

The City Record

Official Publication of the Council of the City of Cleveland



January the Eleventh, 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	13
Board of Control	14
Civil Service	16
Board of Zoning Appeals	16
Board of Building Standards and Building Appeals	17
Public Notice	17
Public Hearings	17
City of Cleveland Bids	18
Adopted Resolutions and Ordinances	18
Committee Meetings	18
Index	18



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

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

MAYOR – Frank G. Jackson

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

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

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

Natasha Brandt, Manager, Internal Audit

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

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

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

DEPT. OF PORT CONTROL – Fred Szabo, Interim Director, Cleveland Hopkins International Airport, 5300 Riverside Drive

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

DEPT. OF PUBLIC WORKS – Michael Cox, Director

OFFICES:
 Administration – John Laird, Manager
 Special Events and Marketing – Tangee Johnson, Manager
DIVISIONS:
 Motor Vehicle Maintenance – Jeffrey Brown, Commissioner
 Park Maintenance and Properties – Richard L. Silva, Commissioner
 Parking Facilities – 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 – Randell T. Scott, Interim Commissioner

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

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

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

DIVISIONS:
 Animal Control Services – 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, Acting Director

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

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

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

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

DEPT. OF ECONOMIC DEVELOPMENT – Tracey A. Nichols, 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; Lucille Ambroz, Secretary; Members: Pastor Gregory Jordan, Michael Flickinger.

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

BOARD OF ZONING APPEALS – Room 516, Carol A. Johnson, Chairman; Members: Mary Haas McGraw, 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 Locher, 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 Michelle Denise Earley – Courtroom 14C
 Judge Emanuella Groves – Courtroom 14B
 Judge Lauren C. Moore – Courtroom 14A
 Judge Charles L. Patton, Jr. – Courtroom 13D
 Judge Raymond L. Pianka (Housing Court Judge) – Courtroom 13B
 Judge Michael R. Sliwinski – Courtroom 13C
 Judge Janet Rath Colaluca – Courtroom 12B
 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, JANUARY 11, 2017

No. 5379

CITY COUNCIL

MONDAY, JANUARY 9, 2017

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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
January 9, 2017

The meeting of the Council was called to order at 7:04 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, TJ Dow, Jeffrey D. Johnson, Kenneth L. Johnson, Brian Kazy, Kevin J. Kelley, Martin J. Keane, Kerry McCormack, Mamie J. Mitchell, Michael D. Polensek, Zack Reed, and Matthew Zone.

Also present were: Mayor Frank G. Jackson, 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, and Directors Langhenry, Dumas, Davis, Szabo, Spronz, Gordon, McGrath, Cox, O'Leary, West, Nichols, Griffin, Collier, Fumich, 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 Cleveland, the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Council Member Mitchell.

COMMUNICATIONS

File No. 1-17.
From Council President Kevin J. Kelley appointing, without objection by Council, Allan Dreyer as Council

Clerk Pro Tempore, December 19, 2016, to January 8, 2017. Received.

File No. 36-17.

From Director Michael Cox, Department of Public Works, City of Cleveland. Notice of acceptance of \$10,000 grant from Celena Zevnik, through the Cleveland Foundation, for general support of the Halloran Park Hockey program. Received.

File No. 59-17.

From Linda Atkins, Assistant Controller, Corix Utilities, Inc. 2016 Balance Sheet for Cleveland Thermal, pursuant to Ord. No. 550-12. Received.

File No. 60-17.

From Khrys Shefton, Director of real Estate Development, Famicos Foundation. Notice of plans to apply to Ohio Housing Finance Agency for multifamily funding programs for the development known as Circle North Lease Purchase Homes, on several addresses on East 109th Street, East 111th Street, East 112th Street, Churchill Avenue, Lee Avenue, and Orville Avenue, all in Cleveland, Ohio. Received.

OATHS OF OFFICE

File No. 2-17.

Brian Kimball, Commissioner of Environment, Department of Public Health, City of Cleveland. Received.

File No. 3-17.

Persis Sosiak, Commissioner of Health, Department of Public Health, City of Cleveland. Received.

File No. 4-17.

Daniel Fay, Commander of Police, City of Cleveland. Received.

File No. 5-17.

Deirdre Jones, Commander of Police, City of Cleveland. Received.

File No. 6-17.

Thomas McCartney, Commander of Police, City of Cleveland. Received.

File No. 7-17.

Sammy Morris, Commander of Police, City of Cleveland. Received.

File No. 61-17.

Daniel Flave, Captain of Fire, City of Cleveland. Received.

File No. 62-17.

Samuel Livingston, Lieutenant of Fire, City of Cleveland. Received.

File No. 63-17.

David Hearn, Interim Commissioner of Air Quality, Department of

Public Health, City of Cleveland. Received.

File No. 64-17.

Mary McNamara, Director of Aging, City of Cleveland. Received.

FROM OHIO DIVISION OF LIQUOR CONTROL

File No. 8-17.

RE: #88713140005. Transfer of Ownership Application, D5 D6. 3901 Circle LLC, 11001 Euclid Avenue (Ward 9). Received.

File No. 9-17.

RE: #6530090. Economic Development Transfer Application, D1 D2 D3. Ohio City Shuffleboard LLC, 4506 Lorain Avenue (Ward 3). Received.

File No. 10-17.

RE: #2101557. New License Application, C1. Detroit Shoreway Express, Inc., 8808 Detroit Avenue (Ward 15). Received.

File No. 11-17.

RE: #8377690. Transfer of Ownership Application, D1 D2 D6. Soon Cheol Moh, 3709 Payne Avenue (Ward 7). Received.

File No. 12-17.

RE: #4118410. New License Application, C1. Ibald Beverage, Inc., 2603 Woodhill Road (Ward 6). Received.

File No. 13-17.

RE: #4405418. New License Application, D3. Judson, 1890 East 107th Street (Ward 9). Received.

File No. 14-17.

RE: #6548436. New License Application, C2. 130th Valero, Inc., 3935 West 130th Street (Ward 11). Received.

File No. 15-17.

RE: #0120893. Transfer of Ownership Application, C1 C2. Alis Deli Corp., 11119 Detroit Avenue (Ward 15). Received.

File No. 16-17.

RE: #4186523. Transfer of License Application, D1 D2 D3. J L Midwest Investments, Inc., 13046 Lorain Avenue (Ward 16). Received.

File No. 17-17.

RE: #14374151020. New License Application, D3 D6. Chipotle Mexican Grill of Colorado LLC, 224 Euclid Avenue (Ward 3). Received.

File No. 18-17.

RE: #14374151025. New License Application, D3 D6. Chipotle Mexican Grill of Colorado LLC, 11452 Euclid Avenue (Ward 6). Received.

File No. 37-17.

RE: #7677135. Transfer of Ownership Application, C1 C2. Sachidanand Krupa, Inc., 4785 Pearl Road (Ward 13). Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 39-17 — Mary Viola Hightower-Jones.

Res. No. 40-17 — Clifford Pitts, Sr.

Res. No. 41-17 — Maggie Gibbs Artis.

Res. No. 42-17 — Geneva Johnson Pruitt.

Res. No. 43-17 — Kenneth D. Roe.

Res. No. 44-17 — Dean Couch.

Res. No. 45-17 — Willie Lou Camp.

Res. No. 46-17 — Harold Ferguson.

Res. No. 47-17 — Jason Louloudis.

Res. No. 48-17 — Frank A. Rolf.

Res. No. 49-17 — Reverend Henry Currie, Sr.

Res. No. 50-17 — James "J.T." Thompson.

Res. No. 51-17 — Louise A. Lawrence.

Res. No. 52-17 — Walter Jones, Jr.

Res. No. 53-17 — Albert Andre.

Res. No. 54-17 — Joseph Stasko.

Res. No. 55-17 — Linda Sevnik.

Res. No. 56-17 — Daryl P. Rush.

CONGRATULATIONS RESOLUTION

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

Res. No. 57-17 — Alpha Kappa Alpha Sorority, Inc., Alpha Omega Chapter.

Res. No. 58-17 — Boy Scout John Burgio.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 19-17.

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 and Ordinance No. 707-16, passed July 13, 2016, 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.....	24.04	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.....	14.28	18.57
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.....	15.08	19.61
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.

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

Ord. No. 21-17.

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

An emergency ordinance authorizing the Director of Port Control to exercise the second option to renew Contract No. CT 3001 PS 2015-16 with AECOM fka URS Corporation to provide professional services to provide general planning, engineering, and design services, for the various divisions of the Department of Port Control.

Whereas, under the authority of Ordinance No. 815-12, passed June 4, 2012, the Director of Port Control entered into Contract No. CT 3001 PS 2015-16 with AECOM fka URS Corporation to provide professional services to provide general planning, engineering, and design services, for the various divisions of the Department of Port Control; and

Whereas, Ordinance No. 815-12 requires further legislation before exercising the second option to renew on this contract; and

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

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

Section 1. That the Director of Port Control is authorized to exercise the second option to renew Contract No. CT 3001 PS 2015-16 for an additional year with AECOM fka URS Corporation to provide professional services to provide general planning, engineering, and design services, for the various divisions of the Department of Port Control. This ordinance constitutes the additional legislative authority required by Ordinance No. 815-12 to exercise this option.

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

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

Ord. No. 22-17.

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

An emergency ordinance authorizing the Director of Port Control to exercise the second option to renew Contract No. CT 3001 PS 2015-29 with Delta Airport Consultants, Inc. to provide professional services to provide general planning, engineering, and design services, for the various divisions of the Department of Port Control.

Whereas, under the authority of Ordinance No. 815-12, passed June 4, 2012, the Director of Port Control entered into Contract No. CT 3001 PS 2015-29 with Delta Airport Consultants, Inc. to provide professional services to provide general planning, engineering, and design services, for the various divisions of the Department of Port Control; and

Whereas, Ordinance No. 815-12 requires further legislation before exercising the second option to renew on this contract; and

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

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

Section 1. That the Director of Port Control is authorized to exercise the second option to renew Contract No. CT 3001 PS 2015-29 for an additional year with Delta Airport Consultants, Inc. to provide professional services to provide general planning, engineering, and design services, for the various divisions of the Department of Port Control. This ordinance constitutes the additional legislative authority required by Ordinance No. 815-12 to exercise this option.

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

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

Ord. No. 23-17.

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. RC 2015-25 with Gardiner Service Company dba Gardiner Corporation of the labor and materials necessary to maintain and repair heating, ventilation and air conditioning systems for the various divisions of the Department of Port Control.

Whereas, under the authority of Ordinance No. 1189-14, passed October 13, 2014, the Director of Port Control entered into Contract No. RC 2015-25 with Gardiner Service Company dba

Gardiner Corporation of the labor and materials necessary to maintain and repair heating, ventilation and air conditioning systems for the various divisions of the Department of Port Control; and

Whereas, Ordinance No. 1189-14 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. RC 2015-25 for an additional year in the approximate amount of \$230,000 with Gardiner Service Company dba Gardiner Corporation for an additional year of the labor and materials necessary to maintain and repair heating, ventilation and air conditioning systems for the various divisions of the Department of Port Control. This ordinance constitutes the additional legislative authority required by Ordinance No. 1189-14 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. 24-17.

