

The City Record

Official Publication of the Council of the City of Cleveland



April the Nineteenth, Two Thousand and Seventeen

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 Kerry McCormack
- 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

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www.clevelandcitycouncil.org

Containing	PAGE
City Council	3
The Calendar	20
Board of Control	22
Civil Service	25
Board of Zoning Appeals	29
Board of Building Standards and Building Appeals	31
Public Notice	31
Public Hearings	31
City of Cleveland Bids	31
Adopted Resolutions and Ordinances	32
Committee Meetings	41
Index	42



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	Kerry McCormack	1429 West 38th Street	44113
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

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
 Matt Gray, Executive Assistant to the Mayor, Chief of Sustainability
 Natoya J. Walker Minor, Executive Assistant to the Mayor, Chief of Public Affairs
 Edward W. Rybka, Executive Assistant to the Mayor, Chief of Regional Development
 Duane Deskins, Executive Assistant to the Mayor, Chief of Prevention, Intervention and Opportunity for Youth and Young Adults
 Dan Williams, Media Relations Director

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

Architecture and Site Development – _____ Manager
 Engineering and Construction – Richard J. Switalski, Manager
 Real Estate – James DeRosa, Commissioner

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

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

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

DEPT. OF PORT CONTROL – Robert Kennedy, Director, Cleveland Hopkins International Airport, 5300 Riverside Drive
 DIVISIONS:

Burke Lakefront Airport – Khalid Bahhur, Commissioner
 Cleveland Hopkins International Airport – 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 – Kim Johnson, 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 – Randall T. Scott, Interim Commissioner

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

Air Quality – David Hearn, Interim Commissioner
 Environment – Brian Kimball, Commissioner, 75 Erieview Plaza
 Health – Persis Sosiak, Commissioner, 75 Erieview Plaza

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

DIVISIONS:
 Animal Control Services – 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 – Michael Cosgrove, 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 – Ayonna Blue Donald, Interim Director, Room 500
 DIVISIONS:

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

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

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

DEPT. OF AGING – Mary McNamara, 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; Barry A. Withers, Interim 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: Henry Bailey, Kelley Britt, 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; Public Utilities Director Robert L. Davis; Council President Kevin J. Kelley.

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

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

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

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

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

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

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

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

Judge Courtroom
 Presiding and Administrative Judge Ronald B. Adrine – Courtroom 15A
 Judge Pinkey S. Carr – Courtroom 15C
 Judge Marilyn B. Cassidy – Courtroom 13A
 Judge Janet Rath Colaluca – Courtroom 12B
 Judge Michelle Denise Earley – Courtroom 14C
 Judge Emanuella Groves – Courtroom 14B
 Judge Jimmy L. Jackson, Jr. – Courtroom 12A
 Judge Lauren C. Moore – Courtroom 14A
 Judge Charles L. Patton, Jr. – Courtroom 13D
 Judge Ronald J.H. O’Leary (Housing Court Judge) – Courtroom 13B
 Judge Michael R. Sliwinski – Courtroom 13C
 Judge Suzan Marie Sweeney – Courtroom 12C
 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.

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71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 104

WEDNESDAY, APRIL 19, 2017

No. 5393

CITY COUNCIL

MONDAY, APRIL 17, 2017

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

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2015-2017

MONDAY — Alternating

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

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), Cummins, Dow, McCormack, 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), Kazy, Keane, McCormack, Mitchell, Polensek.

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

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.

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio
April 17, 2017

The meeting of the Council was called to order at 7:05 p.m. with the President of Council, Kevin J. Kelley, in the Chair.

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

Also present were: Mayor Frank G. Jackson, Chief of Staff Ken Siliman, Chief Operating Officer Darnell Brown, Chief of Government Affairs Valarie J. McCall, Chief of Regional Development Edward W. Rybka, Chief of Education Monyka S. Price, Media Relations Director Dan Williams, Chief of Sustainability Matt Gray, Chief of Public Affairs Natoya Walker-Minor, Chief of Prevention, Intervention and Opportunity for Youth and Young Adults Duane Deskins, and Directors Langhenry, Davis, Kennedy, Spronz, Gordon, McGrath, Cox, Cosgrove, Donald, Ebersole, Griffin, Collier, McNamara, Withers and Burrows.

MOTION

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

MOTION

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

PLATS

File No. 420-17.

Dedication Plat for Mercury Townhomes, on West 17th Street, south of Hope Memorial (Lorain-Carnegie) Bridge. Approved by Committees on Municipal Services and Properties, and Development Planning and Sustainability. Without objection, Plat approved.

File No. 421-17.

Dedication Plat for the multi-phase development on the east bank of the Cuyahoga River, north of Cleveland Memorial Shoreway, on Old River Road, Front Avenue, Main Avenue and West 10th Street. Approved by Committees on Municipal Services and Properties, and Development Planning and Sustainability. Without objection, Plat approved.

FROM OHIO DIVISION OF LIQUOR CONTROL

File No. 408-17.

RE: #8980087. Stock Transfer Application, D2 D2X D3 D3A D6. Tomo Hibachi Restaurant & Lounge LLC, 1293 West 9th St. (Ward 3). Received.

File No. 409-17.

RE: #6548334. New License Application, D5J. 11460 Uptown Operating Company LLC, 11460 Uptown Ave. (Ward 6). Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 422-17 — Roger St. Clair.

Res. No. 432-17 — Michael and Trina Kuznik.

Res. No. 433-17 — Robert Godwin, Sr.

CONGRATULATIONS RESOLUTIONS

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

Res. No. 423-17 — Mighty Golden Echoes - 70th Anniversary.

Res. No. 424-17 — Seung K. "Sam" Kim.

Res. No. 425-17 — Basil M. Russo.
Res. No. 426-17 — Wael Khoury, M.D.

Res. No. 427-17 — James Cracium.
Res. No. 428-17 — Mona Alag.

COMMEMORATION RESOLUTION

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

Res. No. 429-17 — William "Bill" F. Miller.

WELCOME RESOLUTION

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

Res. No. 430-17 — Lux in Tenebris.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 410-17.

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

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. CT 3001 PS 2015-102 with AvAirPros Services, Inc. to provide maintenance, operation, and management of the City-owned common use facilities at Cleveland Hopkins International Airport.

Whereas, under the authority of Ordinance No. 466-14, passed May 12, 2014, the Director of Port Control entered into Contract No. CT 3001 PS 2015-102 with AvAirPros Services, Inc. to provide maintenance, operation, and management of the City-owned common use facilities at Cleveland Hopkins International Airport; and

Whereas, Ordinance No. 466-14 requires further legislation before exercising the first option to renew on this contract; and

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

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

Section 1. That the Director of Port Control is authorized to exercise the first option to renew Contract No. CT 3001 PS 2015-102 for an additional year with AvAirPros Services, Inc. to provide maintenance, operation, and management of the City-owned common use facilities at Cleveland Hopkins International Airport. This ordinance constitutes the additional legislative authority required by Ordinance No. 466-14 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. 411-17.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the issuance and sale of bonds in the maximum principal amount of \$18,500,000 for the purpose of providing funds to improve municipal parks and recreation facilities and authorizing related matters.

Whereas, this Council desires to issue bonds in an aggregate principal amount not to exceed \$18,500,000 (the "Series 2017 Bonds") to finance the costs of certain permanent improvements described in Section 1; and

Whereas, the Series 2017 Bonds shall be payable from and secured by income tax revenues of the City remaining after deposits required under the General Bond Ordinance (as defined in Section 2) are made to the escrow agent for the City's general obligation bonds; and

Whereas, the Director of Finance, as fiscal officer of this City, has certified to this Council that the estimated life or usefulness of the improvements to be financed with the proceeds of the Series 2017 Bonds is at least five years and the maximum maturity of the Series 2017 Bonds is 29 years, as evidenced by the certificate contained in File No. 411-17-A; and

Whereas, the authorization for issuance of the Series 2017 Bonds is necessary to provide funds to pay the costs of certain permanent improvements described in Section 1 that are urgently needed for the benefit of the City, and as a result, this Ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health and safety, and for the usual daily operation of a municipal department; now, therefore,

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

Section 1. Purpose. It is deemed necessary to issue the Series 2017 Bonds in an aggregate principal amount not to exceed \$18,500,000 for the purpose of providing funds to improve municipal parks and recreation facilities by constructing, reconstructing, installing, renovating, enlarging and otherwise improving parks and recreation centers and areas, pools, aquatic facilities, skating rinks, greenhouses, bicycle paths, playgrounds, playfields, basketball courts, tennis courts, baseball fields and other recreational tracks and fields, and related buildings, structures, walkways, pavement, safety surfaces and facilities, and providing necessary water systems, drainage, lighting, signage, fixtures, furnishings, equipment, safety modifications and site improvements, together with all necessary and incidental appurtenances and the acquisition of any required real estate and interests in real estate and the demolition of any existing buildings, structures, walkways and facilities, and to pay any capitalized interest and all expenses incurred in connection with the issuance of the securities, including all financing costs within the meaning of Section 133.01(K) of the Revised Code and such other costs of the foregoing permanent improvements that may be financed with the proceeds of securities as permitted by Section 133.15(B) of the Ohio Revised Code and as otherwise permitted by law.

Section 2. Authority, Security and Source of Payment. The Series 2017 Bonds shall be issued pursuant to the Ohio Constitution, Chapter 133 of the Ohio Revised Code, the Charter of the City, and this Ordinance for the purpose stated in Section 1. The Series 2017 Bonds shall be payable from and secured by the income tax revenues of the City on a basis subordinate to the security given to the General Obligation Bonds of the City ("General Obligation Bonds") under Ordinance No. 1749-80 passed by the Council on October 8, 1980, as amended by

Ordinance No. 1112-83 passed by the Council on May 6, 1983, and Ordinance No. 944-96, passed by the Council on June 10, 1996 (Ordinance No. 1749-80, as so amended and as the same may further be amended from time to time in accordance with its provisions, is referred to as the "General Bond Ordinance"). The debt service on the Series 2017 Bonds shall be payable from income tax collections remaining after depositing with the escrow agent under the General Bond Ordinance the amount required for the payment of debt service on the City's General Obligation Bonds issued and outstanding, from time to time, under the General Bond Ordinance. The Series 2017 Bonds shall be issued and secured under the terms of the Trust Indenture, dated as of April 1, 2008, between the City and U.S. Bank National Association, as trustee (the "Trustee"), as amended by Section 6.1 of the Second Supplemental Trust Indenture, dated as of June 1, 2010, between the City and the Trustee (together, the "Indenture"). The Indenture currently secures five series of Subordinate Lien Income Tax Bonds issued on May 1, 2008 (collectively, the "Series 2008 Bonds"), four series of Subordinate Lien Income Tax Bonds issued on June 23, 2010 (collectively, the "Series 2010 Bonds"), one series of Subordinate Lien Income Tax Bonds issued on November 29, 2012 (the "Series 2012 Bonds"), three series of Subordinate Lien Income Tax Bonds issued on May 30, 2013 (collectively, the "Series 2013 Bonds"), three series of Subordinate Lien Income Tax Bonds issued on February 11, 2014 (collectively, the "Series 2014A Bonds"), three series of Subordinate Lien Income Tax Bonds issued on June 11, 2014 (collectively, the "Series 2014B Bonds"), four series of Subordinate Lien Income Tax Bonds issued on April 9, 2015 (collectively, the "Series 2015A Bonds") and five series of Subordinate Lien Income Tax Refunding Bonds issued on September 16, 2015 (collectively, the "Series 2015B Bonds") and permits the issuance of additional bonds, from time to time, subject to certain restrictions. The Series 2008 Bonds, the Series 2010 Bonds, the Series 2012 Bonds, the Series 2013 Bonds, the Series 2014A Bonds, the Series 2014B Bonds, the Series 2015A Bonds, the Series 2015B Bonds, the Series 2017 Bonds and any additional bonds issued under the Indenture are collectively referred to in this Ordinance as the "Bonds."

Section 3. Pledge and Covenant to Maintain Income Tax. So long as Bonds are outstanding under the Indenture, the City pledges the municipal income taxes of the City and grants a lien thereon, subordinate to the lien granted in the General Bond Ordinance as security for the General Obligation Bonds of the City issued and outstanding under the General Bond Ordinance, to the full extent required to meet debt charges payable on the Bonds issued and outstanding, from time to time, under the Indenture. The City covenants to appropriate annually sufficient amounts from the income taxes to pay all debt charges on the General Obligation Bonds, the Bonds outstanding under the Indenture, any Parity Obligations and the Unrestricted Income Tax Obligations (each as defined in the Indenture). The City further covenants that so long as any Bonds are outstanding under the Indenture,

the City shall not repeal or amend, or suffer the repeal of, any ordinance for the levy or collection of its income taxes in any manner or to such extent that the City would not be able to meet its obligations to the holders of the Bonds.

Section 4. Terms of the Series 2017 Bonds. The Series 2017 Bonds shall be issued in fully registered form. The Series 2017 Bonds may be issued in one or more series or subseries. The Series 2017 Bonds may be delivered only in book-entry form, and if so delivered, shall be registered in the name of the Depository (as defined in the Indenture) or its nominee, as registered owner, and immobilized in the custody of the Depository, and shall not be transferable or exchangeable (except for transfer to another Depository or its nominee) without further action by the City pursuant to the provisions of the Indenture and the Ninth Supplement identified in Section 7. The Series 2017 Bonds shall be designated "Parks and Recreation Facilities Improvement Bonds, Series 2017" and may contain such further designation as provided in the Certificate of Award identified below. The Series 2017 Bonds shall be issued in one lot as fully registered Series 2017 Bonds in denominations of \$5,000 or any whole multiple thereof. The Series 2017 Bonds shall be numbered as determined by the Director of Finance. The Series 2017 Bonds shall be signed by the officials of the City and in the manner set forth in the Indenture.

The Series 2017 Bonds shall be dated the date of their issuance and delivery or such other date specified in the certificate of award providing for the final terms of the Series 2017 Bonds and the sale of the Series 2017 Bonds in accordance with this Ordinance (the "Certificate of Award"). The Series 2017 Bonds shall bear interest from their date until the principal amount is paid at the rate or rates per year specified in the Certificate of Award, provided that the yield (determined in accordance with the arbitrage provisions of the Internal Revenue Code of 1986, as amended) of the Series 2017 Bonds shall not exceed 6% per year, if sold as fixed rate obligations. Interest on the Series 2017 Bonds shall be payable semi-annually on April 1 and October 1, or such other dates specified in the Certificate of Award (the "Interest Payment Dates").

The provisions of Sections 9.98 to 9.983 of the Revised Code shall apply to the Series 2017 Bonds and pursuant to that authority and this Ordinance, the Director of Finance may determine in the Certificate of Award, based on the written advice of a financial advisor, that the City's best interests will be served by causing all or a portion of the Series 2017 Bonds to be obligations bearing interest at variable rates. If the Director of Finance so determines, then the Director of Finance shall specify in the Certificate of Award the method and procedure by which the variable rate of interest to be borne by the variable rate Series 2017 Bonds shall be determined; provided that the variable rate Series 2017 Bonds shall not bear interest at a rate in excess of 25% per year. The Director of Finance is authorized to enter into agreements in connection with the delivery of the variable rate Series 2017 Bonds, and from time to time thereafter so long as the variable rate Series 2017 Bonds are

outstanding, with providers of Credit Support Instruments (as defined in Section 11) and others as may be determined by the Director of Finance, based on the written advice of a financial advisor, to be necessary or appropriate to provide for the method of determining the variable interest rates, permitting holders the right of tender, providing for liquidity or credit support for the payment of the variable rate Series 2017 Bonds upon tender for purchase or redemption, and providing for the repayment by the City of any amounts drawn under the Credit Support Instrument.

The Series 2017 Bonds shall mature in the years and principal amounts set forth in the Certificate of Award, provided that (i) each principal payment shall occur on an Interest Payment Date, and (ii) the final maturity date of the Series 2017 Bonds shall be no later than August 1, 2048; provided that the Series 2017 Bonds shall not have more than 29 annual principal installments. The Series 2017 Bonds stated to mature in any year may be issued as serial Series 2017 Bonds or as term Series 2017 Bonds payable prior to stated maturity pursuant to sinking fund redemption (the "Term Bonds"). The Director of Finance shall determine in the Certificate of Award whether any of the Series 2017 Bonds shall be issued as Term Bonds, any dates (the "Mandatory Redemption Dates") on which the principal amount of the Term Bonds shall be payable pursuant to mandatory sinking fund installments rather than at stated maturity and the amount of principal to be paid on each Mandatory Redemption Date (the "Mandatory Sinking Fund Redemption Requirements").

If any of the Series 2017 Bonds are issued as Term Series 2017 Bonds, the Term Bonds shall be redeemed pursuant to the Mandatory Sinking Fund Redemption Requirements at a redemption price of 100% of the principal amount redeemed, plus interest accrued to the redemption date, on the Mandatory Redemption Dates. The aggregate of the moneys to be deposited with the Trustee for payment of principal of and interest on any Term Bonds shall include amounts sufficient to redeem on the Mandatory Redemption Dates the principal amount of Term Bonds payable on those dates pursuant to the Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as provided in the Indenture and the Ninth Supplement).

The Series 2017 Bonds may be subject to redemption prior to maturity by and at the option of the City, in whole or in part on any date, in whole multiples of \$5,000, on the redemption dates and at the redemption prices specified in the Certificate of Award, plus, in each case, accrued interest to the redemption date. Based on the written advice of a financial advisor, the Director of Finance may determine in the Certificate of Award that it is in the best interests of the City (i) for some or all of the Series 2017 Bonds not to be callable prior to their stated maturity, and (ii) for a premium to be payable on the redemption of any Series 2017 Bonds calculated in a manner to make the bondholder whole for the loss of the investment or calculated as a percentage in excess of 100% of the principal amount redeemed.

If and to the extent provided in the Certificate of Award, the City may have the option to purchase any Bond which is redeemable by optional redemption at a purchase price not less than the redemption price that would be payable if that Bond were called for optional redemption on the date of the proposed purchase. That election shall be exercised as provided in the Ninth Supplement.

If and to the extent provided in the Certificate of Award, the Series 2017 Bonds may be secured by a Debt Service Reserve Fund to be held by the Trustee under the Indenture. The principal amount of the Series 2017 Bonds may include provision for funding the Debt Service Reserve Fund from the proceeds of the Series 2017 Bonds, subject to compliance with applicable federal tax laws.

Section 5. Sale of Series 2017 Bonds. The Series 2017 Bonds shall first be offered for purchase to the Trustees of the Sinking Fund and, if not purchased by them, shall be offered to the Treasury Investment Account for purchase and, if not purchased for that Account, shall be sold to the purchaser identified in the Certificate of Award (the "Original Purchaser"). The Certificate of Award shall specify the final terms of the Series 2017 Bonds in accordance with law, the provisions of this Ordinance, the written advice of a financial advisor retained under authority of Section 12 and the Original Purchaser's offer to purchase the Series 2017 Bonds, including: the principal amount of the Series 2017 Bonds (which shall not exceed the amount stated in Section 1), the purchase price (which shall be not less than 97% of the principal amount plus accrued interest to their date of delivery), interest rate or rates, the amounts and years in which principal installments are payable (at stated maturity or pursuant to Mandatory Sinking Fund Redemption Requirements), terms and conditions under which any Series 2017 Bonds may be redeemed prior to maturity at the option of the City, the Interest Payment Dates and the date of the Series 2017 Bonds (if different from those set forth in Section 3) and any other matters required in this Ordinance to be set forth in that Certificate. As appropriate under the Charter, the Mayor, Director of Finance, Director of Law, Clerk of Council and other appropriate officers of the City are, and each of them is, authorized to take such actions as are necessary, appropriate and in the best interest of the City to establish the terms and requirements for delivery of the Series 2017 Bonds and to make such arrangements as are necessary with the Original Purchaser in order to establish the date, location, procedures, and conditions for the delivery of the Series 2017 Bonds to the Original Purchaser, to give all appropriate notices and certificates, to cause a true transcript of proceedings with reference to the issuance of the Series 2017 Bonds to be delivered to the Original Purchaser, to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance and to take all steps necessary to effect the due execution, authentication and delivery of the Series 2017 Bonds. The Director of Finance is authorized to

sign and deliver on behalf of the City a bond purchase agreement between the City and the Original Purchaser (the "Bond Purchase Agreement"), approved as to form by the Director of Law, setting forth the terms and conditions on which the City agrees to sell the Series 2017 Bonds and the Original Purchaser agrees to buy the Series 2017 Bonds on terms consistent with this Ordinance and the Indenture, that are not substantially adverse to the City and that are approved by the Director of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Bond Purchase Agreement or amendments to the Bond Purchase Agreement by the Director of Finance. It is determined that the terms of the Series 2017 Bonds, as provided in this Ordinance and as may be provided in or pursuant to the Certificate of Award, the Indenture and the Ninth Supplement, are in the best interest of the City and in compliance with all legal requirements.

Section 6. Application of Proceeds. The proceeds from the sale of the Series 2017 Bonds shall be applied as follows:

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

(b) to the Trustee, for deposit in the Interest Payment Account in the Debt Service Fund, the amount, if any, received by the City upon delivery of the Series 2017 Bonds as accrued interest from their dated date to the date of their delivery to the Original Purchaser;

(c) to the Trustee, for deposit in the Debt Service Reserve Fund, any amount identified in the Certificate of Award as required to be deposited in the Debt Service Reserve Fund;

(d) to the Trustee, for deposit in the Interest Payment Account in the Debt Service Fund, the amount, if any, received by the City upon delivery of the Series 2017 Bonds as original issue premium from the sale of the Series 2017 Bonds; and

(e) to the Trustee for deposit in the Project Fund, the balance of the proceeds.

Section 7. Supplemental Indenture. The Director of Finance is authorized to sign and deliver on behalf of the City a supplemental trust indenture (the "Ninth Supplement"), supplementing the Indenture to provide procedures for the authentication, registration and transfer of the Series 2017 Bonds, redemption of Series 2017 Bonds, payments under any Credit Support Instrument authorized by Section 11, application of the proceeds of the Series 2017 Bonds, defeasance of the Series 2017 Bonds, and other terms consistent with this Ordinance and the Certificate of Award and approved by the Director of Finance as not substantially adverse to the City. The Ninth Supplement shall be approved as to form by the Director of Law. The determination by the Director of Finance that the provisions of the Ninth Supplement are not substantially adverse to the City shall be conclusively evidenced by the Director's signing of the Ninth Supplement. As appropriate under the Charter, the Mayor, the Director of Finance, the Director of Law, the Clerk of Council and other appropriate officers of the City are, and each of

them is, authorized to sign, acknowledge and deliver, in the name and on behalf of the City, such documents, certifications and instruments in addition to the Indenture and Ninth Supplement as may be necessary or appropriate to issue and sell the Series 2017 Bonds and to consummate the transactions authorized by this Ordinance.

Section 8. Bond Anticipation Notes. For the purpose of raising money in anticipation of the issuance of the Series 2017 Bonds for the purpose set forth in Section 1, notes of the City may be issued in an aggregate principal amount not to exceed \$18,500,000 (the "Notes") upon the direction of the Director of Finance to be set forth in a certificate providing for the final terms of the Notes and the sale of the Notes and signed by the Director of Finance (the "Note Certificate of Award"). The Notes, if sold as fixed rate obligations, shall bear interest at such rate, not exceeding 3% per year, and shall be payable on the date or dates, as shall be determined by the Director of Finance of the City in the Note Certificate of Award; shall be dated their date of issuance; shall mature on the date set forth in the Note Certificate of Award; shall be subject to redemption by the City at any time prior to maturity without penalty, unless the Director of Finance, based on the advice of a financial advisor, determines that it is in the best interest of the City in order to enhance the marketability of the Notes, that the Notes not be redeemable prior to maturity or that a premium be paid on their prior redemption; shall be designated "Parks and Recreation Facilities Bond Anticipation Notes" or as otherwise provided in the Note Certificate of Award; shall be issued in such numbers and denominations as may be requested by the Note Purchaser (hereinafter defined); and shall be issued in fully registered form (which may be in a book entry only system). The provisions of Sections 9.98 to 9.983 of the Revised Code shall apply to the Notes and pursuant to that authority and this Ordinance, the Director of Finance may determine in the Certificate of Award, based on the written advice of a financial advisor, that the City's best interests will be served by causing all or a portion of the Notes to be obligations bearing interest at variable rates. If the Director of Finance so determines, then the Director of Finance shall specify in the Certificate of Award the method and procedure by which the variable rate of interest to be borne by the variable rate Notes shall be determined; provided that the variable rate Notes shall not bear interest at a rate in excess of 25% per year. The Director of Finance is authorized to enter into agreements in connection with the delivery of the variable rate Notes, and from time to time thereafter so long as the variable rate Notes are outstanding, with providers of Credit Support Instruments (as defined in Section 11) and others as may be determined by the Director of Finance, based on the written advice of a financial advisor, to be necessary or appropriate to provide for the method of determining the variable interest rates, permitting holders the right of tender, providing for liquidity or credit support for the payment of the variable rate Notes upon tender for

purchase or redemption, and providing for the repayment by the City of any amounts drawn under the Credit Support Instrument. The Trustee shall be the authenticating agent, registrar, transfer agent and paying agent for the Notes. The Notes shall be signed by the officials of the City and in the manner set forth in the Indenture. The Notes shall first be offered for purchase to the Trustees of the Sinking Fund and, if not purchased by them, shall be offered to the Treasury Investment Account for purchase and, if not purchased for that Account, shall be sold at not less than par and accrued interest to one or more firms that have proposed to underwrite the Notes and have been selected by the Director of Finance based on an evaluation of the qualifications of those firms (the "Note Purchaser") in the principal amount set forth in a certificate of award to be executed by the Director of Finance (the "Note Certificate of Award"). The proceeds of such sale shall be paid into the proper fund or funds set forth in the Note Certificate of Award and used for the purpose for which the Notes are being issued under the provisions of this Ordinance.

Section 9. Official Statement; Continuing Disclosure. If, in the judgment of the Director of Finance, a disclosure document (each, an "Official Statement") is appropriate or necessary in connection with the sale of the Notes or the Series 2017 Bonds, the Director of Finance is authorized to prepare or cause to be prepared on behalf of the City an Official Statement with respect to the Notes or the Series 2017 Bonds, as the case may be, and any necessary supplements and to authorize the use and distribution of each Official Statement and any supplements. The Director of Finance is authorized to sign on behalf of the City and in her official capacity each Official Statement and any supplements approved by her. The Director of Finance is authorized to sign and deliver on behalf of the City and in her official capacity such certificates in connection with the accuracy of each Official Statement and any supplements as may, in her judgment, be necessary or appropriate. The Director of Finance is also authorized to determine and certify on behalf of the City that such disclosure document is "deemed final" by the City within the meaning of Securities and Exchange Commission Rule 15c2-12 the "SEC Rule." The Director of Finance is authorized to contract for services for the production and distribution of preliminary and final Official Statements, including by printed and electronic means.

For the benefit of the holders and beneficial owners from time to time of the Notes or the Series 2017 Bonds, the City agrees, in accordance with, and as the only obligated person with respect to the Notes and the Series 2017 Bonds under the SEC Rule, to provide or cause to be provided such financial information and operating data and notices, in such manner as may be required for purposes of the SEC Rule. In order to describe and specify certain terms of the City's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Director of Finance is authorized to prepare, or cause to be

prepared, and to sign and deliver, in the name and on behalf of the City, a continuing disclosure agreement or certificate, which shall constitute the continuing disclosure agreement made by the City for the benefit of the holders and beneficial owners of the Notes or the Series 2017 Bonds, as the case may be, in accordance with the SEC Rule. The performance of that agreement shall be subject to the availability of funds and their annual appropriation to meet costs the City would be required to incur to perform it. The Director of Finance is further authorized to establish procedures in order to ensure compliance by the City with its continuing disclosure agreement, including the timely provision of information and notices.

Section 10. Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Series 2017 Bonds and any Notes in such manner and to such extent as may be necessary so that (i) the Series 2017 Bonds and any Notes will not (A) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Internal Revenue Code of 1986, as amended (the "Code") or (B) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (ii) the interest on the Series 2017 Bonds and any Notes will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (i) it will take or cause to be taken such actions that may be required of it for the interest on the Series 2017 Bonds and any Notes to be and remain excluded from gross income for federal income tax purposes, (ii) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (iii) it, or persons acting for it, will, among other acts of compliance, (A) apply the proceeds of the Series 2017 Bonds and any Notes to the governmental purpose of the borrowing, (B) restrict the yield on investment property, (C) make timely and adequate payments to the federal government, (D) maintain books and records and make calculations and reports and (E) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Director of Finance or any other officer of the City having responsibility for issuance of the Series 2017 Bonds and any Notes is hereby authorized (i) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the City with respect to the Series 2017 Bonds and any Notes as the City is permitted to or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or tax status of the Series 2017 Bonds and any Notes or interest thereon, or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing rebate amounts or payments or penalties or making payments of special amounts in lieu of making computations to determine, or paying,

excess earnings as rebate, or obviating those amounts or payments, which action shall be in writing and signed by the officer, (ii) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the intended tax status of the Series 2017 Bonds and any Notes and (iii) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Series 2017 Bonds and any Notes, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Series 2017 Bonds and any Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on the Series 2017 Bonds and any Notes and the tax status of the Series 2017 Bonds and any Notes.

Section 11. Credit Facilities and Ratings. If the Director of Finance determines it to be in the best interests of the City, based on the written advice of a financial advisor, the Director of Finance may obtain an insurance policy, letter of credit, standby bond purchase agreement or other credit enhancement instrument as further security for the payment when due of the principal of and interest on all or any portion of the Series 2017 Bonds or any Notes (a "Credit Support Instrument"). The Director of Finance may request a rating on the Series 2017 Bonds or Notes from one or more nationally recognized rating organizations, and do any and all things and take any and all actions required to secure a Credit Support Instrument and/or a rating or ratings on the Series 2017 Bonds or Notes. The Director of Finance may enter into one or more agreements for Credit Support Instruments containing terms not materially inconsistent with this Ordinance or the Indenture. The expenditure of the amounts necessary to secure Credit Support Instruments or obtain those ratings is authorized and approved, and the Director of Finance is authorized to provide for the payment of any such amounts from the proceeds of the Series 2017 Bonds or Notes to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

Section 12. Financial Advisor. The Director of Finance may obtain the services of one or more financial advisors, from time to time, to assist the Director of Finance in making any of the determinations required by this Ordinance to be determined by the Director of Finance. The Director of Finance may rely on the written advice of any financial advisor so retained. Any financial advisor employed under the authority of this Ordinance shall be disinterested in the transaction and be independent of the Original Purchasers and any other party interested in the transaction.

