

The City Record

Official Publication of the Council of the City of Cleveland



March the Seventh, Two Thousand and Eighteen

Frank G. Jackson
Mayor

Kevin J. Kelley
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward Name

- 1 Joseph T. Jones
- 2 Kevin L. Bishop
- 3 Kerry McCormack
- 4 Kenneth L. Johnson, Sr.
- 5 Phyllis E. Cleveland
- 6 Blaine A. Griffin
- 7 Basheer S. Jones
- 8 Michael D. Polensek
- 9 Kevin Conwell
- 10 Anthony T. Hairston
- 11 Dona Brady
- 12 Anthony Brancatelli
- 13 Kevin J. Kelley
- 14 Jasmin Santana
- 15 Matt Zone
- 16 Brian Kazy
- 17 Martin J. Keane

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www.clevelandcitycouncil.org

Containing	PAGE
City Council	3
The Calendar	26
Board of Control	26
Civil Service	30
Board of Zoning Appeals	30
Board of Building Standards and Building Appeals	33
Public Notice	33
Public Hearings	33
City of Cleveland Bids	33
Adopted Resolutions and Ordinances	34
Committee Meetings	36
Index	37



DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Kevin J. Kelley

Ward	Name	Residence	
1	Joseph T. Jones	4691 East 177th Street	44128
2	Kevin L. Bishop	11729 Miles Avenue, #5	44105
3	Kerry McCormack	1429 West 38th Street	44113
4	Kenneth L. Johnson, Sr.	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44115
6	Blaine A. Griffin	1810 Larchmere Boulevard	44120
7	Basheer S. Jones	1383 East 94th Street	44106
8	Michael D. Polensek	17855 Brian Avenue	44119
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Anthony T. Hairston	423 Arbor Road	44108
11	Dona Brady	1272 West Boulevard	44102
12	Anthony Brancatelli	6924 Ottawa Road	44105
13	Kevin J. Kelley	5904 Parkridge Avenue	44144
14	Jasmin Santana	3535 Marvin Avenue	44109
15	Matt 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

Sharon Dumas, Interim 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, Treasurer, Room 115

Financial Reporting and Control – James Gentile, Controller, Room 18

Information Technology and Services – Kimberley Roy-Wilson,

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 Heame, Interim Commissioner

Environment – Brian Kimball, Commissioner, 75 Erieview Plaza

Health – Persis Sosiak, Commissioner, 75 Erieview Plaza

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

DIVISIONS:

Animal Control Services – John Baird, Interim 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 – Louise Jackson, Interim Director

DIVISIONS:

Administrative Services – Joy Anderson, Commissioner

Fair Housing and Consumer Affairs Office – John Mahoney, Manager

Neighborhood Development – James Greene, 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, Grady Stevenson, Interim Director,

Mayor Frank G. Jackson, Chairman Ex-Officio; Rev. Dr. Charles P. Lucas, Jr., Vice-

Chairman, Council Member Kevin L. Bishop, 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, Council

Member Jasmin Santana, 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, Myrlene Barnes, Kelley Britt, 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;

_____, Chair; David H. Bowen, Lillian Kuri, Gloria Jean Pinkney, Council

Member Kerry McCormack, _____.

FAIR HOUSING BOARD – _____, Chair; Genesis O. Brown, Daniel Conway,

Robert L. Render.

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, Robert

Strickland, Donald Petit, Secretary, Council Member Basheer S. Jones, Matthew L.

Spronz; _____.

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 Michelle D. Earley	14-C
Judge Pinkey S. Carr	15-C
Judge Marilyn B. Cassidy	13-A
Judge Emanuella Groves	14-B
Judge Lauren C. Moore	15-A
Judge Michael L. Nelson, Sr.	12-A
Judge Ann Clare Oakar	14-A
Judge Ronald J.H. O'Leary (Housing Court Judge)	13-B
Judge Charles L. Patton, Jr.	13-D
Judge Suzan M. Sweeney	12-C
Judge Jazmin Torres-Lugo	13-C
Judge Shiela Turner McCall	12-B
Judge Joseph J. Zone	14-D

Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Timothy

Lubbe – Housing Court Administrator, Robert J. Furda – Chief Bailiff; Dean Jenkins – Chief

Probation Officer, Gregory F. Clifford – Chief Magistrate.

The City Record

71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

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WEDNESDAY, MARCH 7, 2018

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CITY COUNCIL

MONDAY, MARCH 5, 2018

The City Record
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PATRICIA J. BRITT
City Clerk, Clerk of Council
216 City Hall

The following Committees meet at the Call of the Chair:

Mayor's Appointments Committee:
Kazy (CHAIR), Brady, Brancatelli,
Cleveland, Kelley.

Operations Committee: McCormack
(CHAIR), Griffin, Keane, Kelley,
Zone.

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

COMMUNICATIONS

File No. 251-18.

From Ohio Environmental Protection Agency. Public notice of receipt of an application for a Clean Water Act Section 401 water quality certification for the construction of a new pier and removal of marine debris along the shoreline of Lake Erie at Euclid Beach/Villa Angela Park, East 156th Street in Cleveland, Ohio; submitted by Cleveland Metroparks Park District. Received.

File No. 252-18.

From Diana Holly, Director of Asset Management, EDEN, Inc. Notice of intent to apply to Ohio Housing Finance Agency for multi-family funding programs for the development known as EDEN Portfolio Preservation Phase IV, at 3235 West 41st Street; 1820 West 48th Street; 1804 West 50th Street; and 6907 Detroit Avenue; all in Cleveland, Ohio. Received.

File No. 253-18.

From Andrea Zwischenberger, Senior Director, Executive Administration, The Cleveland Clinic Foundation. Notice of Operations for 2017, as required by Section 686.02 of the Codified Ordinances, of Cleveland, Ohio, 1976. Received.

FROM OHIO DIVISION OF LIQUOR CONTROL

File No. 267-18.

RE: #08142350035. New License Application, D3. Bon Appetit Management Co., 1801 East 9th Street (Ward 3). Received.

File No. 268-18.

RE: #3176534. Transfer of License Application, D1 D2 D3. Giant Step, Inc., 1051 West 10th Street (Ward 3). Received.

File No. 269-18.

RE: #9033090. Economic Development Transfer Application, D5 D6. 27 Club LLC, 10 West 10th Street (Ward 3). Received.

File No. 270-18.

RE: #2434360. New License Application, C1. E S Eastside Deli, Inc., 10643 St. Clair Avenue (Ward 9). Received.

File No. 271-18.

RE: #26312750025. New License Application, C2. Family Dollar Stores of Ohio, Inc., 4071 Lee Road (Ward 1). Received.

File No. 272-18.

RE: #14374151020. New License Application, D5. Chipotle Mexican Grill of Colorado LLC, 224 Euclid Avenue (Ward 3). Received.

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2018-2021

MONDAY — Alternating

9:30 A.M. — **Health and Human Services Committee:** Griffin (CHAIR), McCormack (VICE-CHAIR), Conwell, B. Jones, Hairston, Santana, Zone.

9:30 A.M. — **Municipal Services and Properties Committee:** K. Johnson (CHAIR), Brady (VICE-CHAIR), Bishop, Brancatelli, Hairston, J. Jones, Kazy.

MONDAY

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

TUESDAY

9:30 A.M. — **Development, Planning and Sustainability Committee:** Brancatelli (CHAIR), Cleveland (VICE-CHAIR), Bishop, Hairston, B. Jones, Keane, McCormack.

TUESDAY — Alternating

1:30 P.M. — **Utilities Committee:** Keane (CHAIR), Kazy (VICE-CHAIR), Bishop, Hairston, McCormack, Polensek, Santana.

1:30 P.M. — **Workforce and Community Benefits Committee:** Conwell (CHAIR), Cleveland (VICE-CHAIR), Brady, Griffin, B. Jones, J. Jones, Kazy.

WEDNESDAY — Alternating

10:00 A.M. — **Safety Committee:** Zone (CHAIR), Polensek (VICE-CHAIR), Griffin, Kazy, B. Jones, J. Jones, Santana.

10:00 A.M. — **Transportation Committee:** Cleveland (CHAIR), Keane (VICE-CHAIR), Bishop, Conwell, Johnson, J. Jones, Santana.

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio
March 5, 2018

The meeting of the Council was called to order at 7:01 p.m. with the President of Council, Kevin J. Kelley, in the Chair.

Council Members present: Kevin L. Bishop, Dona Brady, Anthony Brancatelli, Phyllis E. Cleveland, Kevin Conwell, Blaine A. Griffin, Anthony T. Hairston, Kenneth L. Johnson, Basheer S. Jones, Joseph T. Jones, Brian Kazy, Kevin J. Kelley, Martin J. Keane, Kerry McCormack, Michael D. Polensek, Jasmin Santana, and Matt Zone.

Also present were: Mayor Frank G. Jackson, Interim Chief of Staff/Director Sharon Dumas, Chief Operating Officer Darnell Brown, Chief of Government Affairs Valarie J. McCall, Chief of Regional Development Edward W. Rybka, Chief of Education Monyka S. Price, Media Relations Director Dan Williams, Chief of Sustainability Matt Gray, Chief of Public Affairs Natoya Walker-Minor, Chief of Prevention, Intervention and Opportunity for Youth and Young Adults Duane Deskins, and Directors Langhenry, Davis, Kennedy, Spronz, Gordon, McGrath, Jackson, Donald, West, Ebersole, Stevenson, Collier, McNamara, Withers, 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 Zone, the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Council Member Santana.

File No. 273-18.
RE: #14374151025. New License Application, D5. Chipotle Mexican Grill of Colorado LLC, 11452 Euclid Avenue (Ward 6). Received.

File No. 275-18.
RE: #9836730. Economic Development Transfer Application, D5 D6. Yards Project LLC, 725 Johnson Court (Ward 3). Received.

File No. 276-18.
RE: #8089915. Stock Application, D1 D2 D3 D3A. SH K E LLC, 6410 Lorain Avenue (Ward 15). Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 277-18 — Joyce Yvonne DeVese.

Res. No. 278-18 — Mary Ann Forte.

Res. No. 279-18 — Pamela Ann Thomas.

Res. No. 287-18 — Mary Elizabeth "Daisy" Ford.

Res. No. 288-18 — Joseph I. Mendise.

Res. No. 289-18 — Ralph M. Veverka.

Res. No. 290-18 — Gladys Harrison Dunbar.

Res. No. 291-18 — Ozie Smith, Sr.

Res. No. 292-18 — Daphne Johnson.

CONGRATULATIONS RESOLUTIONS

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

Res. No. 280-18 — Joan (Harnett) Reali - 2018 Irish Mother of the Year.

Res. No. 281-18 — Sheila Murphy Crawford - Grand Marshal, 2018 St. Patrick's Day Parade.

Res. No. 282-18 — Linda Fulton Burke - Inside Co-Chair, 2018 St. Patrick's Day Parade.

Res. No. 283-18 — Noreen Halley - Outside Co-Chair, 2018 St. Patrick's Day Parade.

Res. No. 284-18 — James J. Kilbane, Jr. - 2018 Hibernian of the Year.

RECOGNITION RESOLUTIONS

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

Res. No. 285-18 — Women of Color HERStory Month.

Res. No. 286-18 — Muhammad Mosque 18 - Annual Saviours' Day Awards Banquet.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 254-18.
By Council Members Cleveland and Kelley (by departmental request)

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. PIRC 2016-2 with Cook Paving & Construction Co., Inc. to provide for the public improvement of repairing and maintaining runways, taxiways, ramps, roads and other concrete surfaces, for the various divisions of the Department of Port Control.

Whereas, under the authority of Ordinance No. 582-15, passed June 8, 2015, the Director of Port Control entered into Contract No. PIRC 2016-2 with Cook Paving & Construction Co., Inc. for the public improvement of repairing and maintaining runways, taxiways, ramps, roads and other concrete surfaces, for the various divisions of the Department of Port Control; and

Whereas, Ordinance No. 582-15 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 Port Control is authorized to exercise the first option to renew Contract No. PIRC 2016-2 for an additional year with Cook Paving & Construction Co., Inc. for the public improvement of repairing and maintaining runways, taxiways, ramps, roads and other concrete surfaces, for the various divisions of the Department of Port Control. This ordinance constitutes the additional legislative authority required by Ordinance No. 582-15 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. 257-18.
By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Director of Law to apply for and accept a grant from the Cuyahoga County Department of Public Safety and Justice Services for the FY 2017 Cleveland Domestic Violence Program; and to enter into one or more contracts with Cuyahoga County and other entities to implement the program.

