2016.

Res. No. 199-16.

By Council Member Zone.

An emergency resolution supporting the City of Cleveland's application for Transportation for Livable Communities Initiative (TLCI) funds for the Franklin Boulevard Traffic Calming study to the Northeast Ohio Areawide Coordinating Agency (NOACA).

Whereas, the Northeast Ohio Areawide Coordinating Agency (NOACA) has set aside monies for the Transportation for Livable Communities Initiative (TLCI); and

Whereas, the City of Cleveland, as Local Public Agency (LPA), is sponsoring the Franklin Boulevard Traffic Calming study for the Franklin Block Club; and

Whereas, the Franklin Boulevard Traffic Calming study is eligible to receive NOACA TLCI funding; 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 the City of Cleveland's application for Transportation for Livable Communities Initiative (TLCI) funds for the Franklin Boulevard Traffic Calming study to the Northeast Ohio Areawide Coordinating Agency (NOACA).

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

Adopted February 29, 2016.

Effective March 1, 2016.

Res. No. 200-16.

By Council Member Zone.

An emergency resolution supporting the City of Cleveland's application for Transportation for Livable Communities Initiative (TLCI) funds for the Lorain Avenue Corridor Study (Detroit Shoreway) to the Northeast Ohio Areawide Coordinating Agency (NOACA).

Whereas, the Northeast Ohio Areawide Coordinating Agency (NOACA) has allocated monies for the Transportation for Livable Communities Initiative (TLCI); and

Whereas, the City of Cleveland, as Local Public Agency (LPA), is sponsoring the Lorain Avenue Corridor Study (Detroit Shoreway) project for

the Detroit Shoreway Community Development Organization (DSCDO) in its application to NOACA; and

Whereas, the Lorain Avenue Corridor Study (Detroit Shoreway), a planning grant proposal by DSCDO for Lorain Avenue, is eligible to receive TLCI funding from NOACA; 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 the City of Cleveland's application for Transportation for Livable Communities Initiative (TLCI) funds for the Lorain Avenue Corridor Study (Detroit Shoreway), to the Northeast Ohio Areawide Coordinating Agency (NOACA) for consideration of funding.

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

Adopted February 29, 2016.

Effective March 1, 2016.

Res. No. 270-16.

By Council Member Conwell.

An emergency resolution supporting Cuyahoga County's Health and Human Services renewal levy on the March 15, 2016 ballot, to protect many critical services throughout Cuyahoga County.

Whereas, Cuyahoga County Council unanimously placed a renewal of the Health and Human Services levy on the March 15, 2016 countywide ballot; and

Whereas, the 4.8 mill levy is a renewal and not a tax increase; and

Whereas, each year, more than 200,000 families, children and seniors depend on vital and life-saving services, including mental health and addiction support services, made possible through Cuyahoga County's health and human services programs; and

Whereas, this eight-year renewal will lock in the tax rate without an increase for a longer period of time, and maintain services with fewer campaigns; and

Whereas, if approved, the renewal tax would cost the owner of a \$100,000 home about \$147 a year, and generate about \$130 million annually to provide services; and

Whereas, this Council supports this renewal levy in order to continue the vital health and human services provided to Cuyahoga County's and Cleveland's citizens; 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 Cuyahoga County's Health and Human Services renewal levy on the March 15, 2016 ballot, to protect many critical services throughout Cuyahoga County.

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

Adopted February 29, 2016.
Effective March 1, 2016.

Res. No. 271-16.
By Council Member K. Johnson.
An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 3344 East 116th Street.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from 3344 East 116th, Inc., DBA Kinsman Supermarket, 3344 East 116th Street, Cleveland, Ohio 44120, Permit Number 89166090005 to Grace 3344, Inc., 3344 East 116th Street, Cleveland, Ohio 44120 Permit Number 3306676; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from 3344 East 116th, Inc., DBA Kinsman Supermarket, 3344 East 116th Street, Cleveland, Ohio 44120, Permit Number 89166090005 to Grace 3344, Inc., 3344 East 116th Street, Cleveland, Ohio 44120 Permit Number 3306676; and requests the Superintendent of Liquor Control to set a hearing for said application in

accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted February 29, 2016.
Effective March 1, 2016.

Res. No. 272-16.
By Council Member Polensek.
An emergency resolution objecting to a New C1 Liquor Permit at 1201 East 185th Street.

Whereas, Council has been notified by the Division of Liquor Control of an application for a New C1 Liquor Permit at 185 Gas, Inc., 1201 East 185th Street, Cleveland, Ohio 44119, Permit Number 6548391; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C1 Liquor Permit at 185 Gas, Inc., 1201 East 185th Street, Cleveland, Ohio 44119, Permit Number 6548391; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted February 29, 2016.
Effective March 1, 2016.