Section 13. Open Meeting Determination. It is found and determined that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken, and that all deliberations of this Council in any of its committees that resulted in these formal actions were

held, in meetings open to the public in compliance with all legal requirements, including, without limitation, Section 121.22 of the Revised Code.

Section 14. Findings and Recitals of Validity. It is hereby determined, represented and recited that all acts, conditions and things necessary to be done precedent to and in the issuing of the Series 2017 Bonds and the Notes in order to make them legal, valid and binding obligations of the City have happened, been done and been performed in regular and due form as required by law; and that no limitation of indebtedness or taxation, either statutory or constitutional, will have been exceeded in the issuance of the Series 2017 Bonds or the Notes. It is further found and determined, and is represented and recited, that the provisions of Sections 28, 29, 32, 33 (including the provisions of Section 33 with respect to readings on three separate days or dispensing with such readings by a two-thirds vote of all members of the Council), 36, 37, 48 and all other applicable provisions of the City's Charter and the rules of this Council have been fully complied with and this Ordinance was passed in conformity therewith.

Section 15. Delivery to County Fiscal Officer. The Director of Finance is authorized to forward a certified copy of this Ordinance and of the Certificate of Award for the Series 2017 Bonds and any Note Certificate of Award to the County Fiscal Officer of Cuyahoga County and to secure a receipt therefor.

Section 16. Severability. Each section and each part of each section of this Ordinance is declared to be an independent section or part of a section and, notwithstanding any other evidence of legislative intent, it is declared to be the controlling legislative intent that if any such section or part of a section or any provision thereof, or the application thereof to any person or circumstance, is held to be invalid, the remaining sections or parts of sections and the application of such provisions to any other person or circumstance, other than those as to which it is held invalid, shall not be affected thereby, and it is declared to be the legislative intent that the other provisions of this Ordinance would have been passed independently of such section, or parts of a section, so held to be invalid.

Section 17. Legislative Intent. All terms, conditions, pledges, covenants or agreements on the part of the City provided for in this Ordinance are made by the voluntary act of the City under its lawful authority, including its authority under its Charter and Article XVIII of the Constitution of Ohio. Any provisions of the Codified Ordinances of the City which are inconsistent with the provisions of this Ordinance shall not apply to the Series 2017 Bonds or the Notes authorized herein.

Nothing in this Ordinance is intended to, and no provision hereof shall be applied in any manner as would, impair the obligation of contract of the City with respect to any outstanding Series 2017 Bonds, notes, certificates of indebtedness, other obligations, trust indentures, trust agreements, or other agreements or contracts made or entered into by the City and for which consideration was duly received by the City prior to the passage of this Ordinance.

Section 18. Emergency Measure. This Ordinance is declared to be an emergency measure for the immediate preservation of the public peace, property, health and safety of the City by providing funds to pay the costs of certain permanent improvements which are urgently needed for the benefit of the City and for the usual daily operation of a municipal department, and, provided this Ordinance receives the affirmative vote of two-thirds of all 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 date allowed by law.

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

Ord. No. 412-17.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the issuance and sale of bonds in the maximum principal amount of \$9,500,000 for the purpose of providing funds to improve facilities for the discharge of governmental functions or for services otherwise benefitting public safety, health and welfare, and authorizing related matters.

Whereas, this Council desires to issue bonds in an aggregate principal amount not to exceed \$9,500,000 (the "Series 2017 Bonds") to finance the costs of certain permanent improvements described in Section 1; and

Whereas, the Series 2017 Bonds shall be payable from and secured by income tax revenues of the City remaining after deposits required under the General Bond Ordinance (as defined in Section 2) are made to the escrow agent for the City's general obligation bonds; and

Whereas, the Director of Finance, as fiscal officer of this City, has certified to this Council that the estimated life or usefulness of the improvements to be financed with the proceeds of the Series 2017 Bonds is at least five years and the maximum maturity of the Series 2017 Bonds is 12 years, as evidenced by the certificate contained in File No. 412-17-A; and

Whereas, the authorization for issuance of the Series 2017 Bonds is necessary to provide funds to pay the costs of certain permanent improvements described in Section 1 that are urgently needed for the benefit of the City, and as a result, this Ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health and safety, and for the usual daily operation of a municipal department; now, therefore,

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

Section 1. Purpose. It is deemed necessary to issue the Series 2017 Bonds in an aggregate principal amount not to exceed \$9,500,000 for the purpose of providing funds to improve facilities for the discharge of governmental functions or for services otherwise benefitting the public safety, health and welfare, including constructing, reconstructing, installing, renovating, enlarging and otherwise improving buildings, structures and other facilities in, of and for police stations, fire

stations, training facilities, emergency medical centers, service stations, parking facilities, centers and other facilities, the provision of necessary fixtures, furnishings, equipment, information technology hardware and software, utilities, site improvements and appurtenances, the acquisition of vehicles, and the acquisition of any required real estate and interests in real estate, and to pay any capitalized interest and all expenses incurred in connection with the issuance of the securities, including all financing costs within the meaning of Section 133.01(K) of the Revised Code and such other costs of the foregoing permanent improvements that may be financed with the proceeds of securities as permitted by Section 133.15(B) of the Ohio Revised Code and as otherwise permitted by law.

Section 2. Authority, Security and Source of Payment. The Series 2017

Bonds shall be issued pursuant to the Ohio Constitution, Chapter 133 of the Ohio Revised Code, the Charter of the City, and this Ordinance for the purpose stated in Section 1. The Series 2017 Bonds shall be payable from and secured by the income tax revenues of the City on a basis subordinate to the security given to the General Obligation Bonds of the City ("General Obligation Bonds") under Ordinance No. 1749-80 passed by the Council on October 8, 1980, as amended by Ordinance No. 1112-83 passed by the Council on May 6, 1983, and Ordinance No. 944-96, passed by the Council on June 10, 1996 (Ordinance No. 1749-80, as so amended and as the same may further be amended from time to time in accordance with its provisions, is referred to as the "General Bond Ordinance"). The debt service on the Series 2017 Bonds shall be payable from income tax collections remaining after depositing with the escrow agent under the General Bond Ordinance the amount required for the payment of debt service on the City's General Obligation Bonds issued and outstanding, from time to time, under the General Bond Ordinance. The Series 2017 Bonds shall be issued and secured under the terms of the Trust Indenture, dated as of April 1, 2008, between the City and U.S. Bank National Association, as trustee (the "Trustee"), as amended by Section 6.1 of the Second Supplemental Trust Indenture, dated as of June 1, 2010, between the City and the Trustee (together, the "Indenture"). The Indenture currently secures five series of Subordinate Lien Income Tax Bonds issued on May 1, 2008 (collectively, the "Series 2008 Bonds"), four series of Subordinate Lien Income Tax Bonds issued on June 23, 2010 (collectively, the "Series 2010 Bonds"), one series of Subordinate Lien Income Tax Bonds issued on November 29, 2012 (the "Series 2012 Bonds"), three series of Subordinate Lien Income Tax Bonds issued on May 30, 2013 (collectively, the "Series 2013 Bonds"), three series of Subordinate Lien Income Tax Bonds issued on February 11, 2014 (collectively, the "Series 2014A Bonds"), three series of Subordinate Lien Income Tax Bonds issued on June 11, 2014 (collectively, the "Series 2014B Bonds"), four series of Subordinate Lien Income Tax Bonds issued on April 9, 2015 (collectively, the "Series 2015A Bonds") and five series of Subordinate Lien Income Tax Refunding Bonds issued on September

16, 2015 (collectively, the "Series 2015B Bonds") and permits the issuance of additional bonds, from time to time, subject to certain restrictions. The Series 2008 Bonds, the Series 2010 Bonds, the Series 2012 Bonds, the Series 2013 Bonds, the Series 2014A Bonds, the Series 2014B Bonds, the Series 2015A Bonds, the Series 2015B Bonds, the Series 2017 Bonds and any additional bonds issued under the Indenture are collectively referred to in this Ordinance as the "Bonds."

Section 3. Pledge and Covenant to Maintain Income Tax. So long as

Bonds are outstanding under the Indenture, the City pledges the municipal income taxes of the City and grants a lien thereon, subordinate to the lien granted in the General Bond Ordinance as security for the General Obligation Bonds of the City issued and outstanding under the General Bond Ordinance, to the full extent required to meet debt charges payable on the Bonds issued and outstanding, from time to time, under the Indenture. The City covenants to appropriate annually sufficient amounts from the income taxes to pay all debt charges on the General Obligation Bonds, the Bonds outstanding under the Indenture, any Parity Obligations and the Unrestricted Income Tax Obligations (each as defined in the Indenture). The City further covenants that so long as any Bonds are outstanding under the Indenture, the City shall not repeal or amend, or suffer the repeal of, any ordinance for the levy or collection of its income taxes in any manner or to such extent that the City would not be able to meet its obligations to the holders of the Bonds.

Section 4. Terms of the Series 2017

Bonds. The Series 2017 Bonds shall be issued in fully registered form. The Series 2017 Bonds may be issued in one or more series or subseries. The Series 2017 Bonds may be delivered only in book-entry form, and if so delivered, shall be registered in the name of the Depository (as defined in the Indenture) or its nominee, as registered owner, and immobilized in the custody of the Depository, and shall not be transferable or exchangeable (except for transfer to another Depository or its nominee) without further action by the City pursuant to the provisions of the Indenture and the Ninth Supplement identified in Section 7. The Series 2017 Bonds shall be designated "Public Facilities Improvement Bonds, Series 2017" and may contain such further designation as provided in the Certificate of Award identified below. The Series 2017 Bonds shall be issued in one lot as fully registered Series 2017 Bonds in denominations of \$5,000 or any whole multiple thereof. The Series 2017 Bonds shall be numbered as determined by the Director of Finance. The Series 2017 Bonds shall be signed by the officials of the City and in the manner set forth in the Indenture.

The Series 2017 Bonds shall be dated the date of their issuance and delivery or such other date specified in the certificate of award providing for the final terms of the Series 2017 Bonds and the sale of the Series 2017 Bonds in accordance with this Ordinance (the "Certificate of Award"). The Series 2017 Bonds shall bear interest from their date until the principal amount is paid at the rate or rates per year specified in the Certificate of Award,

provided that the yield (determined in accordance with the arbitrage provisions of the Internal Revenue Code of 1986, as amended) of the Series 2017 Bonds shall not exceed 6% per year, if sold as fixed rate obligations. Interest on the Series 2017 Bonds shall be payable semi-annually on April 1 and October 1, or such other dates specified in the Certificate of Award (the "Interest Payment Dates").

The provisions of Sections 9.98 to 9.983 of the Revised Code shall apply to the Series 2017 Bonds and pursuant to that authority and this Ordinance, the Director of Finance may determine in the Certificate of Award, based on the written advice of a financial advisor, that the City's best interests will be served by causing all or a portion of the Series 2017 Bonds to be obligations bearing interest at variable rates. If the Director of Finance so determines, then the Director of Finance shall specify in the Certificate of Award the method and procedure by which the variable rate of interest to be borne by the variable rate Series 2017 Bonds shall be determined; provided that the variable rate Series 2017 Bonds shall not bear interest at a rate in excess of 25% per year. The Director of Finance is authorized to enter into agreements in connection with the delivery of the variable rate Series 2017 Bonds, and from time to time thereafter so long as the variable rate Series 2017 Bonds are outstanding, with providers of Credit Support Instruments (as defined in Section 11) and others as may be determined by the Director of Finance, based on the written advice of a financial advisor, to be necessary or appropriate to provide for the method of determining the variable interest rates, permitting holders the right of tender, providing for liquidity or credit support for the payment of the variable rate Series 2017 Bonds upon tender for purchase or redemption, and providing for the repayment by the City of any amounts drawn under the Credit Support Instrument.

The Series 2017 Bonds shall mature in the years and principal amounts set forth in the Certificate of Award, provided that (i) each principal payment shall occur on an Interest Payment Date, and (ii) the final maturity date of the Series 2017 Bonds shall be no later than August 1, 2031; provided that the Series 2017 Bonds shall not have more than 12 annual principal installments. The Series 2017 Bonds stated to mature in any year may be issued as serial Series 2017 Bonds or as term Series 2017 Bonds payable prior to stated maturity pursuant to sinking fund redemption (the "Term Bonds"). The Director of Finance shall determine in the Certificate of Award whether any of the Series 2017 Bonds shall be issued as Term Bonds, any dates (the "Mandatory Redemption Dates") on which the principal amount of the Term Bonds shall be payable pursuant to mandatory sinking fund installments rather than at stated maturity and the amount of principal to be paid on each Mandatory Redemption Date (the "Mandatory Sinking Fund Redemption Requirements").

If any of the Series 2017 Bonds are issued as Term Series 2017 Bonds, the Term Bonds shall be redeemed pursuant to the Mandatory Sinking Fund Redemption Requirements at a redemption price of 100% of the

principal amount redeemed, plus interest accrued to the redemption date, on the Mandatory Redemption Dates. The aggregate of the moneys to be deposited with the Trustee for payment of principal of and interest on any Term Bonds shall include amounts sufficient to redeem on the Mandatory Redemption Dates the principal amount of Term Bonds payable on those dates pursuant to the Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as provided in the Indenture and the Ninth Supplement).

The Series 2017 Bonds may be subject to redemption prior to maturity by and at the option of the City, in whole or in part on any date, in whole multiples of \$5,000, on the redemption dates and at the redemption prices specified in the Certificate of Award, plus, in each case, accrued interest to the redemption date. Based on the written advice of a financial advisor, the Director of Finance may determine in the Certificate of Award that it is in the best interests of the City (i) for some or all of the Series 2017 Bonds not to be callable prior to their stated maturity, and (ii) for a premium to be payable on the redemption of any Series 2017 Bonds calculated in a manner to make the bondholder whole for the loss of the investment or calculated as a percentage in excess of 100% of the principal amount redeemed.

If and to the extent provided in the Certificate of Award, the City may have the option to purchase any Bond which is redeemable by optional redemption at a purchase price not less than the redemption price that would be payable if that Bond were called for optional redemption on the date of the proposed purchase. That election shall be exercised as provided in the Ninth Supplement.

If and to the extent provided in the Certificate of Award, the Series 2017 Bonds may be secured by a Debt Service Reserve Fund to be held by the Trustee under the Indenture. The principal amount of the Series 2017 Bonds may include provision for funding the Debt Service Reserve Fund from the proceeds of the Series 2017 Bonds, subject to compliance with applicable federal tax laws.

Section 5. Sale of Series 2017 Bonds. The Series 2017 Bonds shall first be offered for purchase to the Trustees of the Sinking Fund and, if not purchased by them, shall be offered to the Treasury Investment Account for purchase and, if not purchased for that Account, shall be sold to the purchaser identified in the Certificate of Award (the "Original Purchaser"). The Certificate of Award shall specify the final terms of the Series 2017 Bonds in accordance with law, the provisions of this Ordinance, the written advice of a financial advisor retained under authority of Section 12 and the Original Purchaser's offer to purchase the Series 2017 Bonds, including: the principal amount of the Series 2017 Bonds (which shall not exceed the amount stated in Section 1), the purchase price (which shall be not less than 97% of the principal amount plus accrued interest to their date of delivery), interest rate or rates, the amounts and years in which principal installments are payable (at stated maturity or pursuant to Mandatory Sinking Fund Redemption Requirements), terms and conditions

under which any Series 2017 Bonds may be redeemed prior to maturity at the option of the City, the Interest Payment Dates and the date of the Series 2017 Bonds (if different from those set forth in Section 3) and any other matters required in this Ordinance to be set forth in that Certificate. As appropriate under the Charter, the Mayor, Director of Finance, Director of Law, Clerk of Council and other appropriate officers of the City are, and each of them is, authorized to take such actions as are necessary, appropriate and in the best interest of the City to establish the terms and requirements for delivery of the Series 2017 Bonds and to make such arrangements as are necessary with the Original Purchaser in order to establish the date, location, procedures, and conditions for the delivery of the Series 2017 Bonds to the Original Purchaser, to give all appropriate notices and certificates, to cause a true transcript of proceedings with reference to the issuance of the Series 2017 Bonds to be delivered to the Original Purchaser, to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance and to take all steps necessary to effect the due execution, authentication and delivery of the Series 2017 Bonds. The Director of Finance is authorized to sign and deliver on behalf of the City a bond purchase agreement between the City and the Original Purchaser (the "Bond Purchase Agreement"), approved as to form by the Director of Law, setting forth the terms and conditions on which the City agrees to sell the Series 2017 Bonds and the Original Purchaser agrees to buy the Series 2017 Bonds on terms consistent with this Ordinance and the Indenture, that are not substantially adverse to the City and that are approved by the Director of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Bond Purchase Agreement or amendments to the Bond Purchase Agreement by the Director of Finance. It is determined that the terms of the Series 2017 Bonds, as provided in this Ordinance and as may be provided in or pursuant to the Certificate of Award, the Indenture and the Ninth Supplement, are in the best interest of the City and in compliance with all legal requirements.

Section 6. Application of Proceeds. The proceeds from the sale of the Series 2017 Bonds shall be applied as follows:

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

(b) to the Trustee, for deposit in the Interest Payment Account in the Debt Service Fund, the amount, if any, received by the City upon delivery of the Series 2017 Bonds as accrued interest from their dated date to the date of their delivery to the Original Purchaser;

(c) to the Trustee, for deposit in the Debt Service Reserve Fund, any amount identified in the Certificate of Award as required to be deposited in the Debt Service Reserve Fund;

(d) to the Trustee, for deposit in the Interest Payment Account in the Debt Service Fund, the amount, if any,

received by the City upon delivery of the Series 2017 Bonds as original issue premium from the sale of the Series 2017 Bonds; and

(e) to the Trustee for deposit in the Project Fund, the balance of the proceeds.

Section 7. Supplemental Indenture. The Director of Finance is authorized to sign and deliver on behalf of the City a supplemental trust indenture (the "Ninth Supplement"), supplementing the Indenture to provide procedures for the authentication, registration and transfer of the Series 2017 Bonds, redemption of Series 2017 Bonds, payments under any Credit Support Instrument authorized by Section 11, application of the proceeds of the Series 2017 Bonds, defeasance of the Series 2017 Bonds, and other terms consistent with this Ordinance and the Certificate of Award and approved by the Director of Finance as not substantially adverse to the City. The Ninth Supplement shall be approved as to form by the Director of Law. The determination by the Director of Finance that the provisions of the Ninth Supplement are not substantially adverse to the City shall be conclusively evidenced by the Director's signing of the Ninth Supplement. As appropriate under the Charter, the Mayor, the Director of Finance, the Director of Law, the Clerk of Council and other appropriate officers of the City are, and each of them is, authorized to sign, acknowledge and deliver, in the name and on behalf of the City, such documents, certifications and instruments in addition to the Indenture and Ninth Supplement as may be necessary or appropriate to issue and sell the Series 2017 Bonds and to consummate the transactions authorized by this Ordinance.

Section 8. Bond Anticipation Notes. For the purpose of raising money in anticipation of the issuance of the Series 2017 Bonds for the purpose set forth in Section 1, notes of the City may be issued in an aggregate principal amount not to exceed \$9,500,000 (the "Notes") upon the direction of the Director of Finance to be set forth in a certificate providing for the final terms of the Notes and the sale of the Notes and signed by the Director of Finance (the "Note Certificate of Award"). The Notes, if sold as fixed rate obligations, shall bear interest at such rate, not exceeding 3% per year, and shall be payable on the date or dates, as shall be determined by the Director of Finance of the City in the Note Certificate of Award; shall be dated their date of issuance; shall mature on the date set forth in the Note Certificate of Award; shall be subject to redemption by the City at any time prior to maturity without penalty, unless the Director of Finance, based on the advice of a financial advisor, determines that it is in the best interest of the City in order to enhance the marketability of the Notes, that the Notes not be redeemable prior to maturity or that a premium be paid on their prior redemption; shall be designated "Public Facilities Improvement Bond Anticipation Notes" or as otherwise provided in the Note Certificate of Award; shall be issued in such numbers and denominations as may be requested by the Note Purchaser (hereinafter defined); and shall be issued in fully

registered form (which may be in a book entry only system). The provisions of Sections 9.98 to 9.983 of the Revised Code shall apply to the Notes and pursuant to that authority and this Ordinance, the Director of Finance may determine in the Certificate of Award, based on the written advice of a financial advisor, that the City's best interests will be served by causing all or a portion of the Notes to be obligations bearing interest at variable rates. If the Director of Finance so determines, then the Director of Finance shall specify in the Certificate of Award the method and procedure by which the variable rate of interest to be borne by the variable rate Notes shall be determined; provided that the variable rate Notes shall not bear interest at a rate in excess of 25% per year. The Director of Finance is authorized to enter into agreements in connection with the delivery of the variable rate Notes, and from time to time thereafter so long as the variable rate Notes are outstanding, with providers of Credit Support Instruments (as defined in Section 11) and others as may be determined by the Director of Finance, based on the written advice of a financial advisor, to be necessary or appropriate to provide for the method of determining the variable interest rates, permitting holders the right of tender, providing for liquidity or credit support for the payment of the variable rate Notes upon tender for purchase or redemption, and providing for the repayment by the City of any amounts drawn under the Credit Support Instrument. The Trustee shall be the authenticating agent, registrar, transfer agent and paying agent for the Notes. The Notes shall be signed by the officials of the City and in the manner set forth in the Indenture. The Notes shall first be offered for purchase to the Trustees of the Sinking Fund and, if not purchased by them, shall be offered to the Treasury Investment Account for purchase and, if not purchased for that Account, shall be sold at not less than par and accrued interest to one or more firms that have proposed to underwrite the Notes and have been selected by the Director of Finance based on an evaluation of the qualifications of those firms (the "Note Purchaser") in the principal amount set forth in a certificate of award to be executed by the Director of Finance (the "Note Certificate of Award"). The proceeds of such sale shall be paid into the proper fund or funds set forth in the Note Certificate of Award and used for the purpose for which the Notes are being issued under the provisions of this Ordinance.

Section 9. Official Statement; Continuing Disclosure. If, in the judgment of the Director of Finance, a disclosure document (each, an "Official Statement") is appropriate or necessary in connection with the sale of the Notes or the Series 2017 Bonds, the Director of Finance is authorized to prepare or cause to be prepared on behalf of the City an Official Statement with respect to the Notes or the Series 2017 Bonds, as the case may be, and any necessary supplements and to authorize the use and distribution of each Official Statement and any supplements. The Director of Finance is authorized to sign on behalf of the City and in her official capacity each Official Statement and any supplements approved by her. The

Director of Finance is authorized to sign and deliver on behalf of the City and in her official capacity such certificates in connection with the accuracy of each Official Statement and any supplements as may, in her judgment, be necessary or appropriate. The Director of Finance is also authorized to determine and certify on behalf of the City that such disclosure document is "deemed final" by the City within the meaning of Securities and Exchange Commission Rule 15c2-12 the "SEC Rule." The Director of Finance is authorized to contract for services for the production and distribution of preliminary and final Official Statements, including by printed and electronic means.

For the benefit of the holders and beneficial owners from time to time of the Notes or the Series 2017 Bonds, the City agrees, in accordance with, and as the only obligated person with respect to the Notes and the Series 2017 Bonds under the SEC Rule, to provide or cause to be provided such financial information and operating data and notices, in such manner as may be required for purposes of the SEC Rule. In order to describe and specify certain terms of the City's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Director of Finance is authorized to prepare, or cause to be prepared, and to sign and deliver, in the name and on behalf of the City, a continuing disclosure agreement or certificate, which shall constitute the continuing disclosure agreement made by the City for the benefit of the holders and beneficial owners of the Notes or the Series 2017 Bonds, as the case may be, in accordance with the SEC Rule. The performance of that agreement shall be subject to the availability of funds and their annual appropriation to meet costs the City would be required to incur to perform it. The Director of Finance is further authorized to establish procedures in order to ensure compliance by the City with its continuing disclosure agreement, including the timely provision of information and notices.

Section 10. Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Series 2017 Bonds and any Notes in such manner and to such extent as may be necessary so that (i) the Series 2017 Bonds and any Notes will not (A) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Internal Revenue Code of 1986, as amended (the "Code") or (B) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (ii) the interest on the Series 2017 Bonds and any Notes will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (i) it will take or cause to be taken such actions that may be required of it for the interest on the Series 2017 Bonds and any Notes to be and remain excluded from gross income for federal income tax purposes, (ii) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (iii) it, or persons acting for it, will, among other acts of compliance, (A) apply the proceeds of the Series 2017 Bonds and

any Notes to the governmental purpose of the borrowing, (B) restrict the yield on investment property, (C) make timely and adequate payments to the federal government, (D) maintain books and records and make calculations and reports and (E) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Director of Finance or any other officer of the City having responsibility for issuance of the Series 2017 Bonds and any Notes is hereby authorized (i) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the City with respect to the Series 2017 Bonds and any Notes as the City is permitted to or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or tax status of the Series 2017 Bonds and any Notes or interest thereon, or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing rebate amounts or payments or penalties or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, which action shall be in writing and signed by the officer, (ii) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the intended tax status of the Series 2017 Bonds and any Notes and (iii) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Series 2017 Bonds and any Notes, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Series 2017 Bonds and any Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on the Series 2017 Bonds and any Notes and the tax status of the Series 2017 Bonds and any Notes.

Section 11. Credit Facilities and Ratings. If the Director of Finance determines it to be in the best interests of the City, based on the written advice of a financial advisor, the Director of Finance may obtain an insurance policy, letter of credit, standby bond purchase agreement or other credit enhancement instrument as further security for the payment when due of the principal of and interest on all or any portion of the Series 2017 Bonds or any Notes (a "Credit Support Instrument"). The Director of Finance may request a rating on the Series 2017 Bonds or Notes from one or more nationally recognized rating organizations, and do any and all things and take any and all actions required to secure a Credit Support Instrument and/or a rating or ratings on the Series 2017 Bonds or Notes. The Director of Finance may enter into one or more agreements for Credit Support Instruments containing terms not materially

inconsistent with this Ordinance or the Indenture. The expenditure of the amounts necessary to secure Credit Support Instruments or obtain those ratings is authorized and approved, and the Director of Finance is authorized to provide for the payment of any such amounts from the proceeds of the Series 2017 Bonds or Notes to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

Section 12. Financial Advisor. The Director of Finance may obtain the services of one or more financial advisors, from time to time, to assist the Director of Finance in making any of the determinations required by this Ordinance to be determined by the Director of Finance. The Director of Finance may rely on the written advice of any financial advisor so retained. Any financial advisor employed under the authority of this Ordinance shall be disinterested in the transaction and be independent of the Original Purchasers and any other party interested in the transaction.

Section 13. Open Meeting Determination. It is found and determined that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken, and that all deliberations of this Council any of its committees that resulted in these formal actions were held, in meetings open to the public in compliance with all legal requirements, including, without limitation, Section 121.22 of the Revised Code.

Section 14. Findings and Recitals of Validity. It is hereby determined, represented and recited that all acts, conditions and things necessary to be done precedent to and in the issuing of the Series 2017 Bonds and the Notes in order to make them legal, valid and binding obligations of the City have happened, been done and been performed in regular and due form as required by law; and that no limitation of indebtedness or taxation, either statutory or constitutional, will have been exceeded in the issuance of the Series 2017 Bonds or the Notes. It is further found and determined, and is represented and recited, that the provisions of Sections 28, 29, 32, 33 (including the provisions of Section 33 with respect to readings on three separate days or dispensing with such readings by a two-thirds vote of all members of the Council), 36, 37, 48 and all other applicable provisions of the City's Charter and the rules of this Council have been fully complied with and this Ordinance was passed in conformity therewith.

Section 15. Delivery to County Fiscal Officer. The Director of Finance is authorized to forward a certified copy of this Ordinance and of the Certificate of Award for the Series 2017 Bonds and any Note Certificate of Award to the County Fiscal Officer of Cuyahoga County and to secure a receipt therefor.

Section 16. Severability. Each section and each part of each section of this Ordinance is declared to be an independent section or part of a section and, notwithstanding any other evidence of legislative intent, it is declared to be the controlling legislative intent that if any such section or part of a section or any provision thereof, or the application

thereof to any person or circumstance, is held to be invalid, the remaining sections or parts of sections and the application of such provisions to any other person or circumstance, other than those as to which it is held invalid, shall not be affected thereby, and it is declared to be the legislative intent that the other provisions of this Ordinance would have been passed independently of such section, or parts of a section, so held to be invalid.

Section 17. Legislative Intent. All terms, conditions, pledges, covenants or agreements on the part of the City provided for in this Ordinance are made by the voluntary act of the City under its lawful authority, including its authority under its Charter and Article XVIII of the Constitution of Ohio. Any provisions of the Codified Ordinances of the City which are inconsistent with the provisions of this Ordinance shall not apply to the Series 2017 Bonds or the Notes authorized herein.

Nothing in this Ordinance is intended to, and no provision hereof shall be applied in any manner as would, impair the obligation of contract of the City with respect to any outstanding Series 2017 Bonds, notes, certificates of indebtedness, other obligations, trust indentures, trust agreements, or other agreements or contracts made or entered into by the City and for which consideration was duly received by the City prior to the passage of this Ordinance.

Section 18. Emergency Measure. This Ordinance is declared to be an emergency measure for the immediate preservation of the public peace, property, health and safety of the City by providing funds to pay the costs of certain permanent improvements which are urgently needed for the benefit of the City and for the usual daily operation of a municipal department, and, provided this Ordinance receives the affirmative vote of two-thirds of all 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 date allowed by law.

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

**Ord. No. 413-17,
By Council Member Kelley (by
departmental request).**

An emergency ordinance authorizing the issuance and sale of bonds in the maximum principal amount of \$24,775,000 for the purpose of providing funds for bridges and roadways, and authorizing related matters.

