

# The City Record

Official Publication of the Council of the City of Cleveland



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May the Tenth, Two Thousand and Seventeen

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**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

The City Record is available online at  
[www.clevelandcitycouncil.org](http://www.clevelandcitycouncil.org)

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# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL – LEGISLATIVE

President of Council – Kevin J. Kelley

Ward	Name	Residence	
1	Terrell H. Pruitt	16920 Throckley Avenue	44128
2	Zack Reed	3734 East 149th Street	44120
3	Kerry McCormack	1429 West 38th Street	44113
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44105
6	Mamie J. Mitchell	12701 Shaker Boulevard, #712	44120
7	TJ Dow	7715 Decker Avenue	44103
8	Michael D. Polensek	17855 Brian Avenue	44119
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Jeffrey D. Johnson	9024 Parkgate Avenue	44108
11	Dona Brady	1272 West Boulevard	44102
12	Anthony Brancatelli	6924 Ottawa Road	44105
13	Kevin J. Kelley	5904 Parkridge Avenue	44144
14	Brian J. Cummins	3104 Mapledale Avenue	44109
15	Matthew Zone	1228 West 69th Street	44102
16	Brian Kazy	4300 West 143rd Street	44135
17	Martin J. Keane	15907 Colletta Lane	44111

**MAYOR** – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff  
 Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer  
 Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs  
 Martin J. Flask, Executive Assistant to the Mayor of Special Projects  
 Monyka S. Price, Executive Assistant to the Mayor, Chief of Education  
 Matt Gray, Executive Assistant to the Mayor, Chief of Sustainability  
 Natoya J. Walker Minor, Executive Assistant to the Mayor, Chief of Public Affairs  
 Edward W. Rybka, Executive Assistant to the Mayor, Chief of Regional Development  
 Duane Deskins, Executive Assistant to the Mayor, Chief of Prevention, Intervention and Opportunity for Youth and Young Adults  
 Dan Williams, Media Relations Director

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

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

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

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

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

**DEPT. OF FINANCE** – Sharon Dumas, Director, Room 104; Natasha Brandt, Manager, Internal Audit  
**DIVISIONS:**

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

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

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

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

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

**DEPT. OF PUBLIC WORKS** – Michael Cox, Director  
**OFFICES:**

Administration – John Laird, Manager  
 Special Events and Marketing – Tangee Johnson, Manager  
**DIVISIONS:**

Motor Vehicle Maintenance – Jeffrey Brown, Commissioner  
 Park Maintenance and Properties – Richard L. Silva, Commissioner  
 Parking Facilities – Kim Johnson, Interim Commissioner  
 Property Management – Tom Nagle, Commissioner  
 Recreation – Samuel Gissentaner, Interim Commissioner  
 Streets – Frank D. Williams, Interim Commissioner  
 Traffic Engineering – Robert Mavec, Commissioner  
 Waste Collection and Disposal – Randall T. Scott, Interim Commissioner

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

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

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

**DIVISIONS:**

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

**DEPT. OF COMMUNITY DEVELOPMENT** – Michael Cosgrove, Director  
**DIVISIONS:**

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

**DEPT. OF BUILDING AND HOUSING** – Ayonna Blue Donald, Interim Director, Room 500  
**DIVISIONS:**

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

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

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

**DEPT. OF AGING** – Mary McNamara, Director, Room 122

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

**CIVIL SERVICE COMMISSION** – Room 119, Rev. Gregory E. Jordan, President; Michael Flickinger, Vice-President; Barry A. Withers, Interim Secretary; Members: Daniel J. Brennan, India Pierce Lee.

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

**BOARD OF ZONING APPEALS** – Room 516, Carol A. Johnson, Chairman; Members: Henry Bailey, Kelley Britt, Joan Shaver Washington, Tim Donovan, Elizabeth Kukla, Secretary.

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

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

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

**BOARD OF REVIEW** – (Municipal Income Tax) – Law Director Barbara A. Langhenry; Public Utilities Director Robert L. Davis; Council President Kevin J. Kelley.

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

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

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

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

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

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

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

## CLEVELAND MUNICIPAL COURT

### JUSTICE CENTER – 1200 ONTARIO STREET

#### JUDGE COURTROOM ASSIGNMENTS

Judge Courtroom

Presiding and Administrative Judge Ronald B. Adrine – Courtroom 15A

Judge Pinkey S. Carr – Courtroom 15C

Judge Marilyn B. Cassidy – Courtroom 13A

Judge Janet Rath Colaluca – Courtroom 12B

Judge Michelle Denise Earley – Courtroom 14C

Judge Emanuella Groves – Courtroom 14B

Judge Jimmy L. Jackson, Jr. – Courtroom 12A

Judge Lauren C. Moore – Courtroom 14A

Judge Charles L. Patton, Jr. – Courtroom 13D

Judge Ronald J.H. O'Leary (Housing Court Judge) – Courtroom 13B

Judge Michael R. Sliwinski – Courtroom 13C

Judge Suzan Marie Sweeney – Courtroom 12C

Judge Joseph J. Zone – Courtroom 14D

Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Robert J. Furda – Chief Bailiff; Dean Jenkins – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate.

# The City Record

71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 104

WEDNESDAY, MAY 10, 2017

No. 5396

## CITY COUNCIL

MONDAY, MAY 8, 2017

The City Record  
Published weekly by the City Clerk,  
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City of Cleveland  
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[www.clevelandcitycouncil.org](http://www.clevelandcitycouncil.org)  
Address all communications to  
**PATRICIA J. BRITT**  
City Clerk, Clerk of Council  
216 City Hall

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2015-2017

#### MONDAY — Alternating

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

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

#### MONDAY

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

#### TUESDAY

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

#### TUESDAY — Alternating

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

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

#### WEDNESDAY — Alternating

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

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

**The following Committees meet at the Call of the Chair:**

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

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

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

### OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio  
May 8, 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, Brian J. Cummins, T.J. Dow, Jeffrey D. Johnson, Kenneth L. Johnson, Brian Kazy, Kevin J. Kelley, Martin J. Keane, Kerry McCormack, Michael D. Polensek, Terrell H. Pruitt, and Zack Reed.

Also present were: Mayor Frank G. Jackson, Chief of Staff Ken Siliman, Chief of Government Affairs Valarie J. McCall, Chief of Regional Development Edward W. Rybka, Media Relations Director Dan Williams, Chief of Public Affairs Natoya Walker-Minor, Chief of Prevention, Intervention and Opportunity for Youth and Young Adults Duane Deskins, and Directors Langhenry, Dumas, Davis, Kennedy, Spronz, Gordon, Cox, Cosgrove, Donald, West, Ebersole, Griffin, McNamara, Burrows and Pierce Scott.

#### 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 Keane, the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Council Member Pruitt.

### COMMUNICATIONS

**File No. 566-17.**

May 8, 2017

Allen Dreyer  
Deputy Clerk  
Cleveland City Council  
601 Lakeside Avenue, Room 220  
Cleveland, Ohio 44114

Dear Mr. Dreyer:

You are requested, without objection of Cleveland City Council, to serve as Clerk of Council Pro Tempore for all matters requiring the Clerk's signature from May 8, 2017, until May 10, 2017.

Your assistance is appreciated.

Sincerely,  
Kevin J. Kelley  
Council President

Received.

**File No. 567-17.**

From Office of Equal Opportunity, City of Cleveland, City Resident Utilization Report, April 7, 2017. Received.

**File No. 568-17.**

From Michael Shea, Executive Director, Western Reserve Revitalization and Management Company. Notice of plans to apply to Ohio Housing Finance Agency for multi-family funding programs for the development known as Riverside Park Phase II, 17800 Parkmount Avenue, Cleveland, Ohio. Received.

**File No. 573-17.**

From Ohio Environmental Agency, Division of Surface Water. Public Notice of Receipt of a Clean Water Act Section 401 Application from the City of Euclid, Ohio, that may impact water quality on Lake Erie. Received.

### FROM OHIO DIVISION OF LIQUOR CONTROL

**File No. 569-17.**

RE: #58301640005. Transfer of Ownership Application, D2 D2X D3 D3A D6. Memphis 55, Inc., 2537 Lorain Ave. (Ward 3). Received.

**File No. 570-17.**

RE: #8922561. Transfer of Ownership Application, C2 C2X. 3489 Union, Inc., 3489 East 93rd St. (Ward 6). Received.

**File No. 571-17.**

RE: #8101140. Transfer of Ownership Application, C1. Shoman, Inc., 10716 Woodland Ave. (Ward 6). Received.

**File No. 572-17.**

RE: #6349400. New License Application, D3. Nepali & Indian Cuisine Restaurant and Bar LLC, 13124 Lorain Ave. (Ward 16). Received.

**CONDOLENCE RESOLUTION**

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

**Res. No. 582-17** — Mary Flannery.

**CONGRATULATIONS RESOLUTIONS**

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

**Res. No. 578-17** — Ulysses Charles McNair, Jr.

**Res. No. 579-17** — Church of the Living God - 87th District Convention.

**Res. No. 580-17** Alice V. Brooks.

**RECOGNITION RESOLUTION**

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

**Res. No. 581-17** — Jeffrey Meredith.

**FIRST READING EMERGENCY ORDINANCES REFERRED****Ord. No. 528-17.**

**By Mayor Jackson, Council Members Brancatelli and Kelley.**

**An emergency ordinance authorizing the Director of City Planning to apply for and accept grants from the Ohio Department of Transportation for the Safe Routes to School Program; authorizing contracts and agreements with the State of Ohio, Cleveland Metropolitan School District, and other entities needed to implement the grant; and to apply for and accept grants or gifts from any public or private entity to implement this ordinance.**

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 City Planning is authorized to apply for and accept a grant in an amount up to \$60,000, and any other funds that may become available during the grant term from the Ohio Department of Transportation to conduct the Safe Routes to School Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant or grants; and that the funds are appropriated for the purposes described in the March 3, 2017 e-mail from Cory Hopwood from ODOT marked "Confirmation for form SRTS Non-Infrastructure 2017" ("Non-Infrastructure Confirmation") and placed in the file described below.

**Section 2.** That the Non-Infrastructure Confirmation for the grant, File No. 528-17-A, made a part of this ordinance as if fully rewritten, is approved in all respects and shall not be changed without additional legislative authority.

**Section 3.** That the Director of City Planning, or other appropriate director, is authorized to apply for and accept grants or gifts from any public or private entity to implement this ordinance.

**Section 4.** That the Director of City Planning, Capital Projects, or other appropriate director, is authorized to enter into one or more contracts and agreements with the State of Ohio, Cleveland Metropolitan School District, and other entities needed to implement the grant.

**Section 5.** That, unless expressly prohibited by the grant agreement, under Section 108(B) of the Charter, purchases made under the grant agreement may be made through cooperative arrangements with other governmental agencies. The Director of City Planning may sign all documents and do all things that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

**Section 6.** That the costs of the contracts authorized by this ordinance shall be paid from the fund or funds to which are credited any grant proceeds accepted under this ordinance or any gifts received for the purposes of 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 City Planning Commission, Finance, Law; Committees on Development Planning and Sustainability, Finance.

**Ord. No. 529-17.**

**By Mayor Jackson, Council Members K. Johnson, Brancatelli and Kelley.**

**An emergency ordinance authorizing the Director of Capital Projects to apply for and accept grants from the Ohio Department of Transportation for the Safe Routes to School Program; determining the method of making the public improvement of constructing infrastructure improvements; authorizing one or more public improvement contracts and professional services contracts; authorizing contracts and agreements with the State of Ohio, Cleveland Metropolitan School District, and other entities needed to implement the grant; and to apply for and accept grants or gifts from any public or private entity to implement this ordinance.**

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

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

**Section 1.** That the Director of Capital Projects is authorized to apply for and accept a grant in an amount up to \$400,000, and any other funds that may become available during the grant term from the Ohio Department of Transportation to conduct the Safe Routes to School

Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grants; and that the funds are appropriated for the purposes described in the March 3, 2017 e-mail from Cory Hopwood from ODOT marked "Confirmation for form SRTS Infrastructure 2017" ("Infrastructure Confirmation") and placed in the file described below.

**Section 2.** That the Infrastructure Confirmation for the grant, File No. 529-17-A, made a part of this ordinance as if fully rewritten, is approved in all respects and shall not be changed without additional legislative authority.

**Section 3.** That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of constructing infrastructure improvements under the grant (the "Improvement"), for the Office of Capital Projects, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement.

**Section 4.** That the Director of Capital Projects is authorized to enter into one or more contracts for the making of the Improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

**Section 5.** That the Director of Capital Projects is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

**Section 6.** That the Director of Capital Projects 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 implement the Safe Routes to School travel plan.

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

**Section 7.** That the Director of Capital Projects is authorized to apply for and accept grants or gifts from any public or private entity to implement this ordinance.

**Section 8.** That the Director of Capital Projects is authorized to enter into one or more contracts and agreements with the State of Ohio, Cleveland Metropolitan School District, and other entities needed to implement the grant.

**Section 9.** That the costs of the contracts authorized by this ordinance shall be paid from the fund or funds to which are credited any grant proceeds accepted under this ordinance or any gifts received for the purposes of this ordinance.

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

**Ord. No. 530-17.  
By Council Members Zone, K,  
Johnson and Brancatelli (by  
departmental request).**

**An emergency ordinance authorizing the Director of Capital Projects to issue a permit to Battery Park Development, LLC to encroach into the public right-of-way of West 75th Street by installing, using, and maintaining a building lobby entrance canopy.**

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

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

**Section 1.** That the Director of Capital Projects is authorized to issue a permit, revocable at the will of Council, to Battery Park Development, LLC, 38025 Second Street Suite 102, Willoughby, Ohio, 44094 ("Permittee"), to encroach into the public right-of-way of West 75th Street by installing, using, and maintaining a building lobby entrance canopy at the following location:

**LEGAL DESCRIPTION  
OF AN ENCROACHMENT  
INTO THE RIGHT-OF-WAY  
OF WEST 75TH STREET**

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of W J Gordon's allotment of part of lot 30, original Brooklyn Township 7 north, and range 13 west of the Connecticut Western Reserve;

Beginning at the intersection of the southerly line of Father Frascati Avenue (width varies) and the westerly line of West 75th street (40 feet wide);

Thence south 00° 27' 14" east, along the westerly line of said West 75th street, 120.60 feet to the principal place of beginning;

Course 1:

Thence north 89° 24' 42" east, 5.35 feet to a point;

Course 2:

Thence south 00° 27' 14" east, 26.00 feet to a point;

Course 3:

Thence south 89° 24' 42" west, 5.35 feet to the westerly line of said West 75th street;

Course 4:

Thence north 00° 27' 14" west, along the westerly line of said West 75th street, 26.00 feet to the principal place of beginning, subject to all legal highway and easements of record and calculated as described based on a field survey performed in April, 2017 by Richard A. Thompson Jr. Professional Land Surveyor #7388 of Polaris Engineering and Surveying. Bearings refer to the Ohio Coordinate System of 1983 - North Zone - 1986 Adjustment.

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

**Section 2.** That the Director of Law shall prepare the permit authorized by this ordinance and shall incorporate such additional provisions as the director determines necessary to protect and benefit the public interest. The permit shall be issued only when, in the opinion of the Director of Law, a prospective Permittee has properly indemnified the City against any loss that may result from the encroachment(s) permitted.

**Section 3.** That Permittee may assign the permit only with the prior written consent of the Director of Capital Projects. That the encroaching structure(s) permitted by this ordinance shall conform to plans and specifications first approved by the manager of Engineering and Construction. That Permittee shall obtain all other required permits, including but not limited to Building Permits, before installing the encroachment(s).

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

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

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

**Ord. No. 531-17.  
By Council Members K. Johnson and  
Brancatelli (by departmental  
request).**

**An emergency ordinance authorizing the Director of the Mayor's Office of Capital Projects to issue a permit to Buckeye Shaker Square Development Corporation to encroach into public rights-of-way within the Buckeye-Shaker, Larchmere, and Woodland Hills neighborhoods by installing, using, and maintaining route identification and directional signs to identify the three HEAL Community Walking Routes.**

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

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

**Section 1.** That the Director of Capital Projects is authorized to

issue a permit, revocable at the will of Council, to Buckeye Shaker Square Development Corporation, 11802 Buckeye Road, Cleveland, Ohio, 44120 ("Permittee"), to encroach into the public right-of-way within the neighborhoods of Buckeye-Shaker, Larchmere, and Woodland Hills by installing, using, and maintaining up to twenty-nine (29) 8'x4"x4" wooden posts with route identification and directional signs and up to sixteen (16) route identification and directional signs to be attached to Cleveland Public Power utility poles (by separate permission of the pole owner) to identify the three HEAL Community Walking Routes, as depicted on the maps placed in File No. 531-17-A.

**Section 2.** That the Director of Law shall prepare the permit authorized by this ordinance and shall incorporate such additional provisions as the Director of Law determines necessary to protect and benefit the public interest. The permit shall be issued only when, in the opinion of the Director of Law, the prospective Permittee has properly indemnified the City against any loss that may result from the encroachments permitted.

**Section 3.** That Permittee may assign the permit only with the prior written consent of the Director of Capital Projects. That the encroaching structures permitted by this ordinance shall conform to plans and specifications first approved by the Manager of the City's Division of Engineering and Construction. That Permittee shall obtain all other required permits, including but not limited to Building Permits, before installing the encroachments.

**Section 4.** That the permit shall reserve to the City reasonable right of entry to the encroachment locations.

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

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

**Ord. No. 532-17.  
By Mayor Jackson, Council  
Members Zone and Kelley.**

**An emergency ordinance authorizing the Director of Public Safety to enter into one or more contracts with Hexagon Safety & Infrastructure dba Intergraph Corporation for professional services necessary to design, implement, and manage a Record Management System for the Division of Fire, including but not limited to acquiring software and training.**

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

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

**Section 1.** That the Director of Public Safety is authorized to enter into one or more contracts with Hexagon Safety & Infrastructure dba Intergraph Corporation for professional services necessary to design, implement, and manage a Record Management System for the Division of Fire, including but not limited to acquiring software and training on the basis of its proposal dated April 7, 2017, in the total sum of \$208,993.85, for the Department of Public Safety. The contract or contracts shall be paid from Fund Nos. 01-6003-6487, 11 SF 006, 20 SF 517, 20 SF 524, 20 SF 532, 20 SF 539, 20 SF 545, 20 SF 551, 20 SF 553, 20 SF 559, 20 SF 562, 20 SF 566, 20 SF 573, and from the fund or funds to which are credited the proceeds from the sale of bonds authorized by Ordinance No. 412-17, passed April 24, 2017, if the City sells the bonds, Request No. RQS 6001, RL 2017-43.

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

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

**Ord. No. 533-17.**

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

**An emergency ordinance authorizing the Director of Public Works to lease certain space located at 822 East 150th Street from the Greater New Calvary Baptist Church, for the public purpose of providing a gym for recreational purposes, for a period of one year, with two one-year options to renew, exercisable by the Director of Public Works.**

Whereas, the City of Cleveland requires certain space located at 822 East 150th Street from the Greater New Calvary Baptist Church for the public purpose of providing a gym for recreational purposes; and

Whereas, Greater New Calvary Baptist Church ("New Calvary") has proposed to lease the space to the City of Cleveland; 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 a gym for recreational purposes from New Calvary located at 822 East 150th Street, Cleveland, Ohio.

**Section 2.** That the term of the lease authorized by this ordinance shall not exceed a period of one year, with two one-year options to renew, exercisable by the Director of Public Works.

**Section 3.** That the rent for the lease authorized by this ordinance shall not exceed \$9,900 per year, exclusive of utilities.

**Section 4.** That the lease may authorize the City to make improvements to the leased premises under terms to be determined by the parties to be consistent with the public purpose or purposes of providing a gym for recreational purposes.

**Section 5.** That the lease may provide for the City's payment of appropriate utility and other operating costs of the leased premises.

**Section 6.** That the costs of the lease shall be paid from Fund No. 01-7004-6380, Request No. RQS 7004, RL 2017-18.

**Section 7.** That the lease shall be prepared by the Director of Law and shall contain any terms and conditions as are required to protect the interests of the City.

**Section 8.** 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 9.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

**Ord. No. 534-17.**

**By Council Member Kelley (by departmental request).**

**An emergency ordinance authorizing the Director of Finance to employ one or more consultants, computer software developers, or vendors or one or more firms of consultants, computer software developers, or vendors necessary to implement various projects under the 2017 IT Capital Strategic Plan; and to enter into various contracts to implement this ordinance.**

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

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

**Section 1.** That the Director of Finance is authorized to 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 implement various projects under the 2017 IT Capital Strategic Plan, including but not limited to, fiber optic installation, replacing obsolete desktop personal computers, Data Center network and server upgrades and enhancements, migrating physical servers to power efficient, sustainable Blade Chassis and virtual servers, upgrading the SharePoint system, CRM system, upgrading the camera system, upgrading the Voice over Internet Protocol (VoIP) telephone system, installing WIFI in

City-owned and City-leased facilities, installing Pen-based devices, Business Intelligence system, updating and improving computers, software, peripheral ancillary devices, telecommunications and network infrastructure, Public Safety Systems and Security, and City-wide applications, all with associated hardware and appurtenances, and for other, related professional services needed to implement the 2017 IT Capital Strategic Plan (the "2017 IT Capital Strategic Plan").

**Section 2.** That the Director of Finance is authorized to employ by contract or contracts one or more consultants, computer software developers, or vendors or one or more firms of consultants, computer software developers, or vendors for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland necessary to acquire Software as a Service, software design and installation, or acquisition of software licenses, updates, applications, and peripheral ancillary devices, and other related professional services needed to implement projects the 2017 IT Capital Strategic Plan which are not obtained under a professional services contract authorized in Section 1 of this ordinance.

**Section 3.** The selection of the consultants, computer software developers, or vendors for the services described in Sections 1 and 2 of this ordinance, shall be made by the Board of Control on the nomination of the Director of Finance from a list of qualified consultants, computer software developers, or vendors available for employment as may be determined after a full and complete canvass by the Director of Finance 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, and approved and certified by the Director of Finance.

**Section 4.** That the Director of Finance is authorized to make one or more written standard purchase 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 implement the 2017 IT Capital Strategic Plan which are not obtained under a professional services contract authorized in Sections 1 or 2 of this ordinance, including but not limited to computer and network hardware, replacements parts, related furniture, building renovations, and labor, materials, and installation, if necessary, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Information Technology and Services, Department of Finance. 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 costs of the requirement contract or contracts shall be charged against the proper

appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance.

**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 Finance may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

**Section 7.** That the Director of Public Utilities is authorized to enter into any third-party software license agreements that are necessary to implement this ordinance.

**Section 8.** That the cost of the contracts and other expenditures authorized in this ordinance shall be paid from Fund Nos. 20 SF 517, 20 SF 524, 20 SF 532, 20 SF 539, 20 SF 545, 20 SF 551, 20 SF 553, 20 SF 559, 20 SF 562, 20 SF 566, 20 SF 573, 52 SF 001, 54 SF 001, 58 SF 001, 60 SF 001, 81 SF 001, 11 SF 006, and from the fund or funds to which are credited the proceeds of the sale of the bonds authorized by Ordinance No. 412-17, passed April 24, 2017. (RQS 1511, RL 2017-42)

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

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

**Ord. No. 535-17.**  
**By Council Member Kelley (by departmental request).**

**An emergency ordinance authorizing the Director of Finance to enter into various written standard purchase and requirement contracts needed for citywide electronic protection materials, equipment, supplies, and services, including installation and training, and labor and materials if necessary, for the various divisions of City government, for a period of three years, with two additional one-year options to renew, exercisable by the Director of Finance.**

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

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

**Section 1.** That the Director of Finance is authorized to make one or more written 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 needed for citywide electronic

protection materials, equipment, supplies, and services, including installation and training, and labor and materials if necessary, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of City government. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines.