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

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

Section 1. That the Director of Law is authorized to apply for and accept a grant in the approximate amount of \$122,634.42, and any other funds that may become available during the grant term, from the Cuyahoga County Department of Public Safety and Justice Services, to conduct the FY 2017 Cleveland Domestic Violence Program, for the purposes set forth in the application and according thereto; that the Director of Law is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the

funds are appropriated for the purposes set forth in the file for the grant.

Section 2. That the subgrant application for the grant, File No. 257-18-A, made a part of this ordinance as if fully rewritten, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$40,878.14 from Fund No. 01-1001-6397, as presented to the Finance Committee of this Council at the public hearing on this legislation and shall not be changed without additional legislative authority. (RQS 1001, RL 2018-22)

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

Section 4. That the cost of the contract or contracts shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance.

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. 258-18.
By Council Members Keane and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to exercise the first option to renew Contract No. MA 1505 RCD 2016-1 with Tyco Fire & Security (US) Management Inc. dba SimplexGrinnell LP for the requirements of the labor and materials necessary for the inspection, testing, repair, and service of proprietary fire protection and life safety systems, including replacement equipment, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities.

Whereas, under the authority of Ordinance No. 1486-15, passed February 8, 2016, the Director of Public Utilities entered into Contract No. MA 1505 RCD 2016-1 with Tyco Fire & Security (US) Management Inc. dba SimplexGrinnell LP ("Simplex-Grinnell") for the requirements of the labor and materials necessary for the inspection, testing, repair, and service of proprietary fire protection and life safety systems, including replacement equipment, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities; and

Whereas, Ordinance No. 1486-15 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. MA 1505 RCD 2016-1 for an additional year with Simplex-Grinnell for the requirements of the labor and materials necessary for the inspection, testing, repair, and service of proprietary fire protection and life safety systems, including replacement equipment, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities. This ordinance constitutes the additional legislative authority required by Ordinance No. 1486-15 to exercise this option. (RQN 2002, RL 2018-1)

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

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

Ord. No. 259-18.
By Council Members Keane and Kelley (by departmental request).
An emergency ordinance authorizing the Director of Public Utilities to exercise the first option to renew Contract No. CT 2004 PS 2016-083 with Middough Inc. to provide for general engineering services for the Division of Cleveland Public Power.

Whereas, under the authority of Section 129.294 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Utilities entered into Contract No. CT 2004 PS 2016-083 with Middough Inc. to provide for general engineering services for the Division of Cleveland Public Power; and

Whereas, Section 129.294 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. CT 2004 PS 2016-083 for an additional year with Middough Inc. to provide for general engineering services for the Division of Cleveland Public Power. This ordinance constitutes the additional legislative authority required by Section 129.294 to exercise this option. (RQS 2004, RL 2018-17)

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. 260-18.
By Council Member Kelley.
An emergency ordinance providing for the selection of a Charter Review Commission pursuant to Section 200-1 of the Charter of the City of Cleveland.

Whereas, this ordinance constitutes an emergency measure to meet the requirements of Section 200-1 of the Charter of the City of Cleveland and provides 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 200-1 of the Charter of the City of Cleveland, this Council hereby provides for the selection of a Charter Review Commission as follows:

- Justin M. Bibb
- Dona Brady
- Frank Camardo
- Phyllis Cleveland
- Johnny E. Hamm
- Kenneth L. Johnson
- Brian Kazy
- Martin J. Keane
- Michelle A. Kenney
- Barbara A. Langhenry
- Kerry McCormack
- Thomas S. McNair
- Aaron Phillips
- Jasmin Santana
- Nicholas Vento

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.

Referred to Committee on Finance.

Ord. No. 263-18.
By Council Members Johnson, Brancatelli and Kelley (by departmental request).

authorizing the Directors of Economic Development, Public Works, and Public Utilities, to enter into one or more agreements with the Northeast Ohio Regional Sewer District for the exchange of easements, real property, and other consideration; authorizing the appropriate directors to execute deeds of easement and temporary deeds of easement granting to NEORS D certain easement rights in various properties; declaring the easement rights not needed for the City's public use; and authorizing the Director of Public Works to accept from NEORS D the transfer of a portion of land known as the former Clarence Van Duzer property located on Merwin Avenue for the City's Canal Basin Park project.

Whereas, the Northeast Ohio Regional Sewer District ("NEORS D") has requested the Directors of Public Works and Public Utilities, as appropriate, to convey certain easement rights and temporary easement rights in properties located across and under portions of Rockefeller Park, Tony Brush Park, Wade Park, and Baldwin Water Treatment Plant, with an appraised value of \$622,400, for NEORS D's Doan Valley Tunnel project; and

Whereas, NEORS D has requested the Directors of Economic Development, Public Works, and Public Utilities, as appropriate, to convey certain easement rights and temporary easement rights in properties located across and under portions of the West Side Market Parking Lot, Abbey Park, Jim Mahon Green, the Garrett A. Morgan Water Treatment Plant, the Crescent Avenue Commercial Industrial Land Bank site, and vacant land at Tillman Avenue and W. 45th Street, with an appraised value of \$668,536, for NEORS D's Westerly Storage Tunnel project; and

Whereas, NEORS D has requested additional permanent and temporary easements for future combined sewer outfall projects, with an appraised value of \$29,064, which will require further legislative authority; and

Whereas, in exchange for conveying the permanent and temporary easements to NEORS D, the City will accept from NEORS D certain real estate that is needed for the development of the City's Canal Basin Park project, and known as a portion of the former Clarence Van Duzer property located on the Cuyahoga River at Merwin Avenue, with an appraised value of \$1,570,000 as well as a credit in the amount of \$250,000 for the value of NEORS D not doing enhanced restoration and maintenance on the Van Duzer property; and

Whereas, the easements City will transfer to NEORS D for the Doan Valley Tunnel, Westerly Storage Tunnel, and future projects are appraised at a total of \$1,570,000 and the portion of the Clarence Van Duzer property NEORS D will transfer to City for Canal Basin Park and the credit for restoration are valued at a total of \$1,570,000; and

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

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

Section 1. That the Directors of Economic Development, Public Works, and Public Utilities, are authorized to enter into one or more agreements with the Northeast Ohio Regional Sewer District for the exchange of easements, real property, and other consideration needed for NEORS D's Doan Valley Tunnel project, NEORS D's Westerly Storage Tunnel project, other NEORS D future combined sewer outfall projects and City's Canal Basin Park project. The agreement shall also include a provision that the appropriate director or directors are authorized to enter into an agreement with NEORS D that future easements will be transferred by the City to NEORS D with a total appraised value of \$29,064, with the location or locations of the easements to be agreed upon by the parties and subject to future legislative approval of City Council.

Section 2. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that easement interests in the following described properties are not needed for the City's public use and are needed for NEORS D's Doan Valley Tunnel project:

**Permanent Easement DVT-P32
Across Parcel No. 120-36-001
0.2241 Acre (9,761 Square Feet)**

WADE PARK

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 402. Also being part of the land conveyed to the City of Cleveland as recorded in Deed Volume 341, Page 165 and Deed Volume 413, Page 147 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Euclid Avenue (100 feet wide) and the centerline of Stearns Road (60 feet wide);

Thence, along the centerline of Euclid Avenue, North 87° 06' 22" East, 85.85 feet;

Thence, continuing along the centerline of Euclid Avenue, North 42° 54' 22" East, 202.36 feet;

Thence, leaving the centerline of Euclid Avenue, North 47° 05' 38" West, 50.00 feet to the northwesterly right of way of Euclid Avenue and the True Point of Beginning for the easement herein described;

Thence, leaving the northwesterly right of way of Euclid Avenue, North 12° 58' 26" East, 29.28 feet;

Thence, North 35° 13' 47" West, 162.04 feet;

Thence, North 37° 40' 34" East, 43.80 feet;

Thence, North 13° 26' 51" East, 16.13 feet;

Thence, North 27° 15' 50" West, 22.96 feet;

Thence, South 56° 17' 59" East, 16.09 feet;

Thence, South 53° 33' 20" East, 23.54 feet;

Thence, South 51° 51' 25" East, 39.07 feet;

Thence, North 84° 50' 17" West, 26.13 feet;

Thence, South 45° 55' 51" West, 14.80 feet;

Thence, South 35° 13' 47" East, 63.14 feet;

Thence, South 35° 13' 47" East, 80.50 feet;

Thence, North 82° 04' 34" East, 14.87 feet to the northwesterly right of way of Euclid Avenue;

Thence, along the northwesterly right of way of Euclid Avenue, South 42° 54' 22" West, 83.83 feet to the point of beginning.

Containing within said bounds of land 0.2241 acre of land (9,761 square feet) as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor No. 7730 in January, 2016. Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid North.

**Permanent Subterranean
Easement DVT-P11
Across Parcel No. 121-03-016
0.0162 Acre (707 Square Feet)**

BRUSH PARK

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No 75 in Andrew Cozad's Allotment of a part of Original One Hundred Acre Lots Nos. 395, 396, 403, and 404 as recorded in Volume 7, Page 21 of the Cuyahoga County Map Records. Also being part of the land conveyed to The City of Cleveland as recorded in Deed Volume

12340, Page 831 (Parcel 1) of the Cuyahoga County Records, being more definitely described as follows;

Beginning at a point in the southerly right of way of Mayfield Road (60 feet wide) at the north-easterly corner of Parcel 1 in the Lot Split and Consolidation Map for GCRTA and Little Italy Development LLC as recorded in Volume 374, Pages 33-36 of the Cuyahoga County Map Records;

Thence, along the southerly right of way of Mayfield Road, North 88° 51' 58" East, 8.12 feet;

Thence, leaving the southerly right of way of Mayfield Road, South 00° 32' 25" West, 108.36 feet to the southerly line of said land conveyed to the City of Cleveland;

Thence, along the City of Cleveland's southerly line, along the arc of a curve which deflects to the left, 5.05 feet to the easterly line of said Parcel 1, said curve having a radius of 187.16 feet, a central angle of 01° 32' 42", and a chord length of 5.05 feet which bears South 73° 45' 00" West;

Thence, along the easterly line of said Parcel 1, North 01° 10' 36" West, 109.63 feet to the point of beginning.

Containing within said bounds of land 0.0162 acre of land (707 square feet) and having a lower elevation of 610.00 and an upper elevation of 638.00 as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor No. 7730 in January, 2016. Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid North. Elevations are based on the NAVD88 vertical datum.

**Permanent Subterranean
Easement DVT-P12
Across Parcel No. 121-03-020
0.0059 Acre (259 Square Feet)**

BRUSH PARK

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No 75 in Andrew Cozad's Allotment of a part of Original One Hundred Acre Lots Nos. 395, 396, 403, and 404 as recorded in Volume 7, Page 21 of the Cuyahoga County Map Records. Also being part of the land conveyed to the City of Cleveland as recorded in Deed Volume

12340, Page 831 (Parcel 2) of the Cuyahoga County Records, being more definitely described as follows;

Commencing at a point in the southerly right of way of Mayfield Road (60 feet wide) at the north-easterly corner of Parcel 1 in the Lot Split and Consolidation Map for GCRTA and Little Italy Development LLC as recorded in Volume 374, Pages 33-36 of the Cuyahoga County Map Records;

Thence, leaving the southerly right of way of Mayfield Road, along the easterly line of said Parcel 1, South 01° 10' 36" East, 109.63 feet to the northerly line of said land conveyed to the City of Cleveland and the True Point of Beginning for the easement herein described;

Thence, leaving the easterly line of said Parcel 1, along the City of Cleveland's northerly line, along the arc of a curve which deflects to the right, 5.05 feet, said curve having a radius of 187.16 feet, a central angle

of 01° 32' 42", and a chord length of 5.05 feet which bears North 73° 45' 00" East;

Thence, leaving the City of Cleveland's northerly line, South 00° 32' 25" West, 69.60 feet to southerly line of said land conveyed to the City of Cleveland;

Thence, along the City of Cleveland's southerly line, North 43° 40' 20" West, 4.13 feet to the easterly line of said Parcel 1;

Thence, along the easterly line of said Parcel 1, North 01° 10' 36" West, 65.21 feet to the point of beginning.

Containing within said bounds of land 0.0059 acre of land (259 square feet) and having a lower elevation of 610.00 and an upper elevation of 638.00 as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor No. 7730 in January, 2016. Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid North. Elevations are based on the NAVD88 vertical datum.