Whereas, this Council desires to issue bonds in an aggregate principal amount not to exceed \$24,775,000 (the "Series 2017 Bonds") to finance the costs of certain permanent improvements described in Section 1; and

Whereas, the Series 2017 Bonds shall be payable from and secured by income tax revenues of the City remaining after deposits required under the General Bond Ordinance (as defined in Section 2) are made to the escrow agent for the City's general obligation bonds; and

Whereas, the Director of Finance, as fiscal officer of this City, has certified to this Council that the estimated life or usefulness of the improvements to be financed with

the proceeds of the Series 2017 Bonds is at least five years and the maximum maturity of the Series 2017 Bonds is 17 years, as evidenced by the certificate contained in File No. 413-17-A; and

Whereas, the authorization for issuance of the Series 2017 Bonds is necessary to provide funds to pay the costs of certain permanent improvements described in Section 1 that are urgently needed for the benefit of the City, and as a result, this Ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health and safety, and for the usual daily operation of a municipal department; now, therefore,

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

Section 1. Purpose. It is deemed necessary to issue the Series 2017 Bonds in an aggregate principal amount not to exceed \$24,775,000 for the purpose of providing funds to improve the municipal street system and related facilities, including streets, expressways, roadways, driveways, driveway approaches, sidewalks and pedestrian walkways, by acquiring, installing, constructing, reconstructing, improving, opening, extending, widening, grading, draining, paving, sealing, resurfacing, striping, lighting and curbing; removing and installing landscape plantings around streetscapes and sidewalks; installing on-street bicycle facilities, bicycle paths and lanes, bike parking facilities, sidewalks and related pedestrian improvements; constructing and improving culverts; constructing sanitary sewers, storm sewers and water lines; resetting and constructing catch basins and other storm water drainage facilities; constructing, reconstructing, replacing and renovating bridges; acquiring any real estate and interests in real estate, including easements, necessary for such purpose; acquiring and installing street lighting and signs, signals, markings and other equipment and devices for traffic control purposes, together with all necessary and incidental appurtenances, and to pay any capitalized interest and all expenses incurred in connection with the issuance of the securities, including all financing costs within the meaning of Section 133.01(K) of the Revised Code and such other costs of the foregoing permanent improvements that may be financed with the proceeds of securities as permitted by Section 133.15(B) of the Ohio Revised Code and as otherwise permitted by law.

Section 2. Authority, Security and Source of Payment. The Series 2017 Bonds shall be issued pursuant to the Ohio Constitution, Chapter 133 of the Ohio Revised Code, the Charter of the City, and this Ordinance for the purpose stated in Section 1. The Series 2017 Bonds shall be payable from and secured by the income tax revenues of the City on a basis subordinate to the security given to the General Obligation Bonds of the City ("General Obligation Bonds") under Ordinance No. 1749-80 passed by the Council on October 8, 1980, as amended by Ordinance No. 1112-83 passed by the Council on May 6, 1983, and Ordinance No. 944-96, passed by the Council on June 10, 1996 (Ordinance No. 1749-80, as so amended and as the same may

further be amended from time to time in accordance with its provisions, is referred to as the "General Bond Ordinance"). The debt service on the Series 2017 Bonds shall be payable from income tax collections remaining after depositing with the escrow agent under the General Bond Ordinance the amount required for the payment of debt service on the City's General Obligation Bonds issued and outstanding, from time to time, under the General Bond Ordinance. The Series 2017 Bonds shall be issued and secured under the terms of the Trust Indenture, dated as of April 1, 2008, between the City and U.S. Bank National Association, as trustee (the "Trustee"), as amended by Section 6.1 of the Second Supplemental Trust Indenture, dated as of June 1, 2010, between the City and the Trustee (together, the "Indenture"). The Indenture currently secures five series of Subordinate Lien Income Tax Bonds issued on May 1, 2008 (collectively, the "Series 2008 Bonds"), four series of Subordinate Lien Income Tax Bonds issued on June 23, 2010 (collectively, the "Series 2010 Bonds"), one series of Subordinate Lien Income Tax Bonds issued on November 29, 2012 (the "Series 2012 Bonds"), three series of Subordinate Lien Income Tax Bonds issued on May 30, 2013 (collectively, the "Series 2013 Bonds"), three series of Subordinate Lien Income Tax Bonds issued on February 11, 2014 (collectively, the "Series 2014A Bonds"), three series of Subordinate Lien Income Tax Bonds issued on June 11, 2014 (collectively, the "Series 2014B Bonds"), four series of Subordinate Lien Income Tax Bonds issued on April 9, 2015 (collectively, the "Series 2015A Bonds") and five series of Subordinate Lien Income Tax Refunding Bonds issued on September 16, 2015 (collectively, the "Series 2015B Bonds") and permits the issuance of additional bonds, from time to time, subject to certain restrictions. The Series 2008 Bonds, the Series 2010 Bonds, the Series 2012 Bonds, the Series 2013 Bonds, the Series 2014A Bonds, the Series 2014B Bonds, the Series 2015A Bonds, the Series 2015B Bonds, the Series 2017 Bonds and any additional bonds issued under the Indenture are collectively referred to in this Ordinance as the "Bonds."

Section 3. Pledge and Covenant to Maintain Income Tax. So long as Bonds are outstanding under the Indenture, the City pledges the municipal income taxes of the City and grants a lien thereon, subordinate to the lien granted in the General Bond Ordinance as security for the General Obligation Bonds of the City issued and outstanding under the General Bond Ordinance, to the full extent required to meet debt charges payable on the Bonds issued and outstanding, from time to time, under the Indenture. The City covenants to appropriate annually sufficient amounts from the income taxes to pay all debt charges on the General Obligation Bonds, the Bonds outstanding under the Indenture, any Parity Obligations and the Unrestricted Income Tax Obligations (each as defined in the Indenture). The City further covenants that so long as any Bonds are outstanding under the Indenture, the City shall not repeal or amend, or suffer the repeal of, any ordinance for the levy or collection of its income taxes in any manner or to such extent that the City would not be able to meet

its obligations to the holders of the Bonds.

Section 4. Terms of the Series 2017 Bonds. The Series 2017 Bonds shall be issued in fully registered form. The Series 2017 Bonds may be issued in one or more series or subseries. The Series 2017 Bonds may be delivered only in book-entry form, and if so delivered, shall be registered in the name of the Depository (as defined in the Indenture) or its nominee, as registered owner, and immobilized in the custody of the Depository, and shall not be transferable or exchangeable (except for transfer to another Depository or its nominee) without further action by the City pursuant to the provisions of the Indenture and the Ninth Supplement identified in Section 7. The Series 2017 Bonds shall be designated "Bridges and Roadway Improvement Bonds, Series 2017" and may contain such further designation as provided in the Certificate of Award identified below. The Series 2017 Bonds shall be issued in one lot as fully registered Series 2017 Bonds in denominations of \$5,000 or any whole multiple thereof. The Series 2017 Bonds shall be numbered as determined by the Director of Finance. The Series 2017 Bonds shall be signed by the officials of the City and in the manner set forth in the Indenture.

The Series 2017 Bonds shall be dated the date of their issuance and delivery or such other date specified in the certificate of award providing for the final terms of the Series 2017 Bonds and the sale of the Series 2017 Bonds in accordance with this Ordinance (the "Certificate of Award"). The Series 2017 Bonds shall bear interest from their date until the principal amount is paid at the rate or rates per year specified in the Certificate of Award, provided that the yield (determined in accordance with the arbitrage provisions of the Internal Revenue Code of 1986, as amended) of the Series 2017 Bonds shall not exceed 6% per year, if sold as fixed rate obligations. Interest on the Series 2017 Bonds shall be payable semi-annually on April 1 and October 1, or such other dates specified in the Certificate of Award (the "Interest Payment Dates").

The provisions of Sections 9.98 to 9.983 of the Revised Code shall apply to the Series 2017 Bonds and pursuant to that authority and this Ordinance, the Director of Finance may determine in the Certificate of Award, based on the written advice of a financial advisor, that the City's best interests will be served by causing all or a portion of the Series 2017 Bonds to be obligations bearing interest at variable rates. If the Director of Finance so determines, then the Director of Finance shall specify in the Certificate of Award the method and procedure by which the variable rate of interest to be borne by the variable rate Series 2017 Bonds shall be determined; provided that the variable rate Series 2017 Bonds shall not bear interest at a rate in excess of 25% per year. The Director of Finance is authorized to enter into agreements in connection with the delivery of the variable rate Series 2017 Bonds, and from time to time thereafter so long as the variable rate Series 2017 Bonds are outstanding, with providers of Credit Support Instruments (as defined in Section 11) and others as may be determined by the Director of Finance, based on the written advice of a

financial advisor, to be necessary or appropriate to provide for the method of determining the variable interest rates, permitting holders the right of tender, providing for liquidity or credit support for the payment of the variable rate Series 2017 Bonds upon tender for purchase or redemption, and providing for the repayment by the City of any amounts drawn under the Credit Support Instrument.

The Series 2017 Bonds shall mature in the years and principal amounts set forth in the Certificate of Award, provided that (i) each principal payment shall occur on an Interest Payment Date, and (ii) the final maturity date of the Series 2017 Bonds shall be no later than August 1, 2036; provided that the Series 2017 Bonds shall not have more than 17 annual principal installments. The Series 2017 Bonds stated to mature in any year may be issued as serial Series 2017 Bonds or as term Series 2017 Bonds payable prior to stated maturity pursuant to sinking fund redemption (the "Term Bonds"). The Director of Finance shall determine in the Certificate of Award whether any of the Series 2017 Bonds shall be issued as Term Bonds, any dates (the "Mandatory Redemption Dates") on which the principal amount of the Term Bonds shall be payable pursuant to mandatory sinking fund installments rather than at stated maturity and the amount of principal to be paid on each Mandatory Redemption Date (the "Mandatory Sinking Fund Redemption Requirements").

If any of the Series 2017 Bonds are issued as Term Series 2017 Bonds, the Term Bonds shall be redeemed pursuant to the Mandatory Sinking Fund Redemption Requirements at a redemption price of 100% of the principal amount redeemed, plus interest accrued to the redemption date, on the Mandatory Redemption Dates. The aggregate of the moneys to be deposited with the Trustee for payment of principal of and interest on any Term Bonds shall include amounts sufficient to redeem on the Mandatory Redemption Dates the principal amount of Term Bonds payable on those dates pursuant to the Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as provided in the Indenture and the Ninth Supplement).

The Series 2017 Bonds may be subject to redemption prior to maturity by and at the option of the City, in whole or in part on any date, in whole multiples of \$5,000, on the redemption dates and at the redemption prices specified in the Certificate of Award, plus, in each case, accrued interest to the redemption date. Based on the written advice of a financial advisor, the Director of Finance may determine in the Certificate of Award that it is in the best interests of the City (i) for some or all of the Series 2017 Bonds not to be callable prior to their stated maturity, and (ii) for a premium to be payable on the redemption of any Series 2017 Bonds calculated in a manner to make the bondholder whole for the loss of the investment or calculated as a percentage in excess of 100% of the principal amount redeemed.

If and to the extent provided in the Certificate of Award, the City may have the option to purchase any Bond which is redeemable by optional

redemption at a purchase price not less than the redemption price that would be payable if that Bond were called for optional redemption on the date of the proposed purchase. That election shall be exercised as provided in the Ninth Supplement.

If and to the extent provided in the Certificate of Award, the Series 2017 Bonds may be secured by a Debt Service Reserve Fund to be held by the Trustee under the Indenture. The principal amount of the Series 2017 Bonds may include provision for funding the Debt Service Reserve Fund from the proceeds of the Series 2017 Bonds, subject to compliance with applicable federal tax laws.

Section 5. Sale of Series 2017 Bonds. The Series 2017 Bonds shall first be offered for purchase to the Trustees of the Sinking Fund and, if not purchased by them, shall be offered to the Treasury Investment Account for purchase and, if not purchased for that Account, shall be sold to the purchaser identified in the Certificate of Award (the "Original Purchaser"). The Certificate of Award shall specify the final terms of the Series 2017 Bonds in accordance with law, the provisions of this Ordinance, the written advice of a financial advisor retained under authority of Section 12 and the Original Purchaser's offer to purchase the Series 2017 Bonds, including: the principal amount of the Series 2017 Bonds (which shall not exceed the amount stated in Section 1), the purchase price (which shall be not less than 97% of the principal amount plus accrued interest to their date of delivery), interest rate or rates, the amounts and years in which principal installments are payable (at stated maturity or pursuant to Mandatory Sinking Fund Redemption Requirements), terms and conditions under which any Series 2017 Bonds may be redeemed prior to maturity at the option of the City, the Interest Payment Dates and the date of the Series 2017 Bonds (if different from those set forth in Section 3) and any other matters required in this Ordinance to be set forth in that Certificate. As appropriate under the Charter, the Mayor, Director of Finance, Director of Law, Clerk of Council and other appropriate officers of the City are, and each of them is, authorized to take such actions as are necessary, appropriate and in the best interest of the City to establish the terms and requirements for delivery of the Series 2017 Bonds and to make such arrangements as are necessary with the Original Purchaser in order to establish the date, location, procedures, and conditions for the delivery of the Series 2017 Bonds to the Original Purchaser, to give all appropriate notices and certificates, to cause a true transcript of proceedings with reference to the issuance of the Series 2017 Bonds to be delivered to the Original Purchaser, to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance and to take all steps necessary to effect the due execution, authentication and delivery of the Series 2017 Bonds. The Director of Finance is authorized to sign and deliver on behalf of the City a bond purchase agreement between the City and the Original Purchaser (the "Bond Purchase Agreement"),

approved as to form by the Director of Law, setting forth the terms and conditions on which the City agrees to sell the Series 2017 Bonds and the Original Purchaser agrees to buy the Series 2017 Bonds on terms consistent with this Ordinance and the Indenture, that are not substantially adverse to the City and that are approved by the Director of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Bond Purchase Agreement or amendments to the Bond Purchase Agreement by the Director of Finance. It is determined that the terms of the Series 2017 Bonds, as provided in this Ordinance and as may be provided in or pursuant to the Certificate of Award, the Indenture and the Ninth Supplement, are in the best interest of the City and in compliance with all legal requirements.

Section 6. Application of Proceeds. The proceeds from the sale of the Series 2017 Bonds shall be applied as follows:

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

(b) to the Trustee, for deposit in the Interest Payment Account in the Debt Service Fund, the amount, if any, received by the City upon delivery of the Series 2017 Bonds as accrued interest from their dated date to the date of their delivery to the Original Purchaser;

(c) to the Trustee, for deposit in the Debt Service Reserve Fund, any amount identified in the Certificate of Award as required to be deposited in the Debt Service Reserve Fund;

(d) to the Trustee, for deposit in the Interest Payment Account in the Debt Service Fund, the amount, if any, received by the City upon delivery of the Series 2017 Bonds as original issue premium from the sale of the Series 2017 Bonds; and

(e) to the Trustee for deposit in the Project Fund, the balance of the proceeds.

Section 7. Supplemental Indenture. The Director of Finance is authorized to sign and deliver on behalf of the City a supplemental trust indenture (the "Ninth Supplement"), supplementing the Indenture to provide procedures for the authentication, registration and transfer of the Series 2017 Bonds, redemption of Series 2017 Bonds, payments under any Credit Support Instrument authorized by Section 11, application of the proceeds of the Series 2017 Bonds, defeasance of the Series 2017 Bonds, and other terms consistent with this Ordinance and the Certificate of Award and approved by the Director of Finance as not substantially adverse to the City. The Ninth Supplement shall be approved as to form by the Director of Law. The determination by the Director of Finance that the provisions of the Ninth Supplement are not substantially adverse to the City shall be conclusively evidenced by the Director's signing of the Ninth Supplement. As appropriate under the Charter, the Mayor, the Director of Finance, the Director of Law, the Clerk of Council and other appropriate officers of the City are, and each of them is, authorized to sign, acknowledge and deliver, in the name and on behalf of the City, such documents, certifications and

instruments in addition to the Indenture and Ninth Supplement as may be necessary or appropriate to issue and sell the Series 2017 Bonds and to consummate the transactions authorized by this Ordinance.

Section 8. Bond Anticipation Notes.

For the purpose of raising money in anticipation of the issuance of the Series 2017 Bonds for the purpose set forth in Section 1, notes of the City may be issued in an aggregate principal amount not to exceed \$24,775,000 (the "Notes") upon the direction of the Director of Finance to be set forth in a certificate providing for the final terms of the Notes and the sale of the Notes and signed by the Director of Finance (the "Note Certificate of Award"). The Notes, if sold as fixed rate obligations, shall bear interest at such rate, not exceeding 3% per year, and shall be payable on the date or dates, as shall be determined by the Director of Finance of the City in the Note Certificate of Award; shall be dated their date of issuance; shall mature on the date set forth in the Note Certificate of Award; shall be subject to redemption by the City at any time prior to maturity without penalty, unless the Director of Finance, based on the advice of a financial advisor, determines that it is in the best interest of the City in order to enhance the marketability of the Notes, that the Notes not be redeemable prior to maturity or that a premium be paid on their prior redemption; shall be designated "Bridges and Roadway Improvement Bond Anticipation Notes" or as otherwise provided in the Note Certificate of Award; shall be issued in such numbers and denominations as may be requested by the Note Purchaser (hereinafter defined); and shall be issued in fully registered form (which may be in a book entry only system). The provisions of Sections 9.98 to 9.983 of the Revised Code shall apply to the Notes and pursuant to that authority and this Ordinance, the Director of Finance may determine in the Certificate of Award, based on the written advice of a financial advisor, that the City's best interests will be served by causing all or a portion of the Notes to be obligations bearing interest at variable rates. If the Director of Finance so determines, then the Director of Finance shall specify in the Certificate of Award the method and procedure by which the variable rate of interest to be borne by the variable rate Notes shall be determined; provided that the variable rate Notes shall not bear interest at a rate in excess of 25% per year. The Director of Finance is authorized to enter into agreements in connection with the delivery of the variable rate Notes, and from time to time thereafter so long as the variable rate Notes are outstanding, with providers of Credit Support Instruments (as defined in Section 11) and others as may be determined by the Director of Finance, based on the written advice of a financial advisor, to be necessary or appropriate to provide for the method of determining the variable interest rates, permitting holders the right of tender, providing for liquidity or credit support for the payment of the variable rate Notes upon tender for purchase or redemption, and providing for the repayment by the City of any amounts drawn under the Credit Support Instrument. The

Trustee shall be the authenticating agent, registrar, transfer agent and paying agent for the Notes. The Notes shall be signed by the officials of the City and in the manner set forth in the Indenture. The Notes shall first be offered for purchase to the Trustees of the Sinking Fund and, if not purchased by them, shall be offered to the Treasury Investment Account for purchase and, if not purchased for that Account, shall be sold at not less than par and accrued interest to one or more firms that have proposed to underwrite the Notes and have been selected by the Director of Finance based on an evaluation of the qualifications of those firms (the "Note Purchaser") in the principal amount set forth in a certificate of award to be executed by the Director of Finance (the "Note Certificate of Award"). The proceeds of such sale shall be paid into the proper fund or funds set forth in the Note Certificate of Award and used for the purpose for which the Notes are being issued under the provisions of this Ordinance.

Section 9. Official Statement; Continuing Disclosure.

If, in the judgment of the Director of Finance, a disclosure document (each, an "Official Statement") is appropriate or necessary in connection with the sale of the Notes or the Series 2017 Bonds, the Director of Finance is authorized to prepare or cause to be prepared on behalf of the City an Official Statement with respect to the Notes or the Series 2017 Bonds, as the case may be, and any necessary supplements and to authorize the use and distribution of each Official Statement and any supplements. The Director of Finance is authorized to sign on behalf of the City and in her official capacity each Official Statement and any supplements approved by her. The Director of Finance is authorized to sign and deliver on behalf of the City and in her official capacity such certificates in connection with the accuracy of each Official Statement and any supplements as may, in her judgment, be necessary or appropriate. The Director of Finance is also authorized to determine and certify on behalf of the City that such disclosure document is "deemed final" by the City within the meaning of Securities and Exchange Commission Rule 15c2-12 the "SEC Rule." The Director of Finance is authorized to contract for services for the production and distribution of preliminary and final Official Statements, including by printed and electronic means.

For the benefit of the holders and beneficial owners from time to time of the Notes or the Series 2017 Bonds, the City agrees, in accordance with, and as the only obligated person with respect to the Notes and the Series 2017 Bonds under the SEC Rule, to provide or cause to be provided such financial information and operating data and notices, in such manner as may be required for purposes of the SEC Rule. In order to describe and specify certain terms of the City's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Director of Finance is authorized to prepare, or cause to be prepared, and to sign and deliver, in the name and on behalf of the City, a continuing disclosure agreement or certificate, which shall constitute the

continuing disclosure agreement made by the City for the benefit of the holders and beneficial owners of the Notes or the Series 2017 Bonds, as the case may be, in accordance with the SEC Rule. The performance of that agreement shall be subject to the availability of funds and their annual appropriation to meet costs the City would be required to incur to perform it. The Director of Finance is further authorized to establish procedures in order to ensure compliance by the City with its continuing disclosure agreement, including the timely provision of information and notices.

Section 10. Federal Tax

Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Series 2017 Bonds and any Notes in such manner and to such extent as may be necessary so that (i) the Series 2017 Bonds and any Notes will not (A) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Internal Revenue Code of 1986, as amended (the "Code") or (B) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (ii) the interest on the Series 2017 Bonds and any Notes will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (i) it will take or cause to be taken such actions that may be required of it for the interest on the Series 2017 Bonds and any Notes to be and remain excluded from gross income for federal income tax purposes, (ii) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (iii) it, or persons acting for it, will, among other acts of compliance, (A) apply the proceeds of the Series 2017 Bonds and any Notes to the governmental purpose of the borrowing, (B) restrict the yield on investment property, (C) make timely and adequate payments to the federal government, (D) maintain books and records and make calculations and reports and (E) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Director of Finance or any other officer of the City having responsibility for issuance of the Series 2017 Bonds and any Notes is hereby authorized (i) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the City with respect to the Series 2017 Bonds and any Notes as the City is permitted to or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or tax status of the Series 2017 Bonds and any Notes or interest thereon, or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing rebate amounts or payments or penalties or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, which action shall be in writing and signed by the officer, (ii) to take any

and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the intended tax status of the Series 2017 Bonds and any Notes and (iii) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Series 2017 Bonds and any Notes, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Series 2017 Bonds and any Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on the Series 2017 Bonds and any Notes and the tax status of the Series 2017 Bonds and any Notes.

Section 11. Credit Facilities and Ratings. If the Director of Finance determines it to be in the best interests of the City, based on the written advice of a financial advisor, the Director of Finance may obtain an insurance policy, letter of credit, standby bond purchase agreement or other credit enhancement instrument as further security for the payment when due of the principal of and interest on all or any portion of the Series 2017 Bonds or any Notes (a "Credit Support Instrument"). The Director of Finance may request a rating on the Series 2017 Bonds or Notes from one or more nationally recognized rating organizations, and do any and all things and take any and all actions required to secure a Credit Support Instrument and/or a rating or ratings on the Series 2017 Bonds or Notes. The Director of Finance may enter into one or more agreements for Credit Support Instruments containing terms not materially inconsistent with this Ordinance or the Indenture. The expenditure of the amounts necessary to secure Credit Support Instruments or obtain those ratings is authorized and approved, and the Director of Finance is authorized to provide for the payment of any such amounts from the proceeds of the Series 2017 Bonds or Notes to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

Section 12. Financial Advisor. The Director of Finance may obtain the services of one or more financial advisors, from time to time, to assist the Director of Finance in making any of the determinations required by this Ordinance to be determined by the Director of Finance. The Director of Finance may rely on the written advice of any financial advisor so retained. Any financial advisor employed under the authority of this Ordinance shall be disinterested in the transaction and be independent of the Original Purchasers and any other party interested in the transaction.

Section 13. Open Meeting Determination. It is found and determined that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken, and that all deliberations of this Council any of its committees that resulted in these formal actions were held, in meetings open to the public in compliance with all legal requirements, including, without limitation, Section 121.22 of the Revised Code.

Section 14. Findings and Recitals of Validity. It is hereby determined, represented and recited that all acts, conditions and things necessary to be done precedent to and in the issuing of the Series 2017 Bonds and the Notes in order to make them legal, valid and binding obligations of the City have happened, been done and been performed in regular and due form as required by law; and that no limitation of indebtedness or taxation, either statutory or constitutional, will have been exceeded in the issuance of the Series 2017 Bonds or the Notes. It is further found and determined, and is represented and recited, that the provisions of Sections 28, 29, 32, 33 (including the provisions of Section 33 with respect to readings on three separate days or dispensing with such readings by a two-thirds vote of all members of the Council), 36, 37, 48 and all other applicable provisions of the City's Charter and the rules of this Council have been fully complied with and this Ordinance was passed in conformity therewith.

Section 15. Delivery to County Fiscal Officer. The Director of Finance is authorized to forward a certified copy of this Ordinance and of the Certificate of Award for the Series 2017 Bonds and any Note Certificate of Award to the County Fiscal Officer of Cuyahoga County and to secure a receipt therefor.

Section 16. Severability. Each section and each part of each section of this Ordinance is declared to be an independent section or part of a section and, notwithstanding any other evidence of legislative intent, it is declared to be the controlling legislative intent that if any such section or part of a section or any provision thereof, or the application thereof to any person or circumstance, is held to be invalid, the remaining sections or parts of sections and the application of such provisions to any other person or circumstance, other than those as to which it is held invalid, shall not be affected thereby, and it is declared to be the legislative intent that the other provisions of this Ordinance would have been passed independently of such section, or parts of a section, so held to be invalid.

Section 17. Legislative Intent. All terms, conditions, pledges, covenants or agreements on the part of the City provided for in this Ordinance are made by the voluntary act of the City under its lawful authority, including its authority under its Charter and Article XVIII of the Constitution of Ohio. Any provisions of the Codified Ordinances of the City which are inconsistent with the provisions of this Ordinance shall not apply to the Series 2017 Bonds or the Notes authorized herein.

Nothing in this Ordinance is intended to, and no provision hereof shall be applied in any manner as would, impair the obligation of contract of the City with respect to any outstanding Series 2017 Bonds, notes, certificates of indebtedness, other obligations, trust indentures, trust agreements, or other agreements or contracts made or entered into by the City and for which consideration was duly received by the City prior to the passage of this Ordinance.

Section 18. Emergency Measure. This Ordinance is declared to be an emergency measure for the immediate preservation of the public peace, property, health and safety of the City

by providing funds to pay the costs of certain permanent improvements which are urgently needed for the benefit of the City and for the usual daily operation of a municipal department, and, provided this Ordinance receives the affirmative vote of two-thirds of all 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 date allowed by law.

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

Ord. No. 414-17.

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

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to host and manage billing systems and related systems and activities, for the Divisions of Water and Cleveland Public Power for a period of three years, with two options to renew for additional one year periods, the first of which is exercisable through additional legislative authority.

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

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

Section 1. That the Director of Public Utilities is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland to host and manage billing systems and related systems and activities, including the design and distribution of utility bills, inserts, reminders, and delinquent notices, and to provide various services related to bill printing and mailing services, including but not limited to on-line bill payment and presentment services, for the Divisions of Water and Cleveland Public Power, as the administrators of the City's utility accounts and as the third-party administrators of utility accounts of other public entities for a period up to three years, with two options to renew for additional one year periods. The first of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew may be exercisable at the option of the Director of Public Utilities without the necessity of obtaining additional authority of this Council.

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

Section 2. That the cost of the contract or contracts authorized shall be paid from Fund Nos. 52 SF 001 and 58 SF 001 for the first year of the initial term and then are subject to annual appropriation for the remaining two years of the initial term, RQS No. 2002, RL 2017-26.

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

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

Ord. No. 415-17.
By Council Members Pruitt and Kelley (by departmental request).
An emergency ordinance authorizing the procurement by one or more requirement contracts for the rental of various types of heavy duty equipment, on an as-needed basis, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years.

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

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

Section 1. That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a two year period of the necessary items of the rental of various types of heavy duty equipment, on an as-needed basis, in the approximate amount as procured during the preceding term, to be procured by the Commissioner of Purchases and Supplies on a unit basis for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance

shall certify the amount of any procurement under the contract, each of which procurements shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (Request RQN 2002, RL 2015-9)

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

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

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

Ord. No. 416-17.
By Council Members Pruitt and Kelley (by departmental request).
An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary for handling, recycling and disposing of various chemicals, hazardous waste products and other non-hazardous and recyclable waste materials, and training, for the Division of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years, with two one-year options to renew, the first of which shall require additional legislative authority.

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

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

Section 1. That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years, with two one-year options to renew, for the necessary items of labor and materials necessary for analysis, identification, storage, remediation, transportation, clean-up, emergency response, recycling and disposal of various chemicals,

hazardous waste products and other non-hazardous and recyclable waste materials, and training for Department of Public Utilities employees whose work involves these products and materials, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities. The first of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew may be exercised at the option of the Director of Public Utilities, without the necessity of obtaining additional authority of this Council. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Public Utilities shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RQN 2002, RL 2017-16)

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

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

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

Ord. No. 417-16.
By Mayor Jackson and Council Members K. Johnson and Kelley.
An emergency ordinance authorizing the purchase by one or more written standard purchase and requirement contracts of various on-road vehicles, apparatus, and off-road equipment, cabs, bodies, and accessories, equipment and other aftermarket items necessary to equip the vehicles authorized for their intended purposes, including vehicle rehabilitation, as needed, for the Director of Public Works.