**Section 2.** That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Finance may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

**Section 3.** That the costs of the requirement contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance.

**Section 4.** That the cost of the standard contracts authorized shall be paid from Fund No. 01 SF 1505-6410, RQN 1505, RL 2017-13.

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

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

**Ord. No. 536-17.**  
**By Council Members Cummins and Kelley (by departmental request).**

**An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Commission on Minority Health for the 2017-19 Cleveland Office on Minority Health Grant.**

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

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

**Section 1.** That the Director of Public Health is authorized to apply for and accept a grant in an approximate amount of \$42,500, for each year of the grant, and any other funds that may become available during the grant term from the Ohio Commission on Minority Health to conduct the 2017-19 Cleveland Office on Minority Health; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

**Section 2.** That the summary for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 536-17-A, is made a part of this ordinance as if fully rewritten, is approved in all respects, and shall not be changed without additional legislative authority.

**Section 3.** That the Director of Public Health shall have the authority to extend the term of the grant during the grant term.

**Section 4.** That the Director of Public Health shall deposit the grant accepted under this ordinance into a fund or funds designated by the Director of Finance to implement the program as described in the file and appropriated for that purpose.

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

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

**Ord. No. 537-17.**  
**By Council Members Cummins and Kelley (by departmental request).**

**An emergency ordinance authorizing the Director of Public Health to enter into contract with the Ohio Department of Health to perform environmental lead investigations of residences of Medicaid-eligible and non-Medicaid-eligible children; and to enter into one or more contracts with various agencies, entities, or individuals to provide services necessary to implement this ordinance.**

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

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

**Section 1.** That the Director of Public Health is authorized to enter into contract with the Ohio Department of Health, under which the City will perform environmental lead investigations for lead hazards in residences occupied by Medicaid-eligible and non-Medicaid-eligible children from July 1, 2017 to June 30, 2019. The contract shall provide that the City will receive compensation for performing the lead investigations to be deposited into Fund No. 10 SF 304. The Director of Public Health is authorized to receive and accept compensation on behalf of the City and is authorized to sign the documents necessary to enter into the contract.

**Section 2.** That the Director of Public Health is authorized to enter into one or more contracts with JA Consultants, Environmental Health Watch, Cleveland Tenants Organization, Lutheran Metropolitan Ministry, and other various agencies, entities, or individuals to conduct lead investigations, risk assessments, case management, community outreach, and other services necessary to implement this ordinance.

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

**Section 4.** That the costs of the contracts shall be paid from compensation received from the Ohio Department of Health for environmental lead investigations conducted by the City under Section 1 of this ordinance and deposited into Fund No. 10 SF 304.

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

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

**Ord. No. 538-17.**

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

**An emergency ordinance authorizing the Director of Public Utilities to accept the gift of plans and specifications relating to and funds to pay for artwork to be installed on the Garrett Morgan Water Treatment Plant Surge Tower.**

Whereas, a private, anonymous donor, via LAND Studio, wishes to donate plans and specifications relating to and funds to pay for artwork to be installed on the Garrett Morgan Water Treatment Plant Surge Tower ("Garrett Morgan Surge Tower"); and

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

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

**Section 1.** That the Director of Public Utilities is authorized to accept plans and specifications paid for by an anonymous donor. Said plans and specifications are valued at approximately \$10,000. The Director of Public Utilities is further authorized to accept approximately \$40,000 from an anonymous donor to pay remaining costs arising from the installation of the artwork on the Garrett Morgan Water Surge Tower, and provided that all appropriate City approvals are obtained in advance of installation.

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

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

**Ord. No. 539-17.**

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

**An emergency ordinance authorizing the Director of Public Utilities to enter into one or more agreements with National Urban Fellows to support the placement of a fellow under the program within the Department of Public Utilities, for the classes of 2018 and 2019, with**

**two one-year options to renew for the classes of 2020 and 2021, the first of which shall require additional legislative authority.**

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

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

**Section 1.** That the Director of Public Utilities is authorized to enter into one or more agreements with National Urban Fellows to support the placement of a fellow under the program within the Department of Public Utilities, for the classes of 2018 and 2019, with two one-year options to renew for the classes of 2020 and 2021, the option for class year 2020 shall require additional legislative authority to exercise. If such additional legislative authority is granted and the first one-year option to renew is exercised for class year 2020, then the second one-year option to renew for class year 2021 may be exercised at the option of the Director of Public Utilities, without the necessity of obtaining additional authority of this Council.

**Section 2.** That the cost of the agreement for class year 2018 shall not exceed \$70,000 and shall be paid from Fund No. 52 SF 001. The cost of the agreement for class year 2019 shall be paid from funds appropriated annually for this purpose. (2002, RL 2017-41)

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

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

**Ord. No. 540-17.**

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

**An emergency ordinance authorizing the Director of Public Utilities to enter into an amendment to Contract No. CT 2002 PS 2013-97 with IBM Corporation to host and administer the Oracle customer care and billing system to provide additional services under the contract.**

Whereas, under Ordinance No. 389-12, passed May 7, 2012, this Council authorized the Director of Public Utilities to enter into Contract No. CT 2002 PS 2013-97 with IBM Corporation ("IBM") to host and administer the Oracle customer care and billing system; and

Whereas, additional hosting and administering services are needed under this contract; and

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

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

**Section 1.** That the Director of Public Utilities is authorized to enter into an amendment to Contract No. CT 2002 PS 2013-97 with IBM

Corporation to extend the term of the contract 12 months and to continue providing services to host and administer the Oracle customer care and billing system under the contract. All other terms and conditions contained in the contract shall remain the same.

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

**Section 3.** That the costs of the amendment shall not exceed \$1,246,000,000 and shall be paid from Fund No. 152 SF 001, RQS 2002, RL 2017-37.

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

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

**Ord. No. 541-17.**

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

**An emergency ordinance authorizing the Director of Public Utilities to exercise the first option to renew Contract No. RC 2015-109 with Cook Paving and Construction Co., Inc. to provide for labor and materials necessary to install, repair, replace or maintain the duct line, street lighting bases and pull boxes, and other related incidentals for the Division of Cleveland Public Power, Department of Public Utilities.**

Whereas, under the authority of Ordinance No. 327-15, passed April 20, 2015, the Director of Public Utilities entered into Contract No. RC 2015-109 with Cook Paving and Construction Co., Inc. to provide labor and materials necessary to install, repair, replace or maintain the duct line, street lighting bases and pull boxes, and other related incidentals for the Division of Cleveland Public Power, Department of Public Utilities; and

Whereas, Ordinance No. 327-15 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 Public Utilities is authorized to exercise the first option to renew Contract No. RC 2015-109 for an additional year in the approximate amount of \$2,000,000, with Cook Paving and Construction Co., Inc. for the requirements for an additional year of the labor and materials necessary to install, repair, replace or maintain the duct line, street lighting bases and pull boxes, and other related incidentals for the Division of Cleveland Public Power. This ordinance constitutes the additional legislative authority required by Ordinance No. 327-15 to exercise this option. (RQN 2004, RL 2017-28)

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



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

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

**Ord. No. 542-17.  
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. PS 2015-173 with C&S Engineers, Inc. to provide pavement management support services to the Department of Port Control.**

Whereas, under the authority of Ordinance No. 1106-13, passed August 14, 2013, the Director of Port Control entered into Contract No. PS 2015-173 with C&S Engineers, Inc. to provide pavement management support services to the Department of Port Control; and

Whereas, Ordinance No. 1106-13 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. PS 2015-173 for an additional year with C&S Engineering, Inc. to provide pavement management support services to the Department of Port Control. This ordinance constitutes the additional legislative authority required by Ordinance No. 1106-13 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. 543-17.  
By Council Members Pruitt and Kelley (by departmental request).**

**An emergency ordinance determining the method of making the public improvement of constructing and installing replacement sewers and repairing and rehabilitating existing sewers and sewer connections, relining sewers, and constructing and repairing catch basins and manholes at various locations throughout the City on an as-needed basis; and authorizing the Director of Public Utilities to enter into one or more public improvement requirement contracts for the making of the improvement.**

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 and installing replacement sewers and repairing and rehabilitating existing sewers, rehabilitating and relining sewers, rehabilitating and repairing sewer connections, and constructing and repairing catch basins and manholes at various locations throughout the City, on an as-needed basis, for the Division of Water Pollution Control, Department of Public Utilities, by one or more public improvement requirement contracts duly let to the lowest responsible bidder or bidders on a unit basis for the improvement.

**Section 2.** That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period of one or two years for the making of the above public improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement for a period not to exceed the specified term, purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Water Pollution Control, Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Public Utilities is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Utilities by comparing the bids received for both terms.

**Section 3.** That the Director of Public Utilities 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 costs of the contract or contracts or other expenditures shall be paid from Fund No. 54 SF 400, and from the fund or funds to which are credited the proceeds from the sale of 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. (RQN 2003, RL 2017-20)

**Section 5.** That under Section 108(b) of the Charter, the purchases

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

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

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

**Ord. No. 544-17.  
By Council Members Pruitt and Kelley (by departmental request).**

**An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary for the removal, transport, and disposal of transformers, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two years, with two one-year options to renew, the first of which requires additional legislative authority.**

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

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

**Section 1.** That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period of two years, with two one-year options to renew, the first of which requires additional legislative authority, of the necessary items of labor and materials necessary for the removal, transport and disposal of transformers, in the approximate amount of \$100,000, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. The first of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew may be exercised at the option of the Director of Public Utilities, without the necessity of obtaining additional authority of this Council. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 2004, RL 2017-29)

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

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

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

**Ord. No. 545-17.**

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

**An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials needed to perform plumbing, carpentry, and electrical services, on an as-needed basis, for the Divisions of Cleveland Public Power and Water Pollution Control, Department of Public Utilities, for a period of two years with two one-year options to renew, the first of which requires additional legislative authority.**

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

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

**Section 1.** That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period of two years with two one-year options to renew of the necessary items of labor and materials needed to perform plumbing services including various water, sewer, and gas lines, and for the repair, replacement and installation of existing and new equipment and appurtenances, including private utility lines damaged by construction activities and any related clean-up that may be required, and carpentry and electrical services, on an as-needed basis, in the estimated amount of \$235,000, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Divisions of Cleveland Public Power and Water Pollution Control, Department of Public Utilities. The first of the one-year

options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew may be exercised at the option of the Director of Public Utilities, without the necessity of obtaining additional authority of this Council.

Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 2004, RL 2017-24)

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

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

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

**Ord. No. 546-17.**

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

**An emergency ordinance determining the method of making the public improvement of constructing improvements at the Morgan Surge Tank and at the Green Road Tanks; authorizing the Director of Public Utilities to enter into one or more public improvement contracts to construct the Improvement; and authorizing the Director to employ one or more professional consultants necessary to design additional improvements at other secondary sites.**

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 That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of constructing improvements

at the Morgan Surge Tower in Ohio City and at the two Green Road Water Storage Tanks in Beachwood, collectively referred to as the "Improvement", for the Division of Water, Department of Public Utilities, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement.

**Section 2.** That the Director of Public Utilities is authorized to enter into one or more contracts for the making of the Improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

**Section 3.** That the Director of Public Utilities 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 Utilities is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design additional improvements at other Secondary Sites, including

- Green Road Pump Station (Beachwood)
- Engle Road Pump Station (Middleburgh Heights)
- Independence Pump Station (Independence)
- Pearl Road Pump Station (Strongsville)
- Parma Pump Station (Parma Heights)
- Strongsville Tower (Strongsville)
- Kinsman Tower (Beachwood)
- Blossom Tower (Brecksville)

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

**Section 5.** That the cost of the contracts and other expenditures authorized shall be paid from Fund Nos. 52 SF 001, and from the fund or funds to which are credited the proceeds from the sale of future bonds if authorized for this purpose, Request No. RQS 2002, RL 2016-87.

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

shall take effect and be in force from and after the earliest period allowed by law.

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

**Ord. No. 547-17.**

**By Mayor Jackson, Council Members Zone and Kelley.**

**An emergency ordinance to amend the title and Section 1 of Ordinance No. 1428-16, passed December 5, 2016, relating to a contract with Cleveland Peacemakers Alliance, Inc. for professional services necessary to develop and implement a hospital-based violence intervention program and a trauma-informed violence prevention/intervention strategy.**

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 title and Section 1 of Ordinance No. 1428-16, passed December 5, 2016, are amended to read as follows:

Authorizing the Director of the Community Relations Board to enter into a contract with Cleveland Peacemakers Alliance, Inc. for professional services necessary to develop and implement a hospital-based violence intervention program and a trauma-informed violence prevention/intervention strategy, for a period of one year, with one option to renew for an additional year, exercisable by the Director of the Community Relations Board.

**Section 1.** That the Director of the Community Relations Board is authorized to enter into a contract with Cleveland Peacemakers Alliance, Inc. for professional services necessary to develop and implement a hospital-based violence intervention program on the basis of its proposal dated August 24, 2016, and a trauma-informed violence prevention/intervention strategy for the Community Relations Board, for a period of one year with one option, exercisable by the Director, to renew for an additional one year, for an amount not to exceed **\$343,250** for the initial term and not to exceed **\$343,250** for the optional renewal term, if exercised. The contract or contracts shall be paid from Fund No. 01-0109-6320 and an amount up to **\$33,250** shall be paid from **Casino Revenue Fund No. 10 SF 188, as funding contributions from Wards 2, 5, 6, 8, 9, 10, 11, 15, 16, and 17, Request Nos. RQS 0109, RL 2016-124 and RQS 0109, RL 2017-38.**

**Section 2.** That the existing title and Section 1 of Ordinance No. 1428-16, passed December 5, 2016, are repealed.

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

Referred to Directors of Community Relations Commission, Finance, Law; Committees on Safety, Finance.

**Ord. No. 548-17.**

**By Mayor Jackson, Council Members Zone and Kelley.**

**An emergency ordinance authorizing the Director of the Community Relations Board to enter into contract with Case Western Reserve University for data tracking, analysis, and reporting, and other services relating to youth violence prevention, for a term of one year, with a one year option to renew, exercisable by the Director.**

Whereas, the City of Cleveland is committed to reducing youth violence and creating social change that leads to increased child well-being and safety; and

Whereas, through the US Department of Justice National Youth Violence Prevention Forum ("Forum"), now known locally as, IMPACT 25, the City joined several communities and federal agencies to work together, share information, and build local capacity by using prevention, intervention, enforcement and re-entry strategies to stop violence and to sustain accomplishments; and

Whereas, in order to provide the best, most effective programs and services for our youth, the City needs to receive and analyze certain data and reports supporting IMPACT 25 and the City's plan implementation and management; 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 the Community Relations Board is authorized to enter into a contract with Case Western Reserve University ("CASE") to conduct data tracking, data analysis, reporting, and other related services regarding youth violence and prevention in support of the City's and IMPACT 25's program goals, for a period of one year with one option to renew for an additional year, exercisable by the Director.

**Section 2.** That the costs of the contract shall be paid from Fund No. 01-0109-6320, RQS 0109, RL 2017-39.

**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 Community Relations Commission, Finance, Law; Committees on Safety, Finance.

**Ord. No. 549-17.**

**By Mayor Jackson, Council Members K. Johnson, Brancatelli, and Kelley.**

**An emergency ordinance determining the method of making the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving recreation facilities, and other recreation buildings and other similar structures, on City-owned and City-leased park property, including site improvements and appurtenances; authorizing the Director of Public Works or**

**Capital Projects, as appropriate, to enter into one or more contracts for the making of the improvements, including professional services and contract or contracts for the making of the improvement to parks and to proceed with the improvement to recreation facilities not otherwise improved by the direct employment of the necessary labor; and to apply for gifts and grants, for the Departments of Public Works and Capital Projects.**

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

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

**Section 1.** That under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving recreation facilities and other recreation buildings and other similar structures, on City-owned and City-leased park property, including all site improvements and appurtenances necessary and incidental, for the Departments of Public Works and Capital Projects, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding for a gross price for the improvement.

**Section 2.** That, provided the City of Cleveland sells the bonds authorized by Ordinance No. 411-17, passed April 24, 2017, the Director of Public Works or Capital Projects, as appropriate, is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder after competitive bidding for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract for a gross price. On request of the director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of the improvement.

**Section 3.** That under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving parks and playgrounds on City-owned and City-leased park property, including all site improvements and appurtenances necessary and incidental, for the Director of Public Works or Capital Projects, as appropriate, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement.

**Section 4.** That, provided the City of Cleveland sells the bonds authorized by Ordinance No. 411-17, passed April 24, 2017, the Director of Public Works or Capital Projects, as appropriate, is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder after competitive bidding on a unit basis for the improvement, provided, however, that

each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

**Section 5.** That, provided the City of Cleveland sells the bonds authorized by Ordinance No. 411-17, passed April 24, 2017, the Director of Public Works or Capital Projects, as appropriate, is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the items comprising the necessary supplies and materials for the improvements, including the rental of necessary equipment to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Director of Public Works or Capital Projects, as appropriate.

**Section 6.** That, provided the City of Cleveland sells bonds authorized by Ordinance No. 411-17, passed April 24, 2017, the Director of Public Works or Capital Projects, as appropriate, is authorized to employ by contract one or more architects, landscape architects and engineers, or one or more firms of architects, landscape architects and engineers, necessary to implement the public improvements authorized in this ordinance. The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Works or Capital Projects, as appropriate, from a list of qualified consultants available for the 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 the 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 7.** That, provided the City of Cleveland sells the bonds authorized by Ordinance No. 411-17, passed April 24, 2017, under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving recreation facilities, buildings, and other similar structures, and parks and playgrounds, on City-owned and City-leased park property including all site improvements and appurtenances necessary and incidental, which are not covered by the contract or contracts authorized by Sections 2 and 4 of this ordinance by the direct employment of the necessary labor, and the purchase or rental of the necessary supplies and materials for the making of the improvement, which supplies and materials are not covered by the contract or contracts authorized by Section 5 of this ordinance, with a separate accounting as to each improvement made.

**Section 8.** 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 9.** That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements 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 10.** That the Director of Capital Projects 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 the funds under the grant; and that the funds are appropriated for the purposes described in this ordinance.

**Section 11** That the cost of any expenditure authorized by this ordinance shall be paid from the fund or funds which are credited the proceeds of the sale of bonds authorized by Ordinance No. 411-17, passed April 24, 2017, if the City sells such bonds and 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 grant funds or cash gifts received, and any other funds deemed appropriate by the Director of Finance. (RQS 0103, RLA 2017-8)

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

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

**Ord. No. 550-17.**

**By Mayor Jackson, Council Members K. Johnson, Brancatelli, and Kelley.**

**An emergency ordinance determining the method of making the public improvement of constructing, reconstructing, and replacing public facilities, buildings, and other similar structures, including site improvements and appurtenances; and authorizing the Director of Public Works or Capital Projects, as appropriate, to enter into one or more public improvement contracts for the making of the improvement; to apply for and accept grants and gifts; and authorizing the director to employ one or more professional consultants to design the improvement.**

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, reconstructing, and replacing public facilities, buildings, and other similar structures, including site improvements and appurtenances (the "Improvement"), for the Departments of Public Works and Capital Projects, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding for a gross price for the improvement.

**Section 2.** That, provided the City of Cleveland sells the bonds authorized by Ordinance No. 412-17, passed April 24, 2017, the Director of Public Works or Capital Projects, as appropriate, is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder or bidders after competitive bidding for a gross price for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract for a gross price. On request of the director, the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of the Improvement.

**Section 3.** That, provided the City of Cleveland sells the bonds authorized by Ordinance No. 412-17, passed April 24, 2017, the 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 design the Improvement.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Works 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 4.** 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 5.** That the Director of Capital Projects 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 the funds under the grant; and that the funds are appropriated for the purposes described in this ordinance.

**Section 6.** That the cost of any expenditure authorized by this

ordinance shall be paid from the fund or funds which are credited the proceeds of the sale of bonds authorized by Ordinance No. 412-17, passed April 24, 2017, if the City sells such bonds and Fund Nos. 20 SF 517, 20 SF 524, 20 SF 532, 20 SF 539, 20 SF 545, 20 SF 551, 20 SF 553, 20 SF 559, 20 SF 562, 20 SF 566, 20 SF 573, the fund or funds to which are credited grant funds or cash gifts received, and any other funds deemed appropriate by the Director of Finance. (RQS 0103, RLA 2017-7)

**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, Capital Projects, City Planning Commission, Finance, Law; Committees on Municipal Services and Properties, Development Planning and Sustainability, Finance.

**Ord. No. 551-17.**

**By Mayor Jackson, Council Members Zone, Brancatelli and Kelley.**

**An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase property from the Greater Cleveland Regional Transit Authority for use by the Division of Police and other Safety Divisions including vehicle, supply, and equipment storage located at 4371 Pearl Road, for the Department of Public Safety.**

Whereas, the Director of Public Safety has requested the purchase of property for the Division of Police and other Safety Divisions including future vehicle, supply, and equipment storage located at 4371 Pearl Road, for the Department of Public Safety; and

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

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

**Section 1.** That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized to purchase the following described property from the Greater Cleveland Regional Transit Authority for the Division of Police and other Safety Divisions including for future vehicle, supply, and equipment storage, located at 4371 Pearl Road, for the Department of Public Safety:

**Legal Description**

**Parcel One:**

Situated in the City of Cleveland, Cuyahoga County, State of Ohio, and known as being a part of original Brooklyn Township lot No. 58 and bounded and described as follows:

Commencing in the Southeast corner of said original lot No. 58, in the center of West 35th Street; thence North along the East line of said original lot No. 58, in the center of

West 35th Street 1123.54 feet to the place of beginning; thence West 266.64 feet, to a stone; thence Northwesterly 463.10 feet to the center of Pearl Road; thence by an angle to the right of 111° 30' from said last described line, Northeasterly along the center of Pearl Road, 418.82 feet to a point; thence East by an angle to the right of 58° 21' 30", to the East line of said line of said original lot No. 58, in the center of West 35th Street; thence South along the East line of said original lot No. 58, in the center of West 35th Street to the place of beginning. This parcel has a frontage of 426.15 feet on the Easterly side of Pearl Road, and 463 feet, more or less, on the West side of West 35th Street.

**Parcel Two:**

Situated in the City of Cleveland, Cuyahoga County, State of Ohio:

And known as being a part of original Brooklyn Township lot No. 58 and being further bounded and described as follows:

Beginning in the center line of Pearl Road, 66 feet wide, at the northwesterly corner of Parcel II of land conveyed to John P. Farrelly, Bishop of the Diocese of Cleveland by deed recorded in Vol. 1193 of Deeds, page 601 of Cuyahoga County Records; said beginning point being N 32° 39' 44" E 530.17 feet measured along said center line, from a stone monument in said center line at the south line of land conveyed to Cephas Brainard by deed recorded in Vol. 412 of Deeds, page 448 of Cuyahoga County Records.

**Course No. 1:**

Thence South 73° 43' 12" East - 253.80 feet.

**Course No. 2:**

Thence South 57° 35' 15" East - 22.76 feet.

**Course No. 3:**

Thence South 80° 43' 02" East - 181.55 feet to the Northeasterly corner of Parcel II; as aforesaid.