**Permanent Subterranean
Easement DVT-P13
Across Parcel No. 121-03-021
0.0031 Acre (134 Square Feet)**

BRUSH PARK

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No 75 in Andrew Cozad's Allotment of a part of Original One Hundred Acre Lots Nos. 395, 396, 403, and 404 as recorded in Volume 7, Page 21 of the Cuyahoga County Map Records. Also being part of the land conveyed to the City of Cleveland as recorded in Deed Volume 12310, Page 965 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at a point in the southerly right of way of Mayfield Road (60 feet wide) at the north-easterly corner of Parcel 1 in the Lot Split and Consolidation Map for GCRTA and Little Italy Development LLC as recorded in Volume 374, Pages 33-36 of the Cuyahoga County Map Records;

Thence, leaving the southerly right of way of Mayfield Road, along the easterly line of said Parcel 1, South 01° 10' 36" East, 174.84 feet to the northerly line of said land conveyed to the City of Cleveland and the True Point of Beginning for the easement herein described;

Thence, leaving the easterly line of said Parcel 1, along the City of Cleveland's northerly line, South 43° 40' 20" East, 4.13 feet;

Thence, leaving the City of Cleveland's northerly line, South 00° 32' 25" West, 82.66 feet;

Thence, along the arc of a curve which deflects to the right, 9.04 feet to the easterly line of said Parcel 1, said curve having a radius of 1012.50 feet, a central angle of 00° 30' 42", and a chord of 9.04 feet which bears South 00° 47' 46" West;

Thence, along the easterly line of said Parcel 1, North 01° 10' 36" West, 94.71 feet to the point of beginning.

Containing within said bounds of land 0.0031 acre of land (134 square feet) and having a lower elevation of 610.00 and an upper elevation of 638.00 as surveyed by KS Associates,

Inc. under the supervision of Trevor A. Bixler, Professional Surveyor No. 7730 in January, 2016. Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid North. Elevations are based on the NAVD88 vertical datum.

Permanent Subterranean Easement DVT-P30.1 Across Parcel No. 121-26-001 0.2489 Acre

ROCKEFELLER PARK

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 402. Also being part of the land conveyed to the City of Cleveland as recorded in Deed Volume 660, Page 288 and Deed Volume 689, Page 237, Parcel 2 and 3 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of East 107th Street (60 feet wide) and the centerline of Euclid Avenue (width varies);

Thence, along the centerline of Euclid Avenue, North 87° 06' 22" East, 319.28 feet to a drill hole found in a stone in a monument box at an angle point therein;

Thence, continuing along said centerline, North 42° 54' 22" East, 235.23 feet;

Thence, leaving said centerline, South 47° 05' 38" East, 70.00 feet to the southerly right of way of Euclid Avenue and the True Point of Beginning for the easement herein described;

Thence, along said southerly right of way, North 42° 54' 22" East, 16.13 feet;

Thence, leaving said southerly right of way, South 39° 54' 18" East, 592.65 feet;

Thence along the arc of a curve which deflects to the right, 109.46 feet to the easterly right of way of Stearns Road (width varies), said curve having a radius of 3508.00 feet, a central angle of 01° 47' 16", and a chord of 109.46 feet which bears South 39° 00' 40" East;

Thence, along the easterly right of way of Stearns Road, along the arc of a curve which deflects to the left, 38.13 feet, said curve having a radius of 438.40 feet, a central angle of 04° 59' 00", and a chord of 38.12 feet which bears North 57° 49' 54" West;

Thence, continuing along said easterly right of way, North 60° 19' 24" West, 9.06 feet;

Thence, leaving said easterly right of way, along the arc of a curve which deflects to the left, 64.69 feet, said curve having a radius of 3492.00 feet, a central angle of 01° 03' 41", and a chord of 64.69 feet which bears North 39° 22' 28" West;

Thence, North 39° 54' 18" West, 590.63 feet to the point of beginning.

Containing within said bounds 0.2489 acre of land (10,844 square feet) and having a lower elevation of 621.00 and an upper elevation of 639.00 as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor No. 7730 in January, 2016.

Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid North. Elevations are based on the NAVD88 vertical datum.

Permanent Subterranean Easement DVT-P30.2 Across Parcel No. 121-26-001 0.1730 Acre

ROCKEFELLER PARK

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 403. Also being part of the land conveyed to the City of Cleveland as recorded in Deed Volume 660, Page 288 and Deed Volume 689, Page 237, Parcel 2 and 3 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Stearns Road (width varies) and the centerline of Carnegie Avenue (86 feet wide);

Thence, along the centerline of Stearns Road, North 01° 03' 25" West, 278.27 feet and passing through a drill hole found in a stone in a monument box in the centerline of Stearns Road at 205.31 feet;

Thence, continuing along said centerline, along the arc of a curve which deflects to the left, 64.04 feet, said curve having a radius of 403.18 feet, a central angle of 09° 06' 00", and a chord of 63.97 feet which bears North 05° 36' 25" West;

Thence, leaving said centerline, North 79° 50' 35" East, 25.13 feet to the easterly right of way of Stearns Road and the True Point of Beginning for the easement herein described;

Thence, along said easterly right of way, along the arc of a curve which deflects to the left, 46.96 feet, said curve having a radius of 438.40 feet, a central angle of 06° 08' 14", and a chord of 46.94 feet which bears North 13° 00' 50" West;

Thence, leaving said easterly right of way, along the arc of a curve which deflects to the right, 486.90 feet, to the northerly right of way of Carnegie Avenue, said curve having a radius of 3508.00 feet, a central angle of 07° 57' 09", and a chord of 486.51 feet which bears South 29° 19' 44" East;

Thence, along said northerly right of way, along the arc of a curve which deflects to the left, 27.63 feet, said curve having a radius of 753.32 feet, a central angle of 02° 06' 04", and a chord of 27.62 feet which bears North 60° 55' 52" West;

Thence, leaving said northerly right of way, along the arc of a curve which deflects to the left, 286.78 feet, said curve having a radius of 3492.00 feet, a central angle of 04° 42' 20", and a chord of 286.70 feet which bears North 28° 04' 27" West;

Thence, South 59° 27' 59" West, 24.14 feet;

Thence, North 30° 31' 58" West, 13.00 feet;

Thence, North 59° 27' 59" East, 24.14 feet;

Thence, along the arc of a curve which deflects to the left, 118.40 feet to the point of beginning, said curve having a radius of 3492.00 feet, a central angle of 01° 56' 34", and a chord of 118.40 feet which bears North 31° 36' 41" West;

Containing within said bounds 0.1730 acre of land (7,535 square feet) and having a lower elevation of 621.00 and an upper elevation of 639.00 as surveyed by KS Associates, Inc. under the supervision of Trevor

A. Bixler, Professional Surveyor No. 7730 in January, 2016.

Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid North. Elevations are based on the NAVD88 vertical datum.

Permanent Subterranean Easement DVT-P30.3 Across Parcel No. 121-26-001 0.0606 Acre

ROCKEFELLER PARK

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 411. Also being part of the land conveyed to the City of Cleveland as recorded in Deed Volume 660, Page 288 and Deed Volume 689, Page 237, Parcel 2 and 3 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at southeasterly corner of Consolidated Parcel A in Consolidation Plat recorded in Volume 291, Page 90 of the Cuyahoga County Map Records, said point being also on the northerly right of way of Cedar Avenue (width varies);

Thence, along said northerly right of way, North 66° 50' 35" East, 103.87 feet;

Thence, continuing along said northerly right of way, along the arc of a curve which deflects to the right, 66.36 feet to the True Point of Beginning for the easement herein described, said curve having a radius of 697.48 feet, a central angle of 05° 27' 04", and a chord of 66.33 feet which bears North 69° 34' 07" East;

Thence, leaving said northerly right of way, along the arc of a curve which deflects to the left, 179.88 feet to the southerly right of way of Carnegie Avenue (86 feet wide), said curve having a radius of 3492.00 feet, a central angle of 02° 57' 05", and a chord of 179.86 feet which bears North 21° 35' 59" West;

Thence, along said southerly right of way, along the arc of a curve which deflects to the right, 35.75 feet, said curve having a radius of 667.32 feet, a central angle of 03° 04' 09", and a chord of 35.74 feet which bears South 49° 24' 26" East;

Thence, leaving said southerly right of way, along the arc of a curve which deflects to the right, 149.53 feet to the northerly right of way of Cedar Avenue, said curve having a radius of 3508.00 feet, a central angle of 02° 26' 32", and a chord of 149.52 feet which bears South 21° 19' 52" East;

Thence, along said northerly right of way, along the arc of a curve which deflects to the left, 16.02 feet to the point of beginning, said curve having a radius of 697.48 feet, a central angle of 01° 18' 59", and a chord of 16.02 feet which bears South 72° 57' 08" West;

Containing within said bounds of land 0.0606 acre of land (2,640 square feet) and having a lower elevation of 621.00 and an upper elevation of 639.00 as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor No. 7730 in January, 2016.

Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid North. Elevations are based on the NAVD88 vertical datum.

**Permanent Subterranean
Easement DVT-P30.4
Across Parcel No. 121-26-001
0.1113 Acre**

ROCKEFELLER PARK

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 411. Also being part of the land conveyed to the City of Cleveland as recorded in Deed Volume 660, Page 288 and Deed Volume 689, Page 237, Parcel 2 and 3 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the southeasterly corner of Parcel B in the Case Western Reserve University / The Cleveland Clinic Foundation Plat of Survey, Partition and Consolidation as recorded in Volume 373, Page 16 of the Cuyahoga County Map Records;

Thence, along the easterly line of said Parcel B, the following three courses;

Along the arc of a curve which deflects to the right, 29.85 feet, said curve having a radius of 616.86 feet, a central angle of 02° 46' 22", and a chord of 29.85 feet which bears North 52° 22' 28" West;

Thence, South 47° 29' 25" West, 33.92 feet;

Thence, North 42° 29' 39" West, 5.12 feet to the True Point of Beginning for the easement herein described;

Thence, continuing along said easterly line, North 42° 29' 39" West, 36.27 feet;

Thence, leaving said easterly line, North 16° 18' 51" West, 118.83 feet;

Thence, along the arc of a curve which deflects to the left, 167.92 feet to the southerly right of way of Cedar Avenue (width varies), said curve having a radius of 3492.00 feet, a central angle of 02° 45' 19", and a chord of 167.91 feet which bears North 17° 41' 31" West;

Thence, along said southerly right of way, along the arc of a curve which deflects to the right, 16.03 feet, said curve having a radius of 469.85 feet, a central angle of 01° 57' 19", and a chord of 16.03 feet which bears North 74° 36' 41" East;

Thence, leaving said southerly right of way, along the arc of a curve which deflects to the right, 167.66 feet, said curve having a radius of 3508.00 feet, a central angle of 02° 44' 18", and a chord of 167.65 feet which bears South 17° 41' 01" East;

Thence, South 16° 18' 51" East, 151.38 feet to the point of beginning.

Containing within said bounds 0.1113 acre of land (4,847 square feet) and having a lower elevation of 621.00 and an upper elevation of 639.00 as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor No. 7730 in January, 2016.

Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid North. Elevations are based on the NAVD88 vertical datum.

**Easement DVT-P31
Across Parcel No. 121-26-001
0.0166 Acre (722 Square Feet)**

ROCKEFELLER PARK

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 403. Also

being part of the land conveyed to the City of Cleveland as recorded in Deed Volume 660, Page 288 and Deed Volume 689, Page 237, Parcel 2 and 3 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the northerly right of way of Carnegie Avenue (86 feet wide) and the westerly right of way of Stearns Road (60 feet wide);

Thence, along the westerly right of way of Stearns Road, North 01° 03' 25" West, 167.58 feet;

Thence, leaving the westerly right of way of Stearns Road, North 88° 56' 35" East, 57.45 feet to the True Point of Beginning for the easement herein described;

Thence, North 70° 35' 18" East, 27.84 feet;

Thence, South 30° 42' 18" East, 21.07 feet;

Thence, South 34° 53' 19" West, 21.43 feet;

Thence, along the arc of a curve which deflects to the right, 27.41 feet, said curve having a radius of 69.09 feet, a central angle of 22° 43' 37", and a chord of 27.23 feet which bears North 46° 26' 33" West;

Thence, along the arc of a curve which deflects to the right, 9.19 feet to the point of beginning, said curve having a radius of 60.55 feet, a central angle of 8° 41' 53", and a chord of 9.18 feet which bears North 33° 14' 28" West.

Containing within said bounds of land 0.0166 acre of land (722 square feet) as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor No. 7730 in January, 2016. Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid North.