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

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

Section 1. That, provided this Council authorizes and the City sells subordinated lien income tax bonds in 2017 for the purposes that include the purchases authorized in this ordinance, the Director of Public Works is authorized to make one or more written standard purchase contracts and requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of requirements to be determined by the Director, of

the purchase of the necessary items of various on-road vehicles, apparatus, and off-road equipment, cabs, bodies, and accessories, equipment and other aftermarket items necessary to equip the vehicles authorized for their intended purposes, including vehicle rehabilitation, as needed, in the estimated sum of \$9,428,185, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of City government, as described below:

Item Description	Division	Quantity	Estimated Cost	Extended Cost
TRUCKS HEAVY (B)- Rear Loader w/Cart Tipper	Waste Collection	5	\$325,437.00	\$1,627,185.00
AUTOMATED REFUSE TRUCK REHABILITATION	Waste Collection	Misc	\$200,000.00	\$200,000.00
Waste Collection Total			\$1,827,185	
TRUCK-HEAVY Single Axle Dump	Streets	2	\$170,000.00	\$340,000.00
TRUCK-HEAVY Tandem Axle Dump	Streets	2	\$210,000.00	\$420,000.00
STREET SWEEPER	Streets	4	\$185,000.00	\$740,000.00
LEAF VACUUM MACHINE	Streets	2	\$65,000.00	\$130,000.00
LEAF VACUUM MACHINE (Rehabilitation)	Streets	Misc	\$90,000.00	\$90,000.00
Streets Total			\$1,720,000	
TRUCK-AERIAL W/CHIPPER BODY	Park Maintenance	1	\$200,000.00	\$200,000.00
CHIPPER	Park Maintenance	1	\$56,000.00	\$56,000.00
LIGHT TRUCK	Park Maintenance	2	\$33,000.00	\$66,000.00
ATTACHMENTS	Park Maintenance	Misc	\$150,000.00	\$150,000.00
RIDING MOWERS	Park Maintenance	4	\$12,000.00	\$48,000.00
MOWER-Walk Behind	Park Maintenance	4	\$5,000.00	\$20,000.00
TRACTOR	Park Maintenance	2	\$33,000.00	\$66,000.00
Park Maintenance Total			\$606,000	
Public Works Total			\$4,153,185	
PASSENGER CAR Marked w/Police pkg	Police	45	\$42,000.00	\$1,890,000.00
PASSENGER CAR Unmarked w/Police pkg	Police	10	\$36,500.00	\$365,000.00
PASSENGER CAR Unmarked	Police	20	\$25,000.00	\$500,000.00
SUV - Marked w/Police pkg	Police	10	\$45,000.00	\$450,000.00
Motorcycle- Marked w/Police pkg	Police	5	\$25,000.00	\$125,000.00
Light Duty Truck-Pick Up	Police	3	\$35,000.00	\$105,000.00
Passenger Van	Police	2	\$25,000.00	\$50,000.00
Police Total			\$3,485,000	
Ambulance	EMS	5	\$280,000.00	\$1,400,000.00
Light Truck-SUV	EMS	1	\$75,000.00	\$75,000.00
EMS Total			\$1,475,000	
Light Truck	Corrections	7	\$45,000.00	\$315,000.00
Corrections Total			\$315,000	
Public Safety Total			\$5,275,000	
				\$9,428,185.00

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 the items as the Board of Control determines.

Section 2. That the costs of the requirement contract or contracts shall be paid from Fund No. 11 SF 006, from the fund or funds to which are credited the proceeds from the sale of subordinated lien income tax bonds for 2017 issued for the purposes that include the purchases authorized in this ordinance, and shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance.

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

Section 4. That the cost of the standard contracts authorized shall be paid from Fund No. 11 SF 006, and from the fund or funds to which are credited the proceeds from the sale of subordinated lien income tax bonds for 2017 issued for the purposes that include the purchases authorized in this ordinance. (RQS 7015, RLA 2017-5)

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

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

**FIRST READING EMERGENCY
RESOLUTION REFERRED**

Res. No. 431-17.

By Council Member Pruitt.

An emergency resolution supporting Senate Bill 128, and encouraging the Ohio General Assembly to pass this legislation to create a Zero Emission Nuclear Resource Program (ZEN) that preserves Ohio's nuclear plants in the best interest of Ohio consumers and communities.

Whereas, Senate Bill 128 was introduced in the Ohio Senate on April 6, 2017, and sponsored by Senators John Eklund and Frank LaRose; and

Whereas, Senate Bill 128 creates a Zero Emission Nuclear Resource Program (ZEN) that recognizes the critical contributions of nuclear power plants in Ohio by compensating them on a per-megawatt basis for the unique value they offer the state; and

Whereas, the program helps assure that Davis-Besse Nuclear Power Station in Oak Harbor and Perry Nuclear Power Plant in Perry will continue to support well-paid jobs, economic growth, reliable and affordable electricity generation and environmental progress for years to come; and

Whereas, nuclear plants provide the state with thousands of jobs and millions in tax and economic benefits, as well as an environmental advantage over natural gas and coal generated power; in addition, in-state nuclear plants minimize Ohio's need to import power from neighboring states, helping to keep power costs lower for customers; and

Whereas, despite their clear benefits, many nuclear plants are facing an uncertain future due to market rules that do not recognize nuclear's total value proposition; and

Whereas, other states, such as New York and Illinois, have recently implemented programs to protect the unique value of nuclear plants and ensure diverse energy resources in their states, and Connecticut is pursuing similar legislation; and

Whereas, this Council recognizes the need for continued operation of Ohio's nuclear plants to enrich our communities and the state as a whole, and supports Senate Bill 128 to compensate Ohio's two nuclear plants for the clean, reliable and secure power they generate; 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 Senate Bill 128, and encourages the Ohio General Assembly to pass this legislation to create a Zero Emission Nuclear Resource Program (ZEN) that preserves Ohio's nuclear plants in the best interest of Ohio consumers and communities.

Section 2. That the Clerk of Council is directed to transmit copies of this

resolution to David H. Turner, External Affairs Manager, CEI, First Energy, and Senators John Eklund and Frank LaRose, Ohio Senate.

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

Referred to Committee on Finance.

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

Ord. No. 406-17.

By Council Member J. Johnson.

An emergency ordinance authorizing the issuance of a Mobile Permit to Bertha Abston to engage in mobile vending in Ward 10.

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council expressed by ordinance is a prerequisite to peddling upon public rights of way outside of the Central Business District; and

Whereas, This Council has considered the request of Bertha Abston to engage in mobile vending outside of the Central Business district, and has determined that it is in the public interest to allow Bertha Abston to engage in mobile vending in Ward 10; 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 consents, as required by, Section 675.08 of the Codified Ordinances to allow to Bertha Abston to engage in mobile vending in the public rights of way in Ward 10.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

Section 3. That the privilege granted may be revoked at any time by this Council.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

**FIRST READING EMERGENCY
RESOLUTIONS READ IN FULL
AND ADOPTED**

Res. No. 407-17.

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 C2 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 C2 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.

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

Res. No. 418-17.

**By Council Member Cleveland.
An emergency resolution objecting to a New C1 Liquor Permit at 2288 East 55th Street.**

Whereas, Council has been notified by the Division of Liquor Control of an application for a New C1 Liquor Permit at Fifty Five Deli, Inc., DBA Fifty Five Deli Express, 2288 East 55th Street, Cleveland, Ohio 44103, Permit Number 2714519; 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 Fifty Five Deli, Inc., DBA Fifty Five Deli Express, 2288 East 55th Street, Cleveland, Ohio 44103, Permit Number 2714519; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

Section 2. That the Clerk of Council be and she is hereby directed to transmit two certified copies of this resolution, together with two copies of

a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

Res. No. 419-17.

**By Council Member J. Johnson.
An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 14339 St. Clair 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 Fast & Friendly, Inc., 14339 St. Clair Avenue, Cleveland, Ohio 44110, Permit Number 26552430001 to Jafar St. Clair, LLC, 14339 St. Clair Avenue, Cleveland, Ohio 44110, Permit Number 2551199; 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 Fast & Friendly, Inc., 14339 St. Clair Avenue,

Cleveland, Ohio 44110, Permit Number 26552430001 to Jafar St. Clair, LLC, 14339 St. Clair Avenue, Cleveland, Ohio 44110, Permit Number 2551199; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 70-17.

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

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to Burten, Bell and Carr Development, Inc. to encroach into the public rights-of-way of East 75th Street and Colfax Road by installing, using, and maintaining six 6-inch trench drains with steel grate covers.

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

1. In the title, strike line 5 in its entirety and insert "**right-of-way of East 75th Street, Colfax Road, and Falcon Road**"; and in line 6, strike "six" and insert "**seven**".

2. In Section 1, strike line 4 in its entirety and insert "**right-of-way of East 75th Street, Colfax Road, and Falcon Road by installing, using, and maintaining**"; and in line 3, strike "six" and insert "**seven**".

3. In Section 1, after the last legal description, insert the following to read as follows:

"Falcon Road encroachment

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being an encroachment over Falcon Road as in the Sebastian Feig Allotment established by Map Volume 4, Page 60 of the Cuyahoga County Records being more fully described as follows:

Beginning at the southwesterly corner of Lot 23 of said Sebastian Feig Allotment;

Thence southeasterly along the northerly line of Falcon Road, S-57°35'36"-E (bearings referenced to the Ohio Coordinate System, North Zone, NAD83), 4.20 feet to the True Place of Beginning for the encroachment hereinafter described;

Thence, S-57°35'36"-E, 10.00 feet to a point;

Thence, S-32°51'31"-W, 24.00 feet to a point;

Thence, N-57°35'36"-W, 10.00 feet to a point;

Thence, N-32°51'31"-E, 24.00 feet to the True Place of Beginning for the encroachment hereinbefore described and containing 240 Square Feet of land as surveyed by Daniel C. Kalstrom, Professional Surveyor (Reg. No. 6302) in March, 2017.

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

Amendments agreed to.

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 7. Nays 0.

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

Ord. No. 172-17.

By Council Member Polensek.

An emergency ordinance designating Cleveland Fire Department Engine Company Station #31 as a Cleveland Landmark.

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

Ord. No. 201-17.

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

An emergency ordinance designating East 93rd Street between Kenmore Avenue and Hough Avenue with a secondary and honorary designation of "Harlell Jones Way".

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

Ord. No. 385-17.

By Council Member Kelley (by departmental request).

An emergency ordinance to amend Section 40 of Ordinance No. 323-15, passed March 30, 2015, as amended by various ordinances, relating to compensation for various classifications.

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

Ord. No. 398-17.

By Council Member Mitchell.

An emergency ordinance designating Buckeye Road between Woodhill Road and Martin Luther King Drive with a secondary and honorary designation of "Dr. Earl Preston Way"; and repealing Ordinance No. 110-17, passed April 3,

2017, that designated Buckeye Road between East 93rd Street and Martin Luther King Drive with a secondary and honorary designation of "Dr. Earl Preston Way".

Approved by Committee on Finance. The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

MOTION

The Council Meeting adjourned at 7:51 p.m. to meet on Monday, April 24, 2017, at 7:00 p.m. in the Council Chamber.



Patricia J. Britt
City Clerk, Clerk of Council

THE CALENDAR

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

Ord. No. 305-17.

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

An emergency ordinance to amend Section 195.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 595-13, passed April 29, 2013, relating to exemptions from Admissions Tax; and to authorize the Directors of Finance and Law to enter into an amendment to the Cooperative Agreement between the City and Cuyahoga County dated as of September 15, 1992.

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 195.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 595-13, passed April 29, 2013, is amended to read as follows:

Section 195.03 Exemptions from Tax

(a) No tax shall be levied under this chapter with respect to any admission all the proceeds of which inure:

(1) Exclusively to the benefit of religious, educational or charitable institutions, societies or organizations; societies or organizations for the prevention of cruelty to children or animals or societies or organizations conducted for the sole purpose of maintaining symphony orchestras and receiving substantial support from voluntary contributions, or of improving any municipal corporation, or of maintaining a cooperative or community center, moving picture theater, or swimming pool, if no part of the net earnings thereof inures to the benefit of any private stockholder or individual;

(2) Exclusively to the benefit of persons in the military or naval forces of the United States, or of National Guard organizations, reserve officer associations or posts or organizations of war veterans or auxiliary units or societies of any such posts or organizations, if such posts, organizations, units or societies are organized in the State, and if no part of their net earnings inures to the benefit of any private stockholder or individual;

(3) Exclusively to the benefit of members of the police or fire departments of any municipal corporation, or the dependents or heirs of such members;

(4) Exclusively to the benefit of the general revenue fund of any municipal corporation or exclusively to the benefit of any fund of any municipal corporation under the control of a recreation commission.

(5) Exclusively to a small capacity live entertainment venue that has occupant load capacity of less than or equal to one hundred-fifty (150) people. For purposes of this section, "small capacity live entertainment venue" is defined as any separate room in a premises where people pay admission to attend a separate active performance by an individual or individuals who, at the time of and during the performance, create live entertainment for an audience through the use or manipulation of voice, instruments, or dance. If the same active performance is occurring for the benefit of more than one separate room, then those separate rooms shall be considered together as one venue.

(b) (1) The exemption from tax provided by this section shall, however, not be allowed in case of admissions to wrestling matches, prize fights or boxing, sparring or other pugilistic matches or exhibitions, unless exclusively for the benefit of those organizations set forth in division (a) (2) of this section, nor in the case of admissions to any athletic game or exhibition the proceeds of which inure wholly or partly to the benefit of any high school, academy, preparatory or other school or wholly or partly to the benefit of any college or university.

(2) The exemption from tax provided by division (a) (1) of this section shall, however, not be allowed in case of admissions to museums located on land leased by the City pursuant to a lease agreement entered into after August 21, 1991.

(c) Immediately after the event for which an exemption from admission tax has been allowed, upon the demand of the Commissioner of Assessments and Licenses, the treasurer of the institution, society or organization for whose benefit such event was held shall file an itemized statement with the Commissioner setting forth the amount of money actually received by such treasurer together with the expenses of promoting and conducting such event. Such statement shall be used as a basis of subsequent requests for exemption from admissions tax for the benefit of such institution, society or organization. If such statement shows a disproportionate expenditure for promoting and conducting such event, in relation to the profits, if any, no such exemption shall thereafter be allowed to such institution, society or organization.

(d) The exemption from tax provided in this section shall not be allowed to any institution, society or organization which does not control the sale of admissions to the event for which the exemption is requested, nor shall any exemption be allowed where talent, services or other items are compensated for on a percentage basis if such percentage results in a payment in excess of the flat rate ordinarily charged for the same talent, services or other items.

(e) The limitation contained in this section, upon the exemption from tax in case of admissions to wrestling matches, prize fights or boxing, sparring or other pugilistic matches or exhibitions, shall not be deemed to apply to any such matches or exhibitions in which all the contestants are amateurs and the entire proceeds thereof are devoted to a legitimate charitable purpose, excepting therefrom the necessary expenses, which shall in no event include payment to any contestant other than his or her necessary traveling expenses.

(f) Notwithstanding anything else in this chapter to the contrary, no tax shall be levied under this chapter with respect to any admission to the indoor arena facility (the "Gateway Arena") constructed by Gateway Economic Development Corporation of Greater Cleveland ("Gateway") pursuant to that certain Agreement Relating to Ownership, Financing, Construction and Operation of a Sports Facility and Related Economic Development Projects, dated as of November 7, 1990, as amended by the First Amendment as authorized by Ordinance No. 325-92 (the "Three-Party Agreement"), between the City, Gateway, and the County of Cuyahoga, Ohio (the "County"), provided, however, that the exemption provided by this division (f) shall apply and be effective only as long as there are outstanding any Arena Bonds to which reference is made in the Cooperative Agreement between the City and County authorized by Ordinance No. 327-92 (the "Cooperative Agreement") (such Bonds being hereinafter referred to as the "Arena Bonds") and only if and as long as the following conditions are met and shall have been certified to be met by the Director of Law to the Commissioner of Assessments and Licenses:

(1) Gateway shall pay or shall cause the lessees or operators of the Gateway Arena to pay to the Trustee (the "Trustee") for the holders of the Arena Bonds amounts equal to the taxes that would have been levied under Section 195.02 but for the exemption provided by this division (f) at the times and in the manner that such taxes would have been payable under this chapter. In computing the amount payable pursuant to this division (f)(1), the admission charges for admissions to the Arena shall be deemed to be net of the amount payable pursuant to this division (f)(1).

(2) The County shall, in its trust agreement or a related agreement with the Trustee, require the Trustee:

A. To retain each Bond Year as defined in the Cooperative Agreement from the amounts paid to the Trustee pursuant to division (f)(1) of this section to secure payments with respect to the Arena Bonds as provided in the Cooperative Agreement, an amount up to the sum

of: (a) three percent (3%) of all admissions charges for admissions to the Gateway Arena during the related Collection Year as provided in the Cooperative Agreement for: basketball games played by the Cleveland Cavaliers at the Gateway Arena during each basketball season (including divisional, conference and championship play-off games); preseason or exhibition basketball games played by said Cavaliers at the Gateway Arena and the NBA All-Star Game and any other event held at the Gateway Arena in which professional basketball players participate (collectively, "Games"), plus (b) in the event that the City increases the taxes payable under this chapter from six percent (6%) to a higher rate, the percentage equal to such increase times all admissions charges for all admissions during such Collection Year to the Gateway Arena for Games, and plus (c) in the event that the City increases the taxes payable under this chapter from six percent (6%) to a higher rate, the percentage equal to such increase times all admissions charges for all admissions during such Collection Year to the Gateway Arena for any events other than Games;

B. To release and pay to the City at the end of each Bond Year any of such amount described in division (f)(2)A. above not used or needed for such purpose during such Bond Year, together with any investment income earned thereon; and

C. To pay any such amounts in excess of the amount described in division (f)(2)A. above directly to the City at the end of each Bond Year, together with any investment income earned thereon.

(3) Gateway shall prepare and submit to the Director of Finance of the City and the Clerk of City Council, or cause the preparation and submission to the Director of Finance of the City and the Clerk of City Council, such returns and reports regarding the amounts paid to the Trustee pursuant to division (f)(1) of this section as the Directors of Law and Finance shall reasonably require to demonstrate Gateway's compliance with this section.

(4) Gateway shall agree to repay or cause to be repaid to the City from Gateway's future excess revenues any moneys paid to the Trustee pursuant to division (f)(2)A. of this section actually applied to the payments with respect to the Arena Bonds with interest and on such other terms and in such form as are consistent with Gateway's obligations under the trust indentures and related agreements securing Gateway's bonds and the Arena Bonds and as the City's Director of Finance and Director of Law deem acceptable in the interests of the City.

(5) Gateway shall make or cause to be made such other assurances and commitments as the City's Director of Finance and Director of Law deem necessary, and appropriate to protect the City's entitlements under this division (f) and provide copies of such other assurances and commitments to the Clerk of the Council.

(g) (1) Except as otherwise provided in division (b), and notwithstanding anything else in this chapter to the contrary, no tax shall be levied under this chapter with respect to any admission to live theater, live opera, live ballet, or live exhibition of dance, musical performance, or

monologue productions which are sponsored by an institution, society or organization that has received a determination from the Internal Revenue Service that the organization is exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code of 1986, as amended; provided that the institution, society or organization actively participates in planning and conducting the event, is responsible for the safety and success of the event, is organized for the purpose of sponsoring live theater, live opera, live ballet, or live exhibition of dance, musical performance, or monologue productions and has among the stated purposes in its charter the promotion of arts education in the communities which it serves, and will receive at least twenty percent (20%) of the net profits, if any, of the events which the institution, society or organization sponsors and will bear the risk of at least twenty percent (20%) of the losses, if any, from the events which the institution, society or organization sponsors.

(2) The exemption from tax provided in this subsection shall not be allowed to any institution, society or organization which does not control the sale of admissions to the event for which the exemption is requested.

(3) Immediately after an event for which an exemption from admission tax has been allowed pursuant to this subsection (g), the treasurer of the institution, society or organization shall file an itemized statement with the Commissioner setting forth the amount of money actually received by such treasurer together with the expenses of promoting and conducting such event. Such statement shall be used as a basis of subsequent requests for exemption from admissions tax in accordance with this subsection. If such statement demonstrates a failure to qualify in accordance with paragraph (1) of this subsection (g), no such exemption shall thereafter be allowed to such institution, society or organization.

(h) Division (f) of this section shall continue to apply unaffected by this division (h) so long as the Arena Bonds as defined in division (f) remain outstanding. From and after the date on which all the Arena Bonds as defined in division (f) cease to be outstanding, notwithstanding anything else in this chapter to the contrary, no tax shall be levied under this chapter with respect to any admission to the Gateway Arena as defined in division (f), provided, however, that the exemption provided by this division (h) shall apply and be effective only as long as there are outstanding any Series 2017 Arena Bonds to which reference is made in the Supplemental Agreement No. 1 (the "Supplemental Agreement"), between the City of Cleveland, Ohio (the "City") and the County of Cuyahoga, Ohio (the "County") supplementing the Cooperative Agreement between the City and the County referenced in division (f), and only if and as long as the following conditions are met and shall have been certified to be met by the Director of Law to the Commissioner of Assessments and Licenses:

(1) Gateway shall pay or shall cause the lessees or operators of the Gateway Arena to pay to the Trustee (the "Series 2017 Bonds Trustee") for

the holders of the Series 2017 Arena Bonds amounts equal to the taxes that would have been levied under Section 195.02 but for the exemption provided by division (h) at the times and in the manner that such taxes would have been payable under this chapter. In computing the amount payable pursuant to this division (h)(1), the admission charges for admissions to the Gateway Arena shall be deemed to be net of the amount payable pursuant to this division (h)(1).

(2) The County shall, in the Series 2017 Bonds Trust Agreement (as defined in the Supplemental Agreement), require the Series 2017 Bonds Trustee:

A. To retain in each Bond Year as defined in the Supplemental Agreement from the amounts paid to the Series 2017 Bonds Trustee pursuant to division (h)(1) of this section to fund and secure payments with respect to the Series 2017 Arena Bonds and to fund improvements to sports facilities as provided in the Supplemental Agreement (the "Series 2017 Arena Admissions PILOT"), an amount up to the sum of (a) five percent (5%) of all admissions charges for admissions to the Gateway Arena during the related Collection Year as provided in the Supplemental Agreement for: basketball games played by the Cleveland Cavaliers at the Gateway Arena during each basketball season (including divisional, conference and championship play-off games); preseason or exhibition basketball games played by said Cavaliers at the Gateway Arena and the NBA All-Star Game and any other event held at the Gateway Arena in which professional basketball players participate (collectively, "Games"), plus (b) two percent (2%) of admissions charges for admissions to the Gateway Arena for events other than Games in any Collection Year; plus (c) in the event that the City increases the taxes payable under this chapter from eight percent (8%) to a higher rate, the percentage equal to such increase times all admissions charges for all admissions during such Collection Year to the Gateway Arena for Games, and plus (d) in the event that the City increases the taxes payable under this chapter from eight percent (8%) to a higher rate, the percentage equal to such increase times all admissions charges for all admissions during such Collection Year to the Gateway Arena for any events other than Games; and

B. From and after the date in each Bond Year when the full amount needed to pay debt service on the Series 2017 Bonds during that Bond Year has been deposited in the Series 2017 Bond Fund, to deposit any remaining amounts paid to the Series 2017 Bonds Trustee pursuant to division (h)(1) of this section in the Sports Facility Improvement Fund until a maximum amount of \$3,500,000 is deposited in the Sports Facility Improvement Fund and then into the Cooperative Reserve, all as defined and provided in the Supplemental Agreement, to be held and applied as required or permitted by the Series 2017 Bonds Trust Agreement; provided, however, that (A) all deposits of the Series 2017 Arena Admissions PILOT to the Sports Facility Reserve shall be credited to a

separate account in the Sports Facility Improvement Fund (the "City Account"), and moneys in the City Account shall be permitted to be used only to fund improvements to sports facilities and not for the payment of debt service on Series 2017 Bonds; (B) any disbursements from the Sports Facility Improvement Fund shall be made first from any moneys in the Sports Facility Improvement Fund not in the City Account; and (C) any moneys in the City Account at the time the Series 2017 Bonds are fully retired or deemed paid and discharged under the Series 2017 Arena Bonds Trust Agreement that are not already encumbered for the purpose of paying outstanding contracts shall revert to the City.

(3) Gateway and the County shall prepare and submit to the Director of Finance of the City and the Clerk of City Council, or cause the preparation and submission to the Director of Finance of the City and the Clerk of City Council, such returns and reports regarding the amounts paid to the Series 2017 Bonds Trustee pursuant to division (h)(1) of this section as the Directors of Law and Finance shall reasonably require to demonstrate Gateway's compliance with this section.

(4) Gateway and the County shall make or cause to be made such other assurances and commitments as the City's Director of Finance and Director of Law deem necessary, and appropriate to protect the City's entitlements under this division (h) and provide copies of such other assurances and commitments to the Clerk of the Council.

Section 2. That existing Section 195.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 595-13, passed April 29, 2013, is repealed.

Section 3. That the Directors of Finance and Law are authorized to enter into an amendment to the Cooperative Agreement between the City and Cuyahoga County, dated as of September 15, 1992, relating to the Gateway Project, and is substantially in the form placed in File No. 305-17-B.

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.

BOARD OF CONTROL

April 12, 2017

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, April 12, 2017 at 10:33 a.m. with Director Langhenry presiding.

Present: Directors Langhenry, Davis, Kennedy, Gordon, Acting Director Hennessy, Director Cosgrove, Acting Director Rodrigo, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Absent: Mayor Jackson, Directors Dumas, and Cox.

Others: Tiffany White Johnson, Commissioner, Purchases & Supplies.

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

Melissa Burrows, Director, Office of Equal Opportunity.

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

Resolution No. 181-17.

By Director Dumas.

Be it resolved, by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 478-16, passed by the Council of the City of Cleveland on April 25, 2016, Target Solutions Learning, LLC is selected from a list of firms determined after a full and complete canvass by the Director of Finance as the firm to be employed by contract to supplement the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services and necessary training to implement a Learning Management System for the Department of Public Safety including, but not limited to, Online training Platform Licenses, storage, Customized website, Administration tools, software/application upgrades and applications for Police, Fire, EMS, Animal Care and Control for a period of three years with three one-year options to renew.

Be it further resolved that the Director of Finance is authorized to enter into a contract with Target Solutions Learning, LLC ("Consultant") based upon its proposal dated May 5, 2016, which contract shall be prepared by the Director of Law, shall provide that Consultant shall render the above-mentioned professional services as described in the proposal for not to exceed \$59,000 per officer per year, presently estimated to total approximately \$94,400.00 for each year of the term and any optional renewal year, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Langhenry, Davis, Kennedy, Gordon, Acting Director Hennessy, Director Cosgrove, Acting Director Rodrigo, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, and Cox.

Resolution No. 182-17.

By Director Davis.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Fabrizi Recycling, Inc. for the public improvement of Rockport Avenue Sewer Replacement Project (Base Bid All Items including the 10% contingency allowance) for the Division of Water Pollution Control, Department of Public Utilities, received on January 19, 2017, under the authority of Ordinance No. 294-16, passed by the Council of the City of Cleveland on April 25, 2016 and Ordinance No. 1141-16, passed by the Council of the City of Cleveland on October 17, 2016, upon a unit basis for the improvement, in the aggregate amount of \$961,661.95, is affirmed and approved as the lowest responsible bid, and the Director of Public Utilities is authorized to enter into contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Fabrizi Recycling, Inc. for the above-mentioned public improvements is approved:

SUBCONTRACTOR CSB/MBE/FBE WORK

RAR Contracting Co., Inc. CSB \$230,000.00(23.917%)

Trafftech, Inc. CSB \$5,000.00 (0.519%)

Sydney Enterprise, LLC CSB \$54,500.00(5.667%)

Cunningham Paving Co. CSB \$56,100.00(5.833%)

Yeas: Directors Langhenry, Davis, Kennedy, Gordon, Acting Director Hennessy, Director Cosgrove, Acting Director Rodrigo, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.
Absent: Mayor Jackson, Directors Dumas, and Cox.

Resolution No. 183-17.

By Director Davis.
Be it resolved, by the Board of Control of the City of Cleveland that the bid of Terrace Construction Company, Inc. for the public improvement of East 186th Street/Glendale Avenue Sewer Project (Base Bid All Items including the 10% contingency allowance) for the Division of Water Pollution Control, Department of Public Utilities, received on January 19, 2017, under the authority of Ordinance No. 294-16, passed by the Council of the City of Cleveland on April 25, 2016 and Ordinance No. 1141-16, passed by the Council of the City of Cleveland on October 17, 2016, upon a unit basis for the improvement, in the aggregate amount of \$364,000.76, is affirmed and approved as the lowest responsible bid, and the Director of Public Utilities is authorized to enter into contract for the improvement with the bidder.

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

SUBCONTRACTOR CSB/MBE/FBE WORK

Rockport Construction CSB \$74,000.00(20.33%)

Vallejo Company CSB \$36,220.00(9.95%)

Yeas: Directors Langhenry, Davis, Kennedy, Gordon, Acting Director Hennessy, Director Cosgrove, Acting Director Rodrigo, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.
Absent: Mayor Jackson, Directors Dumas, and Cox.

Resolution No. 184-17.

By Director Spronz.
Be it resolved by the Board of Control of the City of Cleveland that

the bid of Envirocom Construction, Inc. for the public improvement of the Ridge Rd. Streets Facility Fire Restoration, Base Bid Items A-C, and Optional Items 1-4 for the Office of Capital Projects, received on January 4, 2017 under the authority of Ordinance No. 733-14, passed June 9, 2014, upon a gross price basis for the improvement in the aggregate amount of \$172,000.00 is affirmed and approved as the lowest responsible bid; and the Director of the Office of Capital Projects is authorized to enter into contract with the bidder.

Be it further resolved, by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Envirocom Construction Inc. are hereby approved:

Subcontractor CSB/MBE/FBE Amount Percentage

Alternalte Electric MBE \$17,500.00 10.2%

Tucker-Grubbs Construction CSB \$10,000.00 5.8%

Yeas: Directors Langhenry, Davis, Kennedy, Gordon, Acting Director Hennessy, Director Cosgrove, Acting Director Rodrigo, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.
Absent: Mayor Jackson, Directors Dumas, and Cox.

Resolution No. 185-17.

By Director Spronz.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Envirocom Construction, Inc. for the public improvement of the Willard Park Garage Improvements Phase I, Base Bid Items A and B, Optional Items 1-1 through 1-4 for the Office of Capital Projects, received on October 28, 2016 under the authority of Ordinance No. 246-15, passed April 13, 2015, upon a unit price basis for the improvement in the aggregate amount of \$2,149,000.00 is affirmed and approved as the lowest responsible bid; and the Director of the Office of Capital Projects is authorized to enter into contract with the bidder.