**Course No. 4:**

Thence North 75° 42' 15" West along the northeasterly line of said Parcel II 456.14 feet to the place of beginning and containing 0.0646 Acres of land according to a survey by Bauer Survey Company, dated February 21, 1968.

**Parcel Three:**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sub-lots Nos. 1 and 2 in John Koch's Allotment of part of Original Brooklyn Township Lot No. 58, as shown by the recorded plat in Volume 27 of Maps, Page 27 of Cuyahoga County Records and together forming a parcel of land 93 feet front on the westerly side of West 35th Street (formerly State Road) and extending back of equal width 147 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 2.** That the Director of Public Safety is authorized to execute on behalf of the City of Cleveland all necessary documents to effect the purposes of this ordinance and pay any costs associated with moving from existing facilities and re-establishing operations at the new facility.

**Section 3.** the consideration to be paid for this property shall be \$750,000 and other valuable considerations which is determined to be fair market value.

**Section 4.** That all costs of acquiring, accepting, and recording the land shall be paid from the fund or funds which are credited the proceeds of the sale of bonds authorized by Ordinance No. 412-17, passed April 24, 2017, if the City sells such bonds and Fund Nos. 20 SF 517, 20 SF 524, 20 SF 532, 20 SF 539, 20 SF 545, 20 SF 551, 20 SF 553, 20 SF 559, 20 SF 562, 20 SF 566, 20 SF 573, the fund or funds to which are credited grant funds or cash gifts received, and any other funds deemed appropriate by the Director of Finance. (RQS 0103, RLA 2017-7)

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

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

**Ord. No. 552-17.**

**By Council Member Cleveland. An emergency ordinance designating East 18th Street between Euclid Avenue and Chester Avenue with a secondary and honorary designation of "Norman Krumholz Way".**

Whereas, the citizens of Cleveland want to honor Norman Krumholz with a secondary street sign designation of "Norman Krumholz Way" in recognition of his many contributions to our community as an Urban Planner, Professor at Levin College of Urban Affairs, Author and Speaker, former Director of the City of Cleveland's City Planning Department, and former member of the Cleveland City Planning Commission; 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 East 18th Street between Euclid Avenue and Chester Avenue is designated with a secondary and honorary designation of "Norman Krumholz Way".

**Section 2.** 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 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.

**Ord. No. 557-17.**

**By Mayor Jackson, Council Members Conwell, Brancatelli and Kelley.**

**An emergency ordinance authorizing an agreement with Famicos**

**Foundation to acquire certain property located near East 105th Street and Ashbury Avenue for future development.**

Whereas, the East 105th Street and Ashbury Avenue area has seen disinvestment but is located in proximity to significant investment; and

Whereas, development in this area will allow us to move the market further into the Glenville neighborhood; and

Whereas, site control will make the site attractive for pilot development; and

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

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

**Section 1.** That the Director of Economic Development is authorized to enter into an agreement with Famicos Foundation (an Ohio non-profit) to acquire certain property located near East 105th Street and Ashbury Avenue for fair market value, but not to exceed \$550,000.

**Section 2.** That the agreement shall provide that the Director of Economic Development will fund the purchase of the property and that the property can be assigned to a developer chosen through an RFP process for an eligible construction project funded through the Cleveland Neighborhood Fund to construct a mixed-use development, which project shall be approved by the Cleveland Citywide Development Corporation.

**Section 3.** That the use of the funds shall comply with the terms of Chapter 165 of the Ohio Revised Code.

**Section 4.** That the costs of the agreement shall not exceed \$550,000 and shall be paid from Fund No. 17 SF 075. (RQS 9501, RLA 2017-15).

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

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

**Ord. No. 558-17.**

**By Mayor Jackson, Council Members Zone and Kelley.**

**An emergency ordinance authorizing the Director of the Community Relations Board to enter into one or more contracts with Youth Opportunities Unlimited for the administration, implementation, and management of the Cleveland Youth Summer Employment Program and authorizing one or more contracts with public agencies to implement the Youth Summer Employment Program, for a period of one year, with a one-year option to renew, exercisable by the Director of Community Relations.**

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

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

**Section 1.** That the Director of the Community Relations Board is authorized to enter into one or more contracts with Youth Opportunities Unlimited for the administration, implementation, and management of the Cleveland Youth Summer Employment Program, which includes various projects for a period of one year, with a one-year option to renew exercisable by the Director of Community Relations.

**Section 2.** That the Director of the Community Relations Board is authorized to enter into one or more contracts with public agencies to implement the Youth Summer Employment Program which include various projects for a period of one year, with one option to renew for an additional one year period, exercisable by the Director of Community Relations Board.

**Section 3.** That the cost of the contract or contracts authorized shall be paid from Fund No. 01-0109-6320, RQS 0109, RL 2017-50.

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

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

**Ord. No. 559-17.**

**By Mayor Jackson, Council Members Brancatelli and Kelley.**

**An emergency ordinance authorizing the Directors of Economic Development and/or Community Development to enter into one or more agreements with the Greater Cleveland Habitat for Humanity, Inc. for the purposes of constructing or rehabilitating housing in targeted areas.**

Whereas, the availability of low-income, low cost housing is a challenge; and

Whereas, the Greater Cleveland Habitat for Humanity, Inc. (OH non-profit) ("Habitat for Humanity") develops and rehabilitates housing in low-income neighborhoods; and

Whereas, the City can leverage bond funding with HOME funding; and

Whereas, this program expects to assist with up to twenty-five (25) new homes in targeted development areas; 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 Directors of Economic Development and/or Community Development are authorized to enter into one or more agreements with Habitat for Humanity for the purposes of constructing or rehabilitating housing in targeted areas.

**Section 2.** That the use of the funds shall comply with the terms of Chapter 176 of the Revised Code and shall be subject to the approval of the Housing Advisory Board.

**Section 3.** That the Director of Economic Development is authorized to accept such collateral as the

director determines is sufficient in order to secure repayment of the loan.

**Section 4.** That the costs of the agreement or agreements shall not exceed \$350,000 and shall be paid from Fund No. 20 SF 567. (RQS 9501, RLA 2017-15)

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

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

**Ord. No. 560-17.**

**By Mayor Jackson, Council Members Brancatelli and Kelley.**

**An emergency ordinance authorizing the Director of Economic Development to enter into an agreement with the Cleveland Citywide Development Corp., or its designee, to provide forgivable loans for improvements to retail facilities in one or more mixed-use developments.**

Whereas, a first floor retail program adds vibrancy and walkability to neighborhoods; and

Whereas, provision of construction subsidy will reduce costs of physical construction and allow for retail incubator program; and

Whereas, lack of access to capital discourages entrepreneurship for neighborhood residents; and

Whereas, opportunities are needed to help entrepreneurs develop skills at operating a business; and

Whereas, an incubator program will serve as pilot tenants for pilot development; and

Whereas, the program will allow entrepreneurs to start a new retail business at a low cost through the early stages and costs will increase over time as business strengthens; and

Whereas, at the end of the program, entrepreneurs will have a business with a track record and ability to seek more traditional financing; and

Whereas, the program is renewable; and

Whereas, the Cleveland Citywide Development Corp.'s. (Ohio non-profit), or its designee's ("CCDC") participation allows for greater flexibility in negotiation with developers and prospective tenants; and

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

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

**Section 1.** That the Director of Economic Development is authorized to enter into an agreement with CCDC to provide a program of forgivable loans for improvements to retail facilities called the "Retail Incubator Program".

**Section 2.** That the agreement will provide that the Director of Economic Development or CCDC shall work with community organizations and other entities to identify entrepreneurs to

place in mixed-use developments. Also, that CCDC will provide funding for improvements to the project, in accordance with Chapter 165 of the Ohio Revised Code, and that, in exchange for this funding, will require that the developer offer a rent structure for retail entrepreneurs, in accordance with Chapter 165 of the Ohio Revised Code. Provided that, to the extent that capital projects have been funded with Chapter 165-bond proceeds, then, and only then, may additional Chapter 165-bond proceeds be used for the programs described in this ordinance.

**Section 3.** That the use of the funds shall comply with the terms of Chapter 165 of the Ohio Revised Code.

**Section 4.** That the Director of Economic Development is authorized to accept such collateral as the director determines is sufficient in order to secure repayment of the loan.

**Section 5.** That the costs of the agreement shall not exceed \$1,300,000 and shall be paid from Fund No. 17 SF 076, and any eligible CORE City funds as described in Section 2. The repayments shall be deposited to and expended from Fund No. 17 SF 077. (RQS 9501, RLA 2017-15)

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

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

**Ord. No. 561-17.**

**By Mayor Jackson, Council Members Brancatelli and Kelley.**

**An emergency ordinance authorizing the Director of Economic Development to enter into one or more agreements with eligible small businesses or merchants, under the Neighborhood Retail Improvement Program and First Floor Retail Program, to provide loans or forgivable loans for costs associated with improvements to retail spaces, including acquisition, construction, and purchase of furniture, fixtures, and equipment.**

Whereas, vacant retail storefronts in commercial corridors send a reinforcing message of disinvestment; and

Whereas, retail store fronts can provide opportunities for neighborhood entrepreneurs, as well as attract investment by traditional retail development; and

Whereas, existing City programs have helped write down costs in some areas of the City, but additional subsidy is required in areas of disinvestment; and

Whereas, the Department of Economic Development has operated a Neighborhood Retail Assistance Program for ten years with significant success; and

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

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

**Section 1.** That the Director of Economic Development is authorized to enter into one or more agreements with eligible small businesses or merchants to benefit for-profit retail businesses under the Neighborhood Retail Infill Program, to provide forgivable loans, based on job creation, to those entities for costs associated with improvement to retail spaces, including acquisition, construction, and purchase of furniture, fixtures, and equipment.

**Section 2.** That the Director of Economic Development is authorized to enter into one or more agreement with eligible small business or merchants, or owners of retail structures under the Neighborhood Retail Improvement Program, to provide loans or forgivable loans to these entities for costs associated with improvement to retail spaces, including acquisition, construction, and purchase of furniture, fixtures, and equipment.

**Section 3.** That the Director of Economic Development is authorized to create "The Retail Infill and Facade Program" to provide financial assistance in the form of forgivable loans to landlord and retail tenants to make improvements to retail storefronts, build-out facilities, and to acquire equipment to attract new retail operations.

**Section 4.** That the Director of Economic Development is authorized to create the "First Floor Retail Program" to provide financial assistance in the form of forgivable loans to make improvements to first floor retail spaces.

**Section 5.** That each project funded under the aforementioned program shall be approved by the Cleveland Citywide Development Corporation and shall comply with Chapter 165 of the Ohio Revised Code.

**Section 6.** That the Director of Economic Development is authorized to accept such collateral as the director determines is sufficient in order to secure repayment of the loan.

**Section 7.** That the costs of financial assistance under these programs shall not exceed \$1,600,000 and shall be paid from Fund No. 17 SF 078. The repayments shall be deposited to and expended from Fund No. 17 SF 079. (RQS 9501, RLA 2017-15)

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

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

**Ord. No. 562-17.**

**By Mayor Jackson, Council Members Brancatelli and Kelley.**

**An emergency ordinance authorizing the Director of Economic Development to enter into an agreement with Capital Impact Partners, or its designee, to make loans for mixed-use projects in the City of Cleveland.**

Whereas, the City wants to spur investment in areas that have not seen private investment; and

Whereas, mixed-use projects on commercial corridors can play a key role in activating markets and muster diversity, density, and walkability to revitalize neighborhoods; and

Whereas, in order to reduce risk to banks in order to spur investment, a collaborative fund between multiple banks, subsidized by public funding, is required; and

Whereas, Capital Impact Partners has worked with banks in other markets, such as Detroit and Oakland, to oversee funds that invest money in these projects and neighborhoods; and

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

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

**Section 1.** That the Director of Economic Development is authorized to enter into an agreement with Capital Impact Partners, a non-profit corp. (DC), or its designee ("Capital Impact Partners") to provide \$8,500,000 towards the Cleveland Neighborhood Fund to make loans for mixed-use projects in the City of Cleveland.

**Section 2.** That the Agreement shall provide that the Capital Impact Partners shall manage the fund, which shall consist of the funds provided by the City and other investors and shall contain underwriting criteria, parameters for collateral, and disbursement requirements determined by the Director necessary to protect the interests of the City. The City's funds shall be segregated and accounted for separately from other investors' funds.

**Section 3.** That the Director is authorized to enter into related Agreements with Capital Impact Partners and investors in the fund, to provide for the governance and oversight of the funds and the selection of projects funded by the fund. Said agreement would contain underwriting criteria, parameters for collateral, and disbursement requirements. The fund would provide loans to developers of mixed-use projects in targeted areas of the City. City-funded costs would be limited to those authorized by Chapter 165 of the Revised Code. All projects require prior approval by an oversight board, consisting of City and participating banks, as well as by CCDC pursuant to Chapter 165 of the Revised Code.

**Section 4.** That the City's funds shall be used for eligible expenses for mixed-use projects selected in accordance with the terms of the agreement and approved by Cleveland Citywide Development Corporation, Inc. as the designated agency of the City under Chapter 165 of the Revised Code.

**Section 5.** That repayments to the fund may be loaned out to additional borrowers for eligible projects under the terms of this ordinance.

**Section 6.** That Capital Impact Partners shall provide regular reporting to the City on the use of funds provided by the City, compliance with applicable City laws and regulations, and performance of the project.

**Section 7.** That the Director of Economic Development is authorized to accept such collateral as the director determines is sufficient in order to secure repayment of the loan.

**Section 8.** That the costs of the agreement shall not exceed \$8,500,000 and shall be paid from Fund No. 17 SF 073. The repayments shall be deposited to and expended from Fund No. 17 SF 074. (RQS 9501, RLA 2017-15)

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

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

**Ord. No. 563-17.**  
By Mayor Jackson, Council Members Brancatelli and Kelley.

**An emergency ordinance authorizing the Directors of Community Development and/or Economic Development to enter into an agreement with Cleveland Citywide Development Corporation, or its designees, to implement several programs in order to improve housing opportunities in the neighborhoods of the City of Cleveland.**

Whereas, the City wants to spur investment in areas that have not seen private investment; and

Whereas, in many neighborhoods, it is market and cost forces, rather than lack of interest that impedes development; and

Whereas, challenge to secure traditional bank financing in many neighborhoods because the cost of construction far exceeds the appraised value of properties; and

Whereas, in order to develop infill housing in neighborhoods, programs are required to write down costs of construction towards appraised value and a mix of construction subsidies and homeowner subsidies are required; and

Whereas, Detroit has had some success with a Home Mortgage Program, which provides guaranteed second mortgages to help write down these costs and banks have indicated a willingness to replicate this model in Cleveland; and

Whereas, banks will participate on construction loans for strong developers with sufficient subsidy; and

Whereas, down payment assistance will help homeowners meet equity requirements; and

Whereas, it is the goal to fund up to 75 new houses in targeted areas, with a mix of new construction, rehabilitation for new occupancy and homeowner rehabilitation;

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 Directors of Community Development and/or Economic Development are authorized to enter into an agreement with Cleveland Citywide Development Corporation (CCDC), or its designees, to implement several programs in order to improve housing opportunities in the neighborhoods of the City of Cleveland in areas identified through the Housing Advisory Board.

**Section 2.** That for new construction, the City will identify target areas and work with CCDC on the selection of developers by RFP and funding will be provided on a project-by-project basis; for homeowner mortgage guaranties and down payment assistance, funds will be limited to houses constructed or rehabilitated through Chapter 176 bonds and banks will provide underwriting for first mortgages and second mortgages, and CCDC will review bank underwriting for guaranties and down payment assistance; for homeowner rehabilitation, CCDC will underwrite, subject to City approved guidelines as further defined in Section 7; and

**Section 3.** That the agreement shall provide for the administration of a Housing Development Funds, which will make loans and forgivable loans for the construction of new housing and rehabilitation of existing housing.

**Section 4.** That the Agreement shall provide for the administration of a Homeowner Mortgage Guaranty Program, which will provide guaranties for mortgages to be provided to purchases of housing constructed or rehabilitated under the Agreement.

**Section 5.** That the Agreement shall provide for the administration of a Homeowner Rehabilitation Fund, which will provide forgivable loan products to owners-occupants to improve their homes.

**Section 6.** That the Agreement shall provide for administration of a Down Payment Assistance Fund for the purpose of assisting prospective homeowners with down payments.

**Section 7.** That the Agreement shall include underwriting criteria for the selection of developers and homeowners participating in the program, parameters for collateral, and disbursement requirements necessary to protect the interests of the City of Cleveland.

**Section 8.** That the use of funds shall be limited to those activities and projects eligible and approved in accordance with the provisions of Chapter 176 of the Revised Code and shall be subject to the approval of the Housing Advisory Board.

**Section 9.** That the Director of Economic Development is authorized to accept such collateral as the director determines is sufficient in order to secure repayment of the loan.

**Section 10.** That the costs of the agreement shall not exceed \$5,650,000 and shall be paid from Fund No. 20 SF 567. (Request No. RQS 9501, RLA 2017-15)

**Section 11.** 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 Community Development, Economic Development, Finance, Law; Committees on Development Planning and Sustainability, Finance.

**Ord. No. 564-17.**  
By Mayor Jackson, Council Members Brancatelli and Kelley.

**An emergency ordinance authorizing the Director of Economic Development to enter into one or more**

**agreements with JumpStart, Inc., Economic and Community Development Institute, Inc., and Urban League of Greater Cleveland, Inc., or their designees, to assist with neighborhood entrepreneurship and workforce development.**

Whereas, entrepreneurship helps build wealth in our communities; and

Whereas, many neighborhoods lack access or awareness of entrepreneurship opportunities; and

Whereas, organizations with successful track records need additional support to expand their programs: JumpStart's Core City Program has touched over 200 businesses in just over one year in operations; the Economic and Community Development Institute, Inc. ("ECDI") is a nationally recognized micro-lending program and operates a retail training facility; and the Urban League of Greater Cleveland's Entrepreneurship center has an expertise in helping entrepreneurs develop how to successfully operate a business; and

Whereas, funding these organizations will help to further entrepreneurial opportunities in the City; and

Whereas, organizations will partner with the City to drive awareness and access in Cleveland neighborhoods; and

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

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

**Section 1.** That the Director of Economic Development is authorized to enter into one or more agreements with JumpStart, Inc. to fund the JumpStartCore City Program, which provides assistance to entrepreneurs starting new businesses, to focus efforts on developing entrepreneurship by identifying organizations and opportunities for continued engagement.

**Section 2.** That the Director of Economic Development is authorized to enter into one or more agreements with ECEDI to establish and conduct a micro-lending program and to assist with retail training program.

**Section 3.** That the Director of Economic Development is authorized to enter into one or more agreements with the Urban League of Greater Cleveland, Inc. to fund the Urban League Credit Repair Program to assist in achieving and maintaining bankability through credit-building and credit-repair strategies and introduction to business operations.

**Section 4.** That the cost of the agreements shall not exceed \$1,805,000 and shall be paid from Fund No 17 SF 080, and the repayments shall be deposited to and expended from Fund No. 17 SF 081, and such other funds as identified by the Director of Finance. (RQS 9501, RLA 2017-15).

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

Referred to Directors of Economic Development, Finance, Law;



Committees on Development Planning and Sustainability, Finance.

**Ord. No. 565-17.**  
**By Mayor Jackson, Council Members Brancatelli and Kelley.**

**An emergency ordinance authorizing the Director of Community Development to conduct a program to make loans or grants to homebuyers to assist with appraisal gap funding needed for rehabilitation and eventual sale of single-family vacant homes; and authorizing the director to enter into one or more contracts with developers to implement the program.**

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

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

**Section 1.** That the Director of Community Development is authorized to conduct a program to make loans or grants to assist homebuyers with appraisal gap funding needed for the sale of single-family homes after rehabilitation to write down the difference between rehabilitation costs and the after-rehabilitation appraised value.

**Section 2.** That the Director of Community Development is authorized to provide loans or grants to homebuyers in an amount up to \$30,000 per single-family home to assist with appraisal gap funding to write down the difference between rehabilitation costs and the after-rehabilitation appraised value.

**Section 3.** That the City is authorized to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the

City of Cleveland as mortgagee, and/or any other security instrument executed to evidence and secure repayment of loans made under this program.

**Section 4.** That the cost of each loan or grant shall not exceed \$30,000, and shall be paid from Fund No. 01-8006-6926, Request No. RQS 8006, RL 2017-47.

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

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

**FIRST READING ORDINANCES REFERRED**

**Ord. No. 553-17.**  
**By Council Member Zone.**

**An ordinance changing the Use, Area and Height Districts of lands between West 70th Street and West 76th Street, south of the Lake Shore & Michigan Southern Railroad right-of-way as identified on the attached map (Map Change No. 2557).**

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

**Section 1.** That the Use District of lands bounded and described as follows:

Beginning at the intersection of West 70th Street and the Lake Shore & Michigan Southern Railroad right-of-way;

Thence southerly along the centerline of West 70th Street for a distance of three hundred and fifty two feet (352');

Thence westerly at a ninety (90) degree angle to its intersection with the centerline of the relocated West 73rd street;

Thence northerly along said centerline to its intersection with the centerline of the Lake Shore & Michigan Southern Railroad right-of-way;

Thence easterly along said right-of-way to the place of origin;

And as identified on the attached map shall be changed to an 'Townhouse' District, a 'G' Area District and a '2' Height District;

**Section 2.** That the Use District of lands bounded and described as follows:

Beginning at the intersection of West 70th Street and the eastern prolongation of the northern line of a parcel of land conveyed to Karen O'Malley Inc by deed dated December 28, 2000 and recorded in Cuyahoga County AFN 200012280666 and also known as Cuyahoga County PPN 002-07-042;

Thence westerly along said northerly line and its prolongation to its intersection with the centerline of West 73rd Street;

Thence northerly along said centerline to its intersection with the westerly prolongation of the southerly line of a parcel of land conveyed to Battery Park Development, LLC and recorded in Cuyahoga County AFN: 201407090558 and also known as Cuyahoga County PPN 002-06-031;

Thence easterly along said southerly line to the place of origin; And as identified on the attached map shall be changed to an 'Local Retail' District, a 'G' Area District and a '3' Height District;

**Section 3.** That the Use District of lands bounded and described as follows:

Beginning at the intersection of the centerline of the original location of West 73rd Street and the westerly prolongation of the southerly line of a parcel of land conveyed to Battery Park Development, LLC and recorded in Cuyahoga County AFN: 201407090558 and also known as Cuyahoga County PPN 002-06-031;

Thence northerly along the centerline of West 73rd Street to its intersection with the southerly line of the Lake Shore & Michigan Southern Railroad right-of-way;

Thence westerly along said southerly line to its intersection with the northerly prolongation of the centerline of West 76th Street;

Thence northerly along said centerline to its intersection with the centerline of the Lake Shore & Michigan Southern Railroad right-of-way;

Thence easterly along said centerline to its intersection with the centerline of the relocated West 73rd Street;

Thence southerly along said centerline to its intersection with the southerly line of a parcel of land conveyed to Battery Park Development, LLC and recorded in Cuyahoga County AFN: 201407090558 and also known as Cuyahoga County PPN 002-06-031;

Thence westerly along said southerly line to the place of origin;


And as identified on the attached map shall be changed to an 'Multi-Family' District, a 'B' Area District and a '3' Height District;

**Section 4.** That the change of zoning of lands described in Section 1 shall be identified as Map Change No. 2522, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

**Section 5.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.



**Changing the Use, Area, and Height Districts of lands between  
W. 70th St. and W. 76th St., south of the Lake Shore & Michigan Southern RR ROW  
Map Change 2557**



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

**Ord. No. 554-17.**  
**By Council Member McCormack.**  
**An ordinance to approve the Stage Two Planned Unit Development (PUD) application for lands designated as a PUD District in Map Change 2562 (Ord. 440-17) (Map Change No. 2563).**

Whereas, Project 29 Partners, LLC has submitted a Stage Two PUD to the Director of the City Planning Commission proposing the final site-plan and design for a Planned Unit Development (“PUD”) on a parcel of land established as a PUD District by Map Change 2562 (Ord. 440-17, being Stage One approval per Section 334.05(a) of the Codified Ordinances of Cleveland, Ohio 1976) to be known as the “Project 29 PUD”; and

Whereas, the Director of the City Planning Commission has accepted said application and has provided written notification of the acceptance of the application to the member of the Council whose ward the proposed PUD project is located, and said member of Council has endorsed the proposed Stage One and Stage Two PUD application; and

Whereas, the City of Cleveland has determined that the proposed PUD site-plan and design for the Stage Two

approval meets the purposes and the approval standards set forth in Chapter 334 of the Codified Ordinances of Cleveland, Ohio 1976, now, therefore

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

**Section 1.** That the Stage Two application for a PUD District established by Map Change 2562 (Ord. 440-17) be approved in accordance with the requirements set forth in Chapter 334, particularly, Section 334.05(b) of the Codified Ordinances of Cleveland, Ohio 1976.