**Permanent Subterranean
Easement DVT-P33
Across Parcel No. 121-30-001
0.4941 Acre (21,523 Square Feet)**

BALDWIN WATER TREATMENT PLANT

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot Nos. 411, 418, and 419. Also being part of the land conveyed to the City of Cleveland as recorded in Deed Volume 1177, Page 451, Deed Volume 1177, Page 453, Deed Volume 1182, Page 454, Deed Volume 2462, Page 23, and Deed Volume 2501, Page 479 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at a 1" iron pin found at the intersection of the centerline of Stokes Boulevard (80 feet wide) and the centerline of Baldwin Road as vacated by ordinance 1054-09;

Thence, along the centerline of vacated Baldwin Road, South 33° 08' 35" West, 30.42 feet to the southwesterly right of way of Stokes Boulevard;

Thence, leaving the centerline of vacated Baldwin Road, along the southwesterly right of way of Stokes Boulevard, South 66° 21' 40" East, 6.53 feet to the True Point of Beginning for the easement herein described;

Thence, continuing along the southwesterly right of way of Stokes Boulevard, South 66° 21' 40" East, 16.21 feet;

Thence, leaving the southwesterly right of way of Stokes Boulevard, along the arc of a curve which deflects to the right, 8.33 feet, said curve having a radius of 758.00 feet, a central angle of 00° 37' 47", and a chord of 8.33 feet which bears South 33° 10' 29" West;

Thence, South 33° 29' 22" West, 1354.25 feet to the southwesterly line of said land conveyed to the City of Cleveland;

Thence, along the City of Cleveland's southwesterly line, North 56° 48' 25" West, 14.24 feet to the northwesterly line of said land conveyed to the City of Cleveland, also being the centerline of vacated Baldwin Road;

Thence, along the City of Cleveland's northwesterly line and the centerline of vacated Baldwin Road, North 33° 08' 35" East, 291.19 feet;

Thence, leaving the City of Cleveland's northwesterly line and the centerline of vacated Baldwin Road, North 33° 29' 22" East, 1063.14 feet;

Thence, along the arc of a curve which deflects to the left, 5.56 feet to the point of beginning, said curve having a radius of 742.00 feet, a central angle of 00° 25' 44", and a chord of 5.56 feet which bears North 33° 16' 30" East.

Containing within said bounds of land 0.4941 acre of land (21,523 square feet) and having a lower elevation of 680.00 and an upper elevation of 700.00 as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor No. 7730 in January, 2016. Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid North. Elevations are based on the NAVD88 vertical datum.

**Permanent Subterranean
Easement DVT-P34
Across Parcel No. 121-32-001
0.0031 Acre (136 Square Feet)**

BALDWIN WATER TREATMENT PLANT

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Block B in the Quincy Heights Subdivision of part of Original 100 Acre Lot Nos. 418, 419, and 420 as recorded in Volume 37, Page 2 of the Cuyahoga County Map Records. Also being part of the land conveyed to the City of Cleveland as recorded in Deed Volume 2462, Page 23 of the Cuyahoga County Records, being more definitely described as follows;

Beginning at a point in the centerline of Baldwin Road as vacated by ordinance 1054-09 at the northerly corner of said Block B in the Quincy Heights Subdivision;

Thence, leaving the centerline of vacated Baldwin Road, along the northeasterly line of said Block B, South 56° 48' 25" East, 14.24 feet;

Thence, leaving the northeasterly line of said Block B, South 33° 29' 22" West, 9.40 feet to the northeasterly right of way of Mount Overlook Avenue (50 feet wide);

Thence, along the northeasterly right of way of Mount Overlook Avenue, North 58° 16' 00" West, 14.19 feet to the centerline of vacated Baldwin Road;

Thence, leaving the northeasterly right of way of Mount Overlook Avenue, along the centerline of vacated Baldwin Road, North 33° 08'

35" East, 9.76 feet to the point of beginning.

Containing within said bounds of land 0.0031 acre of land (136 square feet) and having a lower elevation of 680.00 and an upper elevation of 700.00 as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor No. 7730 in January, 2016. Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid North. Elevations are based on the NAVD88 vertical datum.

Section 3. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that temporary easement interests in the following described properties are not needed for the City's public use and are needed for NEORS's Doan Valley Tunnel project:

**Temporary Easement DVT-T03.1
Across Parcel No. 120-36-001
0.2879 Acre (12,539 Square Feet)**

WADE PARK

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 402. Also being part of the land conveyed to the City of Cleveland as recorded in Deed Volume 341, Page 165 and Deed Volume 413, Page 147 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Euclid Avenue (100 feet wide) and the centerline of Stearns Road (60 feet wide);

Thence, along the centerline of Euclid Avenue, North 87° 06' 22" East, 85.85 feet;

Thence, continuing along the centerline of Euclid Avenue, North 42° 54' 22" East, 193.65 feet;

Thence, leaving the centerline of Euclid Avenue, North 47° 05' 38" West, 50.00 feet to the northwesterly right of way of Euclid Avenue and the True Point of Beginning for the easement herein described;

Thence, leaving the northwesterly right of way of Euclid Avenue, North 58° 35' 41" West, 36.49 feet;

Thence, North 33° 57' 01" West, 193.87 feet;

Thence, North 37° 13' 52" East, 91.47 feet;

Thence, South 57° 41' 04" East, 27.34 feet;

Thence, South 27° 15' 50" East, 22.96 feet;

Thence, South 13° 26' 51" West, 16.13 feet;

Thence, South 37° 40' 34" West, 43.80 feet;

Thence, South 35° 13' 47" East, 162.04 feet;

Thence, South 12° 58' 26" West, 29.28 feet to the northwesterly right of way of Euclid Avenue;

Thence, along the northwesterly right of way of Euclid Avenue, South 42° 54' 22" West, 8.71 feet to the point of beginning.

Containing within said bounds of land 0.2879 acre of land (12,539 square feet) as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor No. 7730 in January, 2016.

Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid North.

**Temporary Easement DVT-T03.2
Across Parcel No. 120-36-001
0.1615 Acre (7,035 Square Feet)**

WADE PARK

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 402. Also being part of the land conveyed to the City of Cleveland as recorded in Deed Volume 341, Page 165 and Deed Volume 413, Page 147 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Euclid Avenue (100 feet wide) and the centerline of Stearns Road (60 feet wide);

Thence, along the centerline of Euclid Avenue, North 87° 06' 22" East, 85.85 feet;

Thence, continuing along the centerline of Euclid Avenue, North 42° 54' 22" East, 286.19 feet;

Thence, leaving the centerline of Euclid Avenue, North 47° 05' 38" West, 50.00 feet to the northwesterly right of way of Euclid Avenue and the True Point of Beginning for the easement herein described;

Thence, leaving the northwesterly right of way of Euclid Avenue, South 82° 04' 34" West, 14.87 feet;

Thence, North 35° 13' 47" West, 143.64 feet;

Thence, North 45° 55' 51" East, 14.80 feet;

Thence, South 84° 50' 17" East, 26.13 feet;

Thence, along the arc of a curve which deflects to the right, 116.13 feet, said curve having a radius of 1344.81 feet, a central angle of 04° 56' 52", and a chord of 116.09 feet which bears South 48° 53' 51" East;

Thence, along the arc of a curve which deflects to the right, 12.61 feet, said curve having a radius of 9.80 feet, a central angle of 73° 44' 33", and a chord of 11.76 feet which bears South 09° 33' 09" East;

Thence, South 14° 05' 08" West, 6.54 feet to the northwesterly right of way of Euclid Avenue;

Thence, along the northwesterly right of way of Euclid Avenue, South 42° 54' 22" West, 39.54 feet to the point of beginning.

Containing within said bounds of land 0.1615 acre of land (7,035 square feet) as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor No. 7730 in January, 2016.

Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid North.

**Temporary Easement DVT-T02
Across Parcel No. 121-26-001
0.3404 Acre (14,828 Square Feet)**

ROCKEFELLER PARK

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 403. Also being part of the land conveyed to the City of Cleveland as recorded in Deed Volume 660, Page 288 and Deed Volume 689, Page 237, Parcel 2 and 3 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the northerly right of way of Carnegie Avenue (86 feet wide) and the westerly right of way of Stearns Road (50 feet wide and varies);

Thence, along the westerly right of way of Stearns Road, North 01° 03' 25" West, 105.19 feet;

Thence, leaving said westerly right of way of Stearns Road, North 88° 56' 35" East, 50.00 feet to the easterly right of way of Stearns Road to the True Point of Beginning for the easement herein described;

Thence, continuing along the easterly right of way of Stearns Road, North 01° 03' 25" West, 117.19 feet;

Thence, continuing along the easterly right of way of Stearns Road, along the arc of a curve which deflects to the left, 16.12 feet, said curve having a radius of 438.40 feet, a central angle of 2° 06' 24", and a chord of 16.12 feet which bears North 02° 06' 37" West;

Thence, leaving said easterly right of way of Stearns Road, North 88° 29' 26" East, 12.10 feet;

Thence, North 78° 34' 51" East, 70.40 feet;

Thence, leaving said westerly right of way of Stearns Road, North 88° 56' 35" East, 50.00 feet to the easterly right of way of Stearns Road to the True Point of Beginning for the easement herein described;

Thence, continuing along the easterly right of way of Stearns Road, North 01° 03' 25" West, 117.19 feet;

Thence, continuing along the easterly right of way of Stearns Road, along the arc of a curve which deflects to the left, 16.12 feet, said curve having a radius of 438.40 feet, a central angle of 2° 06' 24", and a chord of 16.12 feet which bears North 02° 06' 37" West;

Thence, leaving said easterly right of way of Stearns Road, North 88° 29' 26" East, 12.10 feet;

Thence, North 78° 34' 51" East, 70.40 feet;

Thence, South 27° 45' 51" East, 61.88 feet;

Thence, South 32° 34' 45" East, 19.22 feet;

Thence, South 21° 06' 09" East, 21.63 feet;

Thence, South 11° 33' 02" East, 29.94 feet;

Thence, along the arc of a curve which deflects to the right, 69.98 feet, said curve having a radius of 93.03 feet, a central angle of 43° 05' 45", and a chord of 68.34 feet which bears South 68° 10' 45" West;

Thence, South 88° 36' 17" West, 67.88 feet to the point of beginning

Containing within said bounds of land 0.3570 acre of land (15,550 square feet).

Excepting therefrom the following described parcel:

Commencing at the intersection of the northerly right of way of Carnegie Avenue (86 feet wide) and the westerly right of way of Stearns Road (60 feet wide);

Thence, along the westerly right of way of Stearns Road, North 01° 03' 25" West, 167.58 feet;

Thence, leaving the westerly right of way of Stearns Road, North 88° 56' 35" East, 57.45 feet to the True Point of Beginning for the parcel herein described;

Thence, North 70° 35' 18" East, 27.84 feet;

Thence, South 30° 42' 18" East, 21.07 feet;

Thence, South 34° 53' 19" West, 21.43 feet;

Thence, along the arc of a curve which deflects to the right, 27.41 feet, said curve having a radius of 69.09 feet, a central angle of 22° 43' 37", and a chord of 27.23 feet which bears North 46° 26' 33" West;

Thence, along the arc of a curve which deflects to the right, 9.19 feet to the point of beginning, said curve having a radius of 60.55 feet, a central angle of 8° 41' 53", and a chord of 9.18 feet which bears North 33° 14' 28" West.

Containing within said bounds of land 0.0166 acre of land (722 square feet) and resulting in a net parcel containing within said bounds 0.3404 acre (14,828 square feet) as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor No. 7730 in January, 2016.

Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid North.

Section 4. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that easement interests in the following described properties are not needed for the City's public use and are needed for NEORS's West-erly Storage Tunnel project:

**Permanent Easement WST 1-2P
Across Parcel No. 003-01-004
0.0480 Acre (2,090 Square Feet)**

**COMMERCIAL INDUSTRIAL
LAND BANK PARCEL**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot Nos. 473, 474 and 475 in S.S. Stones Subdivision of part of Original Brooklyn Township Lot No. 50 as recorded in Volume 2, Page 19 of the Cuyahoga County Map Records and part of Vacated Crescent Avenue by Ordinance No. 26417. Also, being part of the land conveyed to the City of Cleveland Waterworks, being more definitely described as follows:

Beginning at the intersection of the northerly right of way of Crescent Avenue (66.00 feet wide) and the westerly right of way of W. 54th Street (66.00 feet wide):

Thence, along the westerly right of way of W. 54th Street, South 00° 44' 00" East, 29.02 feet;

Thence, leaving the westerly right of way of W. 54th Street, North 51° 00' 15" West, 88.62 feet to the southerly line of Parcel B-2 in the Plat of Partition for the City of Cleveland as recorded in Volume 386, Page 33 of the Cuyahoga County Map Records;

Thence, along the southerly line of said Parcel B-2, along the arc of a curve which deflects to the right, 61.48 feet, said curve having a radius of 332.04 feet, a central angle of 10° 36' 32", and a chord of 61.39 feet which bears North 86° 42' 23" East;

Thence, continuing along the southerly line of said Parcel B-2, South 87° 59' 21" East, 6.83 feet to the westerly line of Parcel B-3 in the Plat of Partition for the City of Cleveland as recorded in Volume 386, Page 33 of the Cuyahoga County Map Records;

Thence, along the westerly line of said Parcel B-3, South 00° 44' 00" East, 30.03 feet to the point of beginning;

Containing within said bounds of land 0.0480 acre of land (2,090 square feet) as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor No. 7730 in January, 2016.

Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid North.

**Permanent Subterranean
Easement WST A-2P
Across Parcel No. 003-01-006
0.5453 Acre (23,755 Square Feet)**

SOAP BOX DERBY SITE

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of S.S.Stone's Subdivision of part of Original Brooklyn Township Lot No. 50, as recorded in Volume 2, Page 19 of the Cuyahoga County Map

Records. Also, being part of the land conveyed to the City of Cleveland, being more definitely described as follows:

Commencing at the intersection of the southerly right of way of Crescent Avenue (66 feet wide) and the easterly right of way of West 54th Street (66 feet wide):

Thence, along the southerly right of way of Crescent Avenue, South 87° 59' 42" East, 173.54 feet to the True Point of Beginning for the easement herein described;

Thence, continuing along the southerly right of way of Crescent Avenue, South 87° 59' 42" East, 70.31 feet;

Thence, leaving the southerly right of way of Crescent Avenue, South 62° 44' 20" East, 810.58 feet to the northerly right of way of the Cleveland Memorial Shoreway;

Thence, along the northerly right of way of the Cleveland Memorial Shoreway, North 79° 16' 05" West, 105.45 feet;

Thence, leaving the northerly right of way of the Cleveland Memorial Shoreway, North 62° 44' 20" West, 773.08 feet to the point of beginning.

Containing within said bounds of land 0.5453 acre of land (23,755 square feet) and having a lower elevation of 347.00 and an upper elevation of 472.00 as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor No. 7730 in January, 2016.

Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid North. Elevations are based on the NAVD88 vertical datum.

**Permanent Easement WST 1-1P
Across Parcel No. 003-01-022
0.7968 Acre (34,707 Square Feet)**

**COMMERCIAL INDUSTRIAL
LAND BANK PARCEL**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Parcel B-2 in the Plat of Partition for the City of Cleveland of part of Original Brooklyn Township Lot No. 50, as recorded in Volume 386, Page 33 of the Cuyahoga County Map Records. Also, being part of the land conveyed to the City of Cleveland, being more definitely described as follows:

Commencing at the intersection of the northerly right of way of Crescent Avenue (66 feet wide) and the westerly right of way of West 54th Street (66 feet wide);

Thence, North 00° 44' 00" West, 30.03 feet to the southeast corner of said Parcel B-2 and the True Point of Beginning for the easement herein described;

Thence, along the southerly line of said Parcel B-2 the following two courses:

North 87° 59' 21" West, 6.83 feet;
Thence, along the arc of a curve which deflects to the left, 117.60 feet, said curve having a radius of 332.04 feet, a central angle of 20° 17' 33", and a chord of 116.99 feet which bears South 81° 51' 52" West;

Thence, leaving the southerly line of said Parcel B-2, North 81° 44' 56" West, 56.22 feet;

Thence, North 57° 08' 03" West, 60.45 feet;

Thence, North 46° 39' 13" West, 33.30 feet;

Thence, North 16° 26' 54" West, 27.93 feet;

Thence, North 01° 59' 45" East, 33.78 feet;

Thence, North 31° 41' 17" East, 90.37 feet;

Thence, North 71° 20' 47" East, 27.32 feet;

Thence, South 60° 52' 54" East, 118.96 feet;

Thence, South 52° 25' 43" East, 68.40 feet;

Thence, South 29° 32' 07" West, 53.34 feet;

Thence, South 62° 44' 20" East, 61.36 feet to the easterly line of said Parcel B-2;

Thence, along the easterly line of said Parcel B-2, South 00° 44' 00" East, 19.50 feet to the point of beginning.

Containing within said bounds of land 0.7968 acre of land (34,707 square feet) as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor No. 7730 in January, 2016.

Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid North.

**Permanent Easement WST 1-4P
Across Parcel No. 003-01-022
0.2200 Acre (9,583 Square Feet)**

**COMMERCIAL INDUSTRIAL
LAND BANK PARCEL**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Parcel B-2 in the Plat of Partition for the City of Cleveland of part of Original Brooklyn Township Lot No. 50, as recorded in Volume 386, Page 33 of the Cuyahoga County Map Records. Also, being part of the land conveyed to the City of Cleveland, being more definitely described as follows:

Commencing at the intersection of the northerly right of way of Crescent Avenue (66 feet wide) and the westerly right of way of West 54th Street (66 feet wide):

Thence, North 00° 44' 00" West, 30.03 feet to the southeast corner of said Parcel B-2;

Thence, along the southerly line of said Parcel B-2 the following three courses:

North 87° 59' 21" West, 6.83 feet;
Thence, along the arc of a curve which deflects to the left, 149.29 feet, said curve having a radius of 332.04 feet, a central angle of 25° 45' 40", and a chord of 148.04 feet which bears South 79° 07' 49" West;

Thence, North 87° 59' 21" West, 71.26 feet;

Thence, leaving the southerly line of said Parcel B-2, along the south-westerly line of said Parcel B-2, along the arc of a curve which deflects to the right, 194.66 feet to the True Point of Beginning for the easement herein described, said curve having a radius of 1248.10 feet, a central angle of 08° 56' 10", and a chord of 194.46 feet which bears North 43° 53' 25" West;

Thence, continuing along the south-westerly line of said Parcel B-2 the following two courses:

North 87° 58' 49" West, 39.66 feet;

Thence, along the arc of a curve which deflects to the right, 189.28 feet, said curve having a radius of 1278.10 feet, a central angle of 08° 29' 07", and a chord of 189.11 feet which bears North 34° 00' 10" West;

Thence, leaving the southwesterly line of said Parcel B-2, along the northerly line of said Parcel B-2, North 63° 45' 55" East, 34.30 feet;

Thence, leaving the northerly line of said Parcel B-2, South 26° 59' 45" East, 57.91 feet;

Thence, along the arc of a curve which deflects to the left, 111.03 feet, said curve having a radius of 1248.10 feet, a central angle of 05° 05' 49", and a chord of 110.99 feet which bears South 35° 03' 42" East;

Thence, South 87° 58' 49" East, 39.29 feet;

Thence, South 69° 26' 51" East, 15.19 feet;

Thence, South 77° 07' 45" East, 79.63 feet;

Thence, South 31° 41' 17" West, 15.79 feet;

Thence, South 01° 59' 45" West, 15.33 feet;

Thence, North 77° 07' 45" West, 100.22 feet to the point of beginning.

Containing within said bounds of land 0.2200 acre of land (9,583 square feet) as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor No. 7730 in January, 2016.

Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid North.

**Permanent Subterranean Easement WST 1-7P
Across Parcel No. 003-01-022
0.0364 Acre (1,584 Square Feet)**

COMMERCIAL INDUSTRIAL LAND BANK PARCEL

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Parcel B-2 in the Plat of Partition for the City of Cleveland of part of Original Brooklyn Township Lot No. 50, as recorded in Volume 386, Page 33 of the Cuyahoga County Map Records. Also, being part of the land conveyed to the City of Cleveland, being more definitely described as follows;

Commencing at the intersection of the northerly right of way of Crescent Avenue (66 feet wide) and the westerly right of way of West 54th Street (66 feet wide);

Thence, along the westerly line of Parcel B-3 in the Plat of Partition for the City of Cleveland as recorded in Volume 386, Page 33 of the Cuyahoga County Map Records, North 00° 44' 00" West, 49.53 feet to the True Point of Beginning for the easement herein described;

Thence, leaving the westerly line of said Parcel B-3, North 62° 44' 20" West, 61.36 feet;

Thence, North 29° 32' 07" East, 30.02 feet;

Thence, South 62° 44' 20" East, 44.22 feet to the westerly line of said Parcel B-3;

Thence, along the westerly line of said Parcel B-3, South 00° 44' 00" East, 33.98 feet to the point of beginning.

Containing within said bounds of land 0.0364 acre of land (1,584 square feet) and having a lower elevation of 347.00 and an upper elevation of 472.00 as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor No. 7730 in January, 2016.

Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid

North. Elevations are based on the NAVD88 vertical datum.

**Permanent Easement WST 1-3P
Across Parcel No. 003-01-023
0.0582 Acre (2,536 Square Feet)**

COMMERCIAL INDUSTRIAL LAND BANK PARCEL

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Parcel B-3 in the Plat of Partition for the City of Cleveland of part of Original Brooklyn Township Lot No. 50, as recorded in Volume 386, Page 33 of the Cuyahoga County Map Records. Also, being part of the land conveyed to the City of Cleveland, being more definitely described as follows;

Beginning at the intersection of the northerly right of way of Crescent Avenue (66 feet wide) and the westerly right of way of West 54th Street (66 feet wide);

Thence, along the westerly line of said Parcel B-3, North 00° 44' 00" West, 49.53 feet;

Thence, leaving the westerly line of said Parcel B-3, South 62° 44' 20" East, 115.98 feet to the northerly right of way of Crescent Avenue;

Thence, along the northerly right of way of Crescent Avenue, North 87° 59' 21" West, 102.53 feet to the point of beginning.

Containing within said bounds of land 0.0582 acre of land (2,536 square feet) as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor No. 7730 in January, 2016.

Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid North.

**Permanent Subterranean Easement WST 1-6P
Across Parcel No. 003-01-023
0.1073 Acre (4,673 Square Feet)**

COMMERCIAL INDUSTRIAL LAND BANK PARCEL

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Parcel B-3 in the Plat of Partition for the City of Cleveland of part of Original Brooklyn Township Lot No. 50, as recorded in Volume 386, Page 33 of the Cuyahoga County Map Records. Also, being part of the land conveyed to the City of Cleveland, being more definitely described as follows;

Commencing at the intersection of the northerly right of way of Crescent Avenue (66 feet wide) and the westerly right of way of West 54th Street (66 feet wide);

Thence, along the westerly line of said Parcel B-3, North 00° 44' 00" West, 49.53 feet to the True Point of Beginning for the easement herein described;

Thence, continuing along the westerly line of said Parcel B-3, North 00° 44' 00" West, 33.98 feet;

Thence, leaving the westerly line of said Parcel B-3, South 62° 44' 20" East, 195.54 feet to the northerly right of way of Crescent Avenue;

Thence, along the northerly right of way of Crescent Avenue, North 87° 59' 21" West, 70.33 feet;

Thence, leaving the northerly right of way of Crescent Avenue, North 62° 44' 20" West, 115.98 feet to the point of beginning.

Containing within said bounds of land 0.1073 acre of land (4,673 square feet) and having a lower elevation of 347.00 and an upper elevation of 472.00 as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor No. 7730 in January, 2016.

Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid North. Elevations are based on the NAVD88 vertical datum.

**Permanent Subterranean Easement WST A-3P
Across Parcel No. 003-12-002
0.2559 Acre (11,145 Square Feet)**

JIM MAHON GREEN

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublots 162 through 167 and Charles Taylor Lot in Taylor Farm Allotment of part of Original Brooklyn Township Lot No. 51 as recorded in Volume 2, Page 22 of the Cuyahoga County Map Records. Also, being part of the land conveyed to the City of Cleveland, being more definitely described as follows;

Commencing at the intersection of the northerly right of way of Detroit Avenue (66 feet wide) and the westerly right of way of West 29th Street (66 feet wide);

Thence, along the northerly right of way of Detroit Avenue, South 60° 20' 08" West, 148.25 feet to the southwesterly corner of Parcel A in Lot Consolidation Plat recorded in Volume 318, Page 85 of the Cuyahoga County Map Records;

Thence, along the westerly line of said Parcel A, North 29° 42' 12" West, 6.51 feet to the True Point of Beginning for the easement herein described;

Thence, leaving said westerly line, along the arc of a curve which deflects to the left, 261.42 feet, said curve having a radius of 985.00 feet, a central angle of 15° 12' 23", and a chord of 260.66 feet which bears South 72° 40' 32" West;

Thence, South 65° 04' 20" West, 141.49 feet to the southerly right of way of Cleveland Memorial Shoreway (width varies);

Thence, along the southerly right of way of Cleveland Memorial Shoreway, along the arc of a curve which deflects to the right, 24.33 feet, said curve having a radius of 29.41 feet, a central angle of 47° 24' 00", and a chord of 23.64 feet which bears North 28° 00' 56" East;

Thence, continuing along the southerly right of way of Cleveland Memorial Shoreway, along the arc of a curve which deflects to the left, 65.22 feet, said curve having a radius of 3010.00 feet, a central angle of 01° 14' 29", and a chord of 65.22 feet which bears North 51° 05' 41" East;

Thence, leaving said southerly right of way, North 65° 04' 20" East, 59.34 feet;

Thence, along the arc of a curve which deflects to the right, 258.50 feet to the westerly line of said Parcel A, said curve having a radius of 1015.00 feet, a central angle of 14° 35' 31", and a chord of 257.80 feet which bears North 72° 22' 06" East;

Thence, along said westerly line, South 29° 42' 12" East, 31.86 feet to the point of beginning.