Be it further resolved, by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Envirocom Construction, Inc. is hereby approved:

Subcontractor CSB/MBE/FBE Amount Percentage

AKA Team Waterproofing MBE \$560,000.00 26.1%

MA Building Maintenance CSB \$90,000.00 0.0%

Commerce Plumbing CSB \$119,000.00 0.0%

CQA Solutions N/A \$210,000.00 0.0%

WR Restoration N/A \$115,000.00 0.0%

Yeas: Directors Langhenry, Davis, Kennedy, Gordon, Acting Director Hennessy, Director Cosgrove, Acting Director Rodrigo, Interim Director

Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.
Absent: Mayor Jackson, Directors Dumas, and Cox.

Resolution No. 186-17.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 134-18-082 located at 7710 Connecticut Avenue; and

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

Whereas, Charles A. Boyd and Janet Isalyn Boyd have proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 2 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Charles A. Boyd and Janet Isalyn Boyd for the sale and development of Permanent Parcel No. 134-18-082 located at 7710 Connecticut Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Davis, Kennedy, Gordon, Acting Director Hennessy, Director Cosgrove, Acting Director Rodrigo, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.
Absent: Mayor Jackson, Directors Dumas, and Cox.

Resolution No. 187-17.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 110-31-061 located at 1438 Carolina Road, Cleveland, Ohio, 44108; 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, Clarissa S. Russell has proposed to the City to purchase the parcel for side yard expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Clarissa S. Russell for the sale of Permanent Parcel No. 110-31-061, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Davis, Kennedy, Gordon, Acting Director Hennessy, Director Cosgrove, Acting Director Rodrigo, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, and Cox.

Resolution No. 188-17.

By Director Cosgrove.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 110-31-063 located at 1428 Carolina Road, Cleveland, Ohio, 44108; 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, Linda Alexander has proposed to the City to purchase the parcel for side yard expansion; and

Whereas, the following conditions exist:

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

2. The proposed purchaser of the parcel is neither tax delinquent nor

in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Linda Alexander for the sale of Permanent Parcel No. 110-31-063, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Davis, Kennedy, Gordon, Acting Director Hennessy, Director Cosgrove, Acting Director Rodrigo, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, and Cox.

Resolution No. 189-17.

By Director Cosgrove.

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

Whereas, under the Program, the City has acquired Permanent Parcel Nos. 120-22-095, 120-22-097, 120-22-111, 120-24-029, 120-24-030 and 120-24-031 located on Wade Park Avenue and East 120th Street; and

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

Whereas, B.R. Knez Construction, Inc. has proposed to the City to purchase and develop the parcels for new housing construction; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with B.R. Knez Construction, Inc. for the sale and development of Permanent Parcel Nos. 120-22-095, 120-22-097, 120-22-111, 120-24-029, 120-24-030 and 120-24-031 located on Wade Park Avenue and East

120th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Davis, Kennedy, Gordon, Acting Director Hennessy, Director Cosgrove, Acting Director Rodrigo, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, and Cox.

Resolution No. 190-17.

By Director Cosgrove.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 111-18-011 located at 409 Cleveland Road; 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, Lois Evans has proposed to the City to purchase the parcel for yard expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Lois Evans for the sale of Permanent Parcel No. 111-18-011 located at 409 Cleveland Road, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Davis, Kennedy, Gordon, Acting Director Hennessy, Director Cosgrove, Acting Director Rodrigo, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, and Cox.

Resolution No. 191-17.

By Director Cosgrove.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 133-07-059 located at 3593 East 81st Street; and

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

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

Whereas, the following conditions exist:

1. The member of Council from Ward 6 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Benjamin C. Butler for the sale and development of Permanent Parcel No. 133-07-059 located at 3593 East 81st Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Davis, Kennedy, Gordon, Acting Director Hennessy, Director Cosgrove, Acting Director Rodrigo, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, and Cox.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

Application blanks must be properly filled out on the official form prescribed by the Civil Service Commission and filed at the office of the

commission not later than the final closing date slated in the examination announcement.

EXAMINATION RESULTS: Each applicant whether passing or failing will be notified of the results of the examination as soon as the commission has graded the papers. 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

CIVIL SERVICE NOTICE

**ANNOUNCEMENTS — 2017
Filing Beginning 4/21/2017**

Announ- ment No.	Exam Method	Classi- fication	Exam Type
65	PERF	Asphalt Tamper	Open
66	WR/TY	Legal Secretary	Open
67	WR	Paralegal	Open
68	EE	Quality Control Inspector	Open
69	WR	Traffic Sign & Marking Technician	Open

PROOF OF CITY RESIDENCY

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

Lease - from rental agency.

Lease - from independent party. Must include copy of cancelled check or money order receipts for previous rent and/or security deposit, and fully executed; otherwise, it is unacceptable.

Utility bills bearing the property address **and** your name.

Post Office change of address form properly date stamped.

Official documents relating to home ownership including deed, purchase agreement, or insurance policy.

Bank statements (Within last three months).

School registration of children.

Car insurance documents.

Car registration **or** Driver's License **or** Ohio I.D. (**One only**).

Loans and credit card statements (Within last three months).

Rental contracts (e.g.: furniture, tools, car, etc.).

Current bills not listed above (Within last three months).

The following are examples of **unacceptable** categories of proof:

Library cards.

Voter registration cards.

Birth certificates.

Notarized letters or affidavits.

Social Security card.

Rental receipts from independent party without cancelled checks or money order receipt.

**APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 65**

ASPHALT TAMPER (OPEN)

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

FILING OF APPLICATION:

Application must be made electronically through the City of Cleveland's web site:

<http://www.city.cleveland.oh.us/CityofCleveland/Home/Government/CityAgencies/CivilServiceCommission/TestingAnnouncements>

No other form or method of application will be accepted. Absolutely no paper applications will be accepted.

THE ELECTRONIC APPLICATION PERIOD IS FROM 12:01 A.M. ON FRIDAY, APRIL 21, 2017 UNTIL 11:59 P.M. ON THURSDAY, MAY 4, 2017. NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 11:59 PM ON THURSDAY, MAY 4, 2017.

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

NOTE: YOU ARE NOT APPLYING FOR AN IMMEDIATE JOB OPENING. YOU ARE APPLYING TO TAKE AN EXAMINATION WHICH WILL BE USED TO CREATE AN ELIGIBLE LIST FOR THIS JOB CLASSIFICATION. THAT LIST WILL BE USED FOR FUTURE HIRES IN THIS JOB CLASSIFICATION.

SALARY: The prevailing salary for this position as established by Ordinance of the Council of the City of Cleveland is \$25.29 - \$37.91 per hour.

NOTE: ONCE YOU SUBMIT YOUR APPLICATION, FURTHER CHANGES TO THAT APPLICATION WILL NOT BE PERMITTED. All additional attachments, correspondence, notifications, and certifications will be made with applicants via email. Any updates of email or your online profile must be made at: CS@city.cleveland.oh.us.

EXAMINATION INFORMATION

TYPE: PERFORMANCE EXAMINATION: Candidates will be notified of the time, date, and place of the examination.

NOTE: All copies of diplomas, licenses, certificates, resumes and any other required documents must be uploaded and included with your Application when it is submitted. Applications without the required documents will be rejected.

Duties:

Under immediate supervision, performs the more highly skilled work in connection with the laying and repairing of asphalt street pavement and performs related duties as required. **TYPICAL TASKS:** Tamps asphalt around joints; smooths joints; shovels asphalt from trucks and spreads it evenly; tears up and cuts out defective pavement; cleans out holes; trims and cuts joints for patches; and tends fires. **Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.**

Minimum Qualifications:

A High School Diploma or GED is required. Four years of full time paid asphalt work or Four years of employment experience as a Municipal Service Laborer with hot mix asphalt experience for the City of Cleveland is required. A valid State of Ohio Driver's License is required. Must be able to lift and carry a minimum of 75 pounds.

NOTE: Minimum qualifications must be met as of the last day of the filing period unless otherwise stated.

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

Any applicant that willfully provides any false document, statement, or certification in regard to any test will be terminated from all processing, removed from any eligible list, and may face possible criminal prosecution.

VETERANS' PREFERENCE

Veterans' preference will be awarded, when applicable, to eligible veterans in accordance with Civil Service Rules 4.40E, 4.40F and 4.40G. Proof of active service or a DD Form 214, must be presented to the Commission **at the time of filing** application for the examination in which credit is sought in order to qualify for veterans' credit. If the applicant has received an honorable discharge or a general discharge under honorable conditions that applicant shall receive an additional five (5) points added to their raw score on the examination.

RESIDENCY CREDIT

In accordance with the Charter of the City of Cleveland: A person who has had as his/her primary residence in the City of Cleveland **for at least one year at the time of filing a Civil Service application**, and desires to take an entry-level Civil Service examination, shall, if a passing grade on the written examination is attained, have ten (10) points added to his/her **passing** score.

In order to receive residency credit, applicants must present the **originals OR LEGIBLE COPIES of 4 different** proofs of residency from ONE YEAR AGO* and 4 **different** proofs of residency that are CURRENT** (A total of EIGHT documents) for verification **at the time of filing**. ("Different" means that an applicant can provide (for example) a bank statement from a year ago, and a current statement for the same bank account, but cannot provide multiple statements from the same account for different months to satisfy the 4 proofs requirement.

Such proofs include:

- Driver's License
- Bank Statements
- Utility Bills
- Mortgage or Lease Agreement
- Bills from creditors not listed above
- Other Postmarked mail such as magazines with name and mailing label attached, organization newsletters, medical/dental bills, voter registration card, or motor vehicle registration
- Insurance Statement (Home insurance, rental insurance, car insurance or other insurance documents).

*** "ONE YEAR AGO" SHALL BE ONE YEAR PREVIOUS TO DATE OF FILING.** For example, if you are filing for the examination in September of 2016 you must present 4 different documents dated **July, or August, or September of 2015.**

**** "CURRENT" SHALL BE WITH IN THE LAST THREE MONTHS.** For example, if you are filing for the examination in October of 2016 you must present 4 different documents dated **July, or August, or September of 2016.**

NOTE: IF CREDITORS ARE PAID ONLINE, A COPY OF BILL IS TO BE PRINTED SHOWING THE ADDRESS OF THE APPLICANT. THE BILL MUST HAVE THE DATE VISIBLE.

THE COMMISSION WILL NOT ENTERTAIN APPEALS FOR VETERANS' PREFERENCE OR RESIDENCY CREDIT AFTER THE APPLICANT HAS FILED HIS/HER APPLICATION. THE DECISION OF THE COMMISSION IS FINAL.

ANYONE WHO WISHES TO REQUEST AN ACCOMMODATION MUST DO SO **AT THE TIME OF FILING.** THE COMMISSION WILL CONTACT THE INDIVIDUAL CONCERNING SUCH ACCOMMODATION PRIOR TO THE EXAMINATION. THE COMMISSION MAY REFUSE TO PROVIDE SUCH ACCOMMODATION IF IT IS NOT REASONABLE OR WOULD CONSTITUTE AN UNDUE

HARDSHIP. CURRENT (WITHIN ONE YEAR) DOCUMENTATION SUPPORTING THE NEED FOR THE REQUESTED ACCOMMODATION IS REQUIRED. SUCH DOCUMENTATION SHOULD BE SUBMITTED AT THE TIME OF FILING.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 66

LEGAL SECRETARY (OPEN)

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

FILING OF APPLICATION:

Application must be made electronically through the City of Cleveland's web site:

<http://www.city.cleveland.oh.us/CityofCleveland/Home/Government/CityAgencies/CivilServiceCommission/TestingAnnouncements>

No other form or method of application will be accepted. Absolutely no paper applications will be accepted.

THE ELECTRONIC APPLICATION PERIOD IS FROM 12:01 A.M. ON FRIDAY, APRIL 21, 2017 UNTIL 11:59 P.M. ON THURSDAY, MAY 11, 2017. **NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 11:59 PM ON THURSDAY, MAY 11, 2017.

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

NOTE: ONCE YOU SUBMIT YOUR APPLICATION, FURTHER CHANGES TO THAT APPLICATION WILL NOT BE PERMITTED. All additional attachments, correspondence, notifications, and certifications will be made with applicants via email. Any updates of email or your online profile must be made at: CS@city.cleveland.oh.us.

NOTE: YOU ARE NOT APPLYING FOR AN IMMEDIATE JOB OPENING. YOU ARE APPLYING TO TAKE AN EXAMINATION WHICH WILL BE USED TO CREATE AN ELIGIBLE LIST FOR THIS JOB CLASSIFICATION. THAT LIST WILL BE USED FOR FUTURE HIRES IN THIS JOB CLASSIFICATION.

SALARY: The prevailing salary for this position as established by Ordinance of the Council of the City of Cleveland is \$20,800.00 - \$50,700.42 per Year. The average salary of those persons currently in this position is \$40,122.89 per year.

EXAMINATION INFORMATION

TYPE: WRITTEN/ TYPING EXAMINATION: Applicants will be notified of the time, date, and place of the examinations.

NOTE: WRITTEN TEST = 60% OF FINAL GRADE. TYPING TEST = 40% OF FINAL GRADE. THE WRITTEN TEST WILL BE ADMINISTERED FIRST. CANDIDATES MUST RECEIVE A PASSING GRADE ON THE WRITTEN TEST IN ORDER TO BE ABLE TO TAKE THE TYPING

TEST WHERE CANDIDATES ARE TO TYPE UP ONE OR MORE LEGAL DOCUMENTS AS WELL AS HAVE A MINIMUM OF 55 WPM (Gross words per minute minus errors) IN ORDER TO HAVE THEIR EXAMS GRADED. FAILURE TO OBTAIN 55 WPM ON THE TYPING PORTION OF THE EXAM WILL RESULT IN AN AUTOMATIC SCORE OF ZERO. (FAILURE)

NOTE: All copies of diplomas, licenses, certificates, resumes and any other required documents must be uploaded and included with your Application when it is submitted. Applications without the required documents will be rejected.

Duties:

Under supervision, assists in the preparation of legal documents and other papers. Performs general clerical duties. Takes and transcribes legal dictation as required. Tracks legislation as necessary. Manages appointments and travel arrangements. Coordinates the scheduling of meetings, depositions, conferences, and court appearances. Performs other job-related duties as required. **Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.**

Minimum Qualifications

A High School Diploma or GED is required. An Associate's Degree from an accredited college or university is required. Two years of full time paid experience as a Legal Secretary is required. (Substitution: One year of full time paid experience may substitute for each year of college education lacking. A certificate in Legal Studies or closely related field may substitute for the degree.) Must be able to type at least 55 words per minute.

NOTE: Minimum qualifications must be met as of the last day of the filing period unless otherwise stated.

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

Any applicant that willfully provides any false document, statement, or certification in regard to any test will be terminated from all processing, removed from any eligible list, and may face possible criminal prosecution.

VETERANS' PREFERENCE

Veterans' preference will be awarded, when applicable, to eligible veterans in accordance with Civil Service Rules 4.40E, 4.40F and 4.40G. Proof of active service or a DD Form 214, must be presented to the Commission at the time of filing application for the examination in which credit is sought

in order to qualify for veterans' credit. If the applicant has received an honorable discharge or a general discharge under honorable conditions that applicant shall receive an additional five (5) points added to their raw score on the examination.

THE COMMISSION WILL NOT ENTERTAIN APPEALS FOR VETERANS' PREFERENCE OR RESIDENCY CREDIT AFTER THE APPLICANT HAS FILED HIS/HER APPLICATION. THE DECISION OF THE COMMISSION IS FINAL.

ANYONE WHO WISHES TO REQUEST AN ACCOMMODATION MUST DO SO AT THE TIME OF FILING. THE COMMISSION WILL CONTACT THE INDIVIDUAL CONCERNING SUCH ACCOMMODATION PRIOR TO THE EXAMINATION. THE COMMISSION MAY REFUSE TO PROVIDE SUCH ACCOMMODATION IF IT IS NOT REASONABLE OR WOULD CONSTITUTE AN UNDUE HARDSHIP. CURRENT (WITHIN ONE YEAR) DOCUMENTATION SUPPORTING THE NEED FOR THE REQUESTED ACCOMMODATION IS REQUIRED. SUCH DOCUMENTATION SHOULD BE SUBMITTED AT THE TIME OF FILING.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 67

PARALEGAL (OPEN)

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

FILING OF APPLICATION:

Application must be made electronically through the City of Cleveland's web site:

<http://www.city.cleveland.oh.us/CityofCleveland/Home/Government/CityAgencies/CivilServiceCommission/TestingAnnouncements>

No other form or method of application will be accepted. Absolutely no paper applications will be accepted.

THE ELECTRONIC APPLICATION PERIOD IS FROM 12:01 A.M. ON FRIDAY, APRIL 21, 2017 UNTIL 11:59 PM. ON THURSDAY, MAY 11, 2017. NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 11:59 PM ON THURSDAY, MAY 11, 2017.

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

NOTE: ONCE YOU SUBMIT YOUR APPLICATION, FURTHER CHANGES TO THAT APPLICATION WILL NOT BE PERMITTED. All additional attachments, correspondence, notifications, and certifications will be made with applicants via email. Any updates of email or your online profile must be made at: CS@city.cleveland.oh.us.

NOTE: YOU ARE NOT APPLYING FOR AN IMMEDIATE JOB OPENING. YOU ARE APPLYING TO TAKE AN EXAMINATION WHICH WILL BE USED TO CREATE AN ELIGIBLE

LIST FOR THIS JOB CLASSIFICATION. THAT LIST WILL BE USED FOR FUTURE HIRES IN THIS JOB CLASSIFICATION.

SALARY: The prevailing salary for this position as established by Ordinance of the Council of the City of Cleveland is \$20,800.00 - \$50,700.42 per Year. The average salary of those persons currently in this position is \$39,036.40.

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION: Applicants will be notified of the time, date, and place of the examination.

NOTE: All copies of diplomas, licenses, certificates, resumes and any other required documents must be uploaded and included with your Application when it is submitted. Applications without the required documents will be rejected.

Duties:

Under supervision, performs legal research and provides paralegal support services. Assists attorneys in trial preparations and aids in the preparation of responsive court papers. Organizes case files. Summarizes depositions. Drafts correspondence. Drafts and/or reviews contracts. Researches legal issues presented, case law on topic, and arguments asserted by pleadings to appropriately respond. Assists docket clerk with court filings and deliveries. Performs other job-related duties as required. **Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.**

Minimum Qualifications

A High School Diploma or GED is required. Must be a graduate of an American Bar Association accredited paralegal program with an Associate's Degree with Paralegal certificate or have obtained a Law Degree from an accredited institution. Two years of full time paid legal experience is preferred. Must have a knowledge of computers, including Microsoft Word and Westlaw software. Must be familiar with internet resources including general and legal research.

NOTE: Minimum qualifications must be met as of the last day of the filing period unless otherwise stated.

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

Any applicant that willfully provides any false document, statement, or certification in regard to any test will be terminated from all processing, removed from any eligible list, and may face possible criminal prosecution.

VETERANS' PREFERENCE

Veterans' preference will be awarded, when applicable, to eligible veterans in accordance with Civil Service Rules 4.40E, 4.40F and 4.40G. Proof of active service or a DD Form 214, must be presented to the Commission **at the time of filing** application for the examination in which credit is sought in order to qualify for veterans' credit. If the applicant has received an honorable discharge or a general discharge under honorable conditions that applicant shall receive an additional five (5) points added to their raw score on the examination.

THE COMMISSION WILL NOT ENTERTAIN APPEALS FOR VETERANS' PREFERENCE OR RESIDENCY CREDIT AFTER THE APPLICANT HAS FILED HIS/HER APPLICATION. THE DECISION OF THE COMMISSION IS FINAL.

ANYONE WHO WISHES TO REQUEST AN ACCOMMODATION MUST DO SO **AT THE TIME OF FILING**. THE COMMISSION WILL CONTACT THE INDIVIDUAL CONCERNING SUCH ACCOMMODATION PRIOR TO THE EXAMINATION. THE COMMISSION MAY REFUSE TO PROVIDE SUCH ACCOMMODATION IF IT IS NOT REASONABLE OR WOULD CONSTITUTE AN UNDUE HARDSHIP. CURRENT (WITHIN ONE YEAR) DOCUMENTATION SUPPORTING THE NEED FOR THE REQUESTED ACCOMMODATION IS REQUIRED. SUCH DOCUMENTATION SHOULD BE SUBMITTED AT THE TIME OF FILING.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 68

QUALITY CONTROL INSPECTOR (OPEN)

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

FILING OF APPLICATION:

Application must be made electronically through the City of Cleveland's web site:

<http://www.city.cleveland.oh.us/CityofCleveland/Home/Government/CityAgencies/CivilServiceCommission/TestingAnnouncements>

No other form or method of application will be accepted. Absolutely no paper applications will be accepted.

THE ELECTRONIC APPLICATION PERIOD IS FROM 12:01 A.M. ON FRIDAY, APRIL 21, 2017 UNTIL 11:59 P.M. ON THURSDAY, MAY 4, 2017. NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 11:59 P.M. ON THURSDAY, MAY 4, 2017.

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

NOTE: ONCE YOU SUBMIT YOUR APPLICATION, FURTHER CHANGES TO THAT APPLICATION WILL NOT BE PERMITTED. All additional attachments, correspondence, notifications, and certifications will be made

with applicants via email. Any updates of email or your online profile must be made at: CS@city.cleveland.oh.us.

NOTE: YOU ARE NOT APPLYING FOR AN IMMEDIATE JOB OPENING. YOU ARE APPLYING TO TAKE AN EXAMINATION WHICH WILL BE USED TO CREATE AN ELIGIBLE LIST FOR THIS JOB CLASSIFICATION. THAT LIST WILL BE USED FOR FUTURE HIRES IN THIS JOB CLASSIFICATION.

SALARY: The prevailing salary for this position as established by Ordinance of the Council of the City of Cleveland is \$25,000.00 - \$65,000.00 per Year.

EXAMINATION INFORMATION

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

NOTE: All copies of diplomas, licenses, certificates, resumes and any other documents must be uploaded and included with your Application when it is submitted. Applications without the required documents will be rejected.

Duties:

Under general direction, inspects closed service requests, such as those to the Mayor's Action Center and 311 Call Center and those initiated by citizens, work order management assignments, completed projects, and work completed by various departments throughout the City. Establishes and meets performance goals in collaboration with a supervisor. Plans and reviews information and establishes a daily schedule. Coordinates with the Quality Control Unit staff and other staff as needed. Takes photographs of complete/incomplete service requests. Identifies, inspects, and reports hazardous conditions and quality of life issues. Identifies infrastructure or property repairs that require service or assessments. Inspects completed work such as curb and/or utility cuts, potholes, vacant lots, board-ups, etc. for quality. Verifies that service requests were completed in an accurate and timely manner and within service-level agreements. Organizes data and information. Compiles, develops, and presents routine and special reports in accordance with established deadlines. Utilizes a computer and software for work management, GIS, email communications, and the creation of spreadsheets, forms, letters, etc. Performs other job-related duties as required. **Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.**

Minimum Qualifications:

A High School Diploma or GED is required. Two years of field operations and/or quality control experience assessing/inspecting service repairs, maintenance and improvements (e.g.: asphalt, concrete, patch

materials, carpentry, landscaping solid waste/recycling collection routes) is required. A valid State of Ohio Driver's License is required. Must have good written and verbal communication skills, be computer proficient and familiar with Microsoft Office, and must be able to lift and carry 30 pounds and drive up to six hours per day. Three years of experience and an Associate's Degree are preferred.

NOTE: Minimum qualifications must be met as of the last day of the filing period unless otherwise stated.

VETERANS' PREFERENCE

Veterans' preference will be awarded, when applicable, to eligible veterans in accordance with Civil Service Rules 4.40E, 4.40F and 4.40G. Proof of active service or a DD Form 214, must be presented to the Commission **at the time of filing** application for the examination in which credit is sought in order to qualify for veterans' credit. If the applicant has received an honorable discharge or a general discharge under honorable conditions that applicant shall receive an additional five (5) points added to their raw score on the examination.

THE COMMISSION WILL NOT ENTERTAIN APPEALS FOR VETERANS' PREFERENCE OR RESIDENCY CREDIT AFTER THE APPLICANT HAS FILED HIS/HER APPLICATION. THE DECISION OF THE COMMISSION IS FINAL.

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

Any applicant that willfully provides any false document, statement, or certification in regard to any test will be terminated from all processing, removed from any eligible list, and may face possible criminal prosecution.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 69

TRAFFIC SIGN AND MARKING TECHNICIAN (OPEN)

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

FILING OF APPLICATION:

Application must be made electronically through the City of Cleveland's web site:

<http://www.city.cleveland.oh.us/CityofCleveland/Home/Government/CityAgencies/CivilServiceCommission/TestingAnnouncements>

No other form or method of application will be accepted. Absolutely no paper applications will be accepted.

THE ELECTRONIC APPLICATION PERIOD IS FROM 12:01 A.M. ON FRIDAY, APRIL 21, 2017 UNTIL 11:59 P.M.

ON THURSDAY, MAY 4, 2017. NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 11:59 PM ON THURSDAY, MAY 4, 2017.

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

NOTE: YOU ARE NOT APPLYING FOR AN IMMEDIATE JOB OPENING. YOU ARE APPLYING TO TAKE AN EXAMINATION WHICH WILL BE USED TO CREATE AN ELIGIBLE LIST FOR THIS JOB CLASSIFICATION. THAT LIST WILL BE USED FOR FUTURE HIRES IN THIS JOB CLASSIFICATION.

SALARY: The prevailing salary for this position as established by Ordinance of the Council of the City of Cleveland is \$16.57 - \$18.59 per hour.

NOTE: ONCE YOU SUBMIT YOUR APPLICATION, FURTHER CHANGES TO THAT APPLICATION WILL NOT BE PERMITTED. All additional attachments, correspondence, notifications, and certifications will be made with applicants via email. Any updates of email or your online profile must be made at: CS@city.cleveland.oh.us.

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION: Candidates will be notified of the time, date, and place of the examination.

NOTE: All copies of diplomas, licenses, certificates, resumes and any other required documents must be uploaded and included with your Application when it is submitted. Applications without the required documents will be rejected.

Duties:

Under direct supervision, performs specific duties of road marking, sign erection, metal shop, metal cleaning, shop maintenance, unit office, and related work as performed in the Traffic Sign and Paint Unit, Division of Traffic Engineering and Parking. Works with hand tools, mechanical paint spray equipment, and self-propelled striping equipment for crosswalks and confined areas. Responsible for proper operation and routine maintenance of assigned equipment. Uses special tools, such as air-powered tools, lifting equipment, and cutting torches. Is assigned to special sign construction equipment and vehicles or is in charge of sign or marking crew and equipment. Prepares and executes work orders and implements record systems. Responsible, under direction, for unit office duties, field checking, traffic signs, stock room duties, and issuance of materials. Checks sign installation for utility clearance. Acts as liaison with utilities personnel as required. Performs other job-related duties as required. **Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.**

Minimum Qualifications

A High School Diploma or GED is required. A valid State of Ohio Driver's License is required, an Ohio Commercial Driver's License - Class "B" is required within six months of the date of hire. Must be able to lift and carry at least thirty pounds.

NOTE: Minimum qualifications must be met as of the last day of the filing period unless otherwise stated.

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

Any applicant that willfully provides any false document, statement, or certification in regard to any test will be terminated from all processing, removed from any eligible list, and may face possible criminal prosecution.

VETERANS' PREFERENCE

Veterans' preference will be awarded, when applicable, to eligible veterans in accordance with Civil Service Rules 4.40E, 4.40F and 4.40G. Proof of active service or a DD Form 214, must be presented to the Commission at the time of filing application for the examination in which credit is sought in order to qualify for veterans' credit. If the applicant has received an honorable discharge or a general discharge under honorable conditions that applicant shall receive an additional five (5) points added to their raw score on the examination.

RESIDENCY CREDIT

In accordance with the Charter of the City of Cleveland: A person who has had as his/her primary residence in the City of Cleveland **for at least one year at the time of filing a Civil Service application**, and desires to take an entry-level Civil Service examination, shall, if a passing grade on the written examination is attained, have ten (10) points added to his/her passing score.

In order to receive residency credit, applicants must present **the originals OR LEGIBLE COPIES** of 4 different proofs of residency from ONE YEAR AGO* and 4 different proofs of residency that are CURRENT** (A total of EIGHT documents) for verification at the time of filing. ("Different" means that an applicant can provide (for example) a bank statement from a year ago, and a current statement for the same bank account, but cannot provide multiple statements from the same account for different months to satisfy the 4 proofs requirement.

Such proofs include:

- > Driver's License
- > Bank Statements
- > Utility Bills
- > Mortgage or Lease Agreement
- > Bills from creditors not listed above
- > Other Postmarked mail such as magazines with name and mailing label attached, organization newsletters, medical/dental bills,

voter registration card, or motor vehicle registration
> Insurance Statement (Home insurance, rental insurance, car insurance or other insurance documents).

*** "ONE YEAR AGO" SHALL BE ONE YEAR PREVIOUS TO DATE OF FILING.** For example, if you are filing for the examination in September of 2016 you must present 4 different documents dated **July, or August, or September of 2015.**

**** "CURRENT" SHALL BE WITH IN THE LAST THREE MONTHS.** For example, if you are filing for the examination in October of 2016 you must present 4 different documents dated **July, or August, or September of 2016.**

NOTE: IF CREDITORS ARE PAID ONLINE, A COPY OF BILL IS TO BE PRINTED SHOWING THE ADDRESS OF THE APPLICANT. THE BILL MUST HAVE THE DATE VISIBLE.

THE COMMISSION WILL NOT ENTERTAIN APPEALS FOR VETERANS' PREFERENCE OR RESIDENCY CREDIT AFTER THE APPLICANT HAS FILED HIS/HER APPLICATION. THE DECISION OF THE COMMISSION IS FINAL.