**Section 2.** That the PUD Submission by Project 29 Partners, LLC for the Stage Two is placed in File No. 554-17-A. Both the Stage One and Stage Two applications shall be kept on file in the office of the Cleveland City Planning Commission.

**Section 3.** That no building permit shall be issued by the City of Cleveland for the property located within the Planned Unit Development District established by Map Change 2562, (Ord. 440-17) unless the Building permit application conforms with the Stage Two application approved by this ordinance.

**Section 4.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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

**FIRST READING EMERGENCY  
RESOLUTION REFERRED**

**Res. No. 577-17.**

**By Council Members Brancatelli, Cummins, Pruitt, Brady, Cleveland, Conwell, Dow, J. Johnson, K. Johnson, Kazy, Keane, McCormack, Mitchell, Polensek, Reed, and Zone.**

**An emergency resolution urging the Ohio Senate to reject the proposed amendment to the state budget bill that gives the Ohio Department of Health exclusive authority over all lead-based paint issues statewide, and preempts Ohio cities from taking proactive efforts to prevent lead-poisoning through local inspection and enforcement.**

Whereas, an amendment to the Ohio budget bill, House Bill, 49, added by Representative, Derek Merrin (R), gives the Ohio Department of Health (ODH) sole authority to regulate inspection, enforcement and abatement of lead-based paint statewide; and

Whereas, this budget bill amendment passed the Ohio House of Representatives, and if passed by the Ohio Senate, would preempt Ohio cities from taking proactive efforts to prevent lead-poisoning through local lead hazard inspections and enforcement; and

Whereas, as the amendment stands, a city could do no more than what the state allows, which currently involves reacting to lead poisoning cases and performing an environmental investigation of a home, school, or daycare after a child has been poisoned; and

Whereas, the proposed changes place sole responsibility for lead-paint related issues with ODH officials at a time when the department faces major potential cuts in federal funding for training and certification of contractors to perform lead-safe renovation and to assist states with lead poisoning prevention, while the state dedicates little from its own budget to lead poisoning prevention and enforcement; and

Whereas, cities such as Cleveland and Toledo have turned to local lead enforcement efforts, because federal and state laws have not addressed the problem; and

Whereas, experts, including the National Center for Healthy Homes, recommend local rental inspections as a way to reduce the number of homes in a community that pose a risk to children from lead-based paint hazards; and

Whereas, this Council recognizes the need for local proactive enforcement efforts to protect our children from lead-poisoning, and urges the Ohio Senate to reject the proposed amendment to the state budget bill that gives exclusive authority over all lead-based paint issues to ODH; 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 the Ohio Senate to reject the proposed amendment to the state budget bill that gives the Ohio Department of Health exclusive authority over all lead-based paint issues statewide, and preempts Ohio cities from proactive efforts to prevent lead-poisoning through local inspection and enforcement.

**Section 2.** That the Clerk of Council is directed to transmit copies of this resolution to the Ohio Senate members.

**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 ORDINANCES READ IN FULL AND PASSED**

**Ord. No. 555-17.**

**By Council Member Reed.**

**An emergency ordinance authorizing the Director of the Department of Public Health to enter into an**

**agreement with Union Miles Development Corporation for the Health and Human Services Community Fair through the use of Ward 2 Casino Revenue Funds.**

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

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

**Section 1.** That the Director of the Department of Public Health is authorized to enter into an agreement with the Union Miles Development Corporation for the Health and Human Services Community Fair for the public purpose of providing health education and health screenings to city of Cleveland residents through the use of Ward 2 Casino Revenue Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$26,587.00 and shall be paid from Fund No. 10 SF 188.

**Section 3.** That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

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.

**Ord. No. 556-17.**

**By Council Members McCormack and Cummins.**

**An emergency ordinance consenting and approving the issuance of a permit for The MetroHealth Resiliency 5K, on June 11, 2017, managed by Hermes Sports and Events, Inc.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of The MetroHealth Resiliency 5K; start: Metro Health Drive, west to Scranton Road; Scranton north to Train Avenue; Train Avenue west to Wiley Avenue; Wiley east to Scranton Road; Scranton south to Metro Health Drive—finish line; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting

from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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.

**Ord. No. 574-17.**

**By Council Member Kelley.**

**An emergency ordinance authorizing and directing the Director of Office of Capital Projects to issue a permit to Mary Queen of Peace Parish to stretch a banner at 4423 Pearl Road, for the period from July 3, 2017 to August 1, 2017, inclusive, publicizing the festival.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Office of Capital Projects is hereby authorized and directed to issue a permit to Mary Queen of Peace Parish to stretch a banner at 4423 Pearl Road; inclusive. Said banner shall be approved by the Office of Capital Projects, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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.

**Ord. No. 576-17.**

**By Council Member Polensek.**

**An emergency ordinance authorizing and directing the Director of Office of Capital Projects to issue a permit to Michael D. Polensek to stretch a banner above Lakeshore Boulevard, for the period from May 25, 2017 to August 12, 2017, inclusive.**

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

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

**Section 1.** That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Office of Capital Projects is hereby authorized and directed to issue a permit to Michael D. Polensek to stretch a two-sided banner across Lakeshore Drive on Cleveland Public Power utility poles (by separate permission of the poles' owners) for the period from May 25, 2017 to August 12, 2017, inclusive. Said banner shall be approved by the Office of Capital Projects, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

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 RESOLUTION READ IN FULL AND ADOPTED**

**Res. No. 575-17.**

**By Council Member Dow.**

**An emergency resolution objecting to a New C1 Liquor Permit at 5417 Chester Avenue.**

Whereas, Council has been notified by the Division of Liquor Control of an application for a New C1 Liquor Permit at OM Joard, LLC, DBA Chester Speedy Mart, 5417 Chester Avenue, Cleveland, Ohio 44103, Permit Number 6547021; and

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

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

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

Whereas, the place for which the permit is sought is so arranged or constructed that law enforcement

officers or agents of the Division of Liquor Control are prevented reasonable access to the establishment; and

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

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

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

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

**Section 1.** That Council does hereby record its objection to a New C1 Liquor Permit at OM Joard, LLC, DBA Chester Speedy Mart, 5417 Chester Avenue, Cleveland, Ohio 44103, Permit Number 6547021; 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.

**SECOND READING EMERGENCY ORDINANCES PASSED**

**Ord. No. 361-17.**

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

An emergency ordinance authorizing the Director of Public Utilities to enter into one or more contracts with Great Lakes Observing System for professional services necessary to lease, deploy, maintain, and retrieve two buoys and sondes, and for the regular calibration, monitoring, collecting, and measuring of Lake Erie water quality, for the Division of Water, Department of Public Utilities, for a period of two years.

Approved by Directors of Public Utilities, Finance, Law; Passage recommended by Committees on Utilities, Finance.

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

**Ord. No. 387-17.**

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

An emergency ordinance authorizing the Director of Port Control to enter into one or more contracts without competitive bidding with United Airlines, Inc. for the purchase of two used passenger loading bridges, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Transportation, Finance.

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

**Ord. No. 388-17.**

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

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with Grain Craft, Inc. fka Cereal Food Processors, Inc. for the lease of certain city owned property generally located at 1635 Merwin Avenue, for the Department of Port Control, for a period of two years with three one year options to renew, the first of which requires additional legislative authority.

Approved by Directors of Port Control, City Planning Commission, Finance, Law; Passage recommended by Committees on Transportation, Finance.

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

**Ord. No. 389-17.**

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

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with Mid-Continent Coal and Coke Company for the lease of certain city owned property generally located at 700 Stones Levee Road, for the Department of Port Control, for a period of two years with three one year options to renew, the first of which requires additional legislative authority.

Approved by Directors of Port Control, City Planning Commission, Finance, Law; Passage recommended by Committees on Transportation, Finance.

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

**Ord. No. 410-17.**

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

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

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Transportation, Finance.

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

**Ord. No. 414-17.**

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

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

Approved by Directors of Public Utilities, Finance, Law; Passage recommended by Committee on Utilities, Finance.

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

**Ord. No. 415-17.**

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

An emergency ordinance authorizing the procurement by one or more requirement contracts for the rental of various types of heavy duty equipment, on an as-needed basis, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years.

Approved by Directors of Public Utilities, Finance, Law; Passage recommended by Committee on Utilities, Finance, when amended, as follows:

1. In Section 2, line 5, strike "RQN 2002, RL 2015-9" and insert "RQN 2002, RL 2017-21".

Amendment agreed to.

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

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

**Ord. No. 416-17.**

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary for handling, recycling and disposing of various chemicals, hazardous waste products and other non-hazardous and recyclable waste materials, and training, for the Division of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years, with two one-year options to renew, the first of which shall require additional legislative authority.

Approved by Directors of Public Utilities, Finance, Law; Passage recommended by Committee on Utilities, Finance.

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

**Ord. No. 470-17.**

By Council Members K. Johnson and Reed.

An emergency ordinance designating Gay Avenue between Glenboro Drive and East 109th Street with a secondary and honorary designation of "Hubert Lee Bobo Way".

Approved by Committee on Finance.

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

**MOTION**

On the motion of Council Member Keane, the absences of Council Members Mamie J. Mitchell and Matt Zone are hereby authorized. Seconded by Council Member Pruitt.

**MOTION**

The Council Meeting adjourned at 7:51 p.m. to meet on Monday, May 15, 2017, at 7:00 p.m. in the Council Chamber.



Allan Dreyer  
Deputy Clerk/Clerk of Council  
Pro Tempore

**THE CALENDAR**

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

NONE

**BOARD OF CONTROL**

May 3, 2017

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, May 3, 2017 at 10:35 a.m. with Director Langhenry presiding.

Present: Directors Langhenry, Davis, Acting Directors Szabo, Johnson, Directors Gordon, McGrath, Cosgrove, Acting Director Benson, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Absent: Mayor Jackson and Director Dumas.

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

William Sonntag, Acting Director, Mayor's Office of Capital Projects.

Melissa Burrows, Director, Office of Equal Opportunity.

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

**Resolution No. 212-17.**

By Director Dumas.

Resolved, by the Board of Control of the City of Cleveland that the bid of Bonnie Speed Delivery Inc., for an estimated quantity of messenger services, all items, for the various divisions of City government, for a period of one year beginning with the date of execution of a contract, with two one-year options to renew exercisable by the Director of Finance, received on March 30, 2017, under the authority of Section 181.101(a)15, of Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity

would amount to \$100,000.00, is affirmed and approved as the lowest and best bid, and the Director of Finance is requested to enter into a requirement contract for the labor and materials necessary for the specified items.

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

Yeas: Directors Langhenry, Davis, Acting Directors Szabo, Johnson, Directors Gordon, McGrath, Cosgrove, Acting Director Benson, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

**Resolution No. 213-17.**

By Director Dumas.

Resolved, by the Board of Control of the City of Cleveland that the bid of Stark Metal Sales, Inc., for an estimated quantity of miscellaneous-sized steel, all items, for various divisions of City government, for a period of one year beginning with the date of execution of a contract, with an option to renew for one year, exercisable by the Director of Finance, received on April 7, 2017, under the authority of Section 181.101(a)(1), Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$208,828.57, is affirmed and approved as the lowest and best bid, and the Director of Finance is requested to enter into a requirement contract for the labor and materials necessary for the specified items.

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

Yeas: Directors Langhenry, Davis, Acting Directors Szabo, Johnson, Directors Gordon, McGrath, Cosgrove, Acting Director Benson, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

**Resolution No. 214-17.**

By Director Davis.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Norris Brothers Co., Inc. for an estimated quantity of Rigging Services, Group A (all items), Group B (all items), Group C (items 1-5 and 7-11), Group D (all items), Group E (all items), Group F (all items), and Group G (all items), for the various divisions of the Department of Public Utilities, for a period of one year starting upon execution of a contract or the day following expiration of the currently effective contract for the goods or services, with two one-year options to renew, the first of which is exercisable through additional legislative authority, received on February

24, 2017 under authority of Ordinance No. 328-15, passed by the Council of the City of Cleveland April 20, 2015, which on the basis of the estimated quantity would amount to \$125,120.08, is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the required goods and/or services necessary for the specified items.

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

Yeas: Directors Langhenry, Davis, Acting Directors Szabo, Johnson, Directors Gordon, McGrath, Cosgrove, Acting Director Benson, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.  
Absent: Mayor Jackson and Director Dumas.

**Resolution No. 215-17.**

By Director Davis.  
Be it resolved by the Board of Control of the City of Cleveland that all bids received on February 24, 2017 for Rigging Services, Group C, Item 6, for the various divisions of the Department of Public Utilities, under the authority of Ordinance No. 328-15, passed April 20, 2015, are rejected.

Yeas: Directors Langhenry, Davis, Acting Directors Szabo, Johnson, Directors Gordon, McGrath, Cosgrove, Acting Director Benson, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.  
Absent: Mayor Jackson and Director Dumas.

**Resolution No. 216-17.**

By Director Kennedy.  
Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Bay Mechanical & Electric Corporation, under City Contract No. PI2016\*33, for the public improvement of the Emergency Electrical Upgrades and Power Feeds to Main Substation #1 and #2 - Phase II at Cleveland Hopkins International Airport under the authority of Ordinance No. 874-10, passed by the Council of the City of Cleveland on October 4, 2010, and Board of Control Resolution No. 248-16, adopted May 25, 2016, is approved.

Subcontractor	CSB/MBE/FBE %	Amount
PEPCO	Non-Certified	\$1,009,537.00

Be it further resolved that the employment of the following subcontractor by PEPCO, a subcontractor to Bay Mechanical Electric Corporation under City Contract No. PI2016\*33, is approved.

2nd Tier Subcontractor	CSB/MBE/FBE %	Amount
Eaton Corporation	Non-Certified	\$97,500.00

Yeas: Directors Langhenry, Davis, Acting Directors Szabo, Johnson, Directors Gordon, McGrath, Cosgrove, Acting Director Benson, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.  
Absent: Mayor Jackson and Director Dumas.

**Resolution No. 217-17.**

By Director Kennedy.  
Be it resolved by the Board of Control of the City of Cleveland that the employment of the following sub-contractor by Ozanne Construction Company, Inc., in turn a subcontractor to Jervis B. Webb Company under City Contract No. PI2015\*0048 for the public improvement of the Centralized Checked Baggage Inspection System, authorized by Ordinance No. 220-15, passed by the Council of the City of Cleveland on April 13, 2015, and Board of Control Resolution No. 438-15, adopted November 11, 2015, is approved:

2nd Tier Subcontractor	DBE/SBE %	Amount
North Electric Inc.	16.13% (DBE)	\$3,773,125.00

Yeas: Directors Langhenry, Davis, Acting Directors Szabo, Johnson, Directors Gordon, McGrath, Cosgrove, Acting Director Benson, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.  
Absent: Mayor Jackson and Director Dumas.

**Resolution No. 218-17.**

By Director Kennedy.  
Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Anthony Allega Cement Contractor, Inc., under City Contract No. PI2016\*041, to provide design/build services for the public improvement of the CLE Snow Removal Equipment Storage & Vehicle Maintenance Building Addition, authorized by Ordinance No. 699-16, passed by the Council of the City of Cleveland on July 13, 2016, and Board of Control Resolution No. 403-16, adopted September 14, 2016, is approved.

Construction Sub-Contractors	DBE/SBE %	Amount
Fox Fire, Inc.	Non-Certified	\$ 230,825.00
MEPVet, LLC.	Non-Certified	\$1,449,720.00
Allied Fence Builders, Inc	Non-Certified	\$ 51,000.00
The John F. Gallagher Co.	Non-Certified	\$ 404,889.00

Design Sub-Consultant	DBE/SBE %	Amount
AECOM Services of Ohio, Inc.	Non-Certified	\$ 802,867.00

Be it further resolved that the amounts attributed to the following

sub-contractors approved in Board of Control Resolution No. 403-16, adopted September 14, 2016, are amended as follows:

Construction Sub-Contractors	DBE/SBE %	Amount
RAR Contracting Co., Inc.	DBE	\$1,185,600.00
7.24%		
North Electric, Inc.	DBE	\$1,835,200.00
11.21%		

Be it further resolved that the approval of the employment of the following sub-contractors to Anthony Allega Cement Contractor, Inc., under City Contract No. PI2016\*041 to provide design/build services for the public improvement of the CLE Snow Removal Equipment Storage & Vehicle Maintenance Building Addition, authorized by Ordinance No. 699-16, passed by the Council of the City of Cleveland on July 13, 2016 and Board of Control Resolution No. 403-16, adopted September 14, 2016, is rescinded.

Construction Sub-Contractors	DBE/SBE %	Amount
Eclipse Co., Inc.	DBE	\$ 260,500.00
1.59%		

Drake Construction Company	Non-Certified	\$364,641.00
2.22%		

Design Sub-consultant	DBE/SBE %	Amount
Sandhu & Associates	DBE	\$ 89,000.00
11.1%		

Somat Engineering	DBE	\$ 54,067.00
6.7%		

KS Associates	SBE	\$ 20,800.00
2.6%		

GS&P/OH, Inc.	Non-Certified	\$117,500.00
14.6%		

Be it further resolved that the approval of the employment of the following sub-contractors by Drake Construction Company, subcontractor to Anthony Allega Cement Contractor, Inc., is rescinded.

Construction Sub-Contractors	DBE/SBE %	Amount
M Rivera Construction	SBE	\$ 199,376.00
1.22%		

Contractor Connection	SBE	\$ 94,124.00
0.34%		

Be it further resolved that all other terms of Resolution No. 403-16 not expressly amended by this resolution shall remain unchanged and in full force and effect.

Yeas: Directors Langhenry, Davis, Acting Directors Szabo, Johnson, Directors Gordon, McGrath, Cosgrove, Acting Director Benson, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.  
Absent: Mayor Jackson and Director Dumas.

**Resolution No. 219-17.**

By Director Kennedy.  
Resolved, by the Board of Control of the City of Cleveland that the bid

of A.E.K., Inc. dba Reddy Equipment, Inc. for an estimated quantity of the purchase, installation, and maintenance of a recycling compactor, baler, crusher and related materials and services, all items, at Cleveland Hopkins International Airport, for the Department of Port Control, for a period of four years beginning with the date of execution of the contract, under the authority of Ordinance No. 642-15, passed by the Council of the City of Cleveland on July 22, 2015, which on the basis of the estimated quantity would amount to \$71,755.00, is affirmed and approved as the lowest and best bid, and the Director of Port Control is requested to enter into a requirement contract for the goods and/or services specified.

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

Yeas: Directors Langhenry, Davis, Acting Directors Szabo, Johnson, Directors Gordon, McGrath, Cosgrove, Acting Director Benson, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.  
Absent: Mayor Jackson and Director Dumas.

**Resolution No. 220-17.**

By Director Spronz.  
Be it resolved by the Board of Control of the City of Cleveland that the bid of SONA Construction, LLC, for the public improvement of the Morgana Athletic Complex Field House Building, Bid Package I, Base Bid Items A through J, and Optional Items 1 through 5, for the Office of Capital Projects, received on October 21, 2016, under the authority of Ordinance No. 247-15, passed April 13, 2015, upon a gross price basis for the improvement in the aggregate amount of \$632,400.00, is affirmed and approved as the lowest responsible bid, and the Director of the Office of Capital Projects is authorized to enter into contract with the bidder.

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

<u>Subcontractor Amount</u>	<u>CSB/MBE/FBE Percentage</u>
Construction Management	
\$100,000.00	FBE 15.8%
Miles Mechanical	
\$125,000.00	MBE 19.8%
RWJ Wiring	
\$91,000.00	MBE 14.4%
21st Century Concrete	
\$87,483.00	CSB 13.8%
Century Contractors	
\$21000.00	N/A 0.0%
Sentry Fence	
\$23,500.00	N/A 0.0%

Yeas: Directors Langhenry, Davis, Acting Directors Szabo, Johnson,

Directors Gordon, McGrath, Cosgrove, Acting Director Benson, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.  
Absent: Mayor Jackson and Director Dumas.

**Resolution No. 221-17.**

By Director Spronz.  
Be it resolved by the Board of Control of the City of Cleveland that the bids received on March 22, 2017 for the public improvement of First Energy Stadium Chiller Replacement for the Office of Capital Projects, pursuant to the authority of Ordinance No. 805-16, passed by the Council of the City of Cleveland on August 10, 2016, are rejected.

Yeas: Directors Langhenry, Davis, Acting Directors Szabo, Johnson, Directors Gordon, McGrath, Cosgrove, Acting Director Benson, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.  
Absent: Mayor Jackson and Director Dumas.

**Resolution No. 222-17.**

By Director Cosgrove.  
Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 603-15, passed by the Council of the City of Cleveland on June 8, 2015, Nortridge Software, LLC is selected from a list of firms determined after a full and complete canvass by the Director of Community Development as the firm to be employed by contract to provide a fully integrated mortgage loan servicing software system as well as provide web hosting services and other professional services necessary to successfully transfer current data to the Nortridge Software, for a term of one year with three options, exercisable by the Director, to renew for an additional one-year term, for the Division of Administrative Services, Department of Community Development.

Be it further resolved that the Director of Community Development is authorized to enter into contract with Nortridge Software, LLC, based on its proposal dated January 20, 2017, which contract shall be prepared by the Director of Law, shall provide for the furnishing of professional services as described in the proposal for a fee not to exceed \$89,320.00 during the first year of the contract and a fee of \$23,760.00 for each optional renewal year, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Langhenry, Davis, Acting Directors Szabo, Johnson, Directors Gordon, McGrath, Cosgrove, Acting Director Benson, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.  
Absent: Mayor Jackson and Director Dumas.

**Resolution No. 223-17.**

By Director Cosgrove.  
Whereas, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program")

according to the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under the Program, the City is to acquire Permanent Parcels 004-06-054, 004-06-055, 004-06-060, 004-06-061 and 004-06-062 located on Potter Court and West 20th Street; and

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

Whereas, Anne-Marie E. Was and Stefan J. Was have proposed to the City to lease the parcels for gardening; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, to execute a lease for a term of three years and on behalf of the City of Cleveland, with Anne-Marie E. Was and Stefan J. Was for the lease and development of Permanent Parcels 004-06-054, 004-06-055, 004-06-060, 004-06-061 and 004-06-062, located on Potter Court and West 20th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for lease of the parcels shall be \$3.00, which amount is determined to be not less than the fair market value of the parcels for uses according to the Program.