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

An emergency ordinance authorizing the Director of Port Control to lease certain space located at Building No. 221 at 5701 Postal Road at Cleveland Hopkins International Airport to Federal Express Corporation for office and warehouse space, and various parking facilities for vehicles and aircraft, for the operation of a retail shipping and air freight services facility, for a period of five years, with two five-year options to renew, the first of which shall require additional legislative authority.

Whereas, the City of Cleveland owns certain space known as Building No. 221 at 5701 Postal Road which is not needed for public use; and

Whereas, Federal Express Corporation has proposed to lease the property from the City; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Port Control is authorized to lease to Federal Express Corporation ("Lessee"), approximately 427,000 square feet of

land, which includes a 74,800 square-foot structure consisting of office and warehouse space at 5701 Postal Road, which is not needed for public use.

Section 2. That the term of the lease authorized by this ordinance shall not exceed five years, with two five-year options to renew, the first of which shall require additional legislative authority. If such additional legislative authority is granted, the second five-year option to renew may be exercised at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council.

Section 3. That the space authorized by this ordinance shall be leased at an annual rental to be established by an independent third-party appraisal based on fair market value of the Leased Premises and rental rates charged for comparable facilities. During the original term and option term of the lease, the annual rental amount shall be adjusted as follows, but however, shall not be less than any preceding years' rent paid:

<u>Period</u>	<u>Rate Per Annum</u>
Years 2 through 5	Adjusted rate based on the United States Department Of Labor, Consumer Price Index: "All Urban Consumers Labeled for Cleveland and Akron"
Year 6	Appraised fair market value
Years 7 through 10	Adjusted rate based on the United States Department Of Labor, Consumer Price Index: "All Urban Consumers Labeled for Cleveland and Akron"
Year 11	Appraised fair market value
Years 12 through 15	Adjusted rate based on the United States Department Of Labor, Consumer Price Index: "All Urban Consumers Labeled for Cleveland and Akron"

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

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

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

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

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

Ord. No. 25-17.

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

An emergency ordinance authorizing the Director of Port Control to lease certain space located in Building No. 217 at 6040 Cargo Road at Cleveland Hopkins International Airport to Hydro-Chem Corporation to provide various environmental services for the airport, for a term of two years, with three one-year options to renew, the first of which shall require additional legislative authority.

Whereas, the City of Cleveland owns certain space known as Building No. 217 at 6040 Cargo Road at Cleveland Hopkins International Airport, which is not needed for public use; and

Whereas, Hydro-Chem Corporation has proposed to lease the property from the City; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Port Control is authorized to lease to Hydro-Chem Corporation ("Lessee"), approximately 18,375 square feet of warehouse space in Building No. 217 at 6040 Cargo Road at Cleveland Hopkins International Airport, which is not needed for public use.

Section 2. That the term of the lease authorized by this ordinance shall not exceed two years, with three one-year options to renew. The first of the one-year options to renew may be exercised by the Director of Port Control only if additional legislative authority is obtained. If such additional legislative authority is granted, the second and third one-year options to renew may be exercised at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council.

Section 3. That the space authorized by this ordinance shall be leased at an annual rental of \$128,625, which is determined to be fair market value by an independent third-party appraisal, exclusive of utilities. The rent for each option year exercised shall be adjusted based on the United States Department of Labor, Consumer Price Index: "All Urban Consumer" Cleveland and Akron, OH. However, in no event shall the annual rate of any option year exercised be lower than \$128,625 annually.

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

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

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

Section 7. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all

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

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

Ord. No. 26-17.

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

An emergency ordinance authorizing the Director of Port Control to lease certain space located at Building No. 208 at 5851 Cargo Road at Cleveland Hopkins International Airport to Swissport USA Inc. for office and storage space to support aviation ground handling operations and maintenance services for various airlines at the airport, for a term of two years, with three one-year options to renew, the first of which shall require additional legislative authority.

Whereas, the City of Cleveland owns certain space known as Building No. 208 at 5851 Cargo Road at Cleveland Hopkins International Airport, which is not needed for public use; and

Whereas, Swissport USA Inc. has proposed to lease the property from the City; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Port Control is authorized to lease to Swissport USA Inc. ("Lessee"), approximately 9,920 square feet of building and adjacent parking support space at Building No. 208 at 5851 Cargo Road at Cleveland Hopkins International Airport, which is not needed for public use.

Section 2. That the term of the lease authorized by this ordinance shall not exceed two years, with three one-year options to renew. The first of the one-year options to renew may be exercised by the Director of Port Control only if additional legislative authority is obtained. If such additional legislative authority is granted, the second and third one-year options to renew may be exercised at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council.

Section 3. That the space authorized by this ordinance shall be leased at an annual rental of \$62,000, which is determined to be fair market value by an independent third-party appraisal, exclusive of utilities. The rent for each option year exercised shall be adjusted based on the United States Department of Labor, Consumer Price Index: "All Urban Consumer" Cleveland and Akron, OH. However, in no event shall the annual rate of any option year exercised be lower than \$62,000 annually.

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

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

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

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

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

Ord. No. 27-17.

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

An emergency ordinance authorizing the Director of Port Control to lease certain space located in Building No. 217 at 6040 Cargo Road at Cleveland Hopkins International Airport to Swissport USA Inc. for operation of an air cargo facility, for a term of two years, with three one-year options to renew, the first of which shall require additional legislative authority.

Whereas, the City of Cleveland owns certain space known as Building No. 217 at 6040 Cargo Road at Cleveland Hopkins International Airport, which is not needed for public use; and

Whereas, Swissport USA Inc. has proposed to lease the property from the City; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Port Control is authorized to lease to Swissport USA Inc. ("Lessee"), approximately 3,675 square feet of warehouse space in Building No. 217 at 6040 Cargo Road at Cleveland Hopkins International Airport, which is not needed for public use.

Section 2. That the term of the lease authorized by this ordinance shall not exceed two years, with three one-year options to renew. The first of the one-year options to renew may be exercised by the Director of Port Control only if additional legislative authority is obtained. If such additional legislative authority is granted, the second and third one-year options to renew may be exercised at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council.

Section 3. That the space authorized by this ordinance shall be leased at an annual rental of \$27,206.76, which is determined to be fair market value by an independent third-party appraisal, exclusive of utilities. The rent for each option year exercised shall be adjusted based on the United States Department of Labor, Consumer Price

Index: "All Urban Consumer" Cleveland and Akron, OH. However, in no event shall the annual rate of any option year exercised be lower than \$27,206.76 annually.

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

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

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

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

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

Ord. No. 28-17.

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

An emergency ordinance authorizing the Director of Public Works to lease certain space located in the Ticket House Building at League Park to the Negro League Baseball Legends of Fame Inc. dba Baseball Heritage Museum for the purpose of storing and displaying historical baseball memorabilia relevant to League Park, for a period of up to five years.

Whereas, the City of Cleveland owns certain land and the Ticket House building at League Park, portions of which are not needed for the City's public use; and

Whereas, the Negro League Baseball Legends of Fame Inc. dba Baseball Heritage Museum has proposed to lease space in the Ticket House from the City; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Works is authorized to lease to the Negro League Baseball Legends of Fame Inc. dba Baseball Heritage Museum ("Lessee"), approximately 4,000 square feet of space in the Ticket House Building at League Park, which is not needed for the City's public use.

Section 2. That the term of the lease authorized by this ordinance shall not exceed five years.

Section 3. That the space authorized by this ordinance shall be leased at a rental of \$1.00 and other valuable consideration, which is determined to be fair market value, exclusive of utilities.

Section 4. That the lease may authorize the Lessee to make

improvements to the leased premises subject to the approval of appropriate City agencies and officials.

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

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

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

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

Ord. No. 29-17.

By Council Member Kelley.

An emergency ordinance authorizing the Clerk of Council to enter into an agreement with Western Reserve Land Conservancy d/b/a Thriving Communities Institute to provide professional services regarding the Vacant and Abandoned Property Action Council (VAPAC), reforestation, demolition funding, rehabilitation, code enforcement, greenspace, and property information.

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

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

Section 1. That the Clerk of Council is authorized to enter into an agreement with Western Reserve Land Conservancy d/b/a Thriving Communities Institute to provide professional services regarding the Vacant and Abandoned Property Action Council (VAPAC), reforestation, demolition funding, rehabilitation, code enforcement, greenspace, and property information, for a one year period beginning January 1, 2017 and concluding December 31, 2017.

Section 2. That the cost of said contract shall not exceed \$150,000 and shall be certified from Fund 01, Dept. 0101, Subfund 001, Object Code 6320.

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

Referred to Committee on Finance.

FIRST READING EMERGENCY RESOLUTION REFERRED

Res. No. 35-17.

By Council Member Zone.

An emergency resolution joining the Cuyahoga County Board of Alcohol, Drug Addiction and Mental Health Services in declaring the hundreds of opioid overdose deaths in Cuyahoga County a public health

emergency, and requesting additional funding from the state and federal governments to address the issue.

Whereas, a study performed by the Henry J. Kaiser Family Foundation compiled from U.S. Centers for Disease Control and Prevention information identifies Ohio as leading the nation in opioid overdose deaths; and,

Whereas, the number of heroin and fentanyl related deaths in Cuyahoga County has continued to increase each year: from 198 deaths in 2013 to 224 deaths in 2014 and 228 deaths in 2015; and

Whereas, by early November of 2016, there were 415 opioid overdose deaths in Cuyahoga County; it is estimated that more than 600 people in Cuyahoga County will have died from heroin and fentanyl use by the end of 2016; and

Whereas, this Council recommends that the state and federal government commit to an aggressive and comprehensive approach to combat this deadly disease; 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 joins the Cuyahoga County Board of Alcohol, Drug Addiction and Mental Health Services in declaring the hundreds of opioid overdose deaths in Cuyahoga County a public health emergency and requests additional funding from the state and federal governments to address the issue.

Section 2. That the Clerk of Council is directed to transmit copies of this resolution to all members of the Ohio State legislature and to the Congressional Senators from Ohio, the Congressional House representatives representing Cuyahoga County and the National League of Cities.

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. 20-17.

By Council Member Kelley.

An emergency ordinance repealing Ordinance No. 1011-16, passed September 12, 2016.

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

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

Section 1. That Ordinance No. 1011-16, passed September 12, 2016, is repealed.

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

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

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

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Passed. Yeas 15. Nays 0.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 30-17.

By Council Member Brancatelli.

An emergency resolution withdrawing objection to the transfer of ownership of a D2, D2X, D3, D3A and D6 Liquor Permit at 1104 Rowley Avenue, 1st floor and basement and repealing Resolution No. 1180-16 objecting to said permit.

Whereas, this Council objected to a transfer of ownership of a D2, D2X, D3, D3A and D6 Liquor Permit to R Jay Enterprises, LLC, DBA Rowley Inn, 1104 Rowley Avenue, 1st floor and basement, Cleveland, Ohio 44109, Permanent Number 7148728 by Resolution No. 1180-16 adopted by the Council on October 3, 2016; and

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

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

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

Section 1. That objection to the transfer of ownership of a D2, D2X, D3, D3A and D6 Liquor Permit to R Jay Enterprises, LLC, DBA Rowley Inn, 1104 Rowley Avenue, 1st floor and basement, Cleveland, Ohio 44109, Permanent Number 7148728, be and the same is hereby withdrawn and Resolution No. 1180-16, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

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

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Adopted. Yeas 15. Nays 0.