ANYONE WHO WISHES TO REQUEST AN ACCOMMODATION MUST DO SO AT THE TIME OF FILING. THE COMMISSION WILL CONTACT THE INDIVIDUAL CONCERNING SUCH ACCOMMODATION PRIOR TO THE EXAMINATION. THE COMMISSION MAY REFUSE TO PROVIDE SUCH ACCOMMODATION IF IT IS NOT REASONABLE OR WOULD CONSTITUTE AN UNDUE HARDSHIP. CURRENT (WITHIN ONE YEAR) DOCUMENTATION SUPPORTING THE NEED FOR THE REQUESTED ACCOMMODATION IS REQUIRED. SUCH DOCUMENTATION SHOULD BE SUBMITTED AT THE TIME OF FILING.

AN EQUAL OPPORTUNITY EMPLOYER

ROBERT BENNETT,
President

April 19, 2017.

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, MAY 1, 2017

9:30 A.M.

Calendar No. 17-74: 1872-1874 West 47th Street (Ward 3)

Christian Snell, owner, proposes to change the use from a two family residence with 2 car attached garage to a three family residence with 2 car attached garage in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 327.02(e) which states that all consolidations and easements shall be recorded and approved by Engineering and Construction room 518 (No access to off street parking spaces).

2. Section 337.03 which states that a three family residence is not permitted use in Two Family District but first allowed in Multi-Family District per 337.08.

3. Section 349.04 which states that (3) three off street parking spaces are required and two are provided.

4. Section 349.07(a) which states that driveway used to provide accessibility to accessory off-street parking spaces shall be arranged to minimize traffic congestion.

5. Section 355.04(b) which states that the minimum lot area required is 7,200 square feet and the appellant is proposing 5,241 square feet. The maximum gross floor area shall not exceed 50 percent of the lot size or in this case 2,620 square feet.

6. Section 357.08(b)(1) which states that the required rear yard is 8' - 6" and the appellant is proposing 1 foot.

7. Section 357.09(b) which states that the required interior side yard is 8 feet and the appellant is proposing 1' and 0".

8. Section 357.09(b)(2)(A) which states that no building shall be less than 10 feet from main building on adjoining lot where the appellant is proposing 5' and zero feet to detached masonry garage. (Filed March 22, 2017)

Calendar No. 17-76: 4022 West 140th Street (Ward 16)

Stacy Arafat, owner, proposes to install a 6' - 0" high, solid vinyl, fence in an A1 One Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 358.04(a) which states that fences in actual front yards and in actual side street yards shall not exceed four (4) feet in height and shall be at least fifty percent (50%) open. A 6 foot high solid fence is proposed.

2. Section 358.03(a) which states that no portion of a fence located within thirty (30) feet of the intersection of two (2) street right of way lines shall exceed two and one half (2-1/2) feet in height, unless all portions of the fence above two and one half (2-1/2) feet in height are at least seventy-five (75%) open. The same restrictions shall apply to any portion of a fence located along and parallel to a driveway within fifteen (15) feet of its intersection with a public sidewalk of public street, if no sidewalk is present. (Filed March 24, 2017)

Calendar No. 17-77: 1871 West 47th Street (Ward 3)

Christopher Loeser, owner, proposes to install a condenser within the side yard in a B1 Two Family Residential District. The owner appeals for relief from Section 357.13 of the Cleveland Codified Ordinances which states that the condensing unit in the side yard is not a permitted encroachment. (Filed March 24, 2017)

Calendar No. 17-105: 6727 Fleet Avenue (Ward 12)

Bonnie Albrecht, owner, proposes to erect a 22' x 24' frame gable accessory garage with a second floor for personal storage in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.23(a) which states that a garage shall not be less than 18 inches from property lines and the appellant is proposing 12 inches.

2. Section 337.23(A) which states that the square footage for the accessory garage cannot exceed 711.2 square feet and 816 square feet are proposed. (Filed April 5, 2017)

**POSTPONED FROM
APRIL 10, 2017**

Calendar No. 17-58: 9402 Rosewood Avenue (Ward 2)

Desmond Johnson and Renee Witcher-Johnson, owners, propose to establish use as facility to provide boarding and care to children in a B1 Two-Family Residential District. The owner appeals for relief from Section 337.08(e)(3) which states that a children's boarding home is first permitted in a Multi-Family Residential District, and in that district must be at least 15 feet from adjoining premises not used for a similar purpose. (Filed March 3, 2017 - No Testimony)

First postponement made at the request of the Councilman to allow for time for a community meeting.

**POSTPONED FROM
MARCH 6, 2017**

Calendar No. 16-283: 4115 Howlett Avenue (Ward 3)

Strongsville Investments, Inc., owner, proposes to establish use as motor vehicle repair garage in a C2 Semi-Industry District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1.) Section 345.03(c)(2) which states that a Motor Vehicle Repair Garage in Semi-Industry District must be at least 100 feet from a residential district and the proposed use is abutting a residence district.

2.) Section 349.04(g) which states that one parking space per 500 square feet of gross floor area is required therefore, in this case 14 spaces are required. Only 7 spaces are shown on the plan represented as "existing parking" off West 41st Street; that area was never legally established as parking lot.

3.) Section 352.07(b) which states that a determination is required by the Board of Zoning Appeals for a change of use on a site that is non-conforming with respect to the required landscaping. The subject property is non-conforming in that it lacks a required six foot wide landscaped transition strip which would screen the parking lot from West 41st Street and lacks a 10 foot wide transition strip with 75% opacity abutting the residential district, per sections 352.08 through 352.12. (Filed October 27, 2016 - Testimony Taken)

Second postponement made at the request of the appellant due to a scheduling conflict. First postponement made at the request of the Board so that the appellant can work with the CDC to create a parking plan.

**REHEARING FROM
MARCH 20, 2017**

Calendar No. 17-020: 1539 West 117th Street (Ward 15)

Upstairs Property, owner, proposes to add an outdoor patio, fence

and trash enclosure to an existing non-conforming bar in a C2 Local Retail Business District and a Pedestrian Retail Overlay District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 327.02(d)(e) which states that a site plan drawn to scale, is required before any permit/certificate of occupancy can be issued.

2. Section 349.04(f) which states that at least two (2) additional off street parking spaces are required for the patio; no legal parking lot has been established.

3. Section 349.07(a) which states that accessory off-street parking spaces, driveways and maneuvering areas shall be properly graded for drainage so that all water is drained within the lot providing such parking spaces, surface with concrete, asphaltic concrete, asphalt or other surfacing materials; proposed parking lot is gravel.

4. Section 349.07(b) which states that accessory off-street parking spaces shall be provided with wheel or bumper guards.

5. Section 352.07(2)(b) which states that the expansion of use/premises with non-conforming landscaping requires BZA approval. The premises requires a six (6) foot landscaped screen from the street and no landscaping is proposed. (Filed January 20, 2017 - Testimony Taken)

**POSTPONED FROM
APRIL 10, 2017**

Calendar No. 17-042: 11905 Mayfield Road (Ward 6)

Perotti Co. LLC., owner, proposes to erect a 6 story 45 unit apartment building with 16 accessory parking spaces in a B2 Semi-Industry District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(b) which states that the gross floor area of a residence building in a "B" Area District is limited to 1/2 the lot area therefore the maximum gross floor area permitted is 3,685 square feet and a 27,265 square foot building is proposed. Also, this section states that a minimum lot size of 2,400 square feet per dwelling unit is required, or in this case a 108,000 square foot lot is required and a 7,370 square foot lot is proposed.

2. Section 349.04(a) which states that one accessory off-street parking space is required per dwelling unit, 45 spaces required, 16 spaces are provided.

3. Section 325.03 which states that an accessory off-street parking space must be 180 square feet and 128 square feet spaces are provided.

4. Section 357.01(d) which states that a 40 foot setback from street centerline (10 foot property line) is shown on the Building Zone Map where a 5' setback is proposed.

5. Section 357.08(b)(2) which states that a rear yard equal to 1/2 the height of the building is required, per Section 357.01(c); no rear yard provided.

6. Section 357.09(b)(2)(C) which states that interior side yards equal to 1/4 the height of the building are required, per section 357.01(c); interior side yards of zero and 8" are proposed. (Filed February 10, 2017 - Testimony Taken)

Second postponement made at the request of the appellant to allow for time to meet with the community. First postponement made at the request of the Councilwoman for further review.

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, APRIL 17, 2017

At the meeting of the Board of Zoning Appeals on Monday, April 17, 2017 the following appeals were scheduled for hearing before the Board and;

The following appeals were **APPROVED:**

Calendar No. 17-54: 2142 Thurman Avenue
Mathew and Karina McLuckey, owners, propose to erect a 20' - 10" x 52' - 7" three story frame single family residence in a B1 Multi-Family Residential District.

Calendar No. 17-63: 3813 Euclid Avenue
The Children's Museum, owner, proposes to change use to a museum in a D5 General Retail.

Calendar No. 17-64: 10611 Harvard Avenue
Paul Adamiuk, owner, proposes to establish use as auto repair garage in a B3 Semi-Industry Zoning District.

Calendar No. 17-65: 1644 Lorain Avenue
Gloria Gates, owner, proposes to erect 42' x 50' 3 story frame single family residence with attached garage on irregular shaped lot in a B1 Two-Family Residential District.

The following appeals were **DENIED:**

None.

The following appeals were **WITHDRAWN:**

None.

The following appeals were **DISMISSED:**

None.

The following cases were **POSTPONED:**

Calendar No. 17-66: 9000 Aetna Avenue
9000 Aetna Avenue. Postponed to June 5, 2017.

Calendar No. 17-67: Halmarnie Inc.
3155 East 68th Street. Postponed to June 5, 2017.

The following cases were heard by the Board of Zoning Appeals on Monday, April 10, 2017 and the decisions were adopted and approved on Monday, April 17, 2017:

The following appeals were **APPROVED:**

Calendar No. 17-57: 1853 West 48th Street
Elmhurst Homes LLC., owner, proposes to erect a 2 story, 1,600

square foot single family house in a B1 Two-Family Residential District.

Calendar No. 17-60: 2117 Barber Avenue
Tremont West Development, owner, Sustainable Community Associates, prospective purchaser, propose to erect a parking lot in a C1 Multi-Family District as accessory to an apartment across the street.

Calendar No. 17-61: 1328 West 61st Street
Rebecca Philipson proposes to erect a 1,978 square foot, 2 1/2 single family house on a City of Cleveland Land Bank Lot in a B1 Two Family Residential District.

The following appeal was **DENIED:**

Calendar No. 17-29: 14209 Triskett Road
Christina Green, owner, proposes to erect an 18' x 22' two story frame accessory garage with second floor for personal use in a B1 Two Family Residential District.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids. Where invitations for bids are advertised, the following notice shall be included in the advertisement: "Pursuant to the MBE/FBE

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

FRIDAY, APRIL 28, 2017

File No. 46-17 — Pothole Repairs, for the Division of Streets, Department of Public Works, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976. **THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, APRIL 21, 2017 AT 10:00 A.M. 4150 EAST 49TH STREET, BUILDING 1, CLEVELAND, OHIO 44105.**

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

April 12, 2017 and April 19, 2017

FRIDAY, MAY 5, 2017

File No. 48-17 — Labor and Materials Necessary to Repair and Maintain Decorative and Special Lighting on Bridges and the Wyland Whale Mural Park, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1277-16, passed by the Council of the City of Cleveland, November 28, 2016. **THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, APRIL 21, 2017 AT 10:00 A.M. CLEVELAND PUBLIC POWER, THE TOM L. JOHNSON BUILDING, 1300 LAKESIDE AVENUE, CONFERENCE ROOM A, CLEVELAND, OHIO 44114.**

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

April 12, 2017 and April 19, 2017

FRIDAY, MAY 12, 2017

File No. 47-17 — Various Recreation Center Improvements - Roof Replacement and Water Intrusion Repairs, for the Division of Architecture and Site Development, Office of Capital Projects, as

authorized by Ordinance No. 732-14, passed by the Council of the City of Cleveland, June 9, 2014.

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

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, APRIL 20, 2017 AT 10:00 A.M. CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 517A, CLEVELAND, OHIO 44114.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

April 12, 2017 and April 19, 2017

WEDNESDAY, MAY 17, 2017

File No. 49-17 — Contractual Repair of Water Mains, Fire Hydrants, Valves, Service Connections and Appurtenances - Area A, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 703-16, passed by the Council of the City of Cleveland, July 13, 2016.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, APRIL 27, 2017 AT 10:00 A.M. CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, 4TH FLOOR ATRIUM CONFERENCE ROOM, CLEVELAND, OHIO 44114.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

File No. 50-17 — 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. 703-16, passed by the Council of the City of Cleveland, July 13, 2016.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, APRIL 27, 2017 AT 10:00 A.M. CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, 4TH FLOOR ATRIUM CONFERENCE ROOM, CLEVELAND, OHIO 44114.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

April 19, 2017 and April 26, 2017

THURSDAY, MAY 18, 2017

File No. 51-17 — Contractual Repair of Water Mains, Fire Hydrants, Valves, Service Connections and Appurtenances - Area C, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 703-16, passed by the Council of the City of Cleveland, July 13, 2016.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, APRIL 27, 2017 AT 10:00 A.M. CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, 4TH FLOOR ATRIUM CONFERENCE ROOM, CLEVELAND, OHIO 44114.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

File No. 52-17 — Contractual Repair of Water Mains, Fire Hydrants, Valves, Service Connections and Appurtenances - Area D, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 703-16, passed by the Council of the City of Cleveland, July 13, 2016.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, APRIL 27, 2017 AT 10:00 A.M. CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, 4TH FLOOR ATRIUM CONFERENCE ROOM, CLEVELAND, OHIO 44114.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

File No. 53-17 — Fire Hydrants and Fire Hydrant Parts, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, APRIL 27, 2017 AT 11:00 A.M. CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, 4TH FLOOR ATRIUM CONFERENCE ROOM, CLEVELAND, OHIO 44114.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

File No. 54-17 — Neutralization Chemicals, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, APRIL 28, 2017 AT 9:30 A.M. CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201

LAKESIDE AVENUE, 4TH FLOOR ATRIUM CONFERENCE ROOM, CLEVELAND, OHIO 44114.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

File No. 55-17 — Snow and Ice Removal Contract, for the Division of Health Administration, Department of Public Health, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, MAY 4, 2017 AT 10:00 A.M. J. GLEN SMITH HEALTH CENTER, 11100 SAINT CLAIR AVENUE, 1ST FLOOR MULTIPURPOSE CONFERENCE ROOM, CLEVELAND, OHIO 44109.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

April 19, 2017 and April 26, 2017

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 204-17.

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

An emergency resolution declaring the intent to vacate a portion of Lorain Court and West 48th Place.

Whereas, this Council is satisfied that there is good cause to vacate a portion of Lorain Court and West 48th Place, as described; and

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

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

Section 1. That this Council declares its intent to vacate a portion of the following described real property:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a portion of Lorain Court and West 48th Place of part of the Taylor and Hoyt Allotment as shown in Volume 1, Page 20 of Cuyahoga County Map Records further described as follows:

Being all that portion of Lorain Court S.W. (width varies) extending from the west line of West 47th Street (60.00 feet wide) to the east line of West 48th Street (60.00 feet wide).

Being all that portion of West 48th Place (width varies) extending from the south line of Lorain Court S.W. (width varies) southerly to its intersection with the westerly prolongation of the south line of Sublot 164 in said Taylor and Hoyt Allotment.

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

Section 2. That this resolution is declared to be an emergency measure

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

Adopted April 10, 2017.
Effective April 11, 2017.

**Res. No. 392-17.
By Council Member Dow.
An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 1905 East 55th 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 Laith Rashid, Inc., DBA Grandpas Kitchen, 1905 East 55th Street, Cleveland, Ohio 44103, Permit Number 4972485 to BDS Ohio, Inc., DBA Grandpas Kitchen, 1905 East 55th Street, Cleveland, Ohio 44103, Permit Number 0347925; 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 Laith Rashid, Inc., DBA Grandpas Kitchen, 1905 East 55th Street, Cleveland, Ohio 44103, Permit Number 4972485 to BDS Ohio, Inc., DBA Grandpas Kitchen, 1905 East 55th Street, Cleveland, Ohio 44103, Permit Number 0347925; 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 April 10, 2017.
Effective April 11, 2017.

Ord. No. 71-17.

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

An emergency ordinance authorizing the Director of Capital Projects to make alterations and modifications in Contract No. PI 2014-045 with J.G. Johnson Construction Co. for the rehabilitation of the Eastside Maintenance Facility, for the Office of Capital Projects.

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

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

Section 1. That the Director of Capital Projects is authorized to make the following alterations and modifications in Contract No. PI 2014-045 with J.G. Johnson Construction Co. for the rehabilitation of the Eastside Maintenance Facility, for the Office of Capital Projects:

Remediation of an undocumented underground storage vault/tank at the construction site, and costs associated with additional professional services necessary to remediate and comply with OEPA standards and regulations

Additional Subsidiary Amount	\$479,073.74
Original Contract Amount	\$ 5,266,310.00
Additional Subsidiary Amount	+ 479,073.74
New Contract Amount	\$ 5,745,383.74

which alteration has been recommended in writing by the Director of Capital Projects, countersigned by the Mayor, and consented to by the surety on the contract. The price to be paid for the alterations and modifications to the contract has been agreed upon in writing and signed by the Director of Capital Projects and the contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$479,073.74 to be paid from Fund Nos. 20 SF 517, 20 SF 524, 20 SF 532, 20 SF 539, 20 SF 545, 20 SF 551, 20 SF 553, 20 SF 559, 20 SF 562, 20 SF 566, and 20 SF 573, RQS 0103, RL 2017-1.

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

Passed April 10, 2017.
Effective April 11, 2017.

Ord. No. 101-17.

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

An emergency ordinance to amend Section 9 of Ordinance No. 246-15, passed April 13, 2015, relating to the public improvement and design of constructing a City Kennel, and rehabilitating, renovating or otherwise improving various public facilities, including site improvements and appurtenances.

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 9 of Ordinance No. 246-15, passed April 13, 2015, is amended to read as follows:

Section 9. That the cost of any expenditure authorized by this

ordinance shall be paid from the fund or funds to which are credited the proceeds of the sale of 2015 bonds authorized by Ordinance No. 1629-14, passed January 1, 2015, and sold for this purpose, and any other funds approved by the Director of Finance.

Section 2. That existing Section 9 of Ordinance No. 246-15, passed April 13, 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 April 10, 2017.
Effective April 11, 2017.

Ord. No. 193-17.
By Council Members K. Johnson and Kelley (by departmental request).
An emergency ordinance authorizing the Director of Public Works to enter into one or more license agreements with the Northeast Ohio Regional Sewer District, to install and maintain a data sonde station in Doan Brook on City-owned property in Rockefeller Park and at other locations.

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 Section 183.16 of the Codified Ordinances of Cleveland, Ohio, the Director of Public Works is authorized to enter into one or more license agreements with the Northeast Ohio Regional Sewer District (the "NEORS") whereby the City is granting the NEORS the right to use and occupy City property for the installation and maintenance of a data sonde station in Doan Brook on City-owned property in Rockefeller Park, and at other locations as approved by the Director of Public Works, at a cost of \$1.00 and other valuable consideration. The location of the Doan Brook data sonde site is more fully described as follows:

**Location of
Doan Brook Data Sonde Site
PPN: 107-01-001**

Being located on the wooden pole on the S.W. corner of Martin King Jr. Drive and the ramp to East 82nd Street and on the N.W. wing wall of the Doan Brook Bridge at said location:

Latitude: 41.537244, Longitude: -81.630598

Section 2. That the term of the license agreement or agreements shall be perpetual, automatically renewed from year to year unless terminated by either party.

Section 3. That the license agreement or agreements shall be prepared by the Director of Law.

Section 4. That the Director of Public Works and the Director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take such other action as may be necessary or appropriate to effect the license agreement or agreements authorized by this ordinance.

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

and after the earliest period allowed by law.

Passed April 10, 2017.
Effective April 11, 2017.

Ord. No. 194-17.
By Council Members K. Johnson and Kelley (by departmental request).
An emergency ordinance authorizing the Director of Public Works to employ one or more professional consultants to provide security services at various indoor and outdoor recreation facilities, including but not limited to, recreation centers, outdoor pools, and various surrounding play areas, for a period not to exceed one year.

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

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

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

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

Section 2. That the cost of the contract or contracts authorized shall be paid from Fund No. 01-7004-6380, Request No. RQS 7004, RL 2017-12

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

Passed April 10, 2017.
Effective April 11, 2017.

Ord. No. 202-17.
By Council Members K. Johnson and Kelley (by departmental request).
An emergency ordinance determining the method of making the public improvement of repairing, constructing, or installing, roadways, bus pads, sidewalks, driveway aprons, curbs, brick streets, ADA compliant curb ramps, minor bridge repairs, and appurtenances, and asphalt resurfacing and asphalt

crack sealing; authorizing the Director of Capital Projects to enter into one or more public improvement requirement contracts for the making of the improvement; authorizing the director to apply for and accept any gifts or grants; and authorizing any agreements, for a period not to exceed two years.

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

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

Section 1. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of repairing, constructing, or installing, roadways, bus pads, sidewalks, driveway aprons, curbs, brick streets, ADA compliant curb ramps, minor bridge repairs, and appurtenances, and asphalt resurfacing and asphalt crack sealing, for the Division of Engineering and Construction, Office of Capital Projects, by one or more public improvement requirement contracts duly let to the lowest responsible bidder or bidders on a unit basis for the improvement.

Section 2. That, provided this Council authorizes and the City sells future bonds for the purposes that include the improvement authorized in this ordinance, the Director of Capital Projects is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period not to exceed two years for the making of the above public improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement for a period not to exceed the specified term, purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Engineering and Construction, Office of Capital Projects. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 3. That the Director of Capital Projects is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

Section 4. That the Director of Capital Projects is authorized to apply for and accept any gifts, grants, or other funding for this purpose from any public or private entity and that the Director is authorized to file all papers and execute all documents necessary to receive the funds; and that the funds are appropriated for the purposes described in this ordinance.

Section 5. That the Director of Capital Projects is authorized to accept a cash contribution from public or private entities for infrastructure restoration costs associated with relocating, rehabilitating or reconstructing utility infrastructure for the improvement.

Section 6. That the Director of Capital Projects is authorized to enter into any agreement or agreements that are necessary to implement the improvement.

Section 7. That the costs of the contract or contracts shall be paid from Fund Nos. 20 SF 520, 20 SF 528, 20 SF 534, 20 SF 540, 20 SF 546, 20 SF 554, 20 SF 563, 20 SF 568, 20 SF 574 and from the fund or funds to which are credited the proceeds of the sale of future bonds if authorized by this Council and sold by the City for a purpose which includes this improvement, and shall also be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 0103, RL 2017-10)

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

Passed April 10, 2017.
Effective April 11, 2017.

Ord. No. 251-17.
By Council Members K. Johnson and Kelley (by departmental request).

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

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

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

Section 1. That the Director of Public Works is authorized to enter into contract with the Northeast Ohio Muni Football League aka Cleveland Municipal Football Association dba Cleveland Muni Football League to conduct a city-wide football program and to pay participant entry fees, in an amount not to exceed \$80,098, payable from Fund No. 01-7004-6380, Request No. RQS 7004, RL 2017-16.

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

Passed April 10, 2017.
Effective April 11, 2017.

Ord. No. 252-17.
By Council Members K. Johnson and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Works to employ a management firm

to provide managerial services for the daily operations of the roller skating rink located within Zelma Watson George Recreation Center and the concession services of the center, for a period of five years, with five options to renew for additional one-year periods, exercisable by the Director of Public Works.

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

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

Section 1. That the Director of Public Works is authorized to employ by contract or contracts a management firm for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide managerial services for the daily operations of the roller skating rink located within Zelma Watson George Recreation Center and the concession services of the center, for a period of five years, with five options to renew for additional one-year periods, exercisable by the Director of Public Works.

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

Section 2. That the cost of the contract authorized shall be paid from Fund No. 01-7004-6380. All profits received shall be deposited into Fund No. 10 SF 124 and shall be used to pay the cost of future capital improvements and operating expenses at the Zelma Watson George Recreation Center, which are not the obligation of the manager under the Agreement. RQS 7004, RL 2017-19.

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 April 10, 2017.
Effective April 11, 2017.

Ord. No. 285-17.
By Council Members K. Johnson and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Works to enter into one or more concession agreements for the operation of a first-class food and beverage service at the Cleveland City Hall Cafeteria, for a period not to exceed two years, with a one-year option to renew, exercisable by the Director of Public Works.

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

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

Section 1. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Public Works is authorized to enter into one or more concession agreements on the basis of competitive proposals for the operation of a first-class food and beverage service at the Cleveland City Hall Cafeteria, for a period not to exceed two years, with a one-year option to renew exercisable by the Director of Public Works. The selection of the concessionaire or concessionaires shall be made by the Board of Control on the nomination of the Director of Public Works. The concession fee to be paid to the City shall be fixed by the Board of Control.

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

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

Passed April 10, 2017.
Effective April 11, 2017.

Ord. No. 286-17.
By Council Members K. Johnson and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Works to enter into one or more concession agreements for the operation of a first-class food and beverage service in connection with renting the Rotunda in City Hall and for marketing the rental of the Rotunda for catered events, for a period not to exceed two years, with a one-year option to renew, exercisable by the Director of Public Works.

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

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

Section 1. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Public Works is authorized to enter into one or more concession agreements on the basis of competitive proposals for the operation of first-class food and beverage service in connection with renting the Rotunda in City Hall under Section 131.081 of the Codified Ordinances and for marketing the rental of the Rotunda for catered events, for a period not to exceed two years, with a one-year option to renew exercisable by the Director of Public Works. The selection of the concessionaire or concessionaires shall be made by the Board of Control on the nomination of the Director of Public Works. The concession fee to be paid to the City shall be fixed by the Board of Control.

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

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

Passed April 10, 2017.
Effective April 11, 2017.

Ord. No. 288-17.
By Council Members K. Johnson and Kelley (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of trees, and labor and materials needed for urban forestry services, including but not limited to, maintaining and planting trees, and removing trees, stumps, and tree waste material, for the Division of Park Maintenance and Properties, Department of Public Works, for a period of one year, with a one-year option to renew, exercisable by the Director of Public Works.

Whereas, this ordinance constitutes an emergency measure providing for

the usual daily operation of a municipal department; now, therefore,

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

Section 1. That the Director of Public Works is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period of one-year, with a one-year option to renew, exercisable by the Director of Public Works, of the necessary items of trees, and labor and materials needed for urban forestry services, including but not limited to, maintaining and planting trees, and removing trees, stumps, and tree waste material, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Park Maintenance and Properties, Department Public Works. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 7012, RL 2017-11)

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

Section 4. That 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 April 10, 2017.
Effective April 11, 2017.

Ord. No. 318-17.

By Council Member Kelley (by departmental request).

An emergency ordinance to amend Section 32 of Ordinance No. 323-15, passed March 30, 2015, as amended by various ordinances, 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 32 of Ordinance No. 323-15, passed March 30, 2015, as amended by various ordinances, is amended to read as follows:

Section 32. That the salaries and the compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Airport Maintenance Supervisor.....	\$21,019.66	67,178.06
2. Assistant Custodian.....	20,800.00	53,513.57
3. Assistant Superintendent of Electrical Generation.....	21,019.66	62,634.69
4. Bridge Inspector.....	20,800.00	46,051.26
5. Bureau Manager - Housing.....	26,797.11	90,711.92
6. Bureau Manager - Demolition.....	26,797.11	90,711.92
7. Bureau Manager - Building.....	26,797.11	90,711.92
8. Cable Production Manager.....	20,800.00	102,766.79
9. Chief Bridge Operator.....	20,800.00	55,386.52
10. Chief Safety Signal System.....	18.60	40.64
11. Chief Sidewalk Inspector.....	20,800.00	50,732.20
12. Chief Street Permit Inspector.....	20,800.00	48,254.00
13. Chief of Traffic Signal Unit.....	18.60	40.64
14. Community Development Code Enforcement Inspector Supervisor.....	34,464.91	62,784.85
15. Correctional Supervisor.....	20,800.00	56,521.12
16. District Forester.....	31,043.38	64,423.99
17. Environmental Assistant.....	20,800.00	56,521.12
18. Field Operations Forester.....	32,445.00	66,858.11
19. General Superintendent of Waste Collection.....	30,473.96	70,412.06
20. Instrumentation Supervisor.....	29,200.50	74,148.12
21. Parking Meter Foreman.....	24,679.38	45,527.01
22. Printing Foreman.....	28,404.92	57,522.83
23. Print Services Technical Specialist.....	\$10.00	\$40.00
24. Supervisor of Parking Enforcement Unit.....	20,800.00	44,904.32
25. Supervisor of Markets.....	20,800.00	49,942.38
26. Supervisor of Weights and Measures.....	20,800.00	70,264.38
27. Survey Party Chief.....	20,800.00	62,194.14

Section 2. That existing Section 32 of Ordinance No. 323-15, passed March 30, 2015, as amended by various ordinances, 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 April 10, 2017.
Effective April 11, 2017.

Ord. No. 356-17.
By Council Member Kelley (by departmental request).
An emergency ordinance authorizing payment of membership dues of the City of Cleveland in Global Cleveland for 2017.

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

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

Section 1. That the Director of Finance is authorized to cause payment of membership dues of the City of Cleveland in the amount of \$50,000 to be made to Global Cleveland for 2017, from funds approved by the Director of Finance for this purpose.

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 April 10, 2017.
Effective April 11, 2017.

Ord. No. 357-17.
By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of paper products, for the various divisions of City government for a period of one year, with two one-year options to renew, exercisable by the Director of Finance.

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

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

Section 1. That the Director of Finance is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a one year period, with two one-year options to renew, exercisable by the Director of Finance, of the necessary items of paper and envelopes for the various divisions of City government, including but not limited to various paper, and envelopes in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of City government. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified

term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 1508, RL 2017-18)

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

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

Passed April 10, 2017.
Effective April 11, 2017.

Ord. No. 358-17.
By Council Member Kelley (by departmental request).
An emergency ordinance to amend Sections 7, 13, and 16 of Ordinance No. 323-15, passed March 30, 2015, as amended by Ordinance No. 491-15, passed May 4, 2015, relating to compensation for various classifications.