Yeas: Directors Langhenry, Davis, Acting Directors Szabo, Johnson, Directors Gordon, McGrath, Cosgrove, Acting Director Benson, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.  
Absent: Mayor Jackson and Director Dumas.

**Resolution No. 224-17.**

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 109-17-127 located at 10825 Hampden Avenue; and

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

Whereas, Luann Mitchell Enterprises, Inc. has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Luann Mitchell Enterprises, Inc. for the sale and development of Permanent Parcel No. 109-17-127 located at 10825 Hampden Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Davis, Acting Directors Szabo, Johnson, Directors Gordon, McGrath, Cosgrove, Acting Director Benson, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

**Resolution No. 225-17.**

By Director Cosgrove.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 017-06-065 located at 3129 West 84th Street; and

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

Whereas, Duane G. Kelly has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 14 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

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

under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Duane G. Kelly for the sale and development of Permanent Parcel No. 017-06-065 located at 3129 West 84th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Davis, Acting Directors Szabo, Johnson, Directors Gordon, McGrath, Cosgrove, Acting Director Benson, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

**Resolution No. 226-17.**

By Director Cosgrove.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 116-26-083 located at 1497 East 174th Street; and

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

Whereas, Thomas J. Kellerman has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 10 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Thomas J. Kellerman for the sale and development of Permanent Parcel No. 116-26-083 located at 1497 East 174th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$200.00, which amount is determined to be not less than the

fair market value of the parcel for uses according to the Program.

Yeas: Directors Langhenry, Davis, Acting Directors Szabo, Johnson, Directors Gordon, McGrath, Cosgrove, Acting Director Benson, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

**Resolution No. 227-17.**

By Director Cosgrove.

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

Whereas, under the Program, the City has acquired Permanent Parcel Nos. 016-12-058 and 016-12-177 located at 3295 West 48th Street and 3297 West 48th Street; and

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

Whereas, Sheila M. Alridge has proposed to the City to purchase and develop the parcels for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 14 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Sheila M. Alridge for the sale and development of Permanent Parcel Nos. 016-12-058 and 016-12-177 located at 3295 West 48th Street and 3297 West 48th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Davis, Acting Directors Szabo, Johnson, Directors Gordon, McGrath, Cosgrove, Acting Director Benson, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

**Resolution No. 228-17.**

By Director Cosgrove.

Whereas, under Ordinance No. 2076-76 passed October 25, 1976, the



City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under the Program, the City has acquired Permanent Parcel No. 135-02-141 located at 9509 Orleans Avenue; and

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

Whereas, Brenda F. Johnson and Fred L. Johnson have proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Brenda F. Johnson and Fred L. Johnson for the sale and development of Permanent Parcel No. 135-02-141 located at 9509 Orleans Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Davis, Acting Directors Szabo, Johnson, Directors Gordon, McGrath, Cosgrove, Acting Director Benson, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

**Resolution No. 229-17.**

By Director Cosgrove.

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

Whereas, under the Program, the City has acquired Permanent Parcel Nos. 007-07-065 and 007-07-066 located on Bailey Avenue; and

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

Whereas, Cuyahoga County Land Reutilization Corporation has proposed to the City to purchase and develop the parcels for new housing construction; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Cuyahoga County Land Reutilization Corporation for the sale and development of Permanent Parcel Nos. 007-07-065 and 007-07-066 located on Bailey Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Davis, Acting Directors Szabo, Johnson, Directors Gordon, McGrath, Cosgrove, Acting Director Benson, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

**Resolution No. 230-17.**

By Director Cosgrove.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 130-09-022 located at 3317 East 134th Street; and

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

Whereas, Cornelius S. Thornton has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Cornelius S. Thornton for the sale and development of Permanent Parcel No. 130-09-022 located at 3317 East 134th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$1.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Directors Langhenry, Davis, Acting Directors Szabo, Johnson, Directors Gordon, McGrath, Cosgrove, Acting Director Benson, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

**Resolution No. 231-17.**

By Director Cosgrove.

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

Whereas, under the Program, the City has acquired Permanent Parcel Nos. 131-21-046 and 131-21-047 located at 3417 East 53rd Street and 3413 East 53rd Street; and

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

Whereas, Most Reverend Daniel E. Thomas, Apostolic Administrator of the Diocese of Cleveland has proposed to the City to purchase and develop the parcels for church parking; and

Whereas, the following conditions exist:

1. The member of Council from Ward 5 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Most Reverend Daniel E. Thomas, Apostolic Administrator of the Diocese of Cleveland for the sale and development of Permanent Parcel Nos. 131-21-046 and

131-21-047 located at 3417 East 53rd Street and 3413 East 53rd Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcels shall be \$3,000.00, which amount is determined to be not less than the fair market value of the parcels for uses according to the Program.

Yeas: Directors Langhenry, Davis, Acting Directors Szabo, Johnson, Directors Gordon, McGrath, Cosgrove, Acting Director Benson, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

**Resolution No. 232-17.**

By Director West.

Whereas, under Ordinance No. 407-16, passed by the Cleveland City Council on April 18, 2016, Board of Control Resolution No. 145-17, adopted March 22, 2017, authorized the Director of Human Resources to enter into contract with Anthem, Medical Mutual of Ohio, CIGNA Dental and MetLife Insurance to provide, respectively, group medical, dental and Life Insurance coverage; and

Whereas, the contract amounts, the descriptions of Anthem's and Medical Mutual's services, and the contracting entity name for CIGNA Dental services in Resolution No. 145-17 were incorrect or incomplete; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 145-17, adopted by this Board March 22, 2017, under Ordinance No. 407-16, passed by the Cleveland City Council on April 18, 2016, and authorizing the Director of Human Resources to enter into contract with Anthem, Medical Mutual of Ohio, CIGNA Dental, and MetLife Insurance for various services authorized by Ordinance No. 407-16, is amended by substituting the following for the second and third paragraphs of the resolution:

"Be it further resolved that the Director of Human Resources is authorized to enter into contracts for professional services with the following listed firms:

1. Anthem, based on its December 9, 2016 proposal to provide administrative services for group medical coverage, and Stop Loss coverage, for one year with two options to renew for one year each, for an approximate rate of \$81.76 per employee; and

2. Medical Mutual of Ohio, based on its December 9, 2016 proposal to provide administrative services for group medical coverage, and Stop Loss coverage, for one year with two options to renew for one year each, for an approximate rate of \$74.21 per employee.

Be it further resolved that the Director of Human Resources is authorized to enter into contracts with the following listed firms:

3. CIGNA Dental, or its designee, based on CIGNA's December 5, 2016 proposal for group dental coverage for one year with two options to renew for one year each, for an amount presently estimated to be approximately \$3,442,000.00 per year; and

4. MetLife Insurance based on its December 5, 2016 proposal for group life insurance coverage for one year with two options to renew for one year each, for an amount presently estimated to be approximately \$750,000 per year.

Be it further resolved that all other provisions of Resolution No. 145-17 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Directors Langhenry, Davis, Acting Directors Szabo, Johnson, Directors Gordon, McGrath, Cosgrove, Acting Director Benson, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

**Resolution No. 233-17.**

By Director West.

Whereas, Board of Control Resolution No. 21-17, adopted January 11, 2017, authorized the Director of Human Resources to enter into contract with CVS Caremark to provide prescription coverage; and

Whereas, the date of CVS Caremark's proposal was incorrect in the resolution; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 21-17, adopted by this Board January 11, 2017, authorizing the Director of Human Resources to enter into contract with CVS Caremark for prescription coverage, is amended by deleting the date of CVS Caremark's proposal and substituting "December 4, 2015".

Be it further resolved that all other provisions of Resolution No. 21-17 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Directors Langhenry, Davis, Acting Directors Szabo, Johnson, Directors Gordon, McGrath, Cosgrove, Acting Director Benson, Interim Director Ebersole, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson and Director Dumas.

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, MAY 22, 2017**

**9:30 A.M.**

**Calendar No. 17-84:** 2017 Follett Court (Ward 3)

West 20th LLC, proposes to erect a 2.5 story single family house on a 1,785 square foot City of Cleveland Land Bank lot in a B1 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(a) which states that the maximum gross floor area in a "B" area district shall not exceed 1/2 the lot area or in this case 893 square feet and 2,274 square feet are proposed. The minimum lot width for a single family dwelling in a "B" area district is 40 feet and a 27' - 0" wide lot is proposed. The minimum lot area for a single family dwelling in a "B" area district is 4,800 square feet.

2. Section 357.08 which states that the depth of required rear yard shall be not less than the height of the main building which is approximately 33 feet and a 5 foot rear yard is proposed.

3. Section 357.09(b)(2)(C) which states that in a Multi-Family District no interior side yard, shall be less than (8) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth 1/4 the height of the main building on the premises. Building mean height is approximately 33 feet thus no interior side yard shall be less than 8.5' and a 3' - 0 side yard is proposed. (Filed April 3, 2017)

**Calendar No. 17-85:** 2260 West 20th Street (Ward 3)

Matt Berges, owner, proposes to erect a 2.5 story single family house on a 3,111 square foot lot in a B1 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(a) which states that the maximum gross floor area in a "B" area district shall not exceed 1/2 the lot area or in this case 1,556 square feet and 1,901 square feet are proposed. The minimum lot width for a single family dwelling in a "B" area district is 40 feet and a 23' - 0" wide lot is proposed. The minimum lot area for a

single family dwelling in a "B" area district is 4,800 square feet.

2. Section 357.09(b)(2)(C) which states that in a Multi-Family District no interior side yard, shall be less than (8) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth 1/4 the height of the main building on the premises. Building mean height is approximately 32 feet thus no interior side yard shall be less than 8' and a 3' side yard is proposed.

3. Section 357.09(b)(2)(A) which states that no building shall be erected less than ten feet from main building on an adjoining lot. Distance to main building on adjoining lot is 6'. (Filed April 3, 2017)

**Calendar No. 17-86:** 2254 West 20th Street (Ward 3)

West 20th LLC, proposes to erect a 2.5 story single family house on a 3,111 square foot on a City of Cleveland lot in a B1 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(a) which states that the maximum gross floor area in a "B" area district shall not exceed 1/2 the lot area or in this case 1,556 square feet and 2,862 square feet are proposed. The minimum lot width for a single family dwelling in a "B" area district is 40 feet and a 23' - 0" wide lot is proposed. The minimum lot area for a single family dwelling in a "B" area district is 4,800 square feet.

2. Section 357.09(b)(2)(C) which states that in a Multi-Family District no interior side yard, shall be less than (8) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth 1/4 the height of the main building on the premises. Building mean height is approximately 32 feet thus no interior side yard shall be less than 8' and a 3' side yard is proposed.

3. Section 357.09(b)(2)(A) which states that no building shall be erected less than ten feet from main building on an adjoining lot. Distance to main building on adjoining lot is 6'. (Filed April 3, 2017)

**Calendar No. 17-87:** 2248 West 20th Street (Ward 3)

West 20th LLC, proposes to erect a 2.5 story single family house on a 3,111 square foot lot in a B1 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(a) which states that the maximum gross floor area in a "B" area district shall not exceed 1/2 the lot area or in this case 1,556 square feet and 2,862 square feet are proposed. The minimum lot width for a single family dwelling in a "B" area district is 40 feet and a 23' - 0" wide lot is proposed. The minimum lot area for a single family dwelling in a "B" area district is 4,800 square feet.

2. Section 357.09(b)(2)(C) which states that in a Multi-Family District no interior side yard, shall be less than (8) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth 1/4 the height of the main building on the premises. Building mean height is approximately 32 feet thus no interior side yard shall be less than 8' and a 3' side yard is proposed.

3. Section 357.09(b)(2)(A) which states that no building shall be erected less than ten feet from main building on an adjoining lot. Distance to main building on adjoining lot is 6'. (Filed April 3, 2017)

**Calendar No. 17-88:** 2242 West 20th Street (Ward 3)

West 20th LLC, proposes to erect a 2.5 story single family house on a 2,949 square foot on a City of Cleveland Land Bank lot in a B1 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(a) which states that the maximum gross floor area in a "B" area district shall not exceed 1/2 the lot area or in this case 1,474 square feet and 2,862 square feet are proposed. The minimum lot width for a single family dwelling in a "B" area district is 40 feet and a 23' - 0" wide lot is proposed. The minimum lot area for a single family dwelling in a "B" area district is 4,800 square feet.

2. Section 357.09(b)(2)(C) which states that in a Multi-Family District no interior side yard, shall be less than (8) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth 1/4 the height of the main building on the premises. Building mean height is approximately 32 feet thus no interior side yard shall be less than 8' and a 3' side yard is proposed.

3. Section 357.09(b)(2)(A) which states that no building shall be erected less than ten feet from main building on an adjoining lot. Distance to main building on adjoining lot is 6'. (Filed April 3, 2017)

**Calendar No. 17-89:** 2238 West 20th Street (Ward 3)

West 20th LLC, proposes to erect a 2.5 story single family house on a 2,949 square foot lot in a B1 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(a) which states that the maximum gross floor area in a "B" area district shall not exceed 1/2 the lot area or in this case 1,474 square feet and 2,862 square feet are proposed. The minimum lot width for a single family dwelling in a "B" area district is 40 feet and a 23' - 0" wide lot is proposed. The minimum lot area for a single family dwelling in a "B" area district is 4,800 square feet.

2. Section 357.09(b)(2)(C) which states that in a Multi-Family District no interior side yard, shall be less than (8) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth 1/4 the height of the main building on the premises. Building mean height is approximately 32 feet thus no interior side yard shall be less than 8' and a 3' side yard is proposed.

3. Section 357.09(b)(2)(A) which states that no building shall be erected less than ten feet from main building on an adjoining lot. Distance to main building on adjoining lot is 6'. (Filed April 3, 2017)

**Calendar No. 17-90:** 2234 West 20th Street (Ward 3)

West 20th LLC, proposes to erect a 2.5 story single family house on a 3,112 square foot lot in a B1 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(a) which states that the maximum gross floor area in a "B" area district shall not exceed 1/2 the lot area or in this case 1,556 square feet and 2,862 square feet are proposed. The minimum lot width for a single family dwelling in a "B" area district is 40 feet and a 23' - 0" wide lot is proposed. The minimum lot area for a single family dwelling in a "B" area district is 4,800 square feet.

2. Section 357.09(b)(2)(C) which states that in a Multi-Family District no interior side yard, shall be less than (8) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth 1/4 the height of the main building on the premises. Building mean height is approximately 32 feet thus no interior side yard shall be less than 8' and a 3' side yard is proposed.

3. Section 357.09(b)(2)(A) which states that no building shall be erected less than ten feet from main building on an adjoining lot. Distance to main building on adjoining lot is 6'. (Filed April 3, 2017)

**Calendar No. 17-91:** 2066 West 17th Street (Ward 3)

Berges LLC., owner, proposes to erect a 3 story single family (fee simple) townhome with an attached garage on a 2,623 square foot lot in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(a) which states that the maximum gross floor area in a "B" area district shall not exceed 1/2 the lot area or in this case 1,312 square feet and 3,492 square feet are proposed. The minimum lot width for a single family dwelling in a "B" area district is 40 feet and a 27' - 0" wide lot is proposed. The minimum lot area for a single family dwelling in a "B" area district is 4,800 square feet.

2. Section 357.08 which states that the depth of required rear yard shall be not less than the height of the main building which is approximately 36' - 7" and a 23 foot rear yard is proposed.

3. Section 357.09(b)(2)(C) which states that in a Two-Family District no interior side yard, shall be less than (8) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth 1/4 the height of the main building on the premises. Building mean height is approximately 36' - 7" thus no interior side yard shall be less than 9 feet where a zero lot line side yard is proposed and the aggregate width of proposed side yards is 3 feet.

4. Section 357.09(b)(2)(A) which states that no building shall be erected less than ten feet from main building on an adjoining lot. Distance to main building on adjoining lot is zero feet. (Filed April 3, 2017)

**Calendar No. 17-92:** 2070 West 17th Street (Ward 3)

Berges LLC., owner, proposes to erect a 3 story single family (fee simple) townhome with an attached garage on a 2,500 square foot lot in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(a) which states that the maximum gross floor area in a "B" area district shall not exceed 1/2 the lot area or in this case 1,250 square feet and 3,492 square feet are proposed. The minimum lot width for a single family dwelling in a "B" area district is 40 feet and a 25' - 0" wide lot is proposed. The minimum lot area for a single family dwelling in a "B" area district is 4,800 square feet.

2. Section 357.08 which states that the depth of required rear yard shall be not less than the height of the main building which is approximately 36' - 7" and a 23 foot rear yard is proposed.

3. Section 357.09(b)(2)(C) which states that in a Two-Family District no interior side yard, shall be less than (8) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth 1/4 the height of the main building on the premises. Building mean height is approximately 36' - 7" thus no interior side yard shall be less than 9 feet where a zero lot line side yard is proposed and the aggregate width of proposed side yards is 3 feet.

4. Section 357.09(b)(2)(A) which states that no building shall be erected less than ten feet from main building on an adjoining lot. Distance to main building on adjoining lot is zero feet. (Filed April 3, 2017)

**Calendar No. 17-93:** 2074 West 17th Street (Ward 3)

Berges LLC., owner, proposes to erect a 3 story single family (fee

simple) townhome with an attached garage on a 2,500 square foot lot in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(a) which states that the maximum gross floor area in a "B" area district shall not exceed 1/2 the lot area or in this case 1,250 square feet and 3,492 square feet are proposed. The minimum lot width for a single family dwelling in a "B" area district is 40 feet and a 25' - 0" wide lot is proposed. The minimum lot area for a single family dwelling in a "B" area district is 4,800 square feet.

2. Section 357.08 which states that the depth of required rear yard shall be not less than the height of the main building which is approximately 36' - 7" and a 23 foot rear yard is proposed.

3. Section 357.09(b)(2)(C) which states that in a Two-Family District no interior side yard, shall be less than (8) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth 1/4 the height of the main building on the premises. Building mean height is approximately 36' - 7" thus no interior side yard shall be less than 9 feet where a zero lot line side yard is proposed and the aggregate width of proposed side yards is 3 feet.

4. Section 357.09(b)(2)(A) which states that no building shall be erected less than ten feet from main building on an adjoining lot. Distance to main building on adjoining lot is zero feet. (Filed April 3, 2017)

**Calendar No. 17-94:** 2078 West 17th Street (Ward 3)

Berges LLC., owner, proposes to erect a 3 story single family (fee simple) townhome with an attached garage on a 2,500 square foot lot in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(a) which states that the maximum gross floor area in a "B" area district shall not exceed 1/2 the lot area or in this case 1,250 square feet and 3,492 square feet are proposed. The minimum lot width for a single family dwelling in a "B" area district is 40 feet and a 25' - 0" wide lot is proposed. The minimum lot area for a single family dwelling in a "B" area district is 4,800 square feet.

2. Section 357.08 which states that the depth of required rear yard shall be not less than the height of the main building which is approximately 36' - 7" and a 23 foot rear yard is proposed.

3. Section 357.09(b)(2)(C) which states that in a Two-Family District no interior side yard, shall be less than (8) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth 1/4

the height of the main building on the premises. Building mean height is approximately 36' - 7" thus no interior side yard shall be less than 9 feet where a zero lot line side yard is proposed and the aggregate width of proposed side yards is 3 feet.

4. Section 357.09(b)(2)(A) which states that no building shall be erected less than ten feet from main building on an adjoining lot. Distance to main building on adjoining lot is zero feet. (Filed April 3, 2017)

**Calendar No. 17-95:** 2082 West 17th Street (Ward 3)

Berges LLC., owner, proposes to erect a 3 story single family (fee simple) townhome on a 2,500 square foot lot in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(a) which states that the maximum gross floor area in a "B" area district shall not exceed 1/2 the lot area or in this case 1,250 square feet and 3,492 square feet are proposed. The minimum lot width for a single family dwelling in a "B" area district is 40 feet and a 25' - 0" wide lot is proposed. The minimum lot area for a single family dwelling in a "B" area district is 4,800 square feet.

2. Section 357.08 which states that the depth of required rear yard shall be not less than the height of the main building which is approximately 36' - 7" and a 23 foot rear yard is proposed.

3. Section 357.09(b)(2)(C) which states that in a Two-Family District no interior side yard, shall be less than (8) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth 1/4 the height of the main building on the premises. Building mean height is approximately 36' - 7" thus no interior side yard shall be less than 9 feet where a zero lot line side yard is proposed and the aggregate width of proposed side yards is 3 feet.

4. Section 357.09(b)(2)(A) which states that no building shall be erected less than ten feet from main building on an adjoining lot. Distance to main building on adjoining lot is zero feet. (Filed April 3, 2017)

**Calendar No. 17-96:** 2086 West 17th Street (Ward 3)

Berges LLC., owner, proposes to erect a 3 story single family (fee simple) townhome with an attached garage on a 2,500 square foot lot in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(a) which states that the maximum gross floor area in a "B" area district shall not exceed 1/2 the lot area or in this case 1,250 square feet and 3,492 square feet are proposed. The minimum lot width for a single family dwelling in a "B" area district is 40 feet and a 25' - 0" wide lot is proposed. The minimum lot area for a single family dwelling in a "B" area district is 4,800 square feet.

2. Section 357.08 which states that the depth of required rear yard shall be not less than the height of the main building which is approximately 36' - 7" and a 23 foot rear yard is proposed.

3. Section 357.09(b)(2)(C) which states that in a Two-Family District no interior side yard, shall be less than (8) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth 1/4 the height of the main building on the premises. Building mean height is approximately 36' - 7" thus no interior side yard shall be less than 9 feet where a zero lot line side yard is proposed and the aggregate width of proposed side yards is 3 feet.

4. Section 357.09(b)(2)(A) which states that no building shall be erected less than ten feet from main building on an adjoining lot. Distance to main building on adjoining lot is zero feet. (Filed April 3, 2017)

**Appeal from the decision of Department of Public Works  
Calendar No. 17-109:** 1524 Clermont Road (Ward 10)

Charles W. Sterner, owner, appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) and Section 209.06 of the Cleveland Codified Ordinances from the decision of the Department of Public Works and the Division of Park Maintenance and Properties to issue invoice WO-7010-388101. (Filed April 10, 2017)

**Calendar No. 17-110:** 16301 Harvard Avenue (Ward 1)

James D. Gregory, owner, proposes to erect a 23' x 24' 1 story frame garage addition attached to the existing 18' x 24' 1 story frame garage in an A1 One Family Residential District. The owner appeals for relief from Section 337.23 of the Cleveland Codified Ordinances which states the maximum square footage allowed for an accessory garage is 738 square feet and the appellant is proposing 984 square feet. This section also states that accessory buildings shall not occupy more than 40% of the required rear yard area. (Filed April 12, 2017)

**Calendar No. 17-112:** 3625 Independence Road (Ward 12)

Christina Motyka, owner, proposes to establish use as a Motor Vehicle Service Garage in a B1 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 325.487 which states that "Motor vehicle service garage" means a building or part thereof in which the motor vehicle servicing and repairs performed are limited to "minor Repair" of motor vehicles as defined in Section 325.483.