Res. No. 31-17.

By Council Member McCormack.

An emergency resolution objecting to the transfer of location of a C2 Liquor Permit to 3153 West 73rd Street.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of location of a C2 Liquor Permit from R & Bee, Inc., DBA Rons Mini Mart, 4382 West 130th Street,

Cleveland, Ohio 44135, Permanent Number 7148574 to Fiar, Inc., 3153 West 73rd Street, Cleveland, Ohio 44102, Permanent Number 2705361; 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 location of a C2 and C2X Liquor Permit from R & Bee, Inc., DBA Rons Mini Mart, 4382 West 130th Street, Cleveland, Ohio 44135, Permanent Number 7148574 to Fiar, Inc., 3153 West 73rd Street, Cleveland, Ohio 44102, Permanent Number 2705361; 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 15. Nays 0. Read second time. Read third time in full. Adopted. Yeas 15. Nays 0.

Res. No. 32-17.

By Council Member Kazy.

An emergency resolution objecting to the transfer of stock of a D2, D2X, D3 and D6 Liquor Permit to 3670 West 130th Street, 1st floor only.

Whereas, Council has been notified by the Division of Liquor Control of an application for a transfer of stock of a D2, D2X, D3 and D6 Liquor Permit at RG Max Enterprises, LLC, 3670 West 130th Street, 1st floor only, Cleveland, Ohio 44111, Permanent Number 7146940; and

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a transfer of stock of a D2, D2X, D3 and D6 Liquor Permit at RG Max Enterprises, LLC, 3670 West 130th Street, 1st floor only, Cleveland, Ohio 44111, Permanent Number 7146940, 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 15. Nays 0. Read second time. Read third time in full. Adopted. Yeas 15. Nays 0.

Res. No. 33-17.

By Council Member Kazy.

An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 4677 West 130th Street, S/End.

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 Nishkam One, Inc., DBA The Pantry, 4677 West 130th Street, S/End, Cleveland, Ohio 44135, Permanent Number 6430483 to Aulakh Corporation, 4677 West 130th Street, S/End, Cleveland, Ohio 44135, Permanent Number 0335525; 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 Nishkam One, Inc., DBA The Pantry, 4677 West 130th Street, S/End, Cleveland, Ohio 44135, Permanent Number 6430483 to Aulakh Corporation, 4677 West 130th Street, S/End, Cleveland, Ohio 44135, Permanent Number 0335525; 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 15. Nays 0. Read second time. Read third time in full. Adopted. Yeas 15. Nays 0.

Res. No. 34-17.

By Council Member Brady.

An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 11121 Western Avenue, 1st floor & basement.

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 Kickstand Smit-tys Saloon, Inc., 11121 Western Avenue, 1st floor and basement, Cleveland, Ohio 44111, Permanent Number 4622081 to Janet Jeffrey, DBA Cruise Inn, 11121 Western Avenue, 1st floor and basement, Cleveland, Ohio 44111, Permanent Number 4236476; 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 Kickstand Smit-tys Saloon, Inc., 11121 Western Avenue, 1st floor and basement, Cleveland, Ohio 44111, Permanent Number 4622081 to Janet Jeffrey, DBA Cruise Inn, 11121 Western Avenue, 1st floor and basement, Cleveland, Ohio 44111, Permanent Number 4236476; 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 15. Nays 0. Read second time. Read third time in full. Adopted. Yeas 15. Nays 0.

Res. No. 38-17.

By Council Member Kelley.

An emergency resolution urging Giant Eagle not to close two local stores and a Get-Go gas station in Cleveland, and to work with the City of Cleveland to retain these stores in order to preserve access to fresh foods and pharmacy services for east and west side residents.

Whereas, the City of Cleveland has been a partner with Giant Eagle over the years, working towards the development of new grocery stores and Get-Go gas stations within the City limits; and

Whereas, the recently announced closing in February of two stores located at East 116th Street and Buckeye Road and 140th Street and Lorain Avenue, and a Get-Go gas station leaves only two Giant Eagle stores left in a community of nearly 400,000 people, and marks the end of Giant Eagle on the east side of Cleveland; and

Whereas, these stores provide access to fresh foods and pharmacy service for Cleveland residents, many of who are elderly and rely on public transportation; and

Whereas, the impending closing of three locations, puts 120 workers at risk of losing their jobs; and

Whereas, the closing of pharmacies in mid-January leaves little time for customers to transfer prescriptions, placing a hardship especially on our seniors and those with disabilities; and

Whereas, if these Giant Eagle stores close, the remaining lease terms may prevent other grocery stores from leasing at these locations, leaving vacant stores that negatively influence our community and affect other leases for nearby retail; and

Whereas, this Council urges Giant Eagle not to close these local stores, and to discuss ways the City of Cleveland may help retain them; 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 urges Giant Eagle not to close two local stores and a Get-Go gas station in Cleveland, and to work with the City of Cleveland to retain these stores in order to preserve access to fresh foods and pharmacy services for east and west side residents.

Section 2. That the Clerk of Council is directed to transmit copies of this resolution to Laura Karet, Chief Executive Officer, Giant Eagle and Mayor Frank G. Jackson.

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 15. Nays 0. Read second time. Read third time in full. Adopted. Yeas 15. Nays 0.

**SECOND READING
EMERGENCY ORDINANCE**

Ord. No. 808-16.

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

An emergency ordinance determining the method of making the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving the Marion Motley Park to implement a motor-cross sports and mountain bike program, including but not limited to site improvements and appurtenances; authorizing the Director of Public Works or Capital Projects, as appropriate, to enter into one or more contracts to make the improvement and authorizing standard and requirement contracts; authorizing one or more management agreements for the maintenance, operation, and management services of the program, for a period of five years with five one-year options to renew, exercisable by the Director of Public Works.

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

1. Insert new Section 1a. and Section 1b. to read as follows:

"Section 1a. That the Director of Public Works or Capital Projects, as appropriate, is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary

to provide environmental, engineering, geotechnical services, construction inspection services, and other related professional consulting services needed for the Improvement.

The selection of the consultant or consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Works or Capital Projects, as appropriate, 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 or Capital Projects, as appropriate, 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 or Capital Projects, as appropriate, and certified by the Director of Finance.

Section 1b. That the Clerk of Council is authorized to enter into an agreement with a consultant to provide professional services necessary to monitor and report to the Council on the status of the Marion Motley Park project as described in this ordinance. The selection of the consultant shall be made by Cleveland City Council and the agreement shall not exceed \$50,000, payable from funds approved by the Director of Finance."

Amendments agreed to.

On the motion of Council Member Cleveland, the legislation just read be placed on final passage. Seconded by Council Member Mitchell.

Those voting yea: Council Members Brady, Brancatelli, Cleveland, Conwell, K. Johnson, Kazy, Keane, Kelley, McCormack, Mitchell, Zone.

Those voting nay: Council Members Dow, J. Johnson, Polensek, Reed.

The motion failed to receive the required 2/3 majority vote to pass. The ordinance was read for the second time and will be considered for passage under third reading at the next regular meeting of Council.

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 1448-16.

By Council Member Kelley.

An emergency ordinance authorizing the Clerk of Council to enter into an agreement with On Technology Partners for the professional services necessary to advise and assist in the maintenance and performance of computer technology projects and to provide specific computer technology services for Cleveland City Council.

Approved by Committee on Finance.

The rules were suspended. Yeas 14. Nays 1. Read second time. Read third time in full. Passed. Yeas 14. Nays 1.

Those voting yea: Council Members Brady, Brancatelli, Cleveland, Conwell, Dow, J. Johnson, K. Johnson, Kazy, Keane, Kelley, McCormack, Mitchell, Reed, and Zone.

Those voting nay: Council Member Polensek.

Ord. No. 1449-16.

By Council Member Kelley.

An emergency ordinance authorizing the Clerk of Council to enter into an agreement with The Project Group for professional assistance in

investigating utility-related matters pertaining to the Divisions of Cleveland Public Power, Water and Water Pollution Control for Cleveland City Council.

Approved by Committee on Finance.

The rules were suspended. Yeas 14. Nays 1. Read second time. Read third time in full. Passed. Yeas 14. Nays 1.

Those voting yea: Council Members Brady, Brancatelli, Cleveland, Conwell, Dow, J. Johnson, K. Johnson, Kazy, Keane, Kelley, McCormack, Mitchell, Reed, and Zone.

Those voting nay: Council Member Polensek.

Ord. No. 1450-16.

By Council Member Kelley.

An emergency ordinance authorizing the Clerk of Council to enter into an agreement with The Batchelder Company for professional lobbying services for Cleveland City Council.

Approved by Committee on Finance.

The rules were suspended. Yeas 12. Nays 3. Read second time. Read third time in full. Passed. Yeas 12. Nays 3.

Those voting yea: Council Members Brady, Brancatelli, Cleveland, Conwell, Dow, K. Johnson, Kazy, Keane, Kelley, McCormack, Mitchell, and Zone.

Those voting nay: Council Members J. Johnson, Polensek, and Reed.

Ord. No. 1451-16.

By Council Member Kelley.

An emergency ordinance authorizing the Clerk of Council to enter into an agreement with Guy Gadowski, CPA to provide professional financial consulting and auditing services necessary for Cleveland City Council.

Approved by Committee on Finance.

The rules were suspended. Yeas 14. Nays 1. Read second time. Read third time in full. Passed. Yeas 14. Nays 1.

Those voting yea: Council Members Brady, Brancatelli, Cleveland, Conwell, Dow, J. Johnson, K. Johnson, Kazy, Keane, Kelley, McCormack, Mitchell, Reed, and Zone.

Those voting nay: Council Member Polensek.

Ord. No. 1473-16.

By Council Member Kelley.

An emergency ordinance authorizing the Council President to enter into an agreement with Cobalt Group, Inc. to provide professional services regarding Cleveland City Council operations and staff development.

Approved by Committee on Finance.

The rules were suspended. Yeas 14. Nays 1. Read second time. Read third time in full. Passed. Yeas 14. Nays 1.

Those voting yea: Council Members Brady, Brancatelli, Cleveland, Conwell, Dow, J. Johnson, K. Johnson, Kazy, Keane, Kelley, McCormack, Mitchell, Reed, and Zone.

Those voting nay: Council Member Polensek.

Ord. No. 1474-16.

By Council Member Kelley.

An emergency ordinance authorizing the Clerk of Council to enter into an agreement with Mita

Marketing LLC for the professional services necessary to assist Cleveland City Council with communications and public relations.

Approved by Committee on Finance.

The rules were suspended. Yeas 14. Nays 1. Read second time. Read third time in full. Passed. Yeas 14. Nays 1.

Those voting yea: Council Members Brady, Brancatelli, Cleveland, Conwell, Dow, J. Johnson, K. Johnson, Kazy, Keane, Kelley, McCormack, Mitchell, Reed, and Zone.