Containing within said bounds of land 0.2559 acre of land (11,145 square feet) and having a lower elevation of 351.00 and an upper elevation of 476.00 as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor No. 7730 in January, 2016.

Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid North. Elevations are based on the NAVD88 vertical datum.

**Permanent Subterranean
Easement WST A-13P
Across Parcel No. 003-23-080
0.0810 Acre (3,528 Square Feet)**

**WEST SIDE MARKET
PARKING LOT**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Parcel "A-1" in a Lot Consolidation Plat for The City of Cleveland of part of Original Brooklyn Township Lot No. 70, as recorded in Volume 385, Page 31 of the Cuyahoga County Map Records. Also, being part of the land conveyed to the City of Cleveland as recorded in Volume 8844, Page 116 of the Cuyahoga County Records, part of the land conveyed to the City of Cleveland as recorded AFN 201602030399 of the Cuyahoga County Records and part of Vacated Moore Court (16.5 feet wide) as recorded in Volume 194, Page 42 of the Cuyahoga County Map Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Lorain Avenue (100 feet wide) and the centerline of West 24th Street (66 feet wide);

Thence, along the centerline of Lorain Avenue, North 58° 34' 55" East, 52.01 feet;

Thence, leaving the centerline of Lorain Avenue, North 31° 25' 05" West, 33.00 feet to the northerly right of way of Lorain Avenue and the True Point of Beginning for the easement herein described;

Thence, leaving the northerly right of way of Lorain Avenue, along the arc of a curve which deflects to the right, 58.50 feet to easterly right of way of West 24th Street, said curve having a radius of 1015.00 feet, a central angle of 03° 18' 09", and a chord of 58.50 feet which bears North 50° 50' 13" West;

Thence, along the easterly right of way of West 24th Street, North 31° 42' 00" West, 123.29 feet;

Thence, leaving the easterly right of way of West 24th Street, along the arc of a curve which deflects to the left, 186.23 feet to the northerly right of way of Lorain Avenue, said curve having a radius of 985.00 feet, a central angle of 10° 49' 58", and a chord of 185.95 feet which bears South 47° 44' 45" East;

Thence, along the northerly right of way of Lorain Avenue, South 58° 34' 55" West, 32.22 feet to the point of beginning.

Containing within said bounds of land 0.0810 acre of land (3,528 square feet) and having a lower elevation of 354.00 and an upper elevation of 479.00 as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor No. 7730 in January, 2016.

Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid

North. Elevations are based on the NAVD88 vertical datum.

**Permanent Subterranean
Easement WST A-15P
Across Parcel No. 004-26-007
0.1276 Acre (5,559 Square Feet)**

ABBEY PARK

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Brooklyn Township Lot Nos. 70 and 87. Also, being part of the land conveyed to the City of Cleveland as recorded in Volume 12759, Page 759 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the northerly right of way of Abbey Avenue (66.00 feet wide) and the easterly right of way of W. 19th Street (60.00 feet wide);

Thence, along the northerly right of way of Abbey Avenue, North 89° 25' 29" East, 139.57 feet to True Point of Beginning for the easement herein described;

Thence, leaving the northerly right of way of Abbey Avenue, along the arc of a curve which deflects to the left, 254.52 feet to the easterly line of said land conveyed to the City of Cleveland, said curve having a radius of 1485.00 feet, a central angle of 09° 49' 12", and a chord of 254.21 feet which bears North 70° 16' 01" East;

Thence, along the easterly line of said land conveyed to the City of Cleveland, South 25° 20' 29" West, 46.02 feet;

Thence, leaving the easterly line of said land conveyed to the City of Cleveland, along the arc of a curve which deflects to the right, 120.27 feet to the northerly right of way of Abbey Avenue, said curve having a radius of 1515.00 feet, a central angle of 04° 32' 55", and a chord of 120.24 feet which bears South 68° 57' 51" West;

Thence, along the northerly right of way of Abbey Avenue, South 89° 25' 29" West, 107.36 feet to the point of beginning.

Containing within said bounds of land 0.1276 acre of land (5,559 square feet) and having a lower elevation of 356.00 and an upper elevation of 481.00 as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor No. 7730 in January, 2016.

Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid North. Elevations are based on the NAVD88 vertical datum.

Section 5. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that temporary easement interests in the following described properties are not needed for the City's public use and are needed for NEORS's Westerly Storage Tunnel project:

**Temporary Easement WST 2-1T
Across Parcel No. 003-01-007
0.2621 Acre (11,419 Square Feet)**

**VACANT LAND AT
TILLMAN AVENUE**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of

Sublot Nos. 61, 62, 63 and 64 in S.S.Stone's Subdivision of part of Original Brooklyn Township Lot No. 50, as recorded in Volume 2, Page 19 of the Cuyahoga County Map Records. Also, being part of the land conveyed to the City of Cleveland, being more definitely described as follows;

Beginning at the intersection of the northerly right of way of Tillman Avenue (66 feet wide) and the southwesterly right of way of the Cleveland Memorial Shoreway (right of way varies);

Thence, along the northerly right of way of Tillman Avenue, South 70° 26' 16" West, 176.22 feet;

Thence, leaving the northerly right of way of Tillman Avenue, North 19° 38' 07" West, 37.13 feet;

Thence, South 70° 33' 28" West, 9.84 feet;

Thence, North 19° 32' 07" West, 82.71 feet;

Thence, North 17° 38' 13" East, 10.50 feet to the southwesterly right of way of the Cleveland Memorial Shoreway;

Thence, along the southwesterly right of way of the Cleveland Memorial Shoreway, South 72° 21' 47" East, 157.85 feet;

Thence, continuing along the southwesterly right of way of the Cleveland Memorial Shoreway, along the arc of a curve which deflects to the left, 63.17 feet to the point of beginning, said curve having a radius of 1719.67 feet, a central angle of 02° 06' 17", and a chord of 63.16 feet which bears South 78° 17' 29" East.

Containing within said bounds of land 0.2621 acre of land (11,419 square feet) as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor No. 7730 in January, 2016.

Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid North.

**Temporary Easement WST 1-1T
Across Parcel No. 003-01-022
0.5140 Acre (22,391 Square Feet)**

**COMMERCIAL INDUSTRIAL
LAND BANK PARCEL**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Parcel B-2 in the Plat of Partition for the City of Cleveland of part of Original Brooklyn Township Lot No. 50, as recorded in Volume 386, Page 33 of the Cuyahoga County Map Records. Also, being part of the land conveyed to the City of Cleveland, being more definitely described as follows;

Commencing at the intersection of the northerly right of way of Crescent Avenue (66 feet wide) and the westerly right of way of West 54th Street (66 feet wide);

Thence, along the westerly line of Parcel B-3 in the Plat of Partition for the City of Cleveland as recorded in Volume 386, Page 33 of the Cuyahoga County Map Records, North 00° 44' 00" West, 49.53 feet to the True Point of Beginning for the easement herein described;

Thence, leaving the westerly line of said Parcel B-3, North 62° 44' 20" West, 61.36 feet;

Thence, North 29° 32' 07" East, 53.34 feet;

Thence, North 52° 25' 43" West, 68.40 feet;
 Thence, North 60° 52' 54" West, 118.96 feet;
 Thence, South 71° 20' 47" West, 27.32 feet;
 Thence, South 31° 41' 17" West, 74.58 feet;
 Thence, North 77° 07' 45" West, 53.51 feet;
 Thence, North 27° 23' 15" East, 109.87 feet;
 Thence, North 66° 59' 39" East, 76.66 feet;
 Thence, South 56° 59' 44" East, 215.75 feet to the westerly line of said Parcel B-3;

Thence, along the westerly line of said Parcel B-3, South 00° 44' 00" East, 123.82 feet to the point of beginning;

Containing within said bounds of land 0.5140 acre of land (22,391 square feet) as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor No. 7730 in January, 2016.

Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid North.

**Temporary Easement WST 1-2T
 Across Parcel No. 003-01-022
 0.1868 Acre (8,135 Square Feet)**

**COMMERCIAL INDUSTRIAL
 LAND BANK PARCEL**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Parcel B-2 in the Plat of Partition for the City of Cleveland of part of Original Brooklyn Township Lot No. 50, as recorded in Volume 386, Page 33 of the Cuyahoga County Map Records. Also, being part of the land conveyed to the City of Cleveland, being more definitely described as follows;

Commencing at the intersection of the northerly right of way of Crescent Avenue (66 feet wide) and the westerly right of way of West 54th Street (66 feet wide);

Thence, North 00° 44' 00" West, 30.03 feet to the southeast corner of said Parcel B-2;

Thence, along the southerly line of said Parcel B-2 the following two courses:

North 87° 59' 21" West, 6.83 feet;
 Thence, along the arc of a curve which deflects to the left, 117.60 feet to the True Point of Beginning for the easement herein described, said curve having a radius of 332.04 feet, a central angle of 20° 17' 33", and a chord of 116.99 feet which bears South 81° 51' 52" West;

Thence, continuing along the southerly line of said Parcel B-2, along the arc of a curve which deflects to the left, 31.69 feet, said curve having a radius of 332.04 feet, a central angle of 05° 28' 06", and a chord of 31.68 feet which bears South 68° 59' 02" West;

Thence, North 87° 59' 21" West, 71.26 feet;

Thence, leaving the southerly line of said Parcel B-2, along the south-westerly line of said Parcel B-2, along the arc of a curve which deflects to the right, 194.66 feet, said curve having a radius of 1248.10 feet, a central angle of 08° 56' 10", and a chord of 194.46 feet which bears North 43° 53' 25" West;

Thence, leaving the southwesterly line of said Parcel B-2, South 77° 07' 45" East, 100.22 feet;

Thence, South 01° 59' 45" West, 18.45 feet;

Thence, South 16° 26' 54" East, 27.93 feet;

Thence, South 46° 39' 13" East, 33.30 feet;

Thence, South 57° 08' 03" East, 60.45 feet;

Thence, South 81° 44' 56" East, 56.22 feet to the point of beginning;

Containing within said bounds of land 0.1868 acre of land (8,135 square feet) as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor No. 7730 in January, 2016.

Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid North.

**Temporary Easement WST 1-3T
 Across Parcel No. 003-01-022
 0.1271 Acre (5,537 Square Feet)**

**COMMERCIAL INDUSTRIAL
 LAND BANK PARCEL**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Parcel B-2 in the Plat of Partition for the City of Cleveland of part of Original Brooklyn Township Lot No. 50, as recorded in Volume 386, Page 33 of the Cuyahoga County Map Records. Also, being part of the land conveyed to the City of Cleveland, being more definitely described as follows;

Commencing at the intersection of the northerly right of way of Crescent Avenue (66 feet wide) and the westerly right of way of West 54th Street (66 feet wide);

Thence, along the westerly line of Parcel B-3 in the Plat of Partition for the City of Cleveland as recorded in Volume 386, Page 33 of the Cuyahoga County Map Records, North 00° 44' 00" West, 274.86 feet to the True Point of Beginning for the easement herein described;

Thence, leaving the westerly line of said Parcel B-3, South 88° 08' 31" West, 14.67 feet;

Thence, South 57° 01' 31" West, 83.24 feet;

Thence, North 57° 02' 37" West, 73.47 feet;

Thence, North 72° 28' 07" East, 114.85 feet;

Thence, North 88° 06' 31" East, 36.26 feet to the westerly line of said Parcel B-3;

Thence, along the westerly line of said Parcel B-3, South 00° 44' 00" East, 29.98 feet to the point of beginning;

Containing within said bounds of land 0.1271 acre of land (5,537 square feet) as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor No. 7730 in January, 2016.

Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid North.

**Temporary Easement WST 1-4T
 Across Parcel No. 003-01-023
 0.4318 Acre (18,808 Square Feet)**

**COMMERCIAL INDUSTRIAL
 LAND BANK PARCEL**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Parcel B-3 in the Plat of Partition for the City of Cleveland of part of Original Brooklyn Township Lot No.