2. Section 343.01 which states that Motor vehicle service garage is not a permitted use in a Local Retail Business district, first permitted in a General Retail District, and even then only if it meets the provisions

of Section 343.18, including (a) Location With Respect to Zoning District. No motor vehicle service garage shall be located on a parcel that is within one hundred (100) feet of a Residence District unless the following conditions are met: (1) A solid board-onboard wood fence or brick or stone wall at least six (6) feet in height is placed along any property line abutting a Residence District, in addition to any otherwise required landscaping; 3) No service bay or garage door is oriented toward a Residence District; and (d) Number and Orientation of Service Bays. For corner properties, service bays shall be oriented to a street characterized by commercial or industrial uses as opposed to residential or local retail uses. Proposed use does not meet these conditions.

3. Sections 352.08 through 352.12 which state that a six foot wide landscaped frontage strip is required where property abuts Independence Road and East 46th Street. A 10 foot wide landscaped transition strip is required where property abuts residential district Landscaped plan required.

4. Section 357.01 and 357.13 which state that parking is not permitted encroachment in front yard setback. Parking is proposed in front setback. (Filed April 13, 2017)

**POSTPONED FROM  
MARCH 27, 2017**

**Calendar No. 17-51:** 10308 Yale Avenue (Ward 9)

S. Yates LLC., owner, proposes to establish use as a state licensed residential facility for 5 adults in an A1 One-Family Residential District. The owner appeals for relief from Section 337.02(h) of the Cleveland Codified Ordinances which states that a residential facility for one to five unrelated persons is not permitted in a One-Family Residential District if it is located not less than one thousand feet from another residential facility. The proposed residential facility is within 70 feet of another residential facility at 10320 Yale Avenue (Riggins Family Home) and within 1,000 feet of two other residential facilities at 9703 Empire Avenue (So Close to Home Family Home) and 9602 Empire Avenue (So Close to Home 3 Family Home). (Filed February 22, 2017 - Testimony Taken)

First postponement made at the request of the appellant to allow for time to meet with the Councilman.

**POSTPONED FROM  
NOVEMBER 21, 2016**

**Calendar No. 16-276:** 4600 West 160th Street (Ward 16)

MWTP, owner, proposes to remove existing static 14' by 48' billboard sign and replace with the same size automatic, changeable copy. The owner appeals for relief from Section 350.10(j) of the Cleveland Codified Ordinances which states that Billboards shall be illuminated only by means of continuous reflected light. Internally illuminated or back lit billboards shall not be permitted. Billboards shall not include automatic changeable copy signs (i.e. electronic message centers). Applicant seeks the Board's re-approval of Calendar Number 13-253 as the

variance rights have expired. (Filed October 21, 2016 - No Testimony)

First postponement made at the request of the appellant.

**REINSTATED FROM MAY 1, 2017**

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

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

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

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

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

On May 1st this case was dismissed due to the appellant's absence. Second postponement made at the request of the appellant due to a scheduling conflict. First postponement made at the request of the Board so that the appellant can work with the CDC to create a parking plan.

**REHEARING FROM  
SEPTEMBER 26, 2016**

**Calendar No. 16-237:** 515 Euclid Avenue (Ward 3)

Euclid Avenue Garage LLC., owner, proposes to erect a 19 1/2 story residential addition on an existing 8 story parking garage in an E5 General Retail Business District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that in an "E" area district the maximum gross floor area cannot exceed 1 1/2 times the lot area. In this case 55,461 square feet of maximum gross floor area is permitted and 265,160 square feet of maximum gross floor area (excluding parking garage area) is proposed.

2. Section 353.01 which states that in a "5" height district a 250 foot maximum height is permitted and the appellant is proposing a 355 foot height.

3. Section 357.09(b)(2)(c) which states that an interior side yard equal to 1/4 the height of the building is required and none proposed.

4. Section 357.08(b)(2) which states that a rear yard equal to 1/2 the height of the building is

required and no rear yard is proposed.

5. Section 357.05(a) which states that a side street yard of five feet is required. (Filed August 29, 2016 - Testimony Taken)

Rehearing due to an administrative error regarding a change in the height of the building.

### REPORT OF THE BOARD OF ZONING APPEALS

#### MONDAY, MAY 8, 2017

At the meeting of the Board of Zoning Appeals on Monday, May 8, 2017 the following appeals were scheduled for hearing before the Board and:

The following appeals were **APPROVED**:

**Calendar No. 17-75:** 11702 Euclid Avenue

Euclid 117 LLC, owner, proposes to construct a four story, 53 unit apartment building on a parcel that is located in C3 General Retail Business and B2 Semi-Industry District.

**Calendar No. 17-79:** 2214 West 20th Street

Michael Horton, owner, proposes to construct a new second floor addition in a B1 Multi-Family Residential District.

**Calendar No. 17-81:** 4902 Superior Avenue

Ihab Wattar, owner, proposes to alter the interior of the building to expand his retail sales business in a C3 Semi-Industry District.

**Calendar No. 17-82:** 1148 Euclid Avenue

CAC Project 2014 LLC, owner, proposes to change use from office and assembly to multi-family and assembly in an E5 General Retail Business District.

**Calendar No. 17-83:** 2001 West 17th Street

Jeremy Began, owner, proposes to erect a 3 story, 3100 square foot single family house with an attached garage on a 3,333 square foot lot in a C1 Two-Family Residential district.

**Calendar No. 17-99:** 4899 Pearl Road

Old Brooklyn Investments LLC., owner, proposes to establish use as an auto service garage in a C1 Local Retail Business District.

**Calendar No. 17-100:** 12703 Triskett Road

T69P Properties, owner, proposes to establish use as office, storage and screen printing in an A1 One Family Residential District.

**Calendar No. 17-101:** 1228 Euclid Avenue

1228 Euclid Ave. LTD, owner, proposes to change use of floors 6 through 11 from business to 122 residential units in an E6 General Retail Business District.

**Calendar No. 17-111:** 4800 Ruffini Court

ETC Commercial Property LLC, owner, proposes to construct a new

2 story building and parking lot in an A3 General Industry District.

The following appeals were **DENIED**:

None.

The following appeal was **WITHDRAWN**:

**Calendar No. 17-80:** True Freedom Ministries  
2005 Cypress Road.

The following appeals were **DISMISSED**:

None.

The following cases were **POSTPONED**:

None.

The following cases were heard by the Board of Zoning Appeals on Monday, May 1, 2017 and the decisions were adopted and approved on Monday, May 8, 2017:

The following appeals were **APPROVED**:

**Calendar No. 17-20:** 1539 West 117th Street

Upstairs Property, owner, proposes to add an outdoor patio, fence and trash enclosure to an existing non-conforming bar in a C2 Local Retail Business District and a Pedestrian Retail Overlay District.

**Calendar No. 17-42:** 11905 Mayfield Road

Perotti Co. LLC., owner, proposes to erect a 6 story 45 unit apartment building with 16 accessory parking spaces in a B2 Semi-Industry District.

**Calendar No. 17-77:** 1871 West 47th Street

Christopher Loeser, owner, proposes to install a condenser within the side yard in a B1 Two Family Residential District.

**Calendar No. 17-105:** 6727 Fleet Avenue

Bonnie Albrecht, owner, proposes to erect a 22' x 24' frame gable accessory garage with a second floor for personal storage in a B1 Two-Family Residential District.

Secretary

### REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of  
May 3, 2017

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

\* \* \*

**Docket A-27-17.**

RE: Appeal of Lawrence E. Kruszewski, Owner of the One

Dwelling Unit Single-Family Residence One & One-half Story Frame Property, located on the premises known 3635 West 103rd Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated January 5, 2017 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until August 15, 2017 to complete abatement of the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

\* \* \*

**Docket A-32-17.**

RE: Appeal of Debbie Stewart, Owner of the One Dwelling Unit Single-Family Residence Two & One-half Story Frame Property, located on the premises known as 8910 Vineyard Avenue from a NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE, dated January 19, 2016 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-32-17 has been WITHDRAWN at the request of the Appellant.

\* \* \*

**Docket A-35-17.**

RE: Appeal of TEG Properties Inc., Owner of the Property, located on the premises known as 2710 Detroit Avenue from a NOTICE OF VIOLATION — CEASE USE ORDER, dated February 2, 2017 of the Chief of the Division of Fire, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-35-17 has been POSTPONED; to be rescheduled for May 17, 2017.

\* \* \*

**Docket A-36-17.**

RE: Appeal of Maywood Ind. Park LLC, Owner of the F-2 Factory — Low Hazard (Non-Combustibles) Two Story Masonry Semi-Industry Property, located on the premises known as 9491 Maywood Avenue from a NOTICE OF VIOLATION — HAZARDOUS CONDITIONS, dated January 20, 2017 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-36-17 has been POSTPONED; to be rescheduled for June 28, 2017.

\* \* \*

**Docket A-37-17.**

RE: Appeal of Harriet Roddy, Owner of the One Dwelling Unit Single-Family Residence Two &

One/half Story Frame Property, located on the premises known as 735 East 92nd Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated February 13, 2017 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-37-17 has been WITHDRAWN at the request of the Appellant.

\* \* \*

**Docket A-38-17.**

RE: Appeal of A & J Investment Company, LLC, Owner of the Three Dwelling Units Two Story Masonry Walls/Wood Floors Property, located on the premises known as 1285 East 115th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated August 10, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the Condemnation Order was properly issued based upon photographic evidence and testimony presented, the appeal for additional time is DENIED; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

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

\* \* \*

**Docket A-39-17.**

RE: Appeal of Robert Murray Jr., Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property, located on the premises known as 1400 Giddings Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated February 13, 2017 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until July 1, 2017 to obtain all required permits to complete abatement of the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

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

\* \* \*

**Docket A-40-17.**

RE: Appeal of Gregory Neal, Owner of the Three Dwelling Units Three-Family Residence Two & One/half Story Frame Property, located on the premises known 2549 East 110th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated January 24, 2017 of the Director of the Department of Building and Housing,

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

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until May 15, 2017 to obtain all required permits, to remove all trailers off the property by May 30, 2017, and until October 1, 2017 to complete abatement of the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

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

\* \* \*

**Docket A-41-17.**

RE: Appeal of Slovene Home For The Aged, Owner of the Property, located on the premises known as 18621 Neff Road from a NOTICE OF VIOLATION — ELEVATOR CODE, dated January 20, 2017 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-41-17 has been POSTPONED; to be rescheduled for May 17, 2017.

\* \* \*

**Docket A-42-17.**

RE: Appeal of Interstate Development Limited Partnership, Owner of the B Business — Offices, Laboratories, Adult School Two Story Masonry Property, located on the premises known as 1435 West 25th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated January 23, 2017 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the Notice of Violation was properly issued, and to grant the Appellant until August 1, 2017 to complete abatement of the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Maschke.

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

\* \* \*

**APPROVAL OF RESOLUTIONS:**

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

- A-28-17 — Brian Linn
- A-29-17 — Curtis B. Harris
- A-30-17 — Mountainside Realty Ventures, LLC
- A-31-17 — Mountainside Realty Ventures, LLC

- A-32-17 — AH Investment Group
- A-34-17 — Boyd & Manley Investments, Inc.

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

\* \* \*

**APPROVAL OF MINUTES:**

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

April 19, 2017

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

\* \* \*

JOSEPH F. DENK  
Chairman

**PUBLIC NOTICE**

NONE

**NOTICE OF PUBLIC HEARING**

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

**Mercedes Cotner  
Committee Room 217  
City Hall, Cleveland, Ohio  
On Tuesday, May 16, 2017  
9:30 a.m.**

Notice is hereby given to all interested property owners that the Council Committee on Development, Planning and Sustainability will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Tuesday, May 16, 2017, at 9:30 a.m., to consider the following ordinances now pending in the Council:

**Ord. No. 236-17.**

By Council Member Kazy.  
An ordinance establishing an Urban Form Overlay District and designating an Urban Frontage Line along Lorain Ave. between West 136th Street and West 143rd Street and as shaded on the attached map (Map Change No. 2550).

**Ord. No. 278-17.**

By Council Member McCormack.  
An ordinance changing the Area District of lands situated along the east side of Walworth Avenue, north of Junction Road, south of I-90 from an RA2 District to an RA3 District as identified on the attached map (Map Change No. 2558).

**Ord. No. 366-17.**

By Council Member Cummins.  
An ordinance changing the Use, Area and Height District of parcels along Meyer Avenue between West 25th Street and West 30th Street and as identified on the attached map (Map Change No. 2555).

**Ord. No. 441-17.**

By Council Member Zone.  
An ordinance changing the Use, Area, and Height Districts along Lorain Avenue between West 50th Street and West 65th Street and replacing the PRO District with an Urban Form Overlay District along Lorain between West 50th Street and West 61st Street on the north and south sides of the street as shown on the attached map (Map Change No. 2553).

Anthony Brancatelli, Chair  
Committee on Development,  
Planning and Sustainability

May 3, 2017 and May 10, 2017

**NOTICE OF PUBLIC HEARING**

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

**Mercedes Cotner  
Committee Room 217  
City Hall, Cleveland, Ohio  
On Tuesday, May 23, 2017  
9:30 a.m.**

Notice is hereby given to all interested property owners that the Council Committee on Development, Planning and Sustainability will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Tuesday, May 23, 2017, at 9:30 a.m., to consider the following ordinances now pending in the Council:

**Ord. No. 439-17.**

By Council Member McCormack.  
An ordinance changing the Use, Area and Height Districts of lands in the Walworth Run area, along the Cuyahoga River south of Carter Road and along West 14th Street (Map Change No. 2560).

**Ord. No. 440-17.**

By Council Member McCormack.  
An ordinance changing the Area District of land along Detroit Ave between West 28th Street and West 29th Street and Establishing a PUD within the same boundary (Map Change No. 2562).

Anthony Brancatelli, Chair  
Committee on Development,  
Planning and Sustainability

May 10, 2017 and May 17, 2017

**CITY OF CLEVELAND BIDS**

**For All Departments**

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

**Each bid must be made in accordance with the specifications and must be submitted on the blanks supplied for the purpose, all of which may be obtained at the office**

**of the said Commissioner of Purchases and Supplies, but no bid will be considered unless delivered to the office of the said commissioner previous to 12:00 noon (Eastern Standard Time) on the date specified in the schedule.**

**187.10 Negotiated contracts; Notice required in Advertisement for Bids.**

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

**THURSDAY, MAY 25, 2017**

**File No. 62-17 — Division of Fire Exercise Equipment - Treadmills,** for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 1023-16, passed by the Council of the City of Cleveland, October 10, 2016.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING, TUESDAY, MAY 16, 2017 AT 11:30 A.M. CLEVELAND CITY HALL, DIVISION OF FINANCIAL REPORTING AND CONTROL, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

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

**File No. 63-17 — Various Bulk Copy Paper and Envelopes,** for the Division of Printing and Reproduction, Department of Finance, as authorized by Ordinance No. 357-17, passed by the Council of the City of Cleveland, April 10, 2017.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING, TUESDAY, MAY 16, 2017 AT 11:00 A.M. THE DIVISION OF PRINTING AND REPRODUCTION, 1735 LAKESIDE AVENUE EAST, CLEVELAND, OHIO 44114.**

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

May 3, 2017 and May 10, 2017

**WEDNESDAY, MAY 31, 2017**

**File No. 58-17 — Sewer Maintenance Appurtenance - Slabs,** for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 129.27 of the Codified Ordinances of Cleveland, Ohio, 1976.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING, THURSDAY, MAY 11, 2017 AT 10:00 A.M. THE DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, RED CONFERENCE ROOM, CLEVELAND, OHIO 44108.**

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

**File No. 59-17 — Sewer Test Tee Inspection, Installation and Snaking,** for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 541.13 of the Codified Ordinances of Cleveland, Ohio, 1976.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING, THURSDAY, MAY 11, 2017 AT 10:30 A.M. THE DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, RED CONFERENCE ROOM, CLEVELAND, OHIO 44108.**

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

**File No. 60-17 — Disposal of Debris at Landfills,** for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 250-17, passed by the Council of the City of Cleveland, April 3, 2017.

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

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

**File No. 61-17 — Laboratory Services for Protozoa and Biological Analysis,** for the Division of Water, Department of Public Utilities, as authorized by Section 129.28 of the Codified Ordinances of Cleveland, Ohio, 1976.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, MAY 12, 2017 AT 9:30 A.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, 4TH FLOOR ATRIUM CONFERENCE ROOM, CLEVELAND, OHIO 44114.**



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

May 3, 2017 and May 10, 2017

THURSDAY, JUNE 8, 2017

File No. 57-17 — Renovations to 1300 Lakeside Avenue, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1276-16, passed by the Council of the City of Cleveland, November 28, 2016.

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

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, WEDNESDAY, MAY 17, 2017 AT 10:30 A.M. CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CENTENNIAL ROOM, CLEVELAND, OHIO 44114.

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

May 3, 2017 and May 10, 2017

FRIDAY, JUNE 2, 2017

File No. 65-17 — TOC (Total Organic Carbon)/TN (Total Nitrogen) Analyzer and Appurtenances, for the Division of Water, Department of Public Utilities, as authorized by Section 129.28 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, THURSDAY, MAY 18, 2017 AT 10:00 A.M. CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

File No. 66-17 — Valves and Appurtenances (Groups A, B and C), for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, THURSDAY, MAY 18, 2017 AT 10:30 A.M. THE DISTRIBUTION AND MAINTENANCE FACILITY, 4600 HARVARD AVENUE, CLEVELAND, OHIO 44105.

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

May 10, 2017 and May 17, 2017

FRIDAY, JUNE 9, 2017

File No. 64-17 — Various Recreation Center Improvements - John F. Kennedy Recreation Center - Bid Package #1 - Pool Ceiling Demolition, for the Division of Architecture and Site Development, Office of Capital Projects, as authorized by Ordinance No. 732-14, passed by the Council of the City of Cleveland, June 9, 2014.

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

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, THURSDAY, MAY 18, 2017 AT 10:00 A.M. CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 517A, CLEVELAND, OHIO 44114.

MANDATORY SITE VISITS WILL BE HELD AT JOHN F. KENNEDY RECREATION CENTER, 17300 HARVARD AVENUE, CLEVELAND, OHIO 44128, THURSDAY, MAY 18, 2017 AND TUESDAY, MAY 23, 2017 FROM 2:00 TO 3:00 P.M. IF A BIDDER DOES NOT ATTEND ONE OF THE MANDATORY SITE VISITS, AS EVIDENCED BY THE SITE VISITS' SIGN-IN SHEETS, THE BIDDER'S BID SHALL BE CONSIDERED NON-RESPONSIVE.

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

May 10, 2017 and May 17, 2017

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 434-17. By Council Member Kelley. An emergency resolution fixing the 2017 summer schedule of meetings of the Council of the City of Cleveland.

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 the schedule of meetings during the 2017 summer months of the Council of the City of Cleveland is hereby fixed as follows:

July 12, 2017  
August 16, 2017

A notice identifying the time of the meeting as well as a schedule of committee meetings, if any, to be held prior to the meeting shall be prepared by the Clerk prior to each of the above meeting dates. The Council will resume regular session at 7:00 p.m. on Monday, September 11, 2017.

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

Adopted May 1, 2017.  
Effective May 2, 2017.

Res. No. 517-17. By Council Member McCormack. An emergency resolution withdrawing objection to the transfer of location of a D5 and D6 Liquor Permit at 1437 St. Clair Avenue and repealing Resolution No. 147-17, objecting to said transfer.

Whereas, this Council objected to the transfer of location of a D5 and D6 Liquor Permit to Medusa Restaurant & Lounge, LLC, 1437 St. Clair Avenue, Cleveland, Ohio 44114, Permanent No. 5805794 by Resolution No. 147-17 adopted by the Council on February 6, 2017; and

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

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

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

Section 1. That objection to the transfer of location of a D5 and D6 Liquor Permit to Medusa Restaurant & Lounge, LLC, 1437 St. Clair Avenue, Cleveland, Ohio 44114, Permanent No. 5805794, be and the same is hereby withdrawn and Resolution No. 147-17, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted May 1, 2017.  
Effective May 2, 2017.

Res. No. 518-17. By Council Member Kazy. An emergency resolution objecting to the transfer of ownership of a C1 Liquor Permit to 4382 West 130th Street.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C1 Liquor Permit from R & Bee, Inc., DBA Rons

Mini Mart, 4382 West 130th Street, Cleveland, Ohio 44135, Permanent Number 7148574 to Brooklyn To Cleveland, LLC, 4382 West 130th Street, Cleveland, Ohio 44135, Permanent Number 0978522; 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 Liquor Permit from R & Bee, Inc., DBA Rons Mini Mart, 4382 West 130th Street, Cleveland, Ohio 44135, Permanent Number 7148574 to Brooklyn To Cleveland, LLC, 4382 West 130th Street, Cleveland, Ohio 44135, Permanent Number 0978522; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted May 1, 2017.  
Effective May 2, 2017.

**Res. No. 519-17.**  
**By Council Member Brady.**  
**An emergency resolution objecting to a New C1 Liquor Permit at 1379 West Boulevard.**

Whereas, Council has been notified by the Division of Liquor Control of an application for a New C1 Liquor Permit at Jarvis Catering Services, LLC, DBA Jarvis Catering Services, 1379 West Boulevard, Cleveland, Ohio 44102, Permit Number 4247065; and

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to a New C1 Liquor Permit at Jarvis Catering Services, LLC, DBA Jarvis Catering Services, 1379 West Boulevard, Cleveland, Ohio 44102, Permit Number 4247065; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted May 1, 2017.  
Effective May 2, 2017.

**Res. No. 520-17.**  
**By Council Member Cleveland.**  
**An emergency resolution objecting to the transfer of stock of a C1 Liquor Permit to 5841 Broadway Avenue, Unit A.**

Whereas, Council has been notified by the Division of Liquor Control of an application for a transfer of stock of a C1 Liquor Permit at Moran Foods, LLC, DBA Save A Lot, #648, 5841 Broadway Avenue, Unit A, Cleveland, Ohio 44127, Permit Number 61433920205; 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 C1 Liquor Permit at Moran Foods, LLC, DBA Save A Lot, #648, 5841 Broadway Avenue, Unit A, Cleveland, Ohio 44127, Permit Number 61433920205, and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted May 1, 2017.  
Effective May 2, 2017.

**Res. No. 521-17.  
By Council Member Polensek.  
An emergency resolution objecting to the transfer of ownership of a C2, C2X, D6 and D8 Liquor Permit to 1015 East 185th Street.**

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C2, C2X, D6 and D8 Liquor Permit from Jaikabir, Inc., DBA McBills Beverage, 1015 East 185th Street, Cleveland, Ohio 44119, Permit Number 4220443 to R C Brothers, Inc., DBA McBill's Beverage, 1015 East 185th Street, Cleveland, Ohio 44119, Permit Number 7148634; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C2, C2X, D6 and D8 Liquor Permit from Jaikabir, Inc., DBA McBills Beverage, 1015 East 185th Street, Cleveland, Ohio 44119, Permit Number 4220443 to R C Brothers, Inc., DBA McBill's Beverage, 1015 East 185th Street, Cleveland, Ohio 44119, Permit Number 7148634; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

**Section 3.** That this resolution is hereby declared to be an emergency measure and, provided it receives the

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

Adopted May 1, 2017.  
Effective May 2, 2017.

**Res. No. 522-17.  
By Council Member Mitchell.  
An emergency resolution withdrawing objection to a New D5J Liquor Permit at 11460 Uptown Avenue and patio and repealing Resolution No. 463-17, objecting to said permit.**

Whereas, this Council objected to a New D5J Liquor Permit at 11460 Uptown Operating Company, LLC, 11460 Uptown Avenue and patio, Cleveland, Ohio 44106, Permit Number 6548334 by Resolution No. 463-17 adopted by the Council on April 24, 2017; 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 a New D5J Liquor Permit at 11460 Uptown Operating Company, LLC, 11460 Uptown Avenue and patio, Cleveland, Ohio 44106, Permit Number 6548334, be and the same is hereby withdrawn and Resolution No. 463-17, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted May 1, 2017.  
Effective May 2, 2017.