Those voting nay: Council Member Polensek.

MOTION

On the motion of Council Member Cleveland, the absences of Council Members Brian J. Cummins and Terrell H. Pruitt are hereby authorized. Seconded by Council Member Mitchell.

MOTION

The Council Meeting adjourned at 8:37 p.m. to the call of the chair. The next regular meeting of Council is on Monday, January 23, 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. 808-16.

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

An emergency ordinance determining the method of making the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving the Marion Motley Park to implement a motorcross sports and mountain bike program, including but not limited to site improvements and appurtenances; authorizing the Director of Public Works or Capital Projects, as appropriate, to enter into one or more contracts to make the improvement and authorizing standard and requirement contracts; authorizing one or more management agreements for the maintenance, operation, and management services of the program, for a period of five years with five one-year options to renew, exercisable by the Director of Public Works.

Whereas, the unique design, time, budgetary, or other material elements of this project can benefit from the special care, coordination, and expeditiousness possible by performance of both the professional design services and the construction under a design-build approach contract with a single entity; and

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

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

Section 1. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving the Marion Motley Park, including but not limited to site improvements and appurtenances to implement a motorcross sports and mountain bike program (the "Improvement"), for the Department of Public Works, by one or more design-build or engineer-procure-construct contracts duly let to the person, firm, or corporation or combination of them submitting the best proposal, taking into consideration the engineering and design, the construction method, the proposed design and construction costs, the total life-cycle costs, the qualifications of the proposed design professional and construction firm, and the other objectives of the Improvement.

The selection of the person, firm, or corporation to design and construct the Improvement shall be made by the Board of Control on the nomination of the Director of Public Works or Capital Projects, as appropriate from a list of qualified and available persons, firms, or corporations, as may be determined by the Director of Public Works or Capital Projects, as appropriate, after making a full and complete canvass for the purpose of compiling the list. The Board of Control shall fix the total compensation to be paid for all design and construction and procurement necessary for the Improvement. The contract or contracts shall be prepared by the Director of Law, approved by the Director of Public Works or Capital Projects, as appropriate, and certified by the Director of Finance.

Section 1a. That the Director of Public Works or Capital Projects, as appropriate, is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide environmental, engineering, geotechnical services, construction inspection services, and other related professional consulting services needed for the Improvement.

The selection of the consultant or consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Works or Capital Projects, as appropriate, 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 or Capital Projects, as appropriate, 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 or Capital Projects, as appropriate, and certified by the Director of Finance.

Section 1b. That the Clerk of Council is authorized to enter into an agreement with a consultant to provide professional services necessary to monitor and report to the Council on the status of the Marion Motley Park project as described in this ordinance. The selection of the consultant shall be made by Cleveland City Council and the agreement shall not exceed \$50,000, payable from funds approved by the Director of Finance.

Section 2. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of Codified Ordinances of the City of Cleveland, the Director of Public Works or Capital Projects, as appropriate, is authorized to execute all documents and pay all fees necessary to acquire any real estate interests needed for the Improvement.

Section 3. That the Director of Public Works or Capital Projects, as appropriate, 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 Public Works or Capital Projects, as appropriate is authorized to make one or more written standard purchase contracts and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of requirements to be determined by the director, for the necessary items of materials, equipment, supplies, and services necessary to construct the Improvement, including labor and materials if necessary, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Public Works or Capital Projects, as appropriate. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines.

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

Section 6. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Works or Capital Projects, as appropriate may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 7. That, 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 management agreements, or other such agreements as are appropriate for use with bonded-funded property, on the basis of competitive proposals for the purpose of operating and managing a motorcross sport and mountain bike

program and maintaining the park, for a period of five years with five one-year options to renew, exercisable by the Director of Public Works. The selection of the contractor shall be made by the Board of Control upon the nomination of the Director of Public Works. The agreements shall be prepared by the Director of Law and shall contain additional terms and conditions as the Director deems necessary to protect and benefit the public interest.

Section 8. That the costs of the requirement contract or contracts shall be paid from Fund Nos. 20 SF 516, 20 SF 523, 20 SF 535, 20 SF 538, 20 SF 544, 20 SF 552, 20 SF 558, 20 SF 561, 20 SF 565, 20 SF 572 and from the fund or funds to which are credited the proceeds from the sale future bonds, if issued for this purpose, 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.

Section 9. That the cost of this ordinance shall be paid from Fund Nos. 20 SF 516, 20 SF 523, 20 SF 535, 20 SF 538, 20 SF 544, 20 SF 552, 20 SF 558, 20 SF 561, 20 SF 565, 20 SF 572, the fund or funds to which are credited the proceeds from the sale of future bonds, if issued for this purpose, from the fund or funds to which are credited any gift or grant received for this project and any other funds approved by the Director of Finance, RQS 0103, RL 2016-72.

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

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

BOARD OF CONTROL

January 4, 2017

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, January 4, 2017 at 10:35 a.m. with Director Langhenry presiding.

Present: Directors Langhenry, Dumas, Davis, Interim Director Szabo, Directors Cox, Gordon, Acting Director Hennessy, Directors Nichols, McNamara, and O'Leary.

Absent: Mayor Jackson and Director West.

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

Melissa Burrows, Director, Office of Equal Opportunity.

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

Resolution No. 1-17.

By Director Dumas.

Whereas, under the authority of Section 181.08 C.O., the City of Cleveland, through the Director of Finance, on August 31, 2015, entered into Purchase Order No. PO 5103 2015*1159 with Cross Country Staffing, Inc. for a period of one (1) year, to supplement the regularly employed staff of the Division of Assessments and Licenses to obtain the professional services necessary to supply temporary qualified and skilled workers to perform medical billing and reimbursement services, for compensation of forty thousand dollars (\$40,000.00); and

Whereas, under the authority of Ordinance No. 1258-15, passed by the Cleveland City Council on October 19, 2015, and Board of Control Resolution No. 485-15, adopted December 9, 2015, the City, through the Director of Finance, on January 28, 2016, entered into Contract No. CT 1503 PS 2016*005 with Cross Country Staffing, Inc. for a period of one (1) year, to continue to obtain the professional medical billing and reimbursement services, for compensation of one hundred forty-three thousand and forty dollars (\$143,040.00); now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of Ordinance No. 1199-16, passed by the Cleveland City Council on November 14, 2016, the firm of Cross Country Staffing, Inc. is selected upon the nomination of the Director of Finance from a list of qualified persons or firms determined after a full and complete canvass by the Director of Finance as the firm of consultants available to be employed by contract to supplement the regularly employed staff of the Division of Assessments and Licenses to obtain the professional services necessary to supply temporary qualified and skilled workers to perform medical billing and reimbursement, on an as-needed basis, for a period of one year.

Be it further resolved that the Director of Finance is authorized to enter into a written contract with Cross Country Staffing, Inc. based upon its proposal dated December 14, 2016, for the above-mentioned services, which contract shall be prepared by the Director of Law, shall provide that the compensation to Cross Country Staffing, Inc. for services authorized shall not exceed seventy thousand dollars (\$70,000.00) for the term, and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Langhenry, Dumas, Davis, Interim Director Szabo, Directors Cox, Gordon, Acting Director Hennessy, Directors Nichols, McNamara, and O'Leary.

Nays: None.

Absent: Mayor Jackson and Director West.

Resolution No. 2-17.

By Director Davis.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Ohio Machinery Co. dba Ohio CAT for an estimated quantity of labor and materials for maintenance of backup generators, compo-

nents, appurtenances, fuel testing, fuel conditioning, and recycling, Group 1, all items, for the various Divisions of the Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, with two one-year options to renew, received on October 28, 2016 under the authority of Ordinance No. 704-16, passed July 13, 2016, which on the basis of the estimated quantity would amount to \$286,392.00 (0%, 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services necessary for the specified items.

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

Yeas: Directors Langhenry, Dumas, Davis, Interim Director Szabo, Directors Cox, Gordon, Acting Director Hennessy, Directors Nichols, McNamara, and O'Leary.

Nays: None.

Absent: Mayor Jackson and Director West.

Resolution No. 3-17.

By Director Davis.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Warner Diesel Filtration for an estimated quantity of labor and materials for maintenance of backup generators, components, appurtenances, fuel testing, fuel conditioning, and recycling, Group 2, all items, for the various Divisions of the Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, with two one-year options to renew, received on October 28, 2016 under the authority of Ordinance No. 704-16, passed July 13, 2016, which on the basis of the estimated quantity would amount to \$22,600.00 (0%, 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services necessary for the specified items.

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

Yeas: Directors Langhenry, Dumas, Davis, Interim Director Szabo, Directors Cox, Gordon, Acting Director Hennessy, Directors Nichols, McNamara, and O'Leary.

Nays: None.

Absent: Mayor Jackson and Director West.

Resolution No. 4-17.

By Interim Director Szabo.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Article 8 of the Agree-

ment and Lease between the City of Cleveland and the Original Scheduled Airlines and the Additional Scheduled Airlines, the 2017 Annual Budget and calculation of the Rentals and Landing Fee Rates are adopted effective January 1, 2017, as follows:

Landing Fee Rates:

Signatory Landing Fee (per 1,000 lbs.)	\$7.55
Non-Signatory Scheduled Category A (per 1,000 lbs.)	\$9.44
Non-Signatory Scheduled Category B (per 1,000 lbs.)	\$11.33

Airline Rental Rates:

Main Terminal Area

Premium Terminal Rental Rate (per square foot)	\$905.95
Standard Terminal Rental Rate (75% factor)	\$679.46
Bag-Makeup Terminal Rental Rate (50% factor)	\$452.98
Baggage Roadway Terminal Rental Rate (30% factor)	\$271.79

Concourse A Rental Rates

Premium Terminal Rental Rate (per square foot)	\$470.85
Standard Terminal Rental Rate (75% factor)	\$353.14
Bag-Makeup Terminal Rental Rate (50% factor)	\$235.43
Baggage Roadway Terminal Rental Rate (30% factor)	\$141.26

Concourse B Rental Rates

Premium Terminal Rental Rate (per square foot)	\$534.80
Standard Terminal Rental Rate (75% factor)	\$401.10
Bag-Makeup Terminal Rental Rate (50% factor)	\$267.40
Baggage Roadway Terminal Rental Rate (30% factor)	\$160.44

Concourse C Stem Rental Rates

Premium Terminal Rental Rate (per square foot)	\$550.79
Standard Terminal Rental Rate (75% factor)	\$413.09
Bag-Makeup Terminal Rental Rate (50% factor)	\$275.39
Baggage Roadway Terminal Rental Rate (30% factor)	\$165.24

Concourse C Rotunda Rental Rates

Premium Terminal Rental Rate (per square foot)	\$528.93
Standard Terminal Rental Rate (75% factor)	\$396.70
Bag-Makeup Terminal Rental Rate (50% factor)	\$264.46
Baggage Roadway Terminal Rental Rate (30% factor)	\$158.68

Yeas: Directors Langhenry, Dumas, Davis, Interim Director Szabo, Directors Cox, Gordon, Acting Director Hennessy, Directors Nichols, McNamara, and O'Leary.

Nays: None.

Absent: Mayor Jackson and Director West.

Resolution No. 5-17.