50, as recorded in Volume 386, Page 33 of the Cuyahoga County Map Records and part of West 53rd Street (50 feet wide) vacated by Ordinance No. 503-17, being more definitely described as follows;

Commencing at the intersection of the westerly line of said vacated West 53rd Street and the northerly right of way of Crescent Avenue (66 feet wide), being also the south-easterly corner of said Parcel B-3;

Thence, along the northerly right of way of Crescent Avenue, South 87° 59' 21" East, 18.56 feet to the True Point of Beginning for the easement herein described;

Thence, leaving said northerly right of way, North 11° 58' 28" West, 7.40 feet;

Thence, North 36° 23' 27" West, 6.89 feet;

Thence, North 01° 59' 03" East, 203.51 feet;

Thence, North 88° 03' 23" West, 36.02 feet;

Thence, along the arc of a curve which deflects to the right, 48.94 feet, said curve having a radius of 90.00 feet, a central angle of 31° 09' 12", and a chord of 48.33 feet which bears North 72° 28' 47" West;

Thence, North 56° 54' 11" West, 129.06 feet;

Thence, along the arc of a curve which deflects to the left, 46.12 feet, said curve having a radius of 60.00 feet, a central angle of 44° 02' 23", and a chord of 44.99 feet which bears North 78° 55' 22" West;

Thence, South 79° 03' 26" West, 111.78 feet;

Thence, South 88° 08' 31" West, 45.82 feet to the westerly line of said Parcel B-3;

Thence, along said westerly line, North 00° 44' 00" West, 29.98 feet;

Thence, leaving said westerly line, North 88° 06' 31" East, 42.85 feet;

Thence, North 78° 53' 22" East, 110.03 feet;

Thence, along the arc of a curve which deflects to the right, 68.20 feet, said curve having a radius of 90.00 feet, a central angle of 43° 25' 11", and a chord of 66.58 feet which bears South 78° 36' 47" East;

Thence, South 56° 54' 11" East, 129.53 feet;

Thence, along the arc of a curve which deflects to the left, 32.62 feet, said curve having a radius of 60.00 feet, a central angle of 31° 09' 12", and a chord of 32.22 feet which bears South 72° 28' 47" East;

Thence, South 88° 03' 23" East, 61.04 feet;

Thence, South 01° 59' 03" West, 209.09 feet;

Thence, South 07° 28' 41" East, 27.60 feet;

Thence, South 16° 25' 20" East, 10.34 feet to the northerly right of way of Crescent Avenue;

Thence, along said northerly right of way, North 87° 59' 21" West, 26.74 feet to the point of beginning;

Containing within said bounds of land 0.4318 acre of land (18,808 square feet) as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor No. 7730 in January, 2016.

Bearings are based on Ohio State Plane, North Zone NAD83(2011) Grid North.

Section 6. That by and at the direction of the Board of Control, the Commissioner of Purchases and

Supplies is authorized to convey as a property exchange the above-described easement interests and the temporary easements to NEORSRD at no cost to NEORSRD.

Section 7. That the duration of the permanent easements shall be perpetual; that the duration of the temporary easements shall be until the respective NEORSRD projects are completed; that the easements and temporary easements may include reasonable right of entry rights to the City; that the easements and temporary easements shall not be assignable without the consent of the applicable director; that the easements and temporary easements shall require that NEORSRD provide reasonable insurance or self-insurance, and pay any applicable taxes and assessments.

Section 8. That the conveyances referred to above shall be made by official deeds of easement and official deeds of temporary easement prepared by the Director of Law and executed by the Director of Economic Development, Public Works, and/or Public Utilities, as appropriate, on behalf of the City of Cleveland. The deeds of easement and the deeds of temporary easement shall contain any additional terms and conditions as are required to protect the interest of the City. The Directors of Economic Development, Public Works, and/or Public Utilities, as appropriate, are authorized to execute any other documents, including without limitation, contracts for right of entry, as may be necessary to effect this ordinance.

Section 9. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Works is authorized to acquire, at no cost to the City, the following described property from NEORSRD for the City's Canal Basin Park project: a portion of the former Clarence Van Duzer property located on the Cuyahoga River at Merwin Avenue, which is further described as follows:

FORMER CLARENCE VAN DUZER PROPERTY

Situated in the City of Cleveland County of Cuyahoga and State of Ohio and known as being part of Parcel A in Plat of Consolidation of part of the Merwin Tract as recorded in Volume 386, Page 49 of the Cuyahoga County Map Records. Also being part of the land conveyed to Northeast Ohio Regional Sewer District as recorded in AFN 201509240552 and AFN 201509240553 of the Cuyahoga County Records, being more definitely described as follows:

Commencing at a MAG nail set at the intersection of the centerline of Superior Avenue (width varies) and the centerline of Merwin Street NW (66 feet wide);

Thence, along the centerline of Merwin Street NW, South 20° 01' 27" West, 289.12 feet;

Thence, leaving said centerline, North 69° 58' 33" West, 33.00 feet to an iron pin set in the westerly right of way of Merwin Street NW, said point being the True Point of Beginning for the parcel herein described;

Thence, along said westerly right of way, South 20° 01' 27" West, 149.37 feet to the northeasterly cor-

ner of land conveyed to City of Cleveland as recorded in Volume 88-5988, Page 64 of the Cuyahoga County Records, said point being referenced by a bent 5/8" iron pin found 0.19 feet North and 0.05 feet West;

Thence, along City of Cleveland's northerly line, North 64° 43' 33" West, 122.40 feet to the established dock line of the Cuyahoga River and passing through a "KS ASSOCS INC REFERENCE" capped iron pin set South 64° 43' 33" East, 10.00 feet from said established dock line;

Thence, along the established dock line of the Cuyahoga River, North 27° 30' 55" East, 226.04 feet to the southwesterly corner of land conveyed to City of Cleveland as recorded in Volume 5848, Page 2 of the Cuyahoga County Records;

Thence, along City of Cleveland's southerly line, South 68° 11' 03" East, 7.19 feet to an iron pin set;

Thence, leaving said southerly line, South 17° 04' 08" West, 85.67 feet to an iron pin set;

Thence, South 69° 51' 49" East, 80.81 feet to the point of beginning.

Containing within said bounds 0.4033 acre of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in November, 2016.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North.

All iron pins set are 5/8" x 30" capped rebar inscribed "KS ASSOCS INC PROP MARKER" except as noted.

Section 10. That the Directors of Economic Development, Public Works, and/or Public Utilities, as appropriate, are authorized to execute on behalf of the City of Cleveland all necessary documents and agreements to implement this ordinance.

Section 11. That all costs of acquiring, accepting, and recording the land shall be paid from funds approved by the Director of Finance.

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

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

FIRST READING EMERGENCY RESOLUTION REFERRED

Res. No. 274-18.

By Council Members Brady and Kelley.

An emergency resolution opposing proposed "right to work" Constitutional amendments and supporting fair labor practices that support working families and Cleveland's economy.

Whereas, special interest groups are supporting purported "right to work" Constitutional amendments, which are actually corporate-backed attacks on working families and the middle class; and

Whereas, so-called "right to work" laws give multi-national corpora-

tions even more power to outsource jobs, cut wages and reduce benefits at the expense of workers, small businesses and the local economy; and

Whereas, workers in states with supposed "right to work" laws have a consistently lower quality of life than in other states; lower wages, higher poverty and infant mortality rates, less access to necessary health care and poorer education for their children; and

Whereas, these so-called "right to work" laws weaken the voices of nurses, firefighters, police officers and first responders by making it harder to bargain for safe staffing levels and necessary safety equipment; and

Whereas, purported "right to work" laws will silence whistleblowers who are counted on to keep workplaces safe, protect consumer goods, services and products and safeguard natural resources and the environment; and

Whereas, the implementation of so-called "right to work" laws will erode the tax base that supports vital services in communities, such as education, public safety, and infrastructure; and

Whereas, in 2011, Ohio voters rejected a similar political attack on Ohio's workers and the middle class by overwhelmingly voting "no" on the "right to work" issue, and this Council maintains that the collective bargaining rights of workers should be protected; and

Whereas, business and labor should work together to create good jobs and improve the economy, not be distracted by outside groups that want to silence the voices of workers and drive down the middle class; 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 opposes proposed "right to work" Constitutional amendments and supports fair labor practices that support working families and Cleveland's economy.

Section 2. That the Clerk of Council is directed to transmit copies of this resolution to all members of the Ohio General Assembly and to Governor John Kasich.

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. 255-18.

By Council Members Conwell and Griffin.

An emergency ordinance consenting and approving the issuance of a permit for the 2018 Hudson Relays, on April 28, 2018, sponsored by Case Western Reserve University.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the 2018 Hudson Relays, on April 28, 2018, start: at 'The Rock' on the CWRU campus; next to Fribley Commons, near the bottom of the elephant steps; in front of Carlton Commons, top of stairs; to top of Edgell Hill Road at Overlook Road; to front of the Greenhouse Restaurant; to corner of Euclid Avenue and Adelbert Road (runner must pass baton after crossing Euclid Avenue, in front of Sevrance Hall; in front of the Peter B. Lewis building, corner of Bellflower Road and Ford Drive; just past the driveway of the tiny lot at the southeastern edge of the Northside Residential Village on Juniper Road; in front of Pierce House in the Northeast Residential Village; in front of Clark Hall on the Mather Quad; back at 'The Rock'; PRESIDENT'S LAST LAP ONLY; the last runner (President) receives the baton at 'The Rock' by Adelbert Hall and runs into the Quad up the Wickenden side and around and back to the rock down the Stro-sacker side; each team will conclude their race back at 'The Rock'; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

Ord. No. 256-18.
By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to apply for and accept a grant from the Ohio Department of Mental Health & Addiction Services for the Specialized Dockets Program; and authorizing the Director to enter into one or more contracts with various agencies, entities, or individuals to implement the grant.

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

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

Section 1. That the Director of Finance, on behalf of the Cleveland Municipal Court, is authorized to apply for and accept a grant in the amount of \$180,000, and any other funds that become available during the grant term, for the Specialized Dockets Program from the Ohio Department of Mental Health & Addiction Services (OhioMHAS); 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 legislative summary for the grant contained in the file described below.

Section 2. That the legislative summary for the grant, File No. 256-18-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, 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 Finance, on behalf of the Cleveland Municipal Court, 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 4. That the Director of Finance, on behalf of the Cleveland Municipal Court, is authorized to enter into one or more contracts with or make payments to other agencies, entities, or individuals to implement the grant as described in the file.

Section 5. That the costs of the contract or contracts or any payments authorized by this ordinance shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance.

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

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

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

Ord. No. 264-18.
By Council Members McCormack and Zane.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with the Spanish American Committee for a Better Community for the Relief for Refugee Families Displaced by Natural Disaster Program through the use of Wards 3 and 15 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into an agreement effective January 1, 2018 with the Spanish American Committee for a Better Community for the Relief for Refugee Families Displaced by Natural Disaster Program for the public purpose of providing social service referral assistance to city of Cleveland residents who are refugees displaced by natural disasters through the use of Wards 3 and 15 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$20,000 and shall be paid from Fund No. 10 SF 188.

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

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

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

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

Ord. No. 265-18.
By Council Member Johnson.
An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Buckeye Shaker Square Development Corporation for the Mt. Pleasant INFO Neighborhood Magazine Project through the use of Ward 4 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into agreement with Buckeye Shaker Square Development Corporation for the Mt. Pleasant INFO Neighborhood Magazine Project for the public purpose of providing a community magazine featuring local community events and neighborhood news to city of Cleveland residents through the use of Ward 4 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$2,000 and shall be paid from Fund No. 10 SF 188.

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

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

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

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

Ord. No. 266-18.

By Council Member Cleveland.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with The Sisters of Charity of St. Augustine Health System, Inc., for the Building Healthy Communities Program through the use of Ward 5 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into an agreement effective April 1, 2018 with The Sisters of Charity of St. Augustine Health System, Inc., for the Building Healthy Communities Program for the public purpose of providing after-school educational programming for youths and adults residing in the city of Cleveland through the use of Ward 5 Casino revenue funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$10,000 and shall be paid from Fund No. 10 SF 188.

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

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

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

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

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 261-18.

By Council Member Griffin.

An emergency resolution objecting to a New C1 Liquor Permit at 9901-03 Union Avenue.

Whereas, Council has been notified by the Division of Liquor Control of an application for a New C2 and D6 Liquor Permit at E S Westside Deli, Inc., DBA Yaya Market, 9901-03 Union Avenue, Cleveland, Ohio 44105, Permit Number 2383774; and

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

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard

of the laws, regulations or local ordinances of this state or any other state; and

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

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

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

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

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

Be it resolved by the Council of the City of Cleveland

Section 1. That Council does hereby record its objection to a New C2 and D6 Liquor Permit at E S Westside Deli, Inc., DBA Yaya Market, 9901-03 Union Avenue, Cleveland, Ohio 44105, Permit Number 2383774; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 262-18.

By Council Member B. Jones.