**Ord. No. 283-17.  
By Council Members Zone and Kelley (by departmental request).**

**An emergency ordinance authorizing the Director of Public Safety to enter into a Mutual Aid Agreement with the City of Columbus for reciprocal field force services, SWAT unit services, and use of police equipment within all respective areas, including Cleveland Hopkins International Airport.**

Whereas, it is the intent of the Cities of Columbus and Cleveland to provide for, and mutually enhance, their police service protection capabilities in the event of an emergency or large scale events in each other's respective jurisdictions, including Cleveland Hopkins International Airport; and

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of

a municipal department; now, therefore,

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

**Section 1.** That the Director of Public Safety is authorized to enter into a Mutual Aid Agreement with the City of Columbus for reciprocal field force services to deal with crowd management, crowd control and riot situations, SWAT unit services, and use of police equipment within all respective areas, including Cleveland Hopkins International Airport.

**Section 2.** That any member of a participating police department acting outside the limits of their municipal corporation in which they are employed under this agreement, may participate in any pension or indemnity fund established by their employer at the same extent as while acting within the employing municipal corporation, and are entitled to all the rights and benefits of the applicable sections of Chapter 4123 of the Revised Code, to the same extent as while they are employed. The pension or indemnity fund of the municipal corporation calling for assistance shall not be liable for any benefits of the responding municipal corporation.

**Section 3.** That in any such mutual aid agreement or agreements, the Director of Public Safety shall retain authority to determine the extent of aid committed and to decline to respond to a request for mutual aid if the aid requested interferes with the Department of Public Safety's ability to provide the proper level of services to its own constituency. The Director of Law shall review all agreements to determine that the terms and conditions are appropriate and consistent with the City's interests.

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

Passed May 1, 2017.  
Effective May 2, 2017.

**Ord. No. 360-17.  
By Council Members Zone and Kelley (by departmental request).**

**An emergency ordinance authorizing the Director of Public Safety to accept the donation of pre-packaged frozen desserts, use of a freezer, and related items, from the Cleveland Police Foundation for the "Let's Chill Together" program for local youths and young adults, Division of Police, Department of Public Safety; and to accept additional donations of pre-packaged frozen desserts, related items, and/or ancillary equipment from other entities for other events.**

Whereas, Ice Cream Company ("Pierre's") wishes to donate pre-packaged frozen desserts, use of a freezer, and related items for the "Let's Chill Together" Program of events to the Cleveland Police Foundation; and

Whereas, the Cleveland Police Foundation wishes to donate the pre-packaged frozen desserts, use of

a freezer, and related items, so that Cleveland police officers and other City employees can serve pre-packaged frozen desserts to local youths and young adults throughout the community at the City's "Let's Chill Together" program which will include several events; and

Whereas, additional donations of pre-packaged frozen desserts, related items, and/or ancillary equipment may be accepted by the Director of Public Safety from other entities for other events; and

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

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

**Section 1.** That the Director of Public Safety is authorized to accept the donation of pre-packaged frozen desserts, use of a freezer, and related items from the Cleveland Police Foundation, to the City so that pre-packaged frozen desserts can be served by Cleveland police officers and other City employees to local youths and young adults at the City's "Let's Chill Together" program, for the Division of Police, Department of Public Safety.

**Section 2.** That the Director of Public Safety is authorized to accept the donation of pre-packaged frozen desserts, related items, and/or ancillary equipment on behalf of the City so that pre-packaged frozen desserts can be served by Cleveland police officers and other City employees to City residents, which include local youths and young adults, at other events.

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

Passed May 1, 2017.  
Effective May 2, 2017.

**Ord. No. 510-17.**

**By Council Member McCormack.**

**An emergency ordinance consenting and approving the issuance of a permit for the American Lung Association Walk, on May 13, 2017, sponsored by the American Lung Association.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the American Lung Association Walk, on May 13, 2017, start: Jacobs Pavilion, 2014 Sycamore Street; north on Sycamore to Main Avenue; west on Main Avenue to Center Street; south on Center Street to Merwin Avenue; east on Merwin through City Park to West St. Clair Avenue; east on West St. Clair to West 10th Street; south on West 10th to West Superi-

or Avenue; east on West Superior to West 9th Street; north on West 9th to West St. Clair Avenue; east on West St. Clair to West 6th Street; south on West 6th to West Superior Avenue; west on West Superior to West 25th Street; north on West 25th to Main Avenue; east on Main Avenue to Sycamore Street to Jacobs Pavilion and FINISH; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed May 1, 2017.  
Effective May 2, 2017.

**Ord. No. 511-17.**

**By Council Member McCormack.**

**An emergency ordinance consenting and approving the issuance of a permit for the Colon Cancer UNDY Run on September 30, 2017, benefiting the Colon Cancer Alliance.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Colon Cancer UNDY Run on September 30, 2017, start: Old River Road and Front Street; Front Street east to West 9th Street; West 9th south to Lakeside Avenue; Lakeside east to West 3rd Street; West 3rd north to Al Lerner Way; Al Lerner way east to Erieside Avenue; Erieside east to North Marginal Road; North Marginal Road to Burke Airport Loop; turn around, North Marginal Road west to Erieside Avenue; Erieside west to Al Lerner Way; Al Lerner Way west to West 3rd Street; West 3rd south to Lakeside Avenue; Lakeside west to West 9th Street; West 9th north to Front Street; Front Street west to Old River Road—finish line; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

Passed May 1, 2017.  
Effective May 2, 2017.

**Ord. No. 512-17.**

**By Council Member McCormack.**

**An emergency ordinance consenting and approving the issuance of a permit for the Inside The Park Home Run on July 30, 2017, proceeds to benefit the Furniture Bank.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Inside The Park Home Run on July 30, 2017; start: Progressive Field, 2401 Ontario Street; Eagle Avenue west to East 6th Street; East 6th north to Huron Road; Huron east to Prospect Avenue; Prospect east to East 36th Street; East 36th south to Carnegie Avenue; Carnegie west to East 9th Street; East 9th north to Eagle Avenue; Eagle west to inside Progressive Field—finish line; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed May 1, 2017.  
Effective May 2, 2017.

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

Passed May 1, 2017.  
Effective May 2, 2017.

**Ord. No. 513-17.**

**By Council Member McCormack.**

**An emergency ordinance consenting and approving the issuance of a permit for the National Kidney Foundation Annual Walk on June 11, 2017, managed by the National Kidney Foundation.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the National Kidney Foundation Annual Walk, on June 11, 2017, start: The Great Lakes Science Center, 601 Erieside Avenue; west on Erieside; south on West 3rd Street; east on Al Lerner Way; east on Erieside Avenue; east on North Marginal Road; around Burke Airport Loop; west on North Marginal Road; north on East 9th Street; turn around at Pier; south on East 9th Street; west on Erieside Avenue—finish line; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed May 1, 2017.  
Effective May 2, 2017.

**Ord. No. 514-17.**  
**By Council Member McCormack.**  
**An emergency ordinance consenting and approving the issuance of a permit for the Ohio City Run & Crawl on June 17, 2017, sponsored by Hermes Sports & Events, Inc.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Ohio City Run & Crawl on June 17, 2017, start: Bridge Avenue and West 24th Street; Bridge Avenue west to West 25th Street; West 25th north to Franklin Boulevard; Franklin east to Carter Road; Carter north to Scranton Road; Scranton south to University Avenue; University Avenue east to Centennial Lake Link Trail; Centennial Trail west to Carter Road; Carter west to Franklin Boulevard; Franklin west to West 25th Street; West 25th south to Bridge Avenue; Bridge Avenue east to FINISH LINE; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from

any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed May 1, 2017.  
Effective May 2, 2017.

**Ord. No. 515-17.**  
**By Council Member McCormack.**  
**An emergency ordinance consenting and approving the issuance of a permit for the OROC Run, on August 5, 2017, benefiting the OROC Foundation.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the OROC (OutRun Ovarian Cancer) Run, on August 5, 2017, Start: East 9th Street and Erieside Avenue; Erieside to West 3rd Street; West 3rd to Lakeside Avenue; Lakeside to East 6th Street; East 6th to St. Clair Avenue; St. Clair to West 9th Street; West 9th to Lakeside Avenue; Lakeside to West 3rd Street; West 3rd to Erieside Avenue; Erieside to East 9th Street – finish; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed May 1, 2017.  
Effective May 2, 2017.

**Ord. No. 516-17.**  
**By Council Member Polensek.**  
**An emergency ordinance consenting and approving the issuance of a permit for the Escape on the Lake, on July 8, 2017, benefits Villa Angela-St. Joseph High School.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Escape on the Lake, on July 8, 2017, start: Villa Angela-St. Joseph High School, 18491 Lakeshore Boulevard; Lakeshore west to Schenely Avenue; Schenely north to Dorchester Drive; Dorchester west to Lakefront State Park; run through the park, turn around return to Dorchester Drive; Dorchester east to Schenely Avenue; Schenely south to Lakeshore Boulevard; Lakeshore east to East 185th Street; finish at Villa Angela-St. Joseph High School; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed May 1, 2017.  
Effective May 2, 2017.

**Ord. No. 523-17.**  
**By Council Member McCormack.**  
**An emergency ordinance consenting and approving the issuance of a permit for the Annual Diversity Center of Northeast Ohio Walk/Run, on May 6, 2017, sponsored by Hermes Sports and Events, Inc.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Annual Diversity Center Northeast Ohio Walk/Run on May 6, 2017, start: Erieside Avenue at the Rock & Roll Hall of Fame; Erieside east to Burke Airport loop; go around Burke Airport Loop; North Marginal Road west to East 9th Street; East 9th south to Lakeside Avenue; Lakeside west to West 3rd Street; West 3rd south to St. Clair Avenue; St. Clair west to West 9th Street; West 9th north to West Lakeside Avenue (under bridge); West Lakeside east to West 3rd Street; West 3rd north to Erieside Avenue; Erieside east to Rock & Roll Hall of Fame—finish line; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined

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

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

Passed May 1, 2017.  
Effective May 2, 2017.

**COUNCIL COMMITTEE MEETINGS**

**Monday, May 8, 2017  
9:30 a.m.**

**Health and Human Services Committee:** Present: Cummins, Chair; Brady, Cleveland, Conwell, J. Johnson, McCormack. *Authorized Absence:* Mitchell, Vice Chair. *Pro tempore:* Kelley.

**2:00 p.m.**

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

**Wednesday, May 10, 2017  
10:00 a.m.**

**Joint Committee Meeting:**

**Health and Human Services Committee:** Present: Cummins, Chair; Brady, Cleveland, J. Johnson, McCormack. *Authorized Absence:* Conwell, Mitchell, Vice Chair.

**Workforce and Community Benefits Committee:** Present: Cleveland, Chair; J. Johnson, Kazy, Polensek, Pruitt, Reed. *Authorized Absence:* Zone, Vice Chair.

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

**Utilities Committee:** Present: Pruitt, Chair; Brady, Vice Chair; Cummins, Keane, Polensek. *Authorized Absence:* Brancatelli, Mitchell.

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O—Ordinance; R—Resolution; F—File  
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**Cleveland Citywide Development Corporation**

Authorizing the Director of Economic Development to enter into an agreement with the Cleveland Citywide Development Corp., or its designee, to provide forgivable loans for improvements to retail facilities in one or more mixed use developments. (O 560-17) .....774

Authorizing the Directors of Community Development and/or Economic Development to enter into an agreement with Cleveland Citywide Development Corporation, or its designees, to implement several programs in order to improve housing opportunities in the neighborhoods of the City of Cleveland. (O 563-17) .....776

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**Cleveland Metropolitan School District ( CMSD )**

Authorizing the Director of Capital Projects to apply for and accept grants from the Ohio Department of Transportation for the Safe Routes to School Program; determining the method of making the public improvement of constructing infrastructure improvements; authorizing one or more public improvement contracts and professional services contracts; authorizing contracts and agreements with the State of Ohio, Cleveland Metropolitan School District, and other entities needed to implement the grant; and to apply for and accept grants or gifts from any public or private entity to implement this ordinance. (O 529-17) .....764

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Authorizing the Director of Public Utilities to employ one or more professional consultants to host and manage billing systems and related systems and activities, for the Divisions of Water and Cleveland Public Power for a period of three years, with two options to renew for additional one year periods, the first of which is exercisable through additional legislative authority. (O 414-17) .....781

Authorizing the procurement by one or more requirement contracts for the rental of various types of heavy duty equipment, on an as needed basis, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years. (O 415-17) .....781

Authorizing the purchase by one or more requirement contracts of labor and materials necessary for handling, recycling and disposing of various chemicals, hazardous waste products and other non- hazardous and recyclable waste materials, and training, for the Division of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years, with two one year options to renew, the first of which shall require additional legislative authority. (O 416-17) .....781

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**Community Development**

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Authorizing the Directors of Community Development and/or Economic Development to enter into an agreement with Cleveland Citywide Development Corporation, or its designees, to implement several programs in order to improve housing opportunities in the neighborhoods of the City of Cleveland. (O 563-17) .....776

Authorizing the Directors of Economic Development and/or Community Development to enter into one or more agreements with the Greater Cleveland Habitat for Humanity, Inc. for the purposes of constructing or rehabilitating housing in targeted areas. (O 559-17) .....774

**Community Relations**

Authorizing the Director of the Community Relations Board to enter into contract with Case Western Reserve University for data tracking, analysis, and reporting, and other services relating to youth violence prevention, for a term of one year, with a one year option to renew, exercisable by the Director. (O 548-17) .....771

Authorizing the Director of the Community Relations Board to enter into one or more contracts with Youth Opportunities Unlimited for the administration, implementation, and management of the Cleveland Youth Summer Employment Program and authorizing one or more contracts with public agencies to implement the Youth Summer Employment Program, for a period of one year, with a one year option to renew, exercisable by the Director of Community Relations. (O 558-17) .....774

To amend the title and Section 1 of Ordinance No. 1428 16, passed December 5, 2016, relating to a contract with Cleveland Peacemakers Alliance, Inc. for professional services necessary to develop and implement a hospital based violence intervention program and a trauma informed violence prevention/intervention strategy. (O 547-17) .....771

**Community Relations Board**

Authorizing the Director of the Community Relations Board to enter into one or more contracts with Youth Opportunities Unlimited for the administration, implementation, and management of the Cleveland Youth Summer Employment Program and authorizing one or more contracts with public agencies to implement the Youth Summer Employment Program, for a period of one year, with a one year option to renew, exercisable by the Director of Community Relations. (O 558-17) .....774

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Authorizing the Director of Capital Projects to apply for and accept grants from the Ohio Department of Transportation for the Safe Routes to School Program; determining the method of making the public improvement of constructing infrastructure improvements; authorizing one or more public improvement contracts and professional services contracts; authorizing contracts and agreements with the State of Ohio, Cleveland Metropolitan School District, and other entities needed to implement the grant; and to apply for and accept grants or gifts from any public or private entity to implement this ordinance. (O 529-17) .....764

Authorizing the Director of City Planning to apply for and accept grants from the Ohio Department of Transportation for the Safe Routes to School Program; authorizing contracts and agreements with the State of Ohio, Cleveland Metropolitan School District, and other entities needed to implement the grant; and to apply for and accept grants or gifts from any public or private entity to implement this ordinance. (O 528-17) .....764

Authorizing the Director of Community Development to conduct a program to make loans or grants to homebuyers to assist with appraisal gap funding needed for rehabilitation and eventual sale of single family vacant homes; and authorizing the director to enter into one or more contracts with developers to implement the program. (O 565-17) .....777

Authorizing the Director of Finance to employ one or more consultants, computer software developers, or vendors or one or more firms of consultants, computer software developers, or vendors necessary to implement various projects under the 2017 IT Capital Strategic Plan; and to enter into various contracts to implement this ordinance. (O 534-17) .....766

Authorizing the Director of Finance to enter into various written standard purchase and requirement contracts needed for citywide electronic protection materials, equipment, supplies, and services, including installation and training, and labor and materials if necessary, for the various divisions of City government, for a period of three years, with two additional one year options to renew, exercisable by the Director of Finance. (O 535-17) .....767

Authorizing the Director of Port Control to enter into one or more contracts without competitive bidding with United Airlines, Inc. for the purchase of two used passenger loading bridges, for the Division of Cleveland Hopkins International Airport, Department of Port Control. (O 387-17) .....780

Authorizing the Director of Port Control to exercise the first option to renew Contract No. CT 3001 PS 2015 102 with AvAirPros Services, Inc. to provide maintenance, operation, and management of the City owned common use facilities at Cleveland Hopkins International Airport. (O 410-17) .....780

Authorizing the Director of Port Control to exercise the second option to renew Contract No. PS 2015-173 with C&S Engineers, Inc. to provide pavement management support services to the Department of Port Control. (O 542-17) .....769

Authorizing the Director of Public Health to enter into contract with the Ohio Department of Health to perform environmental lead investigations of residences of Medicaid eligible and non Medicaid eligible children; and to enter into one or more contracts with various agencies, entities, or individuals to provide services necessary to implement this ordinance. (O 537-17) .....767

Authorizing the Director of Public Safety to enter into one or more contracts with Hexagon Safety & Infrastructure dba Intergraph Corporation for professional services necessary to design, implement, and manage a Record Management System for the Division of Fire, including but not limited to acquiring software and training. (O 532-17) .....765

Authorizing the Director of Public Utilities to employ one or more professional consultants to host and manage billing systems and related systems and activities, for the Divisions of Water and Cleveland Public Power for a period of three years, with two options to renew for additional one year periods, the first of which is exercisable through additional legislative authority. (O 414-17) .....781

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Authorizing the Director of the Community Relations Board to enter into contract with Case Western Reserve University for data tracking, analysis, and reporting, and other services relating to youth violence prevention, for a term of one year, with a one year option to renew, exercisable by the Director. (O 548-17) .....771

Authorizing the Director of the Community Relations Board to enter into one or more contracts with Youth Opportunities Unlimited for the administration, implementation, and management of the Cleveland Youth Summer Employment Program and authorizing one or more contracts with public agencies to implement the Youth Summer Employment Program, for a period of one year, with a one year option to renew, exercisable by the Director of Community Relations. (O 558-17) .....774

Authorizing the procurement by one or more requirement contracts for the rental of various types of heavy duty equipment, on an as needed basis, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years. (O 415-17) .....781

Authorizing the purchase by one or more requirement contracts of labor and materials necessary for handling, recycling and disposing of various chemicals, hazardous waste products and other non-hazardous and recyclable waste materials, and training, for the Division of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years, with two one year options to renew, the first of which shall require additional legislative authority. (O 416-17) .....781

Determining the method of making the public improvement of constructing and installing replacement sewers and repairing and rehabilitating existing sewers and sewer connections, relining sewers, and constructing and repairing catch basins and manholes at various locations throughout the City on an as needed basis; and authorizing the Director of Public Utilities to enter into one or more public improvement requirement contracts for the making of the improvement. (O 543-17) .....769

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Determining the method of making the public improvement of constructing, reconstructing, and replacing public facilities, buildings, and other similar structures, including site improvements and appurtenances; and authorizing the Director of Public Works or Capital Projects, as appropriate, to enter into one or more public improvement contracts for the making of the improvement; to apply for and accept grants and gifts; and authorizing the director to employ one or more professional consultants to design the improvement. (O 550-17) .....772

Determining the method of making the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving recreation facilities, and other recreation buildings and other similar structures, on City owned and City leased park property, including site improvements and appurtenances; authorizing the Director of Public Works or Capital Projects, as appropriate, to enter into one or more contracts for the making of the improvements, including professional services and contract or contracts for the making of the improvement to parks and to proceed with the improvement to recreation facilities not otherwise improved by the direct employment of the necessary labor; and to apply for gifts and grants, for the Departments of Public Works and Capital Projects. (O 549-17) .....771

To amend the title and Section 1 of Ordinance No. 1428 16, passed December 5, 2016, relating to a contract with Cleveland Peacemakers Alliance, Inc. for professional services necessary to develop and implement a hospital based violence intervention program and a trauma informed violence prevention/intervention strategy. (O 547-17) .....771

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Authorizing the Director of Economic Development to enter into an agreement with the Cleveland Citywide Development Corp., or its designee, to provide forgivable loans for improvements to retail facilities in one or more mixed use developments. (O 560-17) .....774

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Authorizing the Directors of Community Development and/or Economic Development to enter into an agreement with Cleveland Citywide Development Corporation, or its designees, to implement several programs in order to improve housing opportunities in the neighborhoods of the City of Cleveland. (O 563-17) .....776

Authorizing the Directors of Economic Development and/or Community Development to enter into one or more agreements with the Greater Cleveland Habitat for Humanity, Inc. for the purposes of constructing or rehabilitating housing in targeted areas. (O 559-17) .....774

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Authorizing the Director of the Mayor's Office of Capital Projects to issue a permit to Buckeye Shaker Square Development Corporation to encroach into public rights of way within the Buckeye Shaker, Larchmere, and Woodland Hills neighborhoods by installing, using, and maintaining route identification and directional signs to identify the three HEAL Community Walking Routes. (O 531-17) .....765

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- Authorizing the Director of Finance to employ one or more consultants, computer software developers, or vendors or one or more firms of consultants, computer software developers, or vendors necessary to implement various projects under the 2017 IT Capital Strategic Plan; and to enter into various contracts to implement this ordinance. (O 534-17) .....766
- Authorizing the Director of Finance to enter into various written standard purchase and requirement contracts needed for citywide electronic protection materials, equipment, supplies, and services, including installation and training, and labor and materials if necessary, for the various divisions of City government, for a period of three years, with two additional one year options to renew, exercisable by the Director of Finance. (O 535-17) .....767

**Fire Division**

- Authorizing the Director of Public Safety to enter into one or more contracts with Hexagon Safety & Infrastructure dba Intergraph Corporation for professional services necessary to design, implement, and manage a Record Management System for the Division of Fire, including but not limited to acquiring software and training. (O 532-17) .....765

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- Authorizing the Director of City Planning to apply for and accept grants from the Ohio Department of Transportation for the Safe Routes to School Program; authorizing contracts and agreements with the State of Ohio, Cleveland Metropolitan School District, and other entities needed to implement the grant; and to apply for and accept grants or gifts from any public or private entity to implement this ordinance. (O 528-17) .....764
- Authorizing the Director of Community Development to conduct a program to make loans or grants to homebuyers to assist with appraisal gap funding needed for rehabilitation and eventual sale of single family vacant homes; and authorizing the director to enter into one or more contracts with developers to implement the program. (O 565-17) .....777
- Authorizing the Director of Public Health to apply for and accept a grant from the Ohio Commission on Minority Health for the 2017-19 Cleveland Office on Minority Health Grant. (O 536-17) .....767

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- An emergency ordinance Authorizing the Director of the Department of Public Health to enter into an agreement with Union Miles Development Corporation for the Health and Human Services Community Fair through the use of Ward 2 Casino Revenue Funds. (O 555-17) .....779
- Authorizing the Director of Public Health to apply for and accept a grant from the Ohio Commission on Minority Health for the 2017-19 Cleveland Office on Minority Health Grant. (O 536-17) .....767
- Authorizing the Director of Public Health to enter into contract with the Ohio Department of Health to perform environmental lead investigations of residences of Medicaid eligible and non Medicaid eligible children; and to enter into one or more contracts with various agencies, entities, or individuals to provide services necessary to implement this ordinance. (O 537-17) .....767