By Director McGrath.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Globe Manufacturing Company, LLC for the purchase of Turnout Clothing, all items, for the Division of Fire, Department of Public Safety, for the period of one year beginning with the date of the execution of a contract, with two one-year options to renew, received on November 10, 2016, under the authority of Section 135.06, Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of estimated quantity would amount to \$1,119,487.50, is affirmed and approved as the lowest and best bid, and the Director of Public Safety is requested to enter into a requirement contract for the goods and/or services necessary for the specified items.

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

Yeas: Directors Langhenry, Dumas, Davis, Interim Director Szabo, Directors Cox, Gordon, Acting Director Hennessy, Directors Nichols, McNamara, and O'Leary.

Nays: None.

Absent: Mayor Jackson and Director West.

Resolution No. 6-17.

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of American National Fleet Service, Inc. dba American Fleet Services, for an estimated quantity of various auto and truck spring and suspension repair, all items, for the Division of Motor Vehicle Maintenance, Department of Public Works, for a period of one year, beginning with the date of execution of a contract, with two one-year renewal options, received on October 20, 2016 under the authority of Section 131.64 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$348,400.00 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a requirement contract for the goods and/or services specified.

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

Be it further resolved, that the employment of the following subcontractor by American National Fleet Service, Inc. for the above-mentioned requirement contract is approved:

<u>Subcontractor</u>	<u>Subcontract Amount</u>	<u>Percentage</u>
Servco Products, Inc.	\$38,085.50	9.5%

Yeas: Directors Langhenry, Dumas, Davis, Interim Director Szabo, Directors Cox, Gordon, Acting

Director Hennessy, Directors Nichols, McNamara, and O'Leary.

Nays: None.

Absent: Mayor Jackson and Director West.

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

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, JANUARY 23, 2017

9:30 A.M.

Calendar No. 16-315: 2044 Random Road (Ward 6)

Bluewater Capital Partners, owner, proposes to erect a five story, 26 dwelling unit building with 2,400 square foot retail space on first floor, and an accessory 52 space parking garage 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 which states that in a 'B' area district the gross floor area is limited to 1/2 the lot area. In this case, 15,705 square feet are permitted and 90,357 square feet are proposed. A lot area equal to 2,400 square feet per dwelling unit, or 62,400 square feet, is required and 31,409 square feet are proposed.

2. Section 357.09 which states that an interior side yard equal to ¼ the height of the building, or 14 feet, is required and an interior side yard of 10 feet is proposed. Interior side yard area of 3,864 square feet is

required and an interior side yard area of 1,569 square feet on the north side yard is proposed

3. Section 357.08 which states that a rear yard equal to 1/2 the height of the building, or 28 feet, is required and a rear yard of 17 feet is proposed. (Filed December 14, 2016)

Calendar No. 16-316: 797 East 105th Street (Ward 9)

Eugene Cavin, owner, proposes to establish use as a coffee shop in a C2 Local Retail Business 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 a site plan drawn to scale with property lines, dimensions and all other property details is required.

2. Section 349.01 which states that off street parking is required and none are provided. (Filed December 14, 2016)

Calendar No. 16-317: 1810 West 54th Street (Ward 15)

Cleveland Metropolitan School District, owner, proposes to construct a new Pre-K through 8th grade school in B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.03 which states that (by reference per 337.02(f)(3)) a school in a Two-Family Residential District is required to be not less than 30' from any adjoining premises in residence district not use for a similar purpose and is subject to BZA approval.

2. Section 349.04(e) which states that 66 parking spaces are required and 60 spaces are proposed.

3. Section 358.04 which states that a fence in the actual front yard shall be ornamental, no more than 4 feet tall, and at least 50% open. The proposed fence is 8 feet tall and chain link. This section also states that a fence in the actual interior side yard shall not exceed 6 feet in height where an 8 foot tall fence is proposed. (Filed December 15, 2016)

Calendar No. 16-318: 12523 Woodside Avenue (Ward 10)

FOB Real Estate LLC., owner, proposes to erect a 30' x 103' three story addition which will add 3,088 square feet to an existing school in a One-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.02(f)(3) which states that in a One-Family District a school is required to be not less than 30' from any adjoining premises in residence district not use for a similar purpose.

2. Section 359.01(a) which states that an addition or expansion of a nonconforming use requires BZA approval. (Filed December 15, 2016)

Calendar No. 17-009: 12707 Woodside Avenue (Ward 10)

FOB Real Estate LLC. proposes to build a parking lot on City of Cleveland Land Bank parcels located in an A1 One-Family Residential District. The applicant appeals for

relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 349.07(b) which states that wheel guards are required where none are proposed.

2. 349.15(b) which states that bike racks are required where none are proposed.

3. Section 349.13(c) which states that Board of Zoning Appeals must approve parking lots in a residential district. (Filed December 15, 2016)

Calendar No. 16-319: 3844 West 39th Street (Ward 12)

Naaji Simpson, owner, proposes to establish use as a "Type A" daycare in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of Section 337.03 which states that (by reference, per section (337.02)(f)(3)(C)) the proposed daycare is required to be not less than 30' from any adjoining premises in residence district not use for a similar purpose and is subject to BZA approval. (Filed December 16, 2016)

Calendar No. 16-320: 3600 West Park Road (Ward 17)

Conor Boylan, owner, proposes to establish use as restaurant with outdoor patio in a B1 Local Retail Business. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 349.04(f) which states that a restaurant is required to have accessory off street parking at the rate of one space per each 4 seats plus one per employee. 17 spaces required and none provided.

2. Section 357.01(c) which states that a front yard setback is required for premises in Local retail Business Districts. Outdoor patio is not a permitted front yard encroachment per 357.13 (b). (Filed December 16, 2016)

**POSTPONED FROM
DECEMBER 19, 2016**

Calendar No. 16-292: Appeal from Landmark Commission Decision/3011 Vine Court (Ward 3)

Carol Vang appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of the City of Cleveland Landmarks Commission rendered on October 13, 2016 regarding design approval of nine townhomes at 3110 Vine Court in Case 16-55. (Filed November 7, 2016)

First postponement made at the request of the Board in order to allow for time to review the written documentation.

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, JANUARY 9, 2017

At the meeting of the Board of Zoning Appeals on Monday, January 9, 2017 the following appeals were scheduled for hearing before the Board and;

The following appeals were **APPROVED:**

Calendar No. 16-301: 7306 Detroit Avenue

7306 Company LLC., owner, proposes to construct a parking lot in a K2 Local Retail Business District and a Pedestrian Retail Overlay District (PRO).

Calendar No. 16-304: 1810 West 48th Street

Harstone Electric proposes to erect a 22' x 44' - 2" two story frame single family residence with detached garage in a B1 Two Family Residential District on a City of Cleveland Land Bank lot.

Calendar No. 16-305: 1702 West 28th Street

Kirt Montlack, owner, proposes to change use from office and apartment to 31 apartment units in C2 Local Retail Zoning District.

The following appeals were **DENIED:**

None.

The following appeal was **WITHDRAWN:**

Calendar No. 16-306: Innova Phase 2 10001 Chester Avenue.

The following appeals were **DISMISSED:**

None.

The following cases were **POSTPONED:**

Calendar No. 16-270: Thomas McCarthy
Permit LUVU16-00195. Postponed to February 6, 2017.

Calendar No. 16-277: Art Wiskoff, Jr.
Permit LUVU16-00208. Postponed to February 6, 2017.

Calendar No. 16-278: Brian DiSanto
Permit LUVU16-0020.9 Postponed to February 6, 2017.

Calendar No. 16-308: HKM Corp
15708 Lorain Avenue. Postponed to February 13, 2017.

The following cases were heard by the Board of Zoning Appeals on Tuesday, January 3, 2017 and the decisions were adopted and approved on Monday, January 9, 2017:

The following appeals were **APPROVED:**

Calendar No. 16-209: 4195 Lorain Court Sublot 1

B.R. Knez, Construction, owner, proposes to erect a 25' x 26' four story frame single family residence with attached garage in a B1 Two Family Residential District.

Calendar No. 16-210: 4195 Lorain Court Sublot 2

B.R. Knez, Construction, owner, proposes to erect a 25' x 37' four story frame single family residence with attached garage in a B1 Two Family Residential District.

Calendar No. 16-211: 4195 Lorain Court Sublot 3

B.R. Knez, Construction, owner, proposes to erect a 25' x 37' four story frame single family residence with attached garage in a B1 Two Family Residential District.

Calendar No. 16-212: 4195 Lorain Court Sublot 4

B.R. Knez, Construction, owner, proposes to erect a 22.05' x 27' - 10" four story frame single family residence with attached garage in a B1 Two Family Residential District.

Calendar No. 16-213: 4195 Lorain Court Sublot 5

B.R. Knez, Construction, owner, proposes to erect a 21.71' x 27' - 10" four story frame single family residence with attached garage in a B1 Two Family Residential District.

Calendar No. 16-214: 4195 Lorain Court Sublot 6

B.R. Knez, Construction, owner, proposes to erect a 21.67' x 27' - 10" four story frame single family residence with attached garage in a B1 Two Family Residential District.

Calendar No. 16-215: 4195 Lorain Court Corner Lot

B.R. Knez, Construction, owner, proposes to place a 6' x 6' dumpster on a vacant lot in a B1 Two Family Residential District.

Calendar No. 16-302: 15701 Chatfield Avenue

Hugh O'Donnell, owner, proposes to install six foot high, solid fence in side yard in a B1 Two-Family Residential District.

Calendar No. 16-309: 17900 Harvard Avenue

Cleveland Metropolitan School District, owner, proposes to erect a new PK-8 school in an A1 One-Family Residential District.

The following appeal was **DENIED:**

Calendar No. 16-298: 12404 Marne Avenue

Aurica Turbatu, owner, proposes to establish use as Residential Facility for two persons in an A1 One 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 12S, City Hall, in accordance with the appended schedule, and will be opened and read in Room 12S, City Hall, immediately thereafter.

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, FEBRUARY 1, 2017

File No. 1-17 — Purchase of Transformers and Accessories, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, JANUARY 20, 2017 AT 11:00 A.M. CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CONFERENCE ROOM A, CLEVELAND, OH 44114.

File No. 3-17 — Hand Held Tools, for the Division of Purchases and Supplies, Department of Finance, as authorized by Ordinance No. 1222-14, passed by the Council of the City of Cleveland, September 29, 2014.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, JANUARY 20, 2017 AT 10:30 A.M. CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, CONFERENCE ROOM 18, CLEVELAND, OH 44114.

January 11, 2017 and January 18, 2017

WEDNESDAY, FEBRUARY 8, 2017

File No. 2-17 — Purchase of Promotional Items, for the Division of Water, Department of Public Utilities, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, JANUARY 19, 2017 AT 2:30 P.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, 2ND FLOOR ATRIUM CONFERENCE ROOM, CLEVELAND, OH 44114.

January 11, 2017 and January 18, 2017

ADOPTED RESOLUTIONS AND ORDINANCES

NONE

COUNCIL COMMITTEE MEETINGS

Monday January 9, 2017

9:30 a.m.

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

2:00 p.m.