Res. No. 273-16.
By Council Member Dow.
An emergency resolution objecting to a New C2 Liquor Permit at 7038 Linwood Avenue, excluding 2nd floor.

Whereas, Council has been notified by the Division of Liquor Control of an application for a New C2 Liquor Permit at Annette Green, DBA Green's Linwood Deli, 7038 Linwood Avenue, excluding 2nd floor, Cleveland, Ohio 44103, Permit Number 33502090005; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C2 Liquor Permit at Annette Green, DBA Green's Linwood Deli, 7038 Linwood Avenue, excluding 2nd floor, Cleveland, Ohio 44103, Permit Number 33502090005; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted February 29, 2016.
Effective March 1, 2016.

Res. No. 274-16.

By Council Member Kazy.

An emergency resolution objecting to the transfer of stock of a D1, D2, D3, D3A and D6 Liquor Permit to 13429 Lakewood Heights Boulevard.

Whereas, Council has been notified by the Division of Liquor Control of an application for a transfer of stock of a D1, D2, D3, D3A and D6 Liquor Permit at Kye, LLC, DBA Sidetracks, 13429 Lakewood Heights Boulevard, 1st floor and basement, Cleveland, Ohio 44107, Permanent Number 0671100; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a transfer of stock of a D1, D2, D3, D3A and D6 Liquor Permit at Kye, LLC, DBA Sidetracks, 13429 Lakewood Heights Boulevard, 1st floor and basement, Cleveland, Ohio 44107, Permanent Number 0671100, and requests the

Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted February 29, 2016.
Effective March 1, 2016.

Res. No. 275-16.

By Council Member Dow.

An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 8802 Superior Avenue.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from 8802 Superior Hawk, Inc., DBA Superior Food Market, 8802 Superior Avenue, Cleveland, Ohio 44106, Permit Number 24553990005 to 8806 Superior Grace, Inc., DBA Pagetown Wireless, 8802 Superior Avenue, Cleveland, Ohio 44106 Permit Number 2455479; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from 8802 Superior Hawk, Inc., DBA Superior Food Market, 8802 Superior Avenue, Cleveland, Ohio 44106, Permit Number 24553990005 to 8806 Superior Grace, Inc., DBA Pagetown Wireless, 8802 Superior Avenue, Cleveland, Ohio 44106 Permit Number 2455479; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted February 29, 2016.
Effective March 1, 2016.

Res. No. 276-16.

By Council Member Cimperman.

An emergency resolution withdrawing objection to the renewal of a D5 and D6 Liquor Permit at 612 Prospect Avenue, 1st floor and basement and repealing Resolution No. 1006-15 objecting to said renewal.

Whereas, this Council objected to the renewal of a D5 and D6 Liquor Permit to 612 Prospect Avenue, LLC, DBA Nicks, 612 Prospect Avenue, 1st floor and basement, Cleveland, Ohio 44115, Permanent Number 8200509 by Resolution No. 1006-15, adopted by the Council on August 19, 2015; and

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

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

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

Section 1. That objection to the renewal of a D5 and D6 Liquor Permit to 612 Prospect Avenue, LLC, DBA Nicks, 612 Prospect Avenue, 1st floor and basement, Cleveland, Ohio 44115, Permanent Number 8200509, be and the same is hereby withdrawn and Resolution No. 1006-15, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted February 29, 2016.
Effective March 1, 2016.

Res. No. 277-16.

By Council Member Cimperman.

An emergency resolution withdrawing objection to the renewal of a D1, D2, D3 and D3A Liquor Permit at 4310-12 Clark Avenue, 1st floor and basement and repealing Resolution No. 903-15 objecting to said renewal.

Whereas, this Council objected to the renewal of a D1, D2, D3 and D3A Liquor Permit to E J Tavern, Inc., DBA Romeo's, 4310-12 Clark Avenue, 1st floor and basement, Cleveland, Ohio 44109, Permanent Number 2389493 by Resolution No. 903-15, adopted by the Council on July 22, 2015; and

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

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

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

Section 1. That objection to the renewal of a D1, D2, D3 and D3A Liquor Permit to E J Tavern, Inc., DBA Romeo's, 4310-12 Clark Avenue, 1st floor and basement, Cleveland, Ohio 44109, Permanent Number 2389493, be and the same is hereby

withdrawn and Resolution No. 903-15, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted February 29, 2016.
Effective March 1, 2016.

Ord. No. 151-16.