**Hermes Sports & Events, Inc.**

- Consenting and approving the issuance of a permit for the Annual Diversity Center of Northeast Ohio Walk/Run, on May 6, 2017, sponsored by Hermes Sports and Events, Inc. (O 523-17) .....797
- Consenting and approving the issuance of a permit for The MetroHealth Resiliency 5K, on June 11, 2017, managed by Hermes Sports and Events, Inc. (O 556-17) .....779
- Consenting and approving the issuance of a permit for the Ohio City Run & Crawl on June-17, 2017, sponsored by Hermes Sports & Events, Inc. (O 514-17) .....797

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**Lease Agreement**

Authorizing the Director of Port Control to enter into a Lease Agreement with Grain Craft, Inc. fka Cereal Food Processors, Inc. for the lease of certain city owned property generally located at 1635 Merwin Avenue, for the Department of Port Control, for a period of two years with three one year options to renew, the first of which requires additional legislative authority. (O 388-17) .....780

Authorizing the Director of Port Control to enter into a Lease Agreement with Mid Continent Coal and Coke Company for the lease of certain city owned property generally located at 700 Stones Levee Road, for the Department of Port Control, for a period of two years with three one year options to renew, the first of which requires additional legislative authority. (O 389-17) .....780

**Leases**

Authorizing the Director of Public Works to lease certain space located at 822 East 150th Street from the Greater New Calvary Baptist Church, for the public purpose of providing a gym for recreational purposes, for a period of one year, with two one year options to renew, exercisable by the Director of Public Works. (O 533-17) .....766

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#6349400. New License Application, D3. Nepali & Indian Cuisine Restaurant and Bar LLC, 13124 Lorain Ave. (Ward 16). (F 572-17) .....764

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Authorizing the Director of Economic Development to enter into an agreement with the Cleveland Citywide Development Corp., or its designee, to provide forgivable loans for improvements to retail facilities in one or more mixed use developments. (O 560-17) .....774

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**National Urban Fellows**

Authorizing the Director of Public Utilities to enter into one or more agreements with National Urban Fellows to support the placement of a fellow under the program within the Department of Public Utilities, for the classes of 2018 and 2019, with two one year options to renew for the classes of 2020 and 2021, the first of which shall require additional legislative authority. (O 539-17) .....768

**Office of Equal Opportunity**

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**Ohio Department of Public Health**

Authorizing the Director of Public Health to enter into contract with the Ohio Department of Health to perform environmental lead investigations of residences of Medicaid eligible and non-Medicaid eligible children; and to enter into one or more contracts with various agencies, entities, or individuals to provide services necessary to implement this ordinance. (O 537-17) .....767

Urging the Ohio Senate to reject the proposed amendment to the state budget bill that gives the Ohio Department of Health exclusive authority over all lead based paint issues statewide, and preempts Ohio cities from taking proactive efforts to prevent lead poisoning through local inspection and enforcement. (R 577-17) .....778

**Ohio Department of Transportation (ODOT)**

Authorizing the Director of Capital Projects to apply for and accept grants from the Ohio Department of Transportation for the Safe Routes to School Program; determining the method of making the public improvement of constructing infrastructure improvements; authorizing one or more public improvement contracts and professional services contracts; authorizing contracts and agreements with the State of Ohio, Cleveland Metropolitan School District, and other entities needed to implement the grant; and to apply for and accept grants or gifts from any public or private entity to implement this ordinance. (O 529-17) .....764

Authorizing the Director of City Planning to apply for and accept grants from the Ohio Department of Transportation for the Safe Routes to School Program; authorizing contracts and agreements with the State of Ohio, Cleveland Metropolitan School District, and other entities needed to implement the grant; and to apply for and accept grants or gifts from any public or private entity to implement this ordinance. (O 528-17) .....764

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**Ohio Housing Finance Agency**

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Authorizing and directing the Director of Office of Capital Projects to issue a permit to Mary Queen of Peace Parish to stretch a banner at 4423 Pearl Road, for the period from July 3, 2017 to August 1, 2017, inclusive, publicizing the festival. (O 574-17) .....779

Authorizing the Director of Capital Projects to issue a permit to Battery Park Development, LLC to encroach into the public right of way of West 75th Street by installing, using, and maintaining a building lobby entrance canopy. (O 530-17) .....765

Authorizing the Director of the Mayor's Office of Capital Projects to issue a permit to Buckeye Shaker Square Development Corporation to encroach into public rights of way within the Buckeye Shaker, Larchmere, and Woodland Hills neighborhoods by installing, using, and maintaining route identification and directional signs to identify the three HEAL Community Walking Routes. (O 531-17) .....765

Consenting and approving the issuance of a permit for the American Lung Association Walk, on May 13, 2017, sponsored by the American Lung Association. (O 510-17) .....796

Consenting and approving the issuance of a permit for the Annual Diversity Center of Northeast Ohio Walk/Run, on May 6, 2017, sponsored by Hermes Sports and Events, Inc. (O 523-17) .....797

Consenting and approving the issuance of a permit for the Colon Cancer UNDY Run on September 30, 2017, benefiting the Colon Cancer Alliance. (O 511-17) .....796

Consenting and approving the issuance of a permit for the Escape on the Lake, on July 8, 2017, benefits Villa Angela St. Joseph High School. (O 516-17) .....797

Consenting and approving the issuance of a permit for the Inside The Park Home Run on July 30, 2017, proceeds to benefit the Furniture Bank. (O 512-17) .....796

Consenting and approving the issuance of a permit for The MetroHealth Resiliency 5K, on June 11, 2017, managed by Hermes Sports and Events, Inc. (O 556-17) .....779

Consenting and approving the issuance of a permit for the National Kidney Foundation Annual Walk on June 11, 2017, managed by the National Kidney Foundation. (O 513-17) .....796

Consenting and approving the issuance of a permit for the Ohio City Run & Crawl on June-17, 2017, sponsored by Hermes Sports & Events, Inc. (O 514-17) .....797

Consenting and approving the issuance of a permit for the OROC Run, on August 5, 2017, benefiting the OROC Foundation. (O 515-17) .....797

**Police Division**

Authorizing the Commissioner of Purchases and Supplies to purchase property from the Greater Cleveland Regional Transit Authority for use by the Division of Police and other Safety Divisions including vehicle, supply, and equipment storage located at 4371 Pearl Road, for the Department of Public Safety. (O 551-17) .....773

Authorizing the Director of Public Safety to accept the donation of pre-packaged frozen desserts, use of a freezer, and related items, from the Cleveland Police Foundation for the "Let's Chill Together" program for local youths and young adults, Division of Police, Department of Public Safety. (O 360-17) .....795

**Port Control Department**

Authorizing the Director of Port Control to enter into a Lease Agreement with Grain Craft, Inc. fka Cereal Food Processors, Inc. for the lease of certain city owned property generally located at 1635 Merwin Avenue, for the Department of Port Control, for a period of two years with three one year options to renew, the first of which requires additional legislative authority. (O 388-17) .....780

Authorizing the Director of Port Control to enter into a Lease Agreement with Mid Continent Coal and Coke Company for the lease of certain city owned property generally located at 700 Stones Levee Road, for the Department of Port Control, for a period of two years with three one year options to renew, the first of which requires additional legislative authority. (O 389-17) .....780

Authorizing the Director of Port Control to enter into one or more contracts without competitive bidding with United Airlines, Inc. for the purchase of two used passenger loading bridges, for the Division of Cleveland Hopkins International Airport, Department of Port Control. (O 387-17) .....780

Authorizing the Director of Port Control to exercise the first option to renew Contract No. CT 3001 PS 2015 102 with AvAirPros Services, Inc. to provide maintenance, operation, and management of the City owned common use facilities at Cleveland Hopkins International Airport. (O 410-17) .....780

**Professional Services**

Authorizing the Director of Capital Projects to apply for and accept grants from the Ohio Department of Transportation for the Safe Routes to School Program; determining the method of making the public improvement of constructing infrastructure improvements; authorizing one or more public improvement contracts and professional services contracts; authorizing contracts and agreements with the State of Ohio, Cleveland Metropolitan School District, and other entities needed to implement the grant; and to apply for and accept grants or gifts from any public or private entity to implement this ordinance. (O 529-17) .....764

Authorizing the Director of Finance to employ one or more consultants, computer software developers, or vendors or one or more firms of consultants, computer software developers, or vendors necessary to implement various projects under the 2017 IT Capital Strategic Plan; and to enter into various contracts to implement this ordinance. (O 534-17) .....766

Authorizing the Director of Finance to enter into various written standard purchase and requirement contracts needed for citywide electronic protection materials, equipment, supplies, and services, including installation and training, and labor and materials if necessary, for the various divisions of City government, for a period of three years, with two additional one year options to renew, exercisable by the Director of Finance. (O 535-17) .....767

Authorizing the Director of Public Safety to enter into one or more contracts with Hexagon Safety & Infrastructure dba Intergraph Corporation for professional services necessary to design, implement, and manage a Record Management System for the Division of Fire, including but not limited to acquiring software and training. (O 532-17) .....765

Authorizing the Director of Public Utilities to employ one or more professional consultants to host and manage billing systems and related systems and activities, for the Divisions of Water and Cleveland Public Power for a period of three years, with two options to renew for additional one year periods, the first of which is exercisable through additional legislative authority. (O 414-17) .....781

Authorizing the Director of Public Utilities to enter into an amendment to Contract No. CT 2002 PS 2013 97 with IBM Corporation to host and administer the Oracle customer care and billing system to provide additional services under the contract. (O 540-17) .....768

Authorizing the Director of Public Utilities to enter into one or more contracts with Great Lakes Observing System for professional services necessary to lease, deploy, maintain, and retrieve two buoys and sondes, and for the regular calibration, monitoring, collecting, and measuring of Lake Erie water quality, for the Division of Water, Department of Public Utilities, for a period of two years. (O 361-17) .....780

Determining the method of making the public improvement of constructing improvements at the Morgan Surge Tank and at the Green Road Tanks; authorizing the Director of Public Utilities to enter into one or more public improvement contracts to construct the Improvement; and authorizing the Director to employ one or more professional consultants necessary to design additional improvements at other secondary sites. (O 546-17) .....770

Determining the method of making the public improvement of constructing, reconstructing, and replacing public facilities, buildings, and other similar structures, including site improvements and appurtenances; and authorizing the Director of Public Works or Capital Projects, as appropriate, to enter into one or more public improvement contracts for the making of the improvement; to apply for and accept grants and gifts; and authorizing the director to employ one or more professional consultants to design the improvement. (O 550-17) .....772

Determining the method of making the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving recreation facilities, and other recreation buildings and other similar structures, on City owned and City leased park property, including site improvements and appurtenances; authorizing the Director of Public Works or Capital Projects, as appropriate, to enter into one or more contracts for the making of the improvements, including professional services and contract or contracts

for the making of the improvement to parks and to proceed with the improvement to recreation facilities not otherwise improved by the direct employment of the necessary labor; and to apply for gifts and grants, for the Departments of Public Works and Capital Projects. (O 549-17) .....771

To amend the title and Section 1 of Ordinance No. 1428 16, passed December 5, 2016, relating to a contract with Cleveland Peacemakers Alliance, Inc. for professional services necessary to develop and implement a hospital based violence intervention program and a trauma informed violence prevention/intervention strategy. (O 547-17) .....771

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Changing the Use, Area and Height District of parcels along Meyer Avenue between West 25th Street and West 30th Street and as identified on the attached map (Map Change No. 2555). (O 366-17) .....791

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Changing the Use, Area, and Height Districts along Lorain Avenue between West 50th Street and West 65th Street and replacing the PRO District with an Urban Form Overlay District along Lorain between West 50th Street and West 61st Street on the north and south sides of the street as shown on the attached map (Map Change No. 2553). (O 441-17) .....792

Establishing an Urban Form Overlay District and designating an Urban Frontage Line along Lorain Ave. between West 136th Street and West 143rd Street and as shaded on the attached map (Map Change No. 2550). (O 236-17) .....791

**Public Improvements**

Authorizing the Director of Capital Projects to apply for and accept grants from the Ohio Department of Transportation for the Safe Routes to School Program; determining the method of making the public improvement of constructing infrastructure improvements; authorizing one or more public improvement contracts and professional services contracts; authorizing contracts and agreements with the State of Ohio, Cleveland Metropolitan School District, and other entities needed to implement the grant; and to apply for and accept grants or gifts from any public or private entity to implement this ordinance. (O 529-17) .....764

Determining the method of making the public improvement of constructing and installing replacement sewers and repairing and rehabilitating existing sewers and sewer connections, relining sewers, and constructing and repairing catch basins and manholes at various locations throughout the City on an as needed basis; and authorizing the Director of Public Utilities to enter into one or more public improvement requirement contracts for the making of the improvement. (O 543-17) .....769

Determining the method of making the public improvement of constructing improvements at the Morgan Surge Tank and at the Green Road Tanks; authorizing the Director of Public Utilities to enter into one or more public improvement contracts to construct the Improvement; and authorizing the Director to employ one or more professional consultants necessary to design additional improvements at other secondary sites. (O 546-17) .....770

Determining the method of making the public improvement of constructing, reconstructing, and replacing public facilities, buildings, and other similar structures, including site improvements and appurtenances; and authorizing the Director of Public Works or Capital Projects, as appropriate, to enter into one or more public improvement contracts for the making of the improvement; to apply for and accept grants and gifts; and authorizing the director to employ one or more professional consultants to design the improvement. (O 550-17) .....772

Determining the method of making the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving recreation facilities, and other recreation buildings and other similar structures, on City owned and City leased park property, including site improvements and appurtenances; authorizing the Director of Public Works or Capital Projects, as appropriate, to enter into one or more contracts for the making of the improvements, including professional services and contract or contracts for the making of the improvement to parks and to proceed with the improvement to recreation facilities not otherwise improved by the direct employment of the necessary labor; and to apply for gifts and grants, for the Departments of Public Works and Capital Projects. (O 549-17) .....771

**Public Works**

Authorizing the Director of Public Works to lease certain space located at 822 East 150th Street from the Greater New Calvary Baptist Church, for the public purpose of providing a gym for recreational purposes, for a period of one year, with two one year options to renew, exercisable by the Director of Public Works. (O 533-17) .....766

Determining the method of making the public improvement of constructing, reconstructing, and replacing public facilities, buildings, and other similar structures, including site improvements and appurtenances; and authorizing the Director of Public Works or Capital Projects, as appropriate, to enter into one or more public improvement contracts for the making of the improvement; to apply for and accept grants and gifts; and authorizing the director to employ one or more professional consultants to design the improvement. (O 550-17) .....772

Determining the method of making the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving recreation facilities, and other recreation buildings and other similar structures, on City owned and City leased park property, including site improvements and appurtenances; authorizing the Director of Public Works or Capital Projects, as appropriate, to enter into one or more contracts for the making of the improvements, including professional services and contract or contracts for the making of the improvement to parks and to proceed with the improvement to recreation facilities not otherwise improved by the direct employment of the necessary labor; and to apply for gifts and grants, for the Departments of Public Works and Capital Projects. (O 549-17) .....771

**Purchases and Supplies Division**

Authorizing the Commissioner of Purchases and Supplies to purchase property from the Greater Cleveland Regional Transit Authority for use by the Division of Police and other Safety Divisions including vehicle, supply, and equipment storage located at 4371 Pearl Road, for the Department of Public Safety. (O 551-17) .....773

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An emergency ordinance Consenting and approving the issuance of a permit for the OROC Run, on August 5, 2017, benefiting the OROC Foundation. (O 515-17) .....797

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Consenting and approving the issuance of a permit for the Colon Cancer UNDY Run on September 30, 2017, benefiting the Colon Cancer Alliance. (O 511-17) .....796

Consenting and approving the issuance of a permit for the Escape on the Lake, on July 8, 2017, benefits Villa Angela St. Joseph High School. (O 516-17) .....797

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Authorizing the Commissioner of Purchases and Supplies to purchase property from the Greater Cleveland Regional Transit Authority for use by the Division of Police and other Safety Divisions including vehicle, supply, and equipment storage located at 4371 Pearl Road, for the Department of Public Safety. (O 551-17) .....773

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Urging the Ohio Senate to reject the proposed amendment to the state budget bill that gives the Ohio Department of Health exclusive authority over all lead based paint issues statewide, and preempts Ohio cities from taking proactive efforts to prevent lead poisoning through local inspection and enforcement. (R 577-17) .....778

**Safety Department**

Authorizing the Commissioner of Purchases and Supplies to purchase property from the Greater Cleveland Regional Transit Authority for use by the Division of Police and other Safety Divisions including vehicle, supply, and equipment storage located at 4371 Pearl Road, for the Department of Public Safety. (O 551-17) .....773

Authorizing the Director of Public Safety to accept the donation of pre-packaged frozen desserts, use of a freezer, and related items, from the Cleveland Police Foundation for the "Let's Chill Together" program for local youths and young adults, Division of Police, Department of Public Safety. (O 360-17) .....795

- Authorizing the Director of Public Safety to enter into a Mutual Aid Agreement with the City of Columbus for reciprocal field force services, SWAT unit services, and use of police equipment within all respective areas, including Cleveland Hopkins International Airport. (O 283-17) .....795
- Authorizing the Director of Public Safety to enter into one or more contracts with Hexagon Safety & Infrastructure dba Intergraph Corporation for professional services necessary to design, implement, and manage a Record Management System for the Division of Fire, including but not limited to acquiring software and training. (O 532-17) .....765

#### Sewers

- Determining the method of making the public improvement of constructing and installing replacement sewers and repairing and rehabilitating existing sewers and sewer connections, relining sewers, and constructing and repairing catch basins and manholes at various locations throughout the City on an as needed basis; and authorizing the Director of Public Utilities to enter into one or more public improvement requirement contracts for the making of the improvement. (O 543-17) .....769

#### State of Ohio

- Authorizing the Director of Capital Projects to apply for and accept grants from the Ohio Department of Transportation for the Safe Routes to School Program; determining the method of making the public improvement of constructing infrastructure improvements; authorizing one or more public improvement contracts and professional services contracts; authorizing contracts and agreements with the State of Ohio, Cleveland Metropolitan School District, and other entities needed to implement the grant; and to apply for and accept grants or gifts from any public or private entity to implement this ordinance. (O 529-17) .....764
- Authorizing the Director of City Planning to apply for and accept grants from the Ohio Department of Transportation for the Safe Routes to School Program; authorizing contracts and agreements with the State of Ohio, Cleveland Metropolitan School District, and other entities needed to implement the grant; and to apply for and accept grants or gifts from any public or private entity to implement this ordinance. (O 528-17) .....764

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- Designating East 18th Street between Euclid Avenue and Chester Avenue with a secondary and honorary designation of "Norman Krumholz Way". (O 552-17) .....773
- Designating Gay Avenue between Glenboro Drive and East 109th Street with a secondary and honorary designation of "Hubert Lee Bobo Way". (O 470-17) .....781

#### Summer Employment Program

- Authorizing the Director of the Community Relations Board to enter into one or more contracts with Youth Opportunities Unlimited for the administration, implementation, and management of the Cleveland Youth Summer Employment Program and authorizing one or more contracts with public agencies to implement the Youth Summer Employment Program, for a period of one year, with a one year option to renew, exercisable by the Director of Community Relations. (O 558-17) .....774

#### Union Miles Development Corporation

- Authorizing the Director of the Department of Public Health to enter into an agreement with Union Miles Development Corporation for the Health and Human Services Community Fair through the use of Ward 2 Casino Revenue Funds. (O 555-17) .....779

#### Urban League of Greater Cleveland

- Authorizing the Director of Economic Development to enter into one or more agreements with JumpStart, Inc., Economic and Community Development Institute, Inc., and Urban League of Greater Cleveland, Inc., or their designees, to assist with neighborhood entrepreneurship and workforce development. (O 564-17) .....776

#### Utilities Department

- An emergency ordinance Authorizing the Director of Public Utilities to enter into one or more contracts with Great Lakes Observing System for professional services necessary to lease, deploy, maintain, and retrieve two buoys and sondes, and for the regular calibration, monitoring, collecting, and measuring of Lake Erie water quality, for the Division of Water, Department of Public Utilities, for a period of two years. (O 361-17) .....780
- Authorizing the Director of Port Control to exercise the second option to renew Contract No. PS 2015-173 with C&S Engineers, Inc. to provide pavement management support services to the Department of Port Control. (O 542-17) .....769
- Authorizing the Director of Public Utilities to accept the gift of plans and specifications relating to and funds to pay for artwork to be installed on the Garrett Morgan Water Treatment Plant Surge Tower. (O 538-17) .....768

Authorizing the Director of Public Utilities to employ one or more professional consultants to host and manage billing systems and related systems and activities, for the Divisions of Water and Cleveland Public Power for a period of three years, with two options to renew for additional one year periods, the first of which is exercisable through additional legislative authority. (O 414-17) .....781

Authorizing the Director of Public Utilities to enter into an amendment to Contract No. CT 2002 PS 2013 97 with IBM Corporation to host and administer the Oracle customer care and billing system to provide additional services under the contract. (O 540-17) .....768

Authorizing the Director of Public Utilities to enter into one or more agreements with National Urban Fellows to support the placement of a fellow under the program within the Department of Public Utilities, for the classes of 2018 and 2019, with two one year options to renew for the classes of 2020 and 2021, the first of which shall require additional legislative authority. (O 539-17) .....768

Authorizing the Director of Public Utilities to exercise the first option to renew Contract No. RC 2015 109 with Cook Paving and Construction Co., Inc. to provide for labor and materials necessary to install, repair, replace or maintain the duct line, street lighting bases and pull boxes, and other related incidentals for the Division of Cleveland Public Power, Department of Public Utilities. (O 541-17) .....768

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Authorizing the purchase by one or more requirement contracts of labor and materials necessary for handling, recycling and disposing of various chemicals, hazardous waste products and other non-hazardous and recyclable waste materials, and training, for the Division of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years, with two one year options to renew, the first of which shall require additional legislative authority. (O 416-17) .....781

Determining the method of making the public improvement of constructing and installing replacement sewers and repairing and rehabilitating existing sewers and sewer connections, relining sewers, and constructing and repairing catch basins and manholes at various locations throughout the City on an as needed basis; and authorizing the Director of Public Utilities to enter into one or more public improvement requirement contracts for the making of the improvement. (O 543-17) .....769

Determining the method of making the public improvement of constructing improvements at the Morgan Surge Tank and at the Green Road Tanks; authorizing the Director of Public Utilities to enter into one or more public improvement contracts to construct the Improvement; and authorizing the Director to employ one or more professional consultants necessary to design additional improvements at other secondary sites. (O 546-17) .....770

**Walk A Thons**

Consenting and approving the issuance of a permit for the American Lung Association Walk, on May 13, 2017, sponsored by the American Lung Association. (O 510-17) .....796

Consenting and approving the issuance of a permit for the Annual Diversity Center of Northeast Ohio Walk/Run, on May 6, 2017, sponsored by Hermes Sports and Events, Inc. (O 523-17) .....797

Consenting and approving the issuance of a permit for the National Kidney Foundation Annual Walk on June 11, 2017, managed by the National Kidney Foundation. (O 513-17) .....796

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Authorizing the Director of the Department of Public Health to enter into an agreement with Union Miles Development Corporation for the Health and Human Services Community Fair through the use of Ward 2 Casino Revenue Funds. (O 555-17) .....779

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#### **Water Pollution Control Division ( WPC )**

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