Development, Planning and Sustainability Committee & Finance Committee: Present in DP&S: Brancatelli, Chair; Vice Chair; Cleveland, Dow, McCormack, Zone. *Authorized Absence:* Cummins, Pruitt. Present in Finance: Kelley, Chair; Cleveland, Vice Chair; Brady, Brancatelli, Conwell, Keane, Mitchell, Zone. *Authorized Absence:* Pruitt.

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

Tuesday January 10, 2017

9:30 a.m.

Development, Planning and Sustainability (Zoning) Committee: Present: Brancatelli, Chair; Cleveland, Vice Chair; Dow, McCormack, Zone. *Authorized Absence:* Cummins, Pruitt.

Development, Planning and Sustainability Committee: Present: Brancatelli, Chair; Cleveland, Vice Chair; Dow, McCormack, Zone. *Authorized Absence:* Cummins, Pruitt.

Wednesday January 11, 2017

10:00 a.m.

Safety Committee: Present: Zone, Chair; Conwell, Vice Chair; Kazy, Keane, McCormack, Polensek. *Authorized Absence:* Mitchell.

Index

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

Aging Department

Oath of Office for Mary McNamara, Director of Aging, City of Cleveland. (F 64-17) 18

Agreements

Authorizing the Clerk of Council to enter into an agreement with Guy Gadowski, CPA to provide professional financial consulting and auditing services necessary for Cleveland City Council. (O 1451-16) 27
Authorizing the Clerk of Council to enter into an agreement with Mita Marketing LLC for the professional services necessary to assist Cleveland City Council with communications and public relations. (O 1474-16) 27

Authorizing the Clerk of Council to enter into an agreement with On Technology Partners for the professional services necessary to advise and assist in the maintenance and performance of computer technology projects and to provide specific computer technology services for Cleveland City Council. (O 1448-16) 27

Authorizing the Clerk of Council to enter into an agreement with The Batchelder Company for professional lobbying services for Cleveland City Council. (O 1450-16) 27

Authorizing the Clerk of Council to enter into an agreement with The Project Group for professional assistance in investigating utility related matters pertaining to the Divisions of Cleveland Public Power, Water and Water Pollution Control for Cleveland City Council. (O 1449-16) 27

Authorizing the Clerk of Council to enter into an agreement with Western Reserve Land Conservancy d/b/a Thriving Communities Institute to provide professional services regarding the Vacant and Abandoned Property Action Council (VAPAC), reforestation, demolition funding, rehabilitation, code enforcement, greenspace, and property information. (O 29-17)..... 24

Authorizing the Council President to enter into an agreement with Cobalt Group, Inc. to provide professional services regarding Cleveland City Council operations and staff development. (O 1473-16) 27

Board of Control — Assessments and Licenses Division

Medical Billing and Reimbursement Services — per Ord. 1199-16 to Cross Country Staffing, Inc. — Dept. of Finance (BOC Res. 1-17) 29

Board of Control — Cleveland Hopkins International Airport Division

Rentals and Landing Fee Rates — Lease with Original Scheduled Airlines and Additional Scheduled Airlines — effective 1/1/17 — Dept. of Port Control (BOC Res. 4-17) 29

Board of Control — Finance Department

Medical Billing and Reimbursement Services — per Ord. 1199-16 to Cross Country Staffing, Inc. — Division of Assessments and Licenses (BOC Res. 1-17) 29

Board of Control — Fire Division

Turnout Clothing — per C.O. Sec. 135.06 to Globe Manufacturing Company, LLC — Dept. of Public Safety (BOC Res. 5-17) 30

Board of Control — Motor Vehicle Maintenance Division

Auto and Truck Spring and Suspension Repair — per C.O. Sec. 131.64 to American National Fleet Service, Inc. dba American Fleet Services — Dept. of Public Works (BOC Res. 6-17) 30

Board of Control — Port Control Department

Rentals and Landing Fee Rates — Lease with Original Scheduled Airlines and Additional Scheduled Airlines — effective 1/1/17 — Division of Cleveland Hopkins International Airport (BOC Res. 4-17) 29

Board of Control — Professional Service Contracts

Medical Billing and Reimbursement Services — per Ord. 1199-16 to Cross Country Staffing, Inc. — Division of Assessments and Licenses, Dept. of Finance (BOC Res. 1-17) 29

Board of Control — Public Safety Department

Turnout Clothing — per C.O. Sec. 135.06 to Globe Manufacturing Company, LLC — Division of Fire (BOC Res. 5-17) 30

Board of Control — Public Utilities Department

Backup generators, components, appurtenances, fuel testing/conditioning and recycling — per Ord. 704-16 to Ohio Machinery Co. dba Ohio CAT (BOC Res. 2-17) 29

Backup generators, components, appurtenances, fuel testing/conditioning and recycling — per Ord. 704-16 to Warner Diesel Filtration (BOC Res. 3-17) 29

Board of Control — Public Works Department

Auto and Truck Spring and Suspension Repair — per C.O. Sec. 131.64 to American National Fleet Service, Inc. dba American Fleet Services — Division of Motor Vehicle Maintenance (BOC Res. 6-17) 30

Board of Control — Requirement Contracts

Auto and Truck Spring and Suspension Repair — per C.O. Sec. 131.64 to American National Fleet Service, Inc. dba American Fleet Services — Division of Motor Vehicle Maintenance, Dept. of Public Works (BOC Res. 6-17)..... 30

Backup generators, components, appurtenances, fuel testing/conditioning and recycling — per Ord. 704-16 to Ohio Machinery Co. dba Ohio CAT — Dept. of Public Utilities (BOC Res. 2-17)..... 29

Backup generators, components, appurtenances, fuel testing/conditioning and recycling — per Ord. 704-16 to Warner Diesel Filtration — Dept. of Public Utilities (BOC Res. 3-17)..... 29

Turnout Clothing — per C.O. Sec. 135.06 to Globe Manufacturing Company, LLC — Division of Fire, Dept. of Public Safety (BOC Res. 5-17)..... 30

Board of Zoning Appeals — Report

Chatfield Avenue, 15701 (Ward 17) — Hugh O'Donnell, owner — appeal granted and adopted on 1/9/17 (Cal. 16-302)..... 31

Chester Avenue, 10001 (Ward 7) — Innova Phase 2, owner — appeal withdrawn on 1/9/17 (Cal. 16-306)..... 31

Detroit Avenue, 7306 (Ward 15) — 7306 Company LLC, owner — appeal heard on 1/9/17 (Cal. 16-301)..... 31

DiSanto, Brian — appeal postponed to 2/6/17 on 1/9/17 (Cal. 16-278)..... 31

Harvard Avenue, 17900 (Ward 1) — Cleveland Metropolitan School District, owner — appeal granted and adopted on 1/9/17 (Cal. 16-309)..... 31

Lorain Avenue, 15708 (Ward 17) — HHKM Corp., owner — appeal postponed to 2/13/17 on 1/9/17 (Cal. 16-308)..... 31

Lorain Court Corner lot, 4195 (Ward 3) — B.R. Knez, Construction, owner — appeal granted and adopted on 1/9/17 (Cal. 16-215)..... 31

Lorain Court Sublot 1, 4195 (Ward 3) — B.R. Knez, Construction, owner — appeal granted and adopted on 1/9/17 (Cal. 16-209)..... 31

Lorain Court Sublot 2, 4195 (Ward 3) — B.R. Knez, Construction, owner — appeal granted and adopted on 1/9/17 (Cal. 16-210)..... 31

Lorain Court Sublot 3, 4195 (Ward 3) — B.R. Knez, Construction, owner — appeal granted and adopted on 1/9/17 (Cal. 16-211)..... 31

Lorain Court Unit 4, 4195 (Ward 3) — B.R. Knez, Construction, owner — appeal granted and adopted on 1/9/17 (Cal. 16-212)..... 31

Lorain Court Unit 5, 4195 (Ward 3) — B.R. Knez, Construction, owner — appeal granted and adopted on 1/9/17 (Cal. 16-213)..... 31

Lorain Court Unit 6, 4195 (Ward 3) — B.R. Knez, Construction, owner — appeal granted and adopted on 1/9/17 (Cal. 16-214)..... 31

Marne Avenue, 12404 (Ward 11) — Aurica Turbatu, owner — appeal denied and adopted on 1/9/17 (Cal. 16-298)..... 31

McCarthy, Thomas — appeal postponed to 2/6/17 on 1/9/17 (Cal. 16-270)..... 31

West 28th Street, 1702 (Ward 3) — Kirt Montlack, owner — appeal heard on 1/9/17 (Cal. 16-305)..... 31

West 48th Street, 1810 (Ward 3) — Harstone Electric — appeal heard on 1/9/17 (Cal. 16-304)..... 31

Wiskoff, Jr., Art — appeal postponed to 2/6/17 on 1/9/17 (Cal. 16-277)..... 31

Board of Zoning Appeals — Schedule

East 105th Street, 797 (Ward 9) — Eugene Cavin, owner — appeal to be heard on 1/23/17 (Cal. 16-316)..... 30

Random Road, 2044 (Ward 6) — Bluewater Capital Partners, owner — appeal to be heard on 1/23/17 (Cal. 16-315)..... 30

West 39th Street, 3844 (Ward 12) — Naaaji Simpson, owner — appeal to be heard on 1/23/17 (Cal. 16-319)..... 31

West 54th Street, 1810 (Ward 15) — Cleveland Metropolitan School District, owner — appeal to be heard on 1/23/17 (Cal. 16-317)..... 30

West Park Road, 3600 (Ward 17) — Conor Boylan, owner — appeal to be heard on 1/23/17 (Cal. 16-320)..... 31

Woodside Avenue, 12523 (Ward 10) — FOB Real Estate LLC, owner — appeal to be heard on 1/23/17 (Cal. 16-318)..... 30

Woodside Avenue, 12707 (Ward 10) — FOB Real Estate LLC — appeal to be heard on 1/23/17 (Cal. 17-9)..... 30

Capital Projects

Determining the method of making the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving the Marion Motley Park to implement a motorcross sports and mountain bike program, including but not limited to site improvements and appurtenances; authorizing the Director of Public Works or Capital Projects, as appropriate, to enter into one or more contracts to make the improvement and authorizing standard and requirement contracts; authorizing one or more management agreements for the maintenance, operation, and management services of the program, for a period of five years with five one year options to renew, exercisable by the Director of Public Works. (O 808-16)..... 26

City Council

Authorizing the Council President to enter into an agreement with Cobalt Group, Inc. to provide professional services regarding Cleveland City Council operations and staff development. (O 1473-16) 27

From Council President Kevin J. Kelley appointing, without objection by Council, Allan Dreyer as Council Clerk Pro Tempore, December 19, 2016, to January 8, 2017. (F 1-17) 17

City of Cleveland Bids

Hand Held Tools — Department of Finance — Division of Purchases and Supplies — per Ord. 1222-14 — bid due February 1, 2017 (advertised 1/11/2017 and 1/18/2017) 32

Promotional Items — Department of Public Utilities — Division of Water — per C.O. Sec. 181.101 — bid due February 8, 2017 (advertised 1/11/2017 and 1/18/2017) 32