By Council Member Kelley (by departmental request).

An emergency ordinance to amend Section 50 of Ordinance No. 323-15, passed March 30, 2015, relating to compensation for various classifications.

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

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

Section 1. That Section 50 of Ordinance No. 323-15, passed March 30, 2015, is amended to read as follows:

Section 50. Hourly Rate - MCEO.

Effective May 1, 2015, compensation for all persons employed by the hour in any of the following classifications shall be fixed by the appointing authority within the limits established in the following schedule for each classification:

	Minimum	Maximum
1. Construction Equipment - Group A	\$38.92	\$50.74
2. Construction Equipment - Group B	38.80	50.89
3. Master Mechanic.....	39.30	52.04

Section 2. That existing Section 50 of Ordinance No. 323-15, passed March 30, 2015, is repealed.

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

Passed February 29, 2016.
Effective March 1, 2016.

Ord. No. 197-16.

By Council Member Kelley (by departmental request).

An emergency ordinance to amend Section 178.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1660-04, passed October 11, 2004, relating to the disposition of public monies.

Whereas, fewer banking institutions offer trustee services for City bonds, certificates of participation and other debt instruments; and

Whereas, the number of local banking institutions offering such trustee services is decreasing; and

Whereas, good practice is to obtain proposals for such services from a number of banking institutions; and

Whereas, in order to obtain proposals from a number of banking institutions, the City must seek proposals outside of the local area;

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 178.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1660-04, passed October 11, 2004, is amended to read as follows:

Section 178.02 Disposition of Public Monies

(a) Except as provided in paragraph (g), all public monies coming

under the custody and control of the City Treasurer shall be deposited or invested by the City Treasurer as provided in this chapter. The City Treasurer may retain, however, in the Treasury or in such other offices of the City as may be necessary, such amounts of public money as may be needed in the opinion of the Director of Finance to transact the daily business of the Treasury or such offices.

(b) The City Treasurer shall deposit in active deposits such amounts of public monies as are needed in the opinion of the Director of Finance to provide the needed cash flow to pay City warrants and checks issued and outstanding, and a reasonable surplus in addition to the amount needed to pay such warrants and checks. All public monies of the City not deposited in active deposits or retained pursuant to division (a) of this section shall be invested in accordance with Section 178.12 of this chapter.

(c) Each division of the City receiving public monies shall deposit all public monies coming into its custody or control with an eligible depository on the business day next following the day of receipt if the total amount of such monies received exceeds one thousand dollars (\$1,000.00). If the total amount of the monies received does not exceed one thousand dollars

(\$1,000.00), the monies shall be deposited on or before the third business day following the day of receipt. Any division of the City depositing public monies shall report such deposit in writing to the City Treasurer within twenty-four (24) hours of making the deposit.

(d) Before noon of each business day, the City Treasurer shall prepare a sworn statement delineating the total amount deposited in each eligible depository of the City during the preceding day, the number and amount of payment instruments issued on each eligible depository during the preceding business day and such other information as required by the Director of Finance. Copies of the statement shall be furnished to the Commissioner of Accounts and the City Controller. All money paid to the Treasurer shall be paid upon the order or draft of the Commissioner of Accounts and receipts therefor shall be given in duplicate, one (1) of which shall have printed on its face the word "original" and the other, the word "duplicate." The duplicates of receipts for money shall be filed with the Commissioner of Accounts and each receipt shall state the amount received, from whom received and to what fund the same is to be applied.

(e) The City Controller shall maintain the records of the amount of

deposits made by the City Treasurer with each eligible depository and instruments issued by the City Treasurer on each eligible depository. The City Controller shall duly certify to the correctness of the City Treasurer's daily sworn statements, prepared in accordance with division (c) of this section, if they are found to be correct upon comparison with their respective books. Such sworn statements shall be kept on file in the office of the City Controller. If any such sworn statement is found to be incorrect, the City Controller shall forthwith give notice of such fact to the City Treasurer and the Director of Finance. After the end of each month, the City Controller shall reconcile the statements of the respective eligible depositories to the City Treasurer's daily statements and the City's accounting records. If the accounting records are found to be incorrect, the City Controller shall forthwith give notice of such fact to the Commissioner of Accounts and the City Treasurer.

(f) The Commissioner of Accounts shall maintain books which will show the cash balance of each fund, and shall issue no warrant payable from any such fund unless there is money belonging thereto for the payment of the warrant in full.

(g) Funds coming into the City's possession as a result of the sale of bonds, certificates of participation, or other debt instruments shall be deposited and invested in accordance with the applicable indenture of trust. Such funds shall be placed with a trustee institution, which institution shall be a depository, as defined in division (d) of Section 178.01, but is not required to be an eligible depository under division (e) of Section 178.01.