Whereas, State Employment Relations Board deemed the Fact-Finder's report, findings, and recommendations accepted by the City and the City, County and Waste Paper Drivers Union, Local No. 244, affiliated with the International Brotherhood of Teamsters ("Local 244") on March 9, 2017, which provided for, among other things, an increase in the salaries and wages for members of Local 244; and

Whereas, this Council approved the collective bargaining agreement with The Service Employees International Union, Local 1, and The International Union of Painters and Allied Trades, District Council 6, which provided for, among other things, an increase in the salaries and wages for its members; 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 Sections 7, 13, and 16 of Ordinance No. 323-15, passed March 30, 2015, as amended by Ordinance No. 491-15, passed May 4, 2015, are amended to read as follows:

Section 7. Service Employees International Union, Local 1. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Bridge Oiler	\$10.20	\$19.51
2. Custodial Worker	11.83	15.89
3. Window Washer	14.40	21.95

Section 13. International Union of Painters and Allied Trades, District Council 6. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Sign Painter.....	\$23.23	\$34.60
2. Sign Painter Unit Leader.....	24.23	37.27
3. Traffic Sign and Marking Supervisor.....	13.28	27.13
4. Traffic Sign Process Operator.....	13.28	27.16

Section 16. City, County and Waste Paper Drivers Union, Local No. 244, affiliated with the International Brotherhood of Teamsters. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Airport Maintenance Man.....	\$19.09	\$20.06
2. Animal Control Officer.....	17.64	18.54
3. Concrete Mixer Driver.....	23.69	24.89
4. Ground Maintenance Truck Driver.....	24.85	26.11
5. Ground Maintenance Truck Driver II.....	19.73	20.73
6. Hostler.....	15.66	16.45
7. Parking Enforcement Officer.....	15.55	16.34
8. Section Supervisor (part-time/seasonal).....	10.00	17.44
9. Snow Removal Vehicle Operator (part-time/seasonal).....	17.10	18.37
10. Street Carry-all Driver.....	24.85	26.11
11. Street Maintenance Equipment Leader.....	25.81	27.12
12. Street Equipment Maintenance Specialist.....	24.85	26.11
13. Tanker Truck Driver.....	24.85	26.11
14. Traffic Controller.....	15.55	16.34
15. Truck Driver.....	19.99	21.01
16. Waste Collection Driver.....	19.71	23.02
17. Waste Collection Roll Off Driver.....	23.66	24.87

Section 2. That existing Sections 7, 13, and 16 of Ordinance No. 323-15, passed March 30, 2015, as amended by Ordinance No. 491-15, passed May 4, 2015, are repealed.

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

Passed April 10, 2017.
Effective April 11, 2017.

Ord. No. 359-17.

By Council Member Kelley (by departmental request).

An emergency ordinance to amend Section 8 of Ordinance No. 323-15, passed March 30, 2015, as amended, 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 8 of Ordinance No. 323-15, passed March 30, 2015, as amended by Ordinance No. 491-15, passed May 4, 2015, Ordinance No. 707-16, passed July 13, 2016, and Ordinance No. 19-17, passed January 23, 2017, is amended to read as follows:

Section 8. International Local 100, AFSCME Ohio Council 8 AFL-CIO. That salaries in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Accountant I.....	\$14.39	\$21.23
2. Accountant II.....	14.88	23.30
3. Accountant III.....	15.48	25.84
4. Accountant Clerk I.....	10.00	17.21
5. Accountant Clerk II.....	10.00	18.58
6. Activities Therapist.....	10.00	16.29
7. Airport Information Representative.....	12.14	17.84
8. Airport Operations Agent I.....	17.13	22.05
9. Airport Operations Agent II.....	21.52	25.96
10. Airport Safety Man.....	17.19	24.24
11. Architect.....	10.00	32.10
12. Associate Engineer.....	17.83	43.27
13. Assistant Plan Examiner.....	16.29	24.50
14. Assistant Residential Plan Examiner.....	13.42	24.50
15. Associate Programmer.....	10.00	24.95
16. Bill Collector.....	12.14	17.83
17. Billing Clerk.....	10.00	17.12
18. Building Inspector.....	14.26	23.68
19. Building Inspector I.....	14.08	25.86
20. Building Inspector II.....	14.89	27.32
21. Building Inspector III.....	15.70	28.77

22.	Building Inspector IV	26.35	30.27
23.	Caseworker I	13.33	19.36
24.	Caseworker II	14.03	21.23
25.	Cashier/Starter	10.00	21.24
26.	Chemist	18.49	28.21
27.	Chief Miscellaneous Investigator	10.00	24.50
28.	Citizens Information Representative	10.00	20.27
29.	Claims Examiner	10.00	24.50
30.	Clinical Laboratory Assistant	10.00	20.27
31.	Clinical Laboratory Technician I	10.00	23.30
32.	Clinical Laboratory Technician II	16.86	24.95
33.	Community Development Planner	10.00	30.90
34.	Community Health Aide	10.00	17.20
35.	Community Relations Representative I	10.00	20.27
36.	Community Relations Representative II	10.00	24.50
37.	Community Relations Representative III	10.00	30.32
38.	Computer Monitor Assistant	10.00	14.73
39.	Computer Operator	10.00	24.50
40.	Construction Technician	12.02	24.50
41.	Consumer Protection Specialist	10.00	19.37
42.	Contract and Monitoring Specialist	10.00	25.93
43.	Cook	13.77	16.75
44.	Copy Center Operator	10.00	19.70
44a.	Customer Account Associate, Billing Services	15.08	19.61
44b.	Customer Account Associate, Credit & Collections	15.08	19.61
44c.	Customer Service Representative, Call Center	14.28	18.57
45.	Customer Service Representative	12.15	18.57
46.	Customer Support Associate of Billing Services	14.28	18.57
47.	Customer Support Associate of Call Center	14.28	18.57
48.	Customer Support Associate of Cleveland Public Power Meter Service Center	14.28	18.57
49.	Customer Support Associate of Credit and Collections	15.08	19.61
50.	Customer Support Associate of Meter Operations	14.28	18.57
51.	Customer Support Associate of Water Distribution and Maintenance	14.28	18.57
52.	Customer Support Associate of Water Pollution Control	14.28	18.57
53.	Data Control Clerk	10.00	17.84
54.	Data Conversion Operator	12.02	16.17
55.	Development Officer	10.00	28.77
56.	Disease Intervention Specialist I	17.83	24.71
57.	Disease Intervention Specialist II	19.81	27.35
58.	Drug and Alcohol Counselor	10.00	15.78
59.	Elevator Inspector	14.23	25.86
60.	Engineer	22.78	36.56
61.	Environmental Compliance Specialist I	14.95	24.41
62.	Environmental Compliance Specialist II	16.35	25.56
63.	Environmental Compliance Specialist III	17.90	32.90
64.	Environmental Enforcement Specialist I	14.95	25.41
65.	Environmental Enforcement Specialist II	16.35	26.63
66.	Environmental Enforcement Specialist III	17.90	27.92
67.	Environmental Monitoring Specialist I	13.33	25.19
68.	Environmental Monitoring Specialist II	14.18	26.38
69.	Environmental Monitoring Specialist III	15.74	27.63
70.	Financial Analyst	10.00	23.30
71.	Financial Counselor	10.00	24.50
72.	First Press Operator	12.00	23.38
73.	General Storekeeper	19.25	26.23
74.	Geriatric Outreach Worker	10.00	22.62
75.	Hazardous Material Specialist	21.63	35.00
76.	Head Cook	10.00	18.91
77.	Head Storekeeper	17.85	24.24
78.	Help Desk Analyst	12.02	27.14
79.	Home Maintenance Aide	10.00	16.70
80.	House Connection Inspector	15.39	19.84
81.	Residential Building Inspector	17.69	21.36
82.	Income Tax Tracer	12.60	19.82
83.	Information Control Analyst	10.00	22.23
84.	Inspector of Permits and Sales	20.55	23.79
85.	Inspector of Weight and Measures	12.89	18.81
86.	Instrumentation Technician I	20.44	22.81
87.	Instrumentation Technician II	22.81	25.13
88.	Instrument Repairman	10.00	22.46
89.	Intake Specialist	10.00	17.21
90.	Interim Building Inspector	19.00	21.39
91.	Interim Mechanical Inspector	19.00	21.39
92.	Interim Residential Building Inspector	15.75	17.74

93.	Interim Residential Plan Examiner.....	20.25	22.81
94.	Junior Cashier.....	11.14	17.83
95.	Junior Clerk.....	11.97	14.86
96.	Lab Coordinator.....	16.82	28.24
97.	Laboratory Assistant.....	10.00	20.27
98.	Landscape Designer.....	10.00	30.32
99.	Life Guard.....	10.00	16.98
100.	Life Guard Captain.....	10.00	21.02
101.	Mechanical Inspector I.....	14.08	25.86
102.	Mechanical Inspector II.....	14.89	27.32
103.	Mechanical Inspector III.....	15.70	28.77
104.	Mechanical Inspector IV.....	27.39	30.27
105.	Medical Billing Reimbursement Specialist.....	10.42	22.50
106.	Medical Coder and Billing Analyst.....	10.17	23.19
107.	Messenger.....	10.00	16.01
108.	Meter Reader.....	15.53	20.25
109.	Meter Technician.....	18.05	20.25
110.	Miscellaneous Investigator.....	15.35	19.57
111.	Monitoring, Auditing and Evaluation Coordinator.....	13.65	23.65
112.	Network Analyst I.....	14.52	37.08
113.	On The Job Training Specialist.....	12.71	22.85
114.	Parking Attendant.....	10.00	17.21
115.	Parking Meter Collector.....	10.00	17.18
116.	Parking Meter Serviceman.....	16.49	18.06
117.	Permit Processing Specialist.....	10.00	14.41
118.	Pharmacist.....	10.74	33.88
119.	Photographer.....	10.00	23.30
120.	Photographic Laboratory Technician.....	10.00	20.27
121.	Physical Director I.....	10.00	20.94
122.	Physical Director II.....	10.00	22.60
123.	Residential Plan Examiner.....	19.56	27.69
124.	Play Director.....	10.00	14.69
125.	Pressman.....	10.00	22.86
126.	Preventive Health Counselor.....	13.59	23.69
127.	Preventive Health Educator.....	10.00	15.92
128.	Principal Cashier.....	14.66	24.95
129.	Principal Clerk.....	14.88	21.12
130.	Print Shop Helper.....	12.85	15.72
131.	Private Secretary.....	10.00	22.29
132.	Program Analyst.....	16.64	32.30
133.	Programmer.....	10.00	28.78
134.	Programmer Analyst.....	10.00	32.30
135.	Property Clerk.....	11.37	35.76
136.	Psychiatric Social Worker.....	12.48	23.23
137.	Public Health Nursing Aide.....	10.63	14.98
138.	Public Health Sanitarian I.....	15.48	22.33
139.	Public Health Sanitarian II.....	17.38	24.80
140.	Public Health Sanitarian III.....	15.49	26.03
141.	Public Health Sanitarian IV.....	18.77	31.99
142.	Public Information Officer.....	10.00	24.50
143.	Quality Assurance Analyst.....	10.00	28.77
144.	Quality Control Coordinator.....	16.82	28.25
145.	Radio Dispatcher.....	17.33	22.05
146.	Radio Technician.....	19.85	22.05
147.	Receptionist.....	10.00	15.24
148.	Recreation Aide.....	10.00	11.83
149.	Recreation Instructor.....	10.00	17.21
150.	Recreation Instructor I.....	10.00	18.34
151.	Recreation Instructor II.....	10.00	15.21
152.	Recreation Instructor III.....	10.00	20.13
153.	Redevelopment Advisor.....	10.00	25.84
154.	Redevelopment Coordinator.....	10.00	28.74
155.	Registered Animal Health Technician.....	10.00	17.21
156.	Rehabilitation Inspector.....	17.69	28.75
157.	Second Press Operator.....	10.00	20.91
158.	Secretary.....	10.00	18.59
159.	Secretary to Director of Consumer Affairs.....	10.00	30.32
160.	Senior Assistant City Planner.....	10.00	25.84
161.	Senior Assistant Designer.....	10.00	25.84
162.	Senior Assistant Mechanical Engineer.....	10.00	25.84
163.	Senior Cashier.....	12.57	21.23
164.	Senior Chemist.....	17.61	24.50
165.	Senior Clerk.....	12.47	17.43
166.	Senior Computer Operator.....	10.00	28.78
167.	Senior Contract and Monitoring Specialist.....	11.34	30.51
168.	Senior Data Conversion Operator.....	13.47	19.37
169.	Senior Development Officer.....	12.63	37.76

170.	Senior Draftsman.....	11.69	20.83
171.	Senior Laboratory Technician.....	10.86	18.95
172.	Senior Landscape Architect.....	10.00	32.09
173.	Sewer Service Man.....	18.16	20.25
174.	Site Inspector.....	10.00	24.50
175.	Social Worker for Homeless.....	13.82	24.10
176.	Starter (Golf).....	10.00	14.24
177.	Stenographer III.....	10.00	19.37
178.	Stock Clerk.....	13.11	19.16
179.	Storekeeper.....	16.66	21.82
180.	Surveyor.....	10.00	28.78
181.	Tax Auditor I.....	14.39	20.76
182.	Tax Auditor II.....	15.48	22.84
183.	Technical Specialist.....	10.00	24.50
184.	Technical Specifications Writer.....	10.00	25.85
185.	Telecommunications Analyst I.....	14.53	44.60
186.	Telephone Operator.....	10.00	17.99
187.	Telephone Supervisor.....	10.00	18.58
188.	Traffic Sign and Marking Technician.....	16.57	18.59
189.	Trainee Building Inspector.....	18.60	21.36
190.	Trainee Residential Plan Examiner.....	18.25	22.21
191.	Typist.....	12.02	16.17
192.	Water Hydraulic Repairman.....	18.16	20.25
193.	Water Meter Repairman.....	16.18	20.25
194.	Water Pipe Repairman.....	16.77	21.68
195.	Water Service Investigator.....	19.08	20.25
196.	Water Serviceman.....	10.00	17.30
197.	Water System Construction Inspector.....	18.97	25.31
198.	Web Content Editor.....	10.00	31.28

Section 2. That existing Section 8 of Ordinance No. 323-15, passed March 30, 2015, as amended by Ordinance No. 491-15, passed May 4, 2015 and Ordinance No. 707-16, passed July 13, 2016, 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 April 10, 2017.
Effective April 11, 2017.

Ord. No. 391-17.
By Council Member Conwell.
An emergency ordinance consenting and approving the issuance of a permit for the Amazing AKA 5K on May 13, 2017, sponsored by the Western Reserve Historical Society.

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 Amazing AKA 5K, start: Western Reserve Historical Society at 10825 East Boulevard; East Boulevard; south to Wade Oval; Wade Oval west to Jephtha Drive; Jephtha north to Martin Luther King Jr. Boulevard; Martin Luther King Jr. Boulevard north to East Boulevard; turn around; Martin Luther King Jr. Boulevard south to Jephtha Drive; Jephtha south to Wade Oval; Wade Oval east to East Boulevard; East Boulevard north to Western Reserve Historical Society (finish line at 10825 East Boulevard); 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 April 10, 2017.
Effective April 11, 2017.

Ord. No. 393-17.
By Council Member Cleveland.
An emergency ordinance authorizing the Director of the Department of Community Development to enter into an agreement with Burten, Bell, Carr Development Inc. for the Holiday Food Gift Card Program through the use of Ward 5 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into an agreement effective November 1, 2016 with Burten, Bell, Carr

Development Inc., for the Holiday Food Gift Card Program for the public purpose of providing food gift cards to low/moderate income residents residing in the city of Cleveland through the use of Ward 5 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$7,000 and shall be paid from Fund No. 10 SF 188.

Section 3. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

Passed April 10, 2017.
Effective April 11, 2017.

COUNCIL COMMITTEE MEETINGS

Monday April 17, 2017

2:00 p.m.

Finance Committee: Present: Kelley, Chair; Cleveland, Vice Chair; Brady, Brancatelli, Pruitt. *Authorized*

Absence: Conwell, Keane, Mitchell, Zone. Chair; Cummins, Dow, McCormack, Pruitt, Zone. Keane, McCormack, Polensek. *Authorized Absence:* Mitchell.

Tuesday April 18, 2017
9:30 a.m.

Wednesday April 19, 2017
9:00 a.m.

10:30 a.m.

Development, Planning and Sustainability Committee: Present: Brancatelli, Chair; Cleveland, Vice

Safety Committee: Present: Zone, Chair; Conwell, Vice Chair; Kazy,

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

Index

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

Agreements

- Authorizing the Director of Public Works to enter into one or more license agreements with the Northeast Ohio Regional Sewer District, to install and maintain a data sonde station in Doan Brook on City-owned property in Rockefeller Park and at other locations. (O 193-17) **.606**
- Authorizing the Director of the Department of Community Development to enter into an agreement with Burten, Bell, Carr Development Inc. for the Holiday Food Gift Card Program through the use of Ward 5 Casino Revenue Funds. (O 393-17) **.613**
- To amend Section 195.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 595 13, passed April 29, 2013, relating to exemptions from Admissions Tax; and to authorize the Directors of Finance and Law to enter into an amendment to the Cooperative Agreement between the City and Cuyahoga County dated as of September 15, 1992. (O 305-17) 592

Board of Control — Animal Care and Control Division

- Learning Management System Training — per Ord. 478-16 to Target Solutions Learning, LLC — Divisions of Police, Fire, EMS, Depts. of Finance, Law, Public Safety (BOC Res. 181-17) 594

Board of Control — Capital Projects Office

- Ridge Road Streets Facility Fire Restoration — per Ord. 733-14 to Envirocom Construction, Inc. (BOC Res. 184-17) 595
- Willard Park Garage Improvements — per Ord. 246-15 to Envirocom Construction, Inc. (BOC Res. 185-17) 595

Board of Control — Community Development Department

- B.R. Knex Construction, Inc. — various parcels on scattered sites (Ward 9) (BOC Res. 189-17) 596
- Carolina Road, 1428 (Ward 9) — PPN 110-31-063 — Linda Alexander (BOC Res. 188-17) 596
- Carolina Road, 1438 (Ward 9) — PPN 110-31-061 — Clarissa S. Russell (BOC Res. 187-17) 595
- Cleveland Road, 409 (Ward 4) — PPN 111-18-011 — Lois Evans (BOC Res. 190-17) 596
- Connecticut Avenue, 7710 (Ward 2) — PPN 134-18-082 — Charles A. Boyd and Janet Isalyn Boyd (BOC Res. 186-17) 595
- East 81st Street, 3593 (Ward 6) — PPN 133-07-059 — Benjamin C. Butler (BOC Res. 191-17) 597

Board of Control — Emergency Medical Service Division

- Learning Management System Training — per Ord. 478-16 to Target Solutions Learning, LLC — Divisions of Police, Fire, Animal Care and Control, Depts. of Finance, Law, Public Safety (BOC Res. 181-17) 594

Board of Control — Finance Department

- Learning Management System Training — per Ord. 478-16 to Target Solutions Learning, LLC — Divisions of Police, Fire, EMS, Animal Care and Control, Depts. of Law, Public Safety (BOC Res. 181-17) 594

Board of Control — Fire Division

- Learning Management System Training — per Ord. 478-16 to Target Solutions Learning, LLC — Divisions of Police, EMS, Animal Care and Control, Depts. of Finance, Law, Public Safety (BOC Res. 181-17) 594

Board of Control — Land Reutilization Program

- B.R. Knex Construction, Inc. — various parcels on scattered sites (Ward 9) (BOC Res. 189-17) 596
- Carolina Road, 1428 (Ward 9) — PPN 110-31-063 — Linda Alexander (BOC Res. 188-17) 596

Carolina Road, 1438 (Ward 9) — PPN 110-31-061 — Clarissa S. Russell (BOC Res. 187-17) 595
 Cleveland Road, 409 (Ward 4) — PPN 111-18-011 — Lois Evans (BOC Res. 190-17) 596
 Connecticut Avenue, 7710 (Ward 2) — PPN 134-18-082 — Charles A. Boyd and Janet
 Isalyn Boyd (BOC Res. 186-17)..... 595
 East 81st Street, 3593 (Ward 6) — PPN 133-07-059 — Benjamin C. Butler (BOC Res. 191-17) 597

Board of Control — Land Reutilization Program (Ward 2)

Connecticut Avenue, 7710 (Ward 2) — PPN 134-18-082 — Charles A. Boyd and Janet
 Isalyn Boyd (BOC Res. 186-17)..... 595

Board of Control — Land Reutilization Program (Ward 4)

Cleveland Road, 409 (Ward 4) — PPN 111-18-011 — Lois Evans (BOC Res. 190-17) 596

Board of Control — Land Reutilization Program (Ward 6)

East 81st Street, 3593 (Ward 6) — PPN 133-07-059 — Benjamin C. Butler (BOC Res. 191-17) 597

Board of Control — Land Reutilization Program (Ward 9)

B.R. Knex Construction, Inc. — various parcels on scattered sites (Ward 9) (BOC Res. 189-17) 596
 Carolina Road, 1428 (Ward 9) — PPN 110-31-063 — Linda Alexander (BOC Res. 188-17) 596
 Carolina Road, 1438 (Ward 9) — PPN 110-31-061 — Clarissa S. Russell (BOC Res. 187-17)..... 595

Board of Control — Law Department

Learning Management System Training — per Ord. 478-16 to Target Solutions Learning, LLC —
 Divisions of Police, Fire, EMS, Animal Care and Control, Depts. of Finance, Public
 Safety (BOC Res. 181-17)..... 594

Board of Control — Police Division

Learning Management System Training — per Ord. 478-16 to Target Solutions Learning, LLC —
 Divisions of Fire, EMS, Animal Care and Control, Depts. of Finance, Law, Public
 Safety (BOC Res. 181-17)..... 594

Board of Control — Professional Service Contracts

Learning Management System Training — per Ord. 478-16 to Target Solutions Learning, LLC —
 Divisions of Police, Fire, EMS, Animal Care and Control, Depts. of Finance, Law,
 Public Safety (BOC Res. 181-17) 594

Board of Control — Public Improvement Contracts

East 186th Street/Glendale Avenue Sewer Project — per Ord. 1141-16 to Terrace
 Construction Company, Inc. — Division of Water Pollution Control, Dept. of Public
 Utilities (BOC Res. 183-17) 595
 Ridge Road Streets Facility Fire Restoration — per Ord. 733-14 to Envirocom Construction,
 Inc. — Office of Capital Projects (BOC Res. 184-17) 595
 Rockport Avenue Sewer Replacement Project — per Ord. 1141-16 to Fabrizi Recycling, Inc. —
 Division of Water Pollution Control, Dept. of Public Utilities (BOC Res. 182-17) 594
 Willard Park Garage Improvements — per Ord. 246-15 to Envirocom Construction, Inc. —
 Office of Capital Projects (BOC Res. 185-17)..... 595

Board of Control — Public Safety Department

Learning Management System Training — per Ord. 478-16 to Target Solutions Learning, LLC —
 Divisions of Police, Fire, EMS, Animal Care and Control, Depts. of Finance, Law
 (BOC Res. 181-17) 594

Board of Control — Public Utilities Department

East 186th Street/Glendale Avenue Sewer Project — per Ord. 1141-16 to Terrace
 Construction Company, Inc. — Division of Water Pollution Control (BOC Res. 183-17)..... 595
 Rockport Avenue Sewer Replacement Project — per Ord. 1141-16 to Fabrizi Recycling, Inc. —
 Division of Water Pollution Control (BOC Res. 182-17) 594

Board of Control — Water Pollution Control Division

East 186th Street/Glendale Avenue Sewer Project — per Ord. 1141-16 to Terrace
 Construction Company, Inc. — Dept. of Public Utilities (BOC Res. 183-17)..... 595
 Rockport Avenue Sewer Replacement Project — per Ord. 1141-16 to Fabrizi Recycling, Inc. —
 Dept. of Public Utilities (BOC Res. 182-17) 594

Board of Control — Willard Park Garage

Willard Park Garage Improvements — per Ord. 246-15 to Envirocom Construction, Inc. —
Office of Capital Projects (BOC Res. 185-17)..... 595

Board of Zoning Appeals — Report

Aetna Avenue, 9000 (Ward 2) — 9000 Aetna, owner — appeal postponed to 6/5/17 on 4/17/17
(Cal. 17-66)..... 603
Barber Avenue, 2117 (Ward 3) — Tremont West Development, owner, Sustainable Community
Associates, prospective purchaser — appeal granted and adopted on 4/17/17 (Cal. 17-60) 603
East 68th Street, 3155 (Ward 5) — Halmarnie Inc., owner — appeal postponed to 6/5/17 on
4/17/17 (Cal. 17-67)..... 603
Euclid Avenue, 3813 (Ward 7) — The Children’s Museum, owner — appeal heard on 4/17/17
(Cal. 17-63)..... 603
Harvard Avenue, 10611 (Ward 2) — Paul Adamiuk, owner — appeal heard on 4/17/17
(Cal. 17-64)..... 603
Lorain Avenue, 1644 (Ward 3) — Gloria Gates, owner — appeal heard on 4/17/17 (Cal. 17-65)..... 603
Thurman Avenue, 2142 (Ward 3) — Matthew and Karina McLuckey, owners — appeal heard on
4/17/17 (Cal. 17-54)..... 603
Triskett Road, 14209 (Ward 16) — Christstina Green, owner — appeal denied and adopted on
4/17/17 (Cal. 17-29)..... 603
West 117th Street, 1539 (Ward 15) — Upstairs Property, owner — appeal reheard on 5/1/17
(Cal. 17-20)..... 602
West 48th Street, 1853 (Ward 3) — Elmhurst Homes LLC, owner — appeal granted and adopted
on 4/17/17 (Cal. 17-57) 603
West 61st Street, 1328 (Ward 15) — Rebecca Philipson — appeal granted and adopted
on 4/17/17 (Cal. 17-61) 603

Board of Zoning Appeals — Schedule

Fleet Avenue, 6727 (Ward 12) — Bonnie Albrecht, owner — appeal to be heard on
5/1/17 (Cal. 17-105)..... 602
West 140th Street, 4022 (Ward 16) — Stacy Arafat, owner — appeal to be heard on 5/1/17
(Cal. 17-76)..... 602
West 47th Street, 1871 (Ward 3) — Christopher Loeser, owner — appeal to be heard
on 5/1/17 (Cal. 17-77) 602
West 47th Street, 1872-1874 (Ward 3) — Christian Snell, owner — appeal to be heard on
5/1/17 (Cal. 17-74)..... 601

Bonds

Authorizing the issuance and sale of bonds in the maximum principal amount of \$18,500,000 for
the purpose of providing funds to improve municipal parks and recreation facilities and
authorizing related matters. (O 411-17)576
Authorizing the issuance and sale of bonds in the maximum principal amount of \$24,775,000 for
the purpose of providing funds for bridges and roadways, and authorizing related
matters. (O 413-17)583
Authorizing the issuance and sale of bonds in the maximum principal amount of \$9,500,000 for
the purpose of providing funds to improve facilities for the discharge of governmental
functions or for services otherwise benefitting public safety, health and welfare, and
authorizing related matters. (O 412-17)580

Bridges

Authorizing the issuance and sale of bonds in the maximum principal amount of \$24,775,000 for
the purpose of providing funds for bridges and roadways, and authorizing related
matters. (O 413-17)583

Capital Projects

Consenting and Approving The Issuance of A Permit For The Amazing Aka 5k On May 13, 2017,
Sponsored By The Western Reserve Historical Society. (O 391-17)613
Authorizing the Director of Capital Projects to issue a permit to Burten, Bell and Carr
Development, Inc. to encroach into the public rights-of-way of East 75th Street and Colfax
Road by installing, using, and maintaining six 6-inch trench drains with steel grate
covers. (O 70-17)591
Authorizing the Director of Capital Projects to make alterations and modifications in Contract
No. PI 2014-045 with J.G. Johnson Construction Co. for the rehabilitation of the Eastside
Maintenance Facility, for the Office of Capital Projects. (O 71-17)605
Designating Buckeye Road between Woodhill Road and Martin Luther King Drive with a
secondary and honorary designation of “Dr. Earl Preston Way”; and repealing Ordinance
No. 110-17, passed April 3, 2017, that designated Buckeye Road between East 93rd Street
and Martin Luther King Drive with a secondary and honorary designation of “Dr. Earl
Preston Way”. (O 398-17)592
Designating East 93rd Street between Kenmore Avenue and Hough Avenue with a secondary
and honorary designation of “Harlille Jones Way”. (O 201-17)592

Determining the method of making the public improvement of repairing, constructing, or installing, roadways, bus pads, sidewalks, driveway aprons, curbs, brick streets, ADA compliant curb ramps, minor bridge repairs, and appurtenances, and asphalt resurfacing and asphalt crack sealing; authorizing the Director of Capital Projects to enter into one or more public improvement requirement contracts for the making of the improvement; authorizing the director to apply for and accept any gifts or grants; and authorizing any agreements, for a period not to exceed two years. (O 202-17)606

To amend Section 9 of Ordinance No. 246-15, passed April 13, 2015, relating to the public improvement and design of constructing a City Kennel, and rehabilitating, renovating or otherwise improving various public facilities, including site improvements and appurtenances. (O 101-17)605

Casino Revenue Funds

Authorizing the Director of the Department of Community Development to enter into an agreement with Burten, Bell, Carr Development Inc. for the Holiday Food Gift Card Program through the use of Ward 5 Casino Revenue Funds. (O 393-17)613

City of Cleveland Bids

Decorative and Special Lighting on Bridges and Wyland Whale Mural Park — Department of Public Utilities — Division of Cleveland Public Power — per Ord. 1277-16 — bid due May 5, 2017 (advertised 4/12/2017 and 4/19/2017) 603

Fire Hydrants and Fire Hydrant Parts — Department of Public Utilities — Division of Water — per C.O. Sec. 129.25 — bid due May 18, 2017 (advertised 4/19/2017 and 4/26/2017)..... 604

Neutralization Chemicals — Department of Public Utilities — Division of Water — per C.O. Sec. 129.25 — bid due May 18, 2017 (advertised 4/19/2017 and 4/26/2017) 604