Transformers and Accessories — Department of Public Utilities — Division of Cleveland Public Power — per C.O. Sec. 129.26 — bid due February 1, 2017 (advertised 1/11/2017 and 1/18/2017)..... 32

Clerk of Council

Authorizing the Clerk of Council to enter into an agreement with Guy Gadowski, CPA to provide professional financial consulting and auditing services necessary for Cleveland City Council. (O 1451-16) 27

Authorizing the Clerk of Council to enter into an agreement with Mita Marketing LLC for the professional services necessary to assist Cleveland City Council with communications and public relations. (O 1474-16) 27

Authorizing the Clerk of Council to enter into an agreement with On Technology Partners for the professional services necessary to advise and assist in the maintenance and performance of computer technology projects and to provide specific computer technology services for Cleveland City Council. (O 1448-16)..... 27

Authorizing the Clerk of Council to enter into an agreement with The Batchelder Company for professional lobbying services for Cleveland City Council. (O 1450-16) 27

Authorizing the Clerk of Council to enter into an agreement with The Project Group for professional assistance in investigating utility related matters pertaining to the Divisions of Cleveland Public Power, Water and Water Pollution Control for Cleveland City Council. (O 1449-16) 27

Authorizing the Clerk of Council to enter into an agreement with Western Reserve Land Conservancy d/b/a Thriving Communities Institute to provide professional services regarding the Vacant and Abandoned Property Action Council (VAPAC), reforestation, demolition funding, rehabilitation, code enforcement, greenspace, and property information. (O 29-17) 24

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Cleveland Foundation

From Director Michael Cox, Department of Public Works, City of Cleveland. Notice of acceptance of \$10,000 grant from Celena Zevnik, through the Cleveland Foundation, for general support of the Halloran Park Hockey program. (F 36-17) 17

Cleveland Hopkins International Airport (CHIA)

Authorizing the Director of Port Control to lease certain space located at Building No. 221 at 5701 Postal Road at Cleveland Hopkins International Airport to Federal Express Corporation for office and warehouse space, and various parking facilities for vehicles and aircraft, for the operation of a retail shipping and air freight services facility, for a period of five years, with two five year options to renew, the first of which shall require additional legislative authority. (O 24-17) 22

Authorizing the Director of Port Control to lease certain space located in Building No. 217 at 6040 Cargo Road at Cleveland Hopkins International Airport to Hydro Chem Corporation to provide various environmental services for the airport, for a term of two years, with three one year options to renew, the first of which shall require additional legislative authority. (O 25-17) 22

Cleveland Public Power (CPP)

Authorizing the Clerk of Council to enter into an agreement with The Project Group for professional assistance in investigating utility related matters pertaining to the Divisions of Cleveland Public Power, Water and Water Pollution Control for Cleveland City Council. (O 1449-16) 27

Communications

From Council President Kevin J. Kelley appointing, without objection by Council, Allan Dreyer as Council Clerk Pro Tempore, December 19, 2016, to January 8, 2017. (F 1-17) 17

From Director Michael Cox, Department of Public Works, City of Cleveland. Notice of acceptance of \$10,000 grant from Celena Zevnik, through the Cleveland Foundation, for general support of the Halloran Park Hockey program. (F 36-17) 17

From Khrys Shefton, Director of real Estate Development, Famicos Foundation. Notice of plans to apply to Ohio Housing Finance Agency for multifamily funding programs for the development known as Circle North Lease Purchase Homes, on several addresses on East 109th Street, East 111th Street, East 112th Street, Churchill Avenue, Lee Avenue, and Orville Avenue, all in Cleveland, Ohio. (F 60-17) 17

From Linda Atkins, Assistant Controller, Corix Utilities, Inc. 2016 Balance Sheet for Cleveland Thermal, pursuant to Ord. No. 550 12. (F 59-17) 17

Condolences

Condolence Resolution for Albert Andre (R 53-17) 18

Condolence Resolution for Clifford Pitts, Sr. (R 40-17) 18

Condolence Resolution for Daryl P. Rush (R 56-17) 18

Condolence Resolution for Dean Couch (R 44-17) 18

Condolence Resolution for Frank A. Rolf (R 48-17) 18

Condolence Resolution for Geneva Johnson Pruitt (R 42-17) 18

Condolence Resolution for Harold Ferguson (R 46-17) 18

Condolence Resolution for James "J.T." Thompson (R 50-17) 18

Condolence Resolution for Jason Louloudis (R 47-17) 18

Condolence Resolution for Joseph Stasko (R 54-17) 18

Condolence Resolution for Kenneth D. Roe (R 43-17) 18

Condolence Resolution for Linda Sevnik (R 55-17) 18

Condolence Resolution for Louise A. Lawrence (R 51-17) 18

Condolence Resolution for Maggie Gibbs Artis (R 41-17) 18

Condolence Resolution for Mary Viola Hightower Jones (R 39-17) 18

Condolence Resolution for Reverend Henry Currie, Sr. (R 49-17) 18

Condolence Resolution for Walter Jones, Jr. (R 52-17) 18

Condolence Resolution for Willie Lou Camp (R 45-17) 18

Congratulations

Congratulations Resolution for Alpha Kappa Alpha Sorority, Inc., Alpha Omega Chapter (R 57-17) 18

Congratulations Resolution for Boy Scout John Burgio (R 58-17) 18

Contracts

Authorizing the Director of Port Control to exercise the first option to renew Contract No. RC 2015 25 with Gardiner Service Company dba Gardiner Corporation of the labor and materials necessary to maintain and repair heating, ventilation and air conditioning systems for the various divisions of the Department of Port Control. (O 23-17) 21

Authorizing the Director of Port Control to exercise the second option to renew Contract No. CT 3001 PS 2015-16 with AECOM fka URS Corporation to provide professional services to provide general planning, engineering, and design services, for the various divisions of the Department of Port Control. (O 21-17) 21

Determining the method of making the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving the Marion Motley Park to implement a motorcross sports and mountain bike program, including but not limited to site improvements and appurtenances; authorizing the Director of Public Works or Capital Projects, as appropriate, to enter into one or more contracts to make the improvement and authorizing standard and requirement contracts; authorizing one or more management agreements for the maintenance, operation, and management services of the program, for a period of five years with five one year options to renew, exercisable by the Director of Public Works. (O 808-16) 26

Cuyahoga County

Joining the Cuyahoga County Board of Alcohol, Drug Addiction and Mental Health Services in declaring the hundreds of opioid overdose deaths in Cuyahoga County a public health emergency, and requesting additional funding from the state and federal governments to address the issue. (R 35-17) 24

Famicos Foundation

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Finance Department

To amend Section 8 of Ordinance No. 323 15, passed March 30, 2015, as amended, relating to compensation for various classifications. (O 19-17) 18

Fire Division

Oath of Office for Daniel Flave, Captain of Fire, City of Cleveland. (F 61-17) 17

Oath of Office for Samuel Livingston, Lieutenant of Fire, City of Cleveland. (F 62-17) 17

Grants

From Director Michael Cox, Department of Public Works, City of Cleveland. Notice of acceptance of \$10,000 grant from Celena Zevnik, through the Cleveland Foundation, for general support of the Halloran Park Hockey program. (F 36-17) 17

Health Department

Oath of Office for Brian Kimball, Commissioner of Environment, Department of Public Health, City of Cleveland. (F 2-17) 17
Oath of Office for David Hearne, Interim Commissioner of Air Quality, Department of Public Health, City of Cleveland. (F 63-17) 17
Oath of Office for Persis Sosiak, Commissioner of Health, Department of Public Health, City of Cleveland. (F 3-17)..... 17

Human Resources Department

To amend Section 8 of Ordinance No. 323 15, passed March 30, 2015, as amended, relating to compensation for various classifications. (O 19-17)..... 18

League Park

Authorizing the Director of Public Works to lease certain space located in the Ticket House Building at League Park to the Negro League Baseball Legends of Fame Inc. dba Baseball Heritage Museum for the purpose of storing and displaying historical baseball memorabilia relevant to League Park, for a period of up to five years. (O 28-17)..... 23

Leases

Authorizing the Director of Port Control to lease certain space located at Building No. 221 at 5701 Postal Road at Cleveland Hopkins International Airport to Federal Express Corporation for office and warehouse space, and various parking facilities for vehicles and aircraft, for the operation of a retail shipping and air freight services facility, for a period of five years, with two five year options to renew, the first of which shall require additional legislative authority. (O 24-17) 22
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Liquor Permits

#0120893. Transfer of Ownership Application, C1 C2. Alis Deli Corp., 11119 Detroit Ave. (Ward 15). (F 15-17) 18
#14374151020. New License Application, D3 D6. Chipotle Mexican Grill of Colorado LLC, 224 Euclid Ave. (Ward 3). (F 17-17)..... 18
#14374151025. New License Application, D3 D6. Chipotle Mexican Grill of Colorado LLC, 11452 Euclid Ave. (Ward 6). (F 18-17)..... 18
#2101557. New License Application, C1. Detroit Shoreway Express, Inc., 8808 Detroit Ave. (Ward 15). (F 10-17) 18
#4118410. New License Application, C1. Ibald Beverage, Inc., 2603 Woodhill Rd. (Ward 6). (F 12-17) 18
#4186523. Transfer of License Application, D1 D2 D3. J L Midwest Investments, Inc., 13046 Lorain Ave. (Ward-16). (F 16-17)..... 18
#4405418. New License Application, D3. Judson, 1890 East 107th St. (Ward 9). (F 13-17) 18
#6530090. Economic Development Transfer Application, D1 D2 D3. Ohio City Shuffleboard LLC, 4506 Lorain Ave. (Ward 3). (F 9-17) 18
#6548436. New License Application, C2. 130th Valero, Inc., 3935 West 130th St. (Ward 11). (F 14-17) 18
#7677135. Transfer of Ownership Application, C1 C2. Sachidanand Krupa, Inc., 4785 Pearl Rd. (Ward 13). (F 37-17) 18
#8377690. Transfer of Ownership Application, D1 D2 D6. Soon Cheol Moh, 3709 Payne Ave. (Ward 7). (F 11-17) 18
#88713140005. Transfer of Ownership Application, D5 D6. 3901 Circle LLC, 11001 Euclid Ave. (Ward 9). (F 8-17) 18
Objecting to the transfer of location of a C2 Liquor Permit to 3153 West 73rd Street. (R 31-17) 24
Objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 11121 Western Avenue, 1st floor & basement. (R 34-17)..... 26
Objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 4677 West 130th Street, S/End. (R 33-17) 25
Objecting to the transfer of stock of a D2, D2X, D3 and D6 Liquor Permit to 3670 West 130th Street, 1st floor only. (R 32-17)..... 25

Withdrawing objection to the transfer of ownership of a D2, D2X, D3, D3A and D6 Liquor Permit at 1104 Rowley Avenue, 1st floor and basement and repealing Resolution No. 1180-16 objecting to said permit. (R 30-17) 24

Oath of Office

Oath of Office for Brian Kimball, Commissioner of Environment, Department of Public Health, City of Cleveland. (F 2-17) 17

Oath of Office for Daniel Fay, Commander of Police, City of Cleveland. (F 4-17) 17