Section 2. That existing Section 178.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1660-04, passed October 11, 2004, is repealed.

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

Passed February 29, 2016.
Effective March 1, 2016.

Ord. No. 263-16.
By Council Member Cimperman.
An emergency ordinance authorizing and directing the Director of Office of Capital Projects to issue a permit to the Cleveland Public Theatre to stretch banners on Church Avenue between West 25th Street and West 28th Street, for the period from March 31, 2016 to April 29, 2016, inclusive, promoting the Cleveland Public Theatre's Station Hope event.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Office of Capital Projects is hereby authorized and

directed to issue a permit to the Cleveland Public Theatre to stretch banners on Church Avenue between West 25th Street and West 28th Street, for the period from March 31, 2016 to April 29, 2016, inclusive, promoting the Cleveland Public Theatre's Station Hope event; inclusive. Said banner shall be approved by the Office of Capital Projects, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed February 29, 2016.
Effective March 1, 2016.

Ord. No. 264-16.
By Council Member Mitchell.
An emergency ordinance consenting and approving the issuance of a permit Eleventh Annual Run/Walk for Peace, on April 17, 2016, sponsored by Our Lady of Peace Parish.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of Eleventh Annual Run/Walk for Peace, on April 17, 2016; start at Shaker Boulevard and East 126th Street; Shaker west to Martin Luther King, Jr. Drive; Martin Luther King, Jr. Drive north to Larchmere Boulevard; Larchmere east to East 126th Street; East 126th south to Shaker Boulevard and finish at Our Lady of Peace Parish; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed February 29, 2016.
Effective March 1, 2016.

Ord. No. 265-16.
By Council Members Conwell and Mitchell.

An emergency ordinance consenting and approving the issuance of a permit for the 2016 Hudson Relays, on April 23, 2016, sponsored by Case Western Reserve University.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the 2016 Hudson Relays, on April 23, 2016, start: at 'The Rock' on the CWRU campus; next to Fribley, near the bottom of the elephant steps; in front of Carlton Commons, top of stairs; to top of Edgemoor Road at Overlook Road; to front of the Greenhouse Restaurant; to corner of Euclid Avenue and Adelbert Road (runner must pass baton after crossing Euclid Avenue, in front of Severance Hall; in front of the Peter B. Lewis building, corner of Bellflower Road and Ford Drive; just past the driveway of the tiny lot at the southeastern edge of the Northside Residential Village on Juniper Road; in front of Pierce house in the Northeast Residential Village; in front of Clark Hall on the Mather Quad; back at 'The Rock'; PRESIDENT'S LAST LAP ONLY; the last runner (President) receives the baton at 'The Rock' by Adelbert Hall and runs into the Quad up the Wickenden side and around and back to 'The Rock' down the Strosacker side; each team will conclude their race back at 'The Rock'; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed February 29, 2016.
Effective March 1, 2016.

Ord. No. 266-16.
By Council Member Cimperman.
An emergency ordinance consenting and approving the issuance of a permit for the St. Malachi's Church Run, on March 12, 2016, sponsored by Hermes Sports & Events, Inc.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of

the St. Malachi's Church Run, on March 12, 2016; start: Veterans Memorial Bridge; Veterans Bridge east to West 9th Street; West 9th north to St. Clair Avenue; St. Clair east to Ontario Avenue; Ontario north to Lakeside Avenue; Lakeside west to West 3rd Street; West 3rd north to Erieside Avenue; Erieside east to North Marginal Road; North Marginal Road east to Burke Airport Loop Drive; turn around, North Marginal Road west to Erieside Avenue; Erieside west to West 3rd Street; West 3rd south to Lakeside Avenue; Lakeside west to West 9th Street; West 9th south to Superior Avenue; Superior west to West 25th Street; West 25th north to Washington Avenue; Washington east to Center Street; Center Street north to finish line; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the

Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed February 29, 2016.
Effective March 1, 2016.

COUNCIL COMMITTEE MEETINGS

**Monday, March 7, 2016
9:30 a.m.**

Municipal Services and Properties Committee: Present: K. Johnson, Chair; Brancatelli, Kazy. *Authorized Absence:* Dow, Vice Chair; Cummins, J. Johnson, Reed. *Pro tempore:* Kelley.

**Wednesday, March 9, 2016
10:00 a.m.**

Transportation Committee: Present: Keane, Chair; J. Johnson, K. Johnson, Kazy. *Authorized Absence:* Dow, Vice Chair; Conwell, Reed.

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