Pothole Repairs — Department of Public Works — Division of Streets — per C.O. Sec. 181.101 — bid due April 28, 2017 (advertised 4/12/2017 and 4/19/2017) 603

Recreation Center Improvements: Roof Replacement & Water Intrusion Repair — Office of Capital Projects — Division of Architecture and Site Improvement — per Ord. 732-14 — bid due May 12, 2017 (advertised 4/12/2017 and 4/19/2017) 603

Snow and Ice Removal — Department of Public Health — Division of Health — per C.O. Sec. 181.101 — bid due May 18, 2017 (advertised 4/19/2017 and 4/26/2017) 604

Water Mains, Fire Hydrants, Valves, Service Connections and Appurtenances Repair: Area A — Department of Public Utilities — Division of Water — per Ord. 703-16 — bid due May 17, 2017 (advertised 4/19/2017 and 4/26/2017) 604

Water Mains, Fire Hydrants, Valves, Service Connections and Appurtenances Repair: Area B — Department of Public Utilities — Division of Water — per Ord. 703-16 — bid due May 17, 2017 (advertised 4/19/2017 and 4/26/2017) 604

Water Mains, Fire Hydrants, Valves, Service Connections and Appurtenances Repair: Area C — Department of Public Utilities — Division of Water — per Ord. 703-16 — bid due May 18, 2017 (advertised 4/19/2017 and 4/26/2017) 604

Water Mains, Fire Hydrants, Valves, Service Connections and Appurtenances Repair: Area D — Department of Public Utilities — Division of Water — per Ord. 703-16 — bid due May 18, 2017 (advertised 4/19/2017 and 4/26/2017) 604

City Planning Commission

Authorizing the Director of Capital Projects to issue a permit to Burten, Bell and Carr Development, Inc. to encroach into the public rights-of-way of East 75th Street and Colfax Road by installing, using, and maintaining six 6-inch trench drains with steel grate covers. (O 70-17)591

Declaring the intent to vacate a portion of Lorain Court and West 48th Place. (R 204-17)604

Designating Buckeye Road between Woodhill Road and Martin Luther King Drive with a secondary and honorary designation of “Dr. Earl Preston Way”; and repealing Ordinance No. 110-17, passed April 3, 2017, that designated Buckeye Road between East 93rd Street and Martin Luther King Drive with a secondary and honorary designation of “Dr. Earl Preston Way”. (O 398-17)592

Designating Cleveland Fire Department Engine Company Station #31 as a Cleveland Landmark. (O 172-17)592

Designating East 93rd Street between Kenmore Avenue and Hough Avenue with a secondary and honorary designation of “Harlrel Jones Way”. (O 201-17)592

Cleveland Hopkins International Airport (CHIA)

Authorizing the Director of Port Control to exercise the first option to renew Contract No. CT 3001 PS 2015 102 with AvAirPros Services, Inc. to provide maintenance, operation, and management of the City owned common use facilities at Cleveland Hopkins International Airport. (O 410-17)576

Cleveland Public Power (CPP)

Authorizing the Director of Public Utilities to employ one or more professional consultants to host and manage billing systems and related systems and activities, for the Divisions of Water and Cleveland Public Power for a period of three years, with two options to renew for additional one year periods, the first of which is exercisable through additional legislative authority. (O 414-17)587

Authorizing the procurement by one or more requirement contracts for the rental of various types of heavy duty equipment, on an as needed basis, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years. (O 415-17) .....	.588
Authorizing the purchase by one or more requirement contracts of labor and materials necessary for handling, recycling and disposing of various chemicals, hazardous waste products and other non-hazardous and recyclable waste materials, and training, for the Division of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years, with two one year options to renew, the first of which shall require additional legislative authority. (O 416-17) .....	.588
Collective Bargaining Agreements	
To amend Sections 7, 13, and 16 of Ordinance No. 323-15, passed March 30, 2015, as amended by Ordinance No. 491-15, passed May 4, 2015, relating to compensation for various classifications. (O 358-17) .....	.609
To amend Section 195.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 595 13, passed April 29, 2013, relating to exemptions from Admissions Tax; and to authorize the Directors of Finance and Law to enter into an amendment to the Cooperative Agreement between the City and Cuyahoga County dated as of September 15, 1992. (O 305-17) .....	.592
Commemoration	
Commemoration Resolution for William "Bill" F. Miller (R 429-17) .....	.575
Communications	
Dedication Plat for Mercury Townhomes, on West-17th Street, south of Hope Memorial (Lorain Carnegie) Bridge. Approved by Committees on Municipal Services and Properties, and Development Planning and Sustainability. Without objection, Plat approved. (F 420-17) .....	.575
Dedication Plat for the multi-phase development on the east bank of the Cuyahoga River, north of Cleveland Memorial Shoreway, on Old River Road, Front Avenue, Main Avenue and West 10th Street. Approved by Committees on Municipal Services and Properties, and Development Planning and Sustainability. Without objection, Plat approved. (F 421-17) .....	.575
Community Development	
Authorizing the Director of the Department of Community Development to enter into an agreement with Burten, Bell, Carr Development Inc. for the Holiday Food Gift Card Program through the use of Ward 5 Casino Revenue Funds. (O 393-17) .....	.613
Concession Agreements	
Authorizing the Director of Public Works to enter into one or more concession agreements for the operation of a first-class food and beverage service at the Cleveland City Hall Cafeteria, for a period not to exceed two years, with a one-year option to renew, exercisable by the Director of Public Works. (O 285-17) .....	.607
Condolences	
Condolence Resolution for Michael and Trina Kuznik (R 432-17) .....	.575
Condolence Resolution for Robert Godwin, Sr. (R 433-17) .....	.575
Condolence Resolution for Roger St. Clair (R 422-17) .....	.575
Congratulations	
Congratulations Resolution for Basil M. Ruso (R 425-17) .....	.575
Congratulations Resolution for James Craciun (R 427-17) .....	.575
Congratulations Resolution for Mighty Golden Echoes 70th Anniversary (R 423-17) .....	.575
Congratulations Resolution for Mona Alag (R 428-17) .....	.575
Congratulations Resolution for Seung K. "Sam" Kim (R 424-17) .....	.575
Congratulations Resolution for Wael Khoury, M.D. (R 426-17) .....	.575
Contracts	
Authorizing the Director of Capital Projects to make alterations and modifications in Contract No. PI 2014-045 with J.G. Johnson Construction Co. for the rehabilitation of the Eastside Maintenance Facility, for the Office of Capital Projects. (O 71-17) .....	.605
Authorizing the Director of Port Control to exercise the first option to renew Contract No. CT 3001 PS 2015 102 with AvAirPros Services, Inc. to provide maintenance, operation, and management of the City owned common use facilities at Cleveland Hopkins International Airport. (O 410-17) .....	.576

Authorizing the Director of Public Utilities to employ one or more professional consultants to host and manage billing systems and related systems and activities, for the Divisions of Water and Cleveland Public Power for a period of three years, with two options to renew for additional one year periods, the first of which is exercisable through additional legislative authority. (O 414-17)587

Authorizing the Director of Public Works to employ a management firm to provide managerial services for the daily operations of the roller skating rink located within Zelma Watson George Recreation Center and the concession services of the center, for a period of five years, with five options to renew for additional one-year periods, exercisable by the Director of Public Works. (O 252-17)607

Authorizing the Director of Public Works to enter into contract with the Northeast Ohio Muni Football League aka Cleveland Municipal Football Association to conduct a city-wide football program. (O 251-17)607

Authorizing the procurement by one or more requirement contracts for the rental of various types of heavy duty equipment, on an as needed basis, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years. (O 415-17)588

Authorizing the purchase by one or more requirement contracts of labor and materials necessary for handling, recycling and disposing of various chemicals, hazardous waste products and other non-hazardous and recyclable waste materials, and training, for the Division of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years, with two one year options to renew, the first of which shall require additional legislative authority. (O 416-17)588

Authorizing the purchase by one or more requirement contracts of paper products, for the various divisions of City government for a period of one year, with two one-year options to renew, exercisable by the Director of Finance. (O 357-17)609

Authorizing the purchase by one or more requirement contracts of trees, and labor and materials needed for urban forestry services, including but not limited to, maintaining and planting trees, and removing trees, stumps, and tree waste material, for the Division of Park Maintenance and Properties, Department of Public Works, for a period of one year, with a one-year option to renew, exercisable by the Director of Public Works. (O 288-17)608

Authorizing the purchase by one or more written standard purchase and requirement contracts of various on road vehicles, apparatus, and off road equipment, cabs, bodies, and accessories, equipment and other aftermarket items necessary to equip the vehicles authorized for their intended purposes, including vehicle rehabilitation, as needed, for the Director of Public Works. (O 417-17)588

Determining the method of making the public improvement of repairing, constructing, or installing, roadways, bus pads, sidewalks, driveway aprons, curbs, brick streets, ADA compliant curb ramps, minor bridge repairs, and appurtenances, and asphalt resurfacing and asphalt crack sealing; authorizing the Director of Capital Projects to enter into one or more public improvement requirement contracts for the making of the improvement; authorizing the director to apply for and accept any gifts or grants; and authorizing any agreements, for a period not to exceed two years. (O 202-17)606

Cuyahoga County

To amend Section 195.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 595 13, passed April 29, 2013, relating to exemptions from Admissions Tax; and to authorize the Directors of Finance and Law to enter into an amendment to the Cooperative Agreement between the City and Cuyahoga County dated as of September 15, 1992. (O 305-17)592

Dues

Authorizing payment of membership dues of the City of Cleveland in Global Cleveland for 2017. (O 356-17)609

Encroachments

Authorizing the Director of Capital Projects to issue a permit to Burten, Bell and Carr Development, Inc. to encroach into the public rights-of-way of East 75th Street and Colfax Road by installing, using, and maintaining six 6-inch trench drains with steel grate covers. (O 70-17)591

Finance Department

Authorizing payment of membership dues of the City of Cleveland in Global Cleveland for 2017. (O 356-17)609

Authorizing the Director of Capital Projects to make alterations and modifications in Contract No. PI 2014-045 with J.G. Johnson Construction Co. for the rehabilitation of the Eastside Maintenance Facility, for the Office of Capital Projects. (O 71-17)605

Authorizing the issuance and sale of bonds in the maximum principal amount of \$18,500,000 for the purpose of providing funds to improve municipal parks and recreation facilities and authorizing related matters. (O 411-17)576

Authorizing the issuance and sale of bonds in the maximum principal amount of \$24,775,000 for the purpose of providing funds for bridges and roadways, and authorizing related matters. (O 413-17)583

Authorizing the issuance and sale of bonds in the maximum principal amount of \$9,500,000 for the purpose of providing funds to improve facilities for the discharge of governmental functions or for services otherwise benefitting public safety, health and welfare, and authorizing related matters. (O 412-17)580

Authorizing the purchase by one or more requirement contracts of paper products, for the various divisions of City government for a period of one year, with two one-year options to renew, exercisable by the Director of Finance. (O 357-17)609

To amend Section 32 of Ordinance No. 323-15, passed March 30, 2015, as amended by various ordinances, relating to compensation for various classifications. (O 318-17)608

To amend Section 40 of Ordinance No. 323 15, passed March 30, 2015, as amended by various ordinances, relating to compensation for various classifications. (O 385-17)592

To amend Section 8 of Ordinance No. 323-15, passed March 30, 2015, as amended, relating to compensation for various classifications. (O 359-17)610

To amend Sections 7, 13, and 16 of Ordinance No. 323-15, passed March 30, 2015, as amended by Ordinance No. 491-15, passed May 4, 2015, relating to compensation for various classifications. (O 358-17)609

To amend Section 195.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 595 13, passed April 29, 2013, relating to exemptions from Admissions Tax; and to authorize the Directors of Finance and Law to enter into an amendment to the Cooperative Agreement between the City and Cuyahoga County dated as of September 15, 1992. (O 305-17)592

Fire Division

Designating Cleveland Fire Department Engine Company Station #31 as a Cleveland Landmark. (O 172-17)592

Health Department

Authorizing the issuance and sale of bonds in the maximum principal amount of \$9,500,000 for the purpose of providing funds to improve facilities for the discharge of governmental functions or for services otherwise benefitting public safety, health and welfare, and authorizing related matters. (O 412-17)580

Holiday Food Gift Card Program

Authorizing the Director of the Department of Community Development to enter into an agreement with Burten, Bell, Carr Development Inc. for the Holiday Food Gift Card Program through the use of Ward 5 Casino Revenue Funds. (O 393-17)613

Human Resources Department

To amend Section 32 of Ordinance No. 323-15, passed March 30, 2015, as amended by various ordinances, relating to compensation for various classifications. (O 318-17)608

To amend Section 40 of Ordinance No. 323 15, passed March 30, 2015, as amended by various ordinances, relating to compensation for various classifications. (O 385-17)592

To amend Section 8 of Ordinance No. 323-15, passed March 30, 2015, as amended, relating to compensation for various classifications. (O 359-17)610

To amend Sections 7, 13, and 16 of Ordinance No. 323-15, passed March 30, 2015, as amended by Ordinance No. 491-15, passed May 4, 2015, relating to compensation for various classifications. (O 358-17)609

Landmark Commission

Designating Cleveland Fire Department Engine Company Station #31 as a Cleveland Landmark. (O 172-17)592

Liquor Permits

#6548334. New License Application, D5J. 11460 Uptown Operating Company LLC, 11460 Uptown Ave. (Ward 6). (F 409-17)575

#8980087. Stock Transfer Application, D2 D2X D3 D3A D6. Tomo Hibachi Restaurant & Lounge LLC, 1293 West 9th St. (Ward 3). (F 408-17)575

Objecting to a New C1 Liquor Permit at 1201 East 185th Street. (R 407-17)590

Objecting to a New C1 Liquor Permit at 2288 East 55th Street. (R 418-17)591

Objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 14339 St. Clair Avenue. (R 419-17)591

Objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 1905 East 55th Street. (R 392-17)605

Northeast Ohio Regional Sewer District (N.E.O.R.S.D.)

Authorizing the Director of Public Works to enter into one or more license agreements with the Northeast Ohio Regional Sewer District, to install and maintain a data sonde station in Doan Brook on City-owned property in Rockefeller Park and at other locations. (O 193-17)606

Park Maintenance Division

Authorizing the purchase by one or more requirement contracts of trees, and labor and materials needed for urban forestry services, including but not limited to, maintaining and planting trees, and removing trees, stumps, and tree waste material, for the Division of Park Maintenance and Properties, Department of Public Works, for a period of one year, with a one-year option to renew, exercisable by the Director of Public Works. (O 288-17) **.608**

Parks and Recreation Facilities

Authorizing the issuance and sale of bonds in the maximum principal amount of \$18,500,000 for the purpose of providing funds to improve municipal parks and recreation facilities and authorizing related matters. (O 411-17) **.576**

Peddlers

Authorizing the issuance of a Mobile Permit to Bertha Abston to engage in mobile vending in Ward 10. (O 406-17) **.590**

Permits

Authorizing the Director of Capital Projects to issue a permit to Burten, Bell and Carr Development, Inc. to encroach into the public rights-of-way of East 75th Street and Colfax Road by installing, using, and maintaining six 6-inch trench drains with steel grate covers. (O 70-17) **.591**

Authorizing the issuance of a Mobile Permit to Bertha Abston to engage in mobile vending in Ward 10. (O 406-17) **.590**

Consenting and approving the issuance of a permit for the Amazing AKA 5K on May 13, 2017, sponsored by the Western Reserve Historical Society. (O 391-17) **.613**

Plats

Dedication Plat for Mercury Townhomes, on West-17th Street, south of Hope Memorial (Lorain Carnegie) Bridge. Approved by Committees on Municipal Services and Properties, and Development Planning and Sustainability. Without objection, Plat approved. (F 420-17) **.575**

Dedication Plat for the multi-phase development on the east bank of the Cuyahoga River, north of Cleveland Memorial Shoreway, on Old River Road, Front Avenue, Main Avenue and West 10th Street. Approved by Committees on Municipal Services and Properties, and Development Planning and Sustainability. Without objection, Plat approved. (F 421-17) **.575**

Port Control Department

Authorizing the Director of Port Control to exercise the first option to renew Contract No. CT 3001 PS 2015 102 with AvAirPros Services, Inc. to provide maintenance, operation, and management of the City owned common use facilities at Cleveland Hopkins International Airport. (O 410-17) **.576**

Professional Services

Authorizing the Director of Public Utilities to employ one or more professional consultants to host and manage billing systems and related systems and activities, for the Divisions of Water and Cleveland Public Power for a period of three years, with two options to renew for additional one year periods, the first of which is exercisable through additional legislative authority (O 414-17) **.587**

Authorizing the Director of Public Works to employ a management firm to provide managerial services for the daily operations of the roller skating rink located within Zelma Watson George Recreation Center and the concession services of the center, for a period of five years, with five options to renew for additional one-year periods, exercisable by the Director of Public Works. (O 252-17) **.607**

Authorizing the Director of Public Works to employ one or more professional consultants to provide security services at various indoor and outdoor recreation facilities, including but not limited to, recreation centers, outdoor pools, and various surrounding play areas, for a period not to exceed one year. (O 194-17) **.606**

Public Improvements

Determining the method of making the public improvement of repairing, constructing, or installing, roadways, bus pads, sidewalks, driveway aprons, curbs, brick streets, ADA compliant curb ramps, minor bridge repairs, and appurtenances, and asphalt resurfacing and asphalt crack sealing; authorizing the Director of Capital Projects to enter into one or more public improvement requirement contracts for the making of the improvement; authorizing the director to apply for and accept any gifts or grants; and authorizing any agreements, for a period not to exceed two years. (O 202-17) **.606**

To amend Section 9 of Ordinance No. 246-15, passed April 13, 2015, relating to the public improvement and design of constructing a City Kennel, and rehabilitating, renovating or otherwise improving various public facilities, including site improvements and appurtenances. (O 101-17) **.605**

Public Works

Authorizing the Director of Public Works to employ a management firm to provide managerial services for the daily operations of the roller skating rink located within Zelma Watson George Recreation Center and the concession services of the center, for a period of five years, with five options to renew for additional one-year periods, exercisable by the Director of Public Works. (O 252-17) .....	.607
Authorizing the Director of Public Works to employ one or more professional consultants to provide security services at various indoor and outdoor recreation facilities, including but not limited to, recreation centers, outdoor pools, and various surrounding play areas, for a period not to exceed one year. (O 194-17) .....	.606
Authorizing the Director of Public Works to enter into contract with the Northeast Ohio Muni Football League aka Cleveland Municipal Football Association to conduct a city-wide football program. (O 251-17) .....	.607
Authorizing the Director of Public Works to enter into one or more concession agreements for the operation of a first-class food and beverage service at the Cleveland City Hall Cafeteria, for a period not to exceed two years, with a one-year option to renew, exercisable by the Director of Public Works. (O 285-17) .....	.607
Authorizing the Director of Public Works to enter into one or more license agreements with the Northeast Ohio Regional Sewer District, to install and maintain a data sonde station in Doan Brook on City-owned property in Rockefeller Park and at other locations. (O 193-17) .....	.606
Authorizing the purchase by one or more requirement contracts of trees, and labor and materials needed for urban forestry services, including but not limited to, maintaining and planting trees, and removing trees, stumps, and tree waste material, for the Division of Park Maintenance and Properties, Department of Public Works, for a period of one year, with a one-year option to renew, exercisable by the Director of Public Works. (O 288-17) .....	.608
Authorizing the purchase by one or more written standard purchase and requirement contracts of various on road vehicles, apparatus, and off road equipment, cabs, bodies, and accessories, equipment and other aftermarket items necessary to equip the vehicles authorized for their intended purposes, including vehicle rehabilitation, as needed, for the Director of Public Works. (O 417-17) .....	.588

Races

Consenting and approving the issuance of a permit for the Amazing AKA 5K on May 13, 2017, sponsored by the Western Reserve Historical Society. (O 391-17)613
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Recreation Centers

Authorizing the Director of Public Works to employ one or more professional consultants to provide security services at various indoor and outdoor recreation facilities, including but not limited to, recreation centers, outdoor pools, and various surrounding play areas, for a period not to exceed one year. (O 194-17)606
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Resolution of Support

Supporting Senate Bill 128, and encouraging the Ohio General Assembly to pass this legislation to create a Zero Emission Nuclear Resource Program (ZEN) that preserves Ohio's nuclear plants in the best interest of Ohio consumers and communities. (R 431-17)590
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Rotunda

Authorizing the Director of Public Works to enter into one or more concession agreements for the operation of a first-class food and beverage service in connection with renting the Rotunda in City Hall and for marketing the rental of the Rotunda for catered events, for a period not to exceed two years, with a one-year option to renew, exercisable by the Director of Public Works. (O 286-17)607
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Safety Department

Authorizing the issuance and sale of bonds in the maximum principal amount of \$9,500,000 for the purpose of providing funds to improve facilities for the discharge of governmental functions or for services otherwise benefitting public safety, health and welfare, and authorizing related matters. (O 412-17)580
Authorizing the purchase by one or more written standard purchase and requirement contracts of various on road vehicles, apparatus, and off road equipment, cabs, bodies, and accessories, equipment and other aftermarket items necessary to equip the vehicles authorized for their intended purposes, including vehicle rehabilitation, as needed, for the Director of Public Works. (O 417-17) .....	.588

Salaries

To amend Section 32 of Ordinance No. 323-15, passed March 30, 2015, as amended by various ordinances, relating to compensation for various classifications. (O 318-17) .....	.608
To amend Section 40 of Ordinance No. 323 15, passed March 30, 2015, as amended by various ordinances, relating to compensation for various classifications. (O 385-17) .....	.592

To amend Section 8 of Ordinance No. 323-15, passed March 30, 2015, as amended, relating to compensation for various classifications. (O 359-17)**.610**

To amend Sections 7, 13, and 16 of Ordinance No. 323-15, passed March 30, 2015, as amended by Ordinance No. 491-15, passed May 4, 2015, relating to compensation for various classifications. (O 358-17)**.609**

Senate Bills

Supporting Senate Bill 128, and encouraging the Ohio General Assembly to pass this legislation to create a Zero Emission Nuclear Resource Program (ZEN) that preserves Ohio’s nuclear plants in the best interest of Ohio consumers and communities. (R 431-17)**.590**

Street Vacation

Declaring the intent to vacate a portion of Lorain Court and West 48th Place. (R 204-17)**.604**

Streets Division

Authorizing the issuance and sale of bonds in the maximum principal amount of \$24,775,000 for the purpose of providing funds for bridges and roadways, and authorizing related matters. (O 413-17)**.583**

Streets Name

Designating Buckeye Road between Woodhill Road and Martin Luther King Drive with a secondary and honorary designation of “Dr. Earl Preston Way”; and repealing Ordinance No. 110-17, passed April 3, 2017, that designated Buckeye Road between East 93rd Street and Martin Luther King Drive with a secondary and honorary designation of “Dr. Earl Preston Way”. (O 398-17)**.592**

Designating East 93rd Street between Kenmore Avenue and Hough Avenue with a secondary and honorary designation of “Harllel Jones Way”. (O 201-17)**.592**

Utilities Department

Authorizing the Director of Public Utilities to employ one or more professional consultants to host and manage billing systems and related systems and activities, for the Divisions of Water and Cleveland Public Power for a period of three years, with two options to renew for additional one year periods, the first of which is exercisable through additional legislative authority. (O 414-17)**.587**

Authorizing the procurement by one or more requirement contracts for the rental of various types of heavy duty equipment, on an as needed basis, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years. (O 415-17)**.588**

Authorizing the purchase by one or more requirement contracts of labor and materials necessary for handling, recycling and disposing of various chemicals, hazardous waste products and other non- hazardous and recyclable waste materials, and training, for the Division of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years, with two one year options to renew, the first of which shall require additional legislative authority. (O 416-17)**.588**

Vehicles

An emergency ordinance Authorizing the purchase by one or more written standard purchase and requirement contracts of various on road vehicles, apparatus, and off road equipment, cabs, bodies, and accessories, equipment and other aftermarket items necessary to equip the vehicles authorized for their intended purposes, including vehicle rehabilitation, as needed, for the Director of Public Works. (O 417-17)**.588**

Ward 01

Condolence Resolution for Roger St. Clair (R 422-17)**.575**

Ward 02

Condolence Resolution for Robert Godwin, Sr. (R 433-17)**.575**

Ward 03

#8980087. Stock Transfer Application, D2 D2X D3 D3A D6. Tomo Hibachi Restaurant & Lounge LLC, 1293 West 9th St. (Ward 3). (F 408-17)**.575**

Condolence Resolution for Robert Godwin, Sr. (R 433-17)**.575**

Declaring the intent to vacate a portion of Lorain Court and West 48th Place. (R 204-17)**.604**

Dedication Plat for Mercury Townhomes, on West-17th Street, south of Hope Memorial (Lorain Carnegie) Bridge. Approved by Committees on Municipal Services and Properties, and Development Planning and Sustainability. Without objection, Plat approved. (F 420-17)**.575**

Dedication Plat for the multi-phase development on the east bank of the Cuyahoga River, north of Cleveland Memorial Shoreway, on Old River Road, Front Avenue, Main Avenue and West 10th Street. Approved by Committees on Municipal Services and Properties, and Development Planning and Sustainability. Without objection, Plat approved. (F 421-17)575

Ward 04

Authorizing the Director of Capital Projects to issue a permit to Burten, Bell and Carr Development, Inc. to encroach into the public rights-of-way of East 75th Street and Colfax Road by installing, using, and maintaining six 6-inch trench drains with steel grate covers. (O 70-17)591
 Condolence Resolution for Robert Godwin, Sr. (R 433-17)575

Ward 05

Authorizing the Director of the Department of Community Development to enter into an agreement with Burten, Bell, Carr Development Inc. for the Holiday Food Gift Card Program through the use of Ward 5 Casino Revenue Funds. (O 393-17)613
 Congratulations Resolution for Mighty Golden Echoes 70th Anniversary (R 423-17)575
 Objecting to a New C1 Liquor Permit at 2288 East 55th Street. (R 418-17)591

Ward 06

#6548334. New License Application, D5J. 11460 Uptown Operating Company LLC, 11460 Uptown Ave. (Ward 6). (F 409-17)575
 Condolence Resolution for Robert Godwin, Sr. (R 433-17)575
 Designating Buckeye Road between Woodhill Road and Martin Luther King Drive with a secondary and honorary designation of "Dr. Earl Preston Way"; and repealing Ordinance No. 110-17, passed April 3, 2017, that designated Buckeye Road between East 93rd Street and Martin Luther King Drive with a secondary and honorary designation of "Dr. Earl Preston Way". (O 398-17)592

Ward 07

Condolence Resolution for Robert Godwin, Sr. (R 433-17)575
 Designating East 93rd Street between Kenmore Avenue and Hough Avenue with a secondary and honorary designation of "Harlrel Jones Way". (O 201-17)592
 Objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 1905 East 55th Street. (R 392-17)605

Ward 08

Condolence Resolution for Michael and Trina Kuznik (R 432-17)575
 Designating Cleveland Fire Department Engine Company Station #31 as a Cleveland Landmark. (O 172-17)592
 Objecting to a New C1 Liquor Permit at 1201 East 185th Street. (R 407-17)590

Ward 09

Condolence Resolution for Robert Godwin, Sr. (R 433-17)575
 Consenting and approving the issuance of a permit for the Amazing AKA 5K on May 13, 2017, sponsored by the Western Reserve Historical Society. (O 391-17)613

Ward 10

Authorizing the issuance of a Mobile Permit to Bertha Abston to engage in mobile vending in Ward 10. (O 406-17)590
 Condolence Resolution for Robert Godwin, Sr. (R 433-17)575
 Objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 14339 St. Clair Avenue. (R 419-17)591

Ward 11

Condolence Resolution for Robert Godwin, Sr. (R 433-17)575

Ward 12

Condolence Resolution for Robert Godwin, Sr. (R 433-17)575

Ward 13

Welcome Resolution for Lux in Tenebris (R 430-17)576

Ward 14

Condolence Resolution for Robert Godwin, Sr. (R 433-17)575

Ward 15

Congratulations Resolution for James Craciun (R 427-17)575
 Congratulations Resolution for Mona Alag (R 428-17)575
 Congratulations Resolution for Seung K. "Sam" Kim (R 424-17)575
 Congratulations Resolution for Wael Khoury, M.D. (R 426-17)575

Ward 16

Condolence Resolution for Robert Godwin, Sr. (R 433-17)575

Ward 17

Condolence Resolution for Robert Godwin, Sr. (R 433-17)575

Waste Collection and Disposal Division

Authorizing the purchase by one or more requirement contracts of labor and materials necessary for handling, recycling and disposing of various chemicals, hazardous waste products and other non-hazardous and recyclable waste materials, and training, for the Division of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years, with two one year options to renew, the first of which shall require additional legislative authority. (O 416-17)588

Water Division

Authorizing the Director of Public Utilities to employ one or more professional consultants to host and manage billing systems and related systems and activities, for the Divisions of Water and Cleveland Public Power for a period of three years, with two options to renew for additional one year periods, the first of which is exercisable through additional legislative authority. (O 414-17)587
 Authorizing the procurement by one or more requirement contracts for the rental of various types of heavy duty equipment, on an as needed basis, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years. (O 415-17)588

Water Pollution Control Division

Authorizing the procurement by one or more requirement contracts for the rental of various types of heavy duty equipment, on an as needed basis, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years. (O 415-17)588
 Authorizing the purchase by one or more requirement contracts of labor and materials necessary for handling, recycling and disposing of various chemicals, hazardous waste products and other non-hazardous and recyclable waste materials, and training, for the Division of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years, with two one year options to renew, the first of which shall require additional legislative authority. (O 416-17)588

Welcome

Welcome Resolution for Lux in Tenebris (R 430-17)576

Zero Emission Nuclear Resource Program (ZEN)

Supporting Senate Bill 128, and encouraging the Ohio General Assembly to pass this legislation to create a Zero Emission Nuclear Resource Program (ZEN) that preserves Ohio's nuclear plants in the best interest of Ohio consumers and communities. (R 431-17)590