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Oath of Office for Mary McNamara, Director of Aging, City of Cleveland. (F 64-17) 18

Oath of Office for Persis Sosiak, Commissioner of Health, Department of Public Health, City of Cleveland. (F 3-17) 17

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Oath of Office for Thomas McCartney, Commander of Police, City of Cleveland. (F 6-17) 17

Ohio House Finance Agency (OHFA)

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Parks

Determining the method of making the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving the Marion Motley Park to implement a motorcross sports and mountain bike program, including but not limited to site improvements and appurtenances; authorizing the Director of Public Works or Capital Projects, as appropriate, to enter into one or more contracts to make the improvement and authorizing standard and requirement contracts; authorizing one or more management agreements for the maintenance, operation, and management services of the program, for a period of five years with five one year options to renew, exercisable by the Director of Public Works. (O 808-16) 26

Police Division

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Repealed Ordinances & Resolutions (Non Codified)

Repealing Ordinance No. 1011-16, passed September 12, 2016. (O 20-17) 24

Reports

From Linda Atkins, Assistant Controller, Corix Utilities, Inc. 2016 Balance Sheet for Cleveland Thermal, pursuant to Ord. No. 550 12. (F 59-17) 17

Resolution of Support

Joining the Cuyahoga County Board of Alcohol, Drug Addiction and Mental Health Services in declaring the hundreds of opioid overdose deaths in Cuyahoga County a public health emergency, and requesting additional funding from the state and federal governments to address the issue. (R 35-17)..... 24

Resolutions Miscellaneous

Urging Giant Eagle not to close two local stores and a Get Go gas station in Cleveland, and to work with the City of Cleveland to retain these stores in order to preserve access to fresh foods and pharmacy services for east and west side residents. (R 38-17) 26

Safety Department

Oath of Office for Daniel Fay, Commander of Police, City of Cleveland. (F 4-17) 17
 Oath of Office for Daniel Flave, Captain of Fire, City of Cleveland. (F 61-17) 17
 Oath of Office for Deirdre Jones, Commander of Police, City of Cleveland. (F 5-17) 17
 Oath of Office for Sammy Morris, Commander of Police, City of Cleveland. (F 7-17) 17
 Oath of Office for Samuel Livingston, Lieutenant of Fire, City of Cleveland. (F 62-17) 17
 Oath of Office for Thomas McCartney, Commander of Police, City of Cleveland. (F 6-17) 17

Salaries

To amend Section 8 of Ordinance No. 323 15, passed March 30, 2015, as amended, relating to compensation for various classifications. (O 19-17)..... 18

Ward 01

Condolence Resolution for Daryl P. Rush (R 56-17) 18
 Condolence Resolution for Frank A. Rolf (R 48-17) 18
 Condolence Resolution for James "J.T." Thompson (R 50-17) 18
 Condolence Resolution for Louise A. Lawrence (R 51-17)..... 18
 Condolence Resolution for Reverend Henry Currie, Sr. (R 49-17) 18
 Condolence Resolution for Walter Jones, Jr. (R 52-17) 18
 Urging Giant Eagle not to close two local stores and a Get Go gas station in Cleveland, and to work with the City of Cleveland to retain these stores in order to preserve access to fresh foods and pharmacy services for east and west side residents. (R 38-17) 26

Ward 02

Condolence Resolution for Daryl P. Rush (R 56-17) 18
 Condolence Resolution for Frank A. Rolf (R 48-17) 18
 Urging Giant Eagle not to close two local stores and a Get Go gas station in Cleveland, and to work with the City of Cleveland to retain these stores in order to preserve access to fresh foods and pharmacy services for east and west side residents. (R 38-17) 26

Ward 03

#14374151020. New License Application, D3 D6. Chipotle Mexican Grill of Colorado LLC, 224 Euclid Ave. (Ward 3). (F 17-17)..... 18
 #6530090. Economic Development Transfer Application, D1 D2 D3. Ohio City Shuffleboard LLC, 4506 Lorain Ave. (Ward 3). (F 9-17) 18
 Condolence Resolution for Daryl P. Rush (R 56-17) 18
 Condolence Resolution for Frank A. Rolf (R 48-17) 18
 Objecting to the transfer of location of a C2 Liquor Permit to 3153 West 73rd Street. (R 31-17) 24
 Urging Giant Eagle not to close two local stores and a Get Go gas station in Cleveland, and to work with the City of Cleveland to retain these stores in order to preserve access to fresh foods and pharmacy services for east and west side residents. (R 38-17) 26

Ward 04

Condolence Resolution for Daryl P. Rush (R 56-17) 18
 Condolence Resolution for Frank A. Rolf (R 48-17) 18
 Urging Giant Eagle not to close two local stores and a Get Go gas station in Cleveland, and to work with the City of Cleveland to retain these stores in order to preserve access to fresh foods and pharmacy services for east and west side residents. (R 38-17) 26

Ward 05

Condolence Resolution for Daryl P. Rush (R 56-17) 18
 Condolence Resolution for Frank A. Rolf (R 48-17) 18
 Congratulations Resolution for Alpha Kappa Alpha Sorority, Inc., Alpha Omega Chapter (R 57-17) 18
 Urging Giant Eagle not to close two local stores and a Get Go gas station in Cleveland, and to work with the City of Cleveland to retain these stores in order to preserve access to fresh foods and pharmacy services for east and west side residents. (R 38-17) 26

Ward 06

#14374151025. New License Application, D3 D6. Chipotle Mexican Grill of Colorado LLC, 11452 Euclid Ave. (Ward 6). (F 18-17)..... 18
 #4118410. New License Application, C1. Ibald Beverage, Inc., 2603 Woodhill Rd. (Ward 6). (F 12-17) 18
 Condolence Resolution for Daryl P. Rush (R 56-17) 18
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Ward 07

#8377690. Transfer of Ownership Application, D1 D2 D6. Soon Cheol Moh, 3709 Payne Ave. (Ward 7). (F 11-17) 18

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Condolence Resolution for Geneva Johnson Pruitt (R 42-17) 18

Condolence Resolution for Kenneth D. Roe (R 43-17) 18

Condolence Resolution for Maggie Gibbs Artis (R 41-17) 18

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Ward 08

Condolence Resolution for Daryl P. Rush (R 56-17) 18

Condolence Resolution for Frank A. Rolf (R 48-17) 18

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Ward 09

#4405418. New License Application, D3. Judson, 1890 East 107th St. (Ward 9). (F 13-17) 18

#88713140005. Transfer of Ownership Application, D5 D6. 3901 Circle LLC, 11001 Euclid Ave. (Ward 9). (F 8-17) 18

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Ward 10

Condolence Resolution for Daryl P. Rush (R 56-17) 18

Condolence Resolution for Dean Couch (R 44-17) 18

Condolence Resolution for Frank A. Rolf (R 48-17) 18

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Ward 11

#6548436. New License Application, C2. 130th Valero, Inc., 3935 West 130th St. (Ward 11). (F 14-17) 18

Condolence Resolution for Daryl P. Rush (R 56-17) 18

Condolence Resolution for Frank A. Rolf (R 48-17) 18

Condolence Resolution for Mary Viola Hightower Jones (R 39-17) 18

Objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 11121 Western Avenue, 1st floor & basement. (R 34-17)..... 26

Urging Giant Eagle not to close two local stores and a Get Go gas station in Cleveland, and to work with the City of Cleveland to retain these stores in order to preserve access to fresh foods and pharmacy services for east and west side residents. (R 38-17) 26

Ward 12

Condolence Resolution for Daryl P. Rush (R 56-17) 18
 Condolence Resolution for Frank A. Rolf (R 48-17) 18
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 Withdrawing objection to the transfer of ownership of a D2, D2X, D3, D3A and D6 Liquor
 Permit at 1104 Rowley Avenue, 1st floor and basement and repealing Resolution No.
 1180-16 objecting to said permit. (R 30-17) 24

Ward 13

#7677135. Transfer of Ownership Application, C1 C2. Sachidanand Krupa, Inc., 4785 Pearl Rd.
 (Ward 13). (F 37-17) 18
 Condolence Resolution for Daryl P. Rush (R 56-17) 18
 Condolence Resolution for Frank A. Rolf (R 48-17) 18
 Condolence Resolution for Linda Sevnik (R 55-17) 18
 Urging Giant Eagle not to close two local stores and a Get Go gas station in Cleveland, and to
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Ward 14

Condolence Resolution for Daryl P. Rush (R 56-17) 18
 Condolence Resolution for Frank A. Rolf (R 48-17) 18
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Ward 15

#0120893. Transfer of Ownership Application, C1 C2. Alis Deli Corp., 11119 Detroit Ave.
 (Ward 15). (F 15-17) 18
 #2101557. New License Application, C1. Detroit Shoreway Express, Inc., 8808 Detroit Ave.
 (Ward 15). (F 10-17) 18
 Condolence Resolution for Daryl P. Rush (R 56-17) 18
 Condolence Resolution for Frank A. Rolf (R 48-17) 18
 Joining the Cuyahoga County Board of Alcohol, Drug Addiction and Mental Health Services in
 declaring the hundreds of opioid overdose deaths in Cuyahoga County a public health
 emergency, and requesting additional funding from the state and federal governments to
 address the issue. (R 35-17) 24
 Urging Giant Eagle not to close two local stores and a Get Go gas station in Cleveland, and to
 work with the City of Cleveland to retain these stores in order to preserve access to fresh
 foods and pharmacy services for east and west side residents. (R 38-17) 26

Ward 16

#4186523. Transfer of License Application, D1 D2 D3. J L Midwest Investments, Inc., 13046
 Lorain Ave. (Ward-16). (F 16-17) 18
 Condolence Resolution for Daryl P. Rush (R 56-17) 18
 Condolence Resolution for Frank A. Rolf (R 48-17) 18
 Condolence Resolution for Jason Louloudis (R 47-17) 18
 Congratulations Resolution for Boy Scout John Burgio (R 58-17) 18
 Objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 4677 West 130th Street,
 S/End. (R 33-17) 25
 Objecting to the transfer of stock of a D2, D2X, D3 and D6 Liquor Permit to 3670 West 130th
 Street, 1st floor only. (R 32-17) 25
 Urging Giant Eagle not to close two local stores and a Get Go gas station in Cleveland, and to
 work with the City of Cleveland to retain these stores in order to preserve access to fresh
 foods and pharmacy services for east and west side residents. (R 38-17) 26

Ward 17

Condolence Resolution for Albert Andre (R 53-17) 18
 Condolence Resolution for Daryl P. Rush (R 56-17) 18
 Condolence Resolution for Frank A. Rolf (R 48-17) 18
 Condolence Resolution for Joseph Stasko (R 54-17) 18
 Urging Giant Eagle not to close two local stores and a Get Go gas station in Cleveland, and to
 work with the City of Cleveland to retain these stores in order to preserve access to fresh
 foods and pharmacy services for east and west side residents. (R 38-17) 26

Water Pollution Control Division (WPC)

Authorizing the Clerk of Council to enter into an agreement with The Project Group for
 professional assistance in investigating utility related matters pertaining to the
 Divisions of Cleveland Public Power, Water and Water Pollution Control for Cleveland
 City Council. (O 1449-16) 27