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

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from 8806 Superior Grace, Inc., DBA Pagetown Wireless, 8802 Superior Avenue, Cleveland, Ohio 44106, Permit Number 2455479 to 8806 Superior Grace, Inc., DBA Superior Foodmart, 8802 Superior Avenue, Cleveland, Ohio 44106, Permit Number 24554790005; and

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

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

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

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

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

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

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

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

Be it resolved by the Council of the City of Cleveland

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from 8806 Superior Grace, Inc., DBA Pagetown Wireless, 8802 Superior Avenue, Cleveland, Ohio 44106, Permit Number 2455479 to 8806 Superior Grace, Inc., DBA Superior Foodmart, 8802 Superior Avenue, Cleveland, Ohio 44106, Permit Number 24554790005; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

SECOND READING EMERGENCY ORDINANCE

Ord. No. 147-18.

By Council Member Kelley (by departmental request).

An emergency ordinance to make appropriations and provide current expenses for the daily operation of all municipal departments of the City of Cleveland for the fiscal year from January 1, 2018 until December 31, 2018.

1. In Section 1, strike lines 3 and 4 in their entirety and insert **"The sum of Six Hundred Twenty-Four Million, Three Hundred Fifty-Nine Thousand, Seven Hundred Ninety Seven Dollars (\$624,359,797) from the General Fund;"**.

2. In Section 1, at the list, under "Executive Branch" at "General Government", strike \$22,436,654 and insert **"22,549,112"**; at "Department of Public Health", strike "8,822,849" and insert **"8,760,321"**; at "Department of Public Safety", strike "355,607,165" and insert **"355,138,165"**; at "Nondepartmental" strike "60,096,493" and insert **"61,938,583"**; at "Total Executive Branch" strike "574,308,795" and insert **"575,731,815"**; at "TOTAL GENERAL FUND" strike "622,936,777" and insert **"624,359,797"**; and at "TOTAL APPROPRIATIONS FOR 2018", strike "1,768,274,364" and insert **"1,769,697,384"**.

3. In Section 1, at "GENERAL FUND" at "EXECUTIVE BRANCH" at "GENERAL GOVERNMENT", at "Office of Capital Projects", strike "6,415,760" and insert **"6,465,768"**; and at "I Personnel and Related Expenses", strike "5,855,153" and insert **"5,905,161"**.

4. In Section 1, at "GENERAL FUND" at "EXECUTIVE BRANCH" at "GENERAL GOVERNMENT", at "Office of Sustainability", strike "1,003,787" and insert **"1,066,237"**; and at "I Personnel and Related Expenses", strike "631,312" and insert **"693,762"**.

5. In Section 1, at "GENERAL FUND" at "EXECUTIVE BRANCH" at "GENERAL GOVERNMENT", at "TOTAL GENERAL GOVERNMENT", strike "22,436,654" and insert **"22,549,112"**.

6. In Section 1, at "GENERAL FUND" the section entitled "DEPARTMENT OF PUBLIC HEALTH", at "Public Health Administration" strike "1,581,976" and insert **"1,655,722"**; at "I Personnel and Related Expenses" strike "1,096,813" and insert **"1,170,559"**; at "Division of Health" strike "4,283,486" and insert **"4,147,212"**; at "I Personnel and Related Expenses", strike "2,605,203" and insert **"2,468,929"**; and at "TOTAL DEPARTMENT OF PUBLIC HEALTH" strike "8,822,849" and insert **"8,760,321"**.

7. In Section 1, at "GENERAL FUND" the section entitled "DEPARTMENT OF PUBLIC SAFETY", at "Division of Police" strike "201,677,425" and insert **"201,327,425"**; at "I Personnel and Related Expenses", strike "190,401,077" and insert **"190,051,077"**; at "Division of Emergency Medical Services" strike "30,775,897" and insert **"30,656,897"**; at "I Personnel and Related Expenses", strike "27,333,308" and insert **"27,214,308"**; and at the "TOTAL DEPARTMENT OF PUBLIC SAFETY" strike "355,607,165" and insert **"355,138,165"**.

8. In Section 1, at "NONDEPARTMENTAL", at "Transfers to Other Funds" strike "38,373,690" and insert **"40,215,780"**; at "II Other Expenses" strike "38,373,690" and insert **"40,215,780"**.

9. In Section 1 at "TOTAL NON-DEPARTMENTAL", strike "60,096,493" and insert **"61,938,583"**; at "TOTAL EXECUTIVE BRANCH" strike "574,308,795" and insert

"575,731,815"; and at "TOTAL GENERAL FUND" strike "622,936,777" and insert **"624,359,797"**.

Amendments agreed to.

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 20-18.

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

An emergency ordinance authorizing the Director of Public Works to lease certain property located in the vicinity of Dell Avenue and East 75th Street, to Mount Sinai Ministries, or its designee, for the purpose of providing parking for visitors to the Mount Sinai Baptist Church, for a term not to exceed three years; authorizing the Director of Public Works to enter into an Option to Purchase Agreement with Mount Sinai Ministries, or its designee, in connection with the sale and environmental remediation of the property; and authorizing the Commissioner of Purchases and Supplies to convey the property, which is no longer needed for the City's public use.

Approved by Directors of Public Works, City Planning Commission, Finance, Law; Passage recommended by Committees on Municipal Services and Properties, Finance.

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

Ord. No. 80-18.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by Project 29 Partners LLC, or its designee, located on Detroit Avenue between West 28th Street and West 29th Street for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code.

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

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

Ord. No. 85-18.

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

An emergency ordinance authorizing the Director of Public Works to enter into one or more concession agreements for the operation of soft drink, candy, snack, and other vending machines throughout various parks and various City-owned and City-leased buildings, for a period not to exceed two years, with a one-year option to renew, exercisable by the Director of Public Works.

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

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

Ord. No. 122-18.

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

An emergency ordinance to amend Section 135.52 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1649-92, passed October 5, 1992, relating to the rental of site and purchase of refreshments and mementos for Safety Programs.

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

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

Ord. No. 124-18.

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

An emergency ordinance authorizing the Director of Building and Housing to apply for and accept a grant from Environmental Health Watch for the Build Health Challenge 2.0 Program; and authorizing the Director of Building and Housing and/or Public Health to enter into one or more contracts and memoranda of understanding needed to implement the grant.

Approved by Directors of Building and Housing, Finance, Law; Passage recommended by Committees on Development Planning and Sustainability, Finance.

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

Ord. No. 164-18.

By Council Members McCormack, Keane, and Zone.

An emergency ordinance to amend Sections 131.07 of the Codified Ordinances of Cleveland, Ohio 1976, as enacted by Ordinance No. 1516-11, passed December 5, 2011, and 675.02, as enacted by Ordinance No. 1657-11, passed November 28, 2011, to exempt special event permit holders and vendors associated with a permitted special event from an additional vendor's license and identification card; and to require record keeping by special event permit holders.

Approved by Directors of Public Works, Finance, Law; Passage recommended by Committees on Municipal Services and Properties, Finance, when amended, as follows:

1. In Section 1, at amended Section 131.07(f), line 1, strike "special event permit holders" and insert **"special events"**.

2. In Section 1, at amended Section 675.02(e), lines 1 and 2, strike "permit holder under Section 131.07 of the Codified Ordinances, Special Event Permits, or to any vendor associated with a permitted" and insert **"as defined under and governed by Section 131.07 of the Codified Ordinances, or to any vendor associated with that"**.

3. In Section 1, at amended Section 131.07(e), strike lines 1 and 2 in their entirety and insert: **"The applicant, person, or entity shall do the following:"**.

Amendments agreed to.

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. 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. 197-18.

By Council Member Kelley.
An emergency ordinance authorizing the Clerk of Council to enter into a subscription agreement with LexisNexis to obtain online access to computer assisted legal and other research data bases, materials and services required for the work of Cleveland City Council.

Approved by Committee on Finance.

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

Ord. No. 201-18.

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

An emergency ordinance authorizing the Director of Public Works to enter into one or more contracts with City Year, Inc. to perform community service work and to collaborate with various non-profit agencies.

Approved by Directors of Public Works, Finance, Law; Passage recommended by Committees on Municipal Services and Properties, Finance, when amended, as follows:

1. In Section 1, line 3, strike "\$75,000.00" and insert "\$125,000.00".
Amendment agreed to.

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. 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. 202-18.

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

An emergency ordinance authorizing the Director of Public Works to enter into one or more contracts with Case Western Reserve University to provide a youth summer sports, nutrition, health, and life skills development program for 2018 under the National Youth Sports Program sponsored by Case Western Reserve University.

Approved by Directors of Public Works, Finance, Law; Passage recommended by Committees on Municipal Services and Properties, Finance, when amended, as follows:

1. In Section 2, line 2, strike "\$150,000.00" and insert "\$100,000.00".
Amendment agreed to.

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. 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. 203-18.

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

An emergency ordinance authorizing the Director of Public Works to enter into an agreement with the Neighborhood Leadership Institute to implement educational, recreational, and cultural programs in various school buildings and recreation centers during evening hours, provide leadership training, and supervise the summer tennis program.

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

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

**APPROPRIATION FOR THE YEAR 2018
(SECOND READING EMERGENCY ORDINANCE)
ORDINANCE NO. 147-18**

Ord. No. 147-18.

By Council Member Kelley (by departmental request).

An emergency ordinance to make appropriations and provide current expenses for the daily operation of all municipal departments of the City of Cleveland for the fiscal year from January 1, 2018 until December 31, 2018.

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

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

Section 1. That to provide for the current expenses for the City of Cleveland for the fiscal year ending December 31, 2018, the following sums be and they are hereby appropriated via:

The sum of Six Hundred Twenty-Four Million, Three Hundred Fifty-Nine Thousand, Seven Hundred Ninety Seven Dollars (\$624,359,797) from the General Fund;

The sum of Ninety Three Million, One Hundred Seven Thousand, Nine Hundred Forty Seven Dollars (\$93,107,947) from the Special Revenue Funds;

The sum of Ninety Three Million, Two Hundred Seventy Two Thousand, Four Hundred Ninety Three Dollars (\$93,272,493) from the Debt Service Fund;

The sum of One Hundred Forty One Million, Forty Ninety Thousand, Nine Hundred Seventy Three Dollars (\$141,049,973) from the Internal Service Funds;

The sum of Eight Hundred Five Million, One Hundred Twenty Seven Thousand, Thirty One Dollars (\$805,127,031) from the Enterprise Funds;

The sum of Twelve Million, Seven Hundred Eighty Thousand, One Hundred Forty Three Dollars (\$12,780,143) from the Trust and Agency Funds;

All set forth in the Mayor's Estimate on file with Council (File No. 147-18-A) and identified in the aggregate amount for each department as follows:

Legislative Branch	\$ 7,507,118
Judicial Branch	41,120,864
Executive Branch	
General Government	22,549,112
Department of Aging	1,410,780
Department of Human Resources	2,943,005
Department of Law	13,516,507
Department of Finance	19,563,622
Department of Public Health	8,760,321
Department of Public Safety	355,138,165
Department of Public Works	74,860,690
Department of Community Development	298,352
Department of Building and Housing	12,898,727
Department of Economic Development	1,853,951
Nondepartmental	61,938,583
Total Executive Branch	575,731,815
TOTAL GENERAL FUND	624,359,797

Special Revenue Funds		93,107,947
Internal Service Funds		141,049,973
Enterprise Funds		805,127,031
Agency Funds		12,780,143
Debt Service Funds		93,272,493
TOTAL APPROPRIATIONS FOR 2018		\$ 1,769,697,384

GENERAL FUND

LEGISLATIVE BRANCH

Council and Clerk of Council		\$ 7,507,118
I. Personnel and Related Expenses	\$ 5,218,970	
II. Other Expenses	2,288,148	
TOTAL LEGISLATIVE BRANCH		\$ 7,507,118

JUDICIAL BRANCH

Municipal Court - Judicial Division		\$ 24,200,439
I. Personnel and Related Expenses	\$ 20,955,280	
II. Other Expenses	3,245,159	
Municipal Court - Clerk's Division		\$ 12,062,372
I. Personnel and Related Expenses	\$ 10,528,738	
II. Other Expenses	1,533,634	
Municipal Court - Housing Division		\$ 4,858,053
I. Personnel and Related Expenses	\$ 4,530,881	
II. Other Expenses	327,172	
TOTAL JUDICIAL BRANCH		\$ 41,120,864

EXECUTIVE BRANCH

GENERAL GOVERNMENT

Office of the Mayor		\$ 3,232,072
I. Personnel and Related Expenses	\$ 3,119,435	
II. Other Expenses	112,637	
Office of Capital Projects		\$ 6,465,768
I. Personnel and Related Expenses	\$ 5,905,161	
II. Other Expenses	560,607	
Office of Quality Control & Performance Management		\$ 1,489,400
I. Personnel and Related Expenses	\$ 1,127,135	
II. Other Expenses	362,265	
Landmarks Commission		\$ 205,074
I. Personnel and Related Expenses	\$ 193,134	
II. Other Expenses	11,940	
Board of Building Standards and Appeals		\$ 126,527
I. Personnel and Related Expenses	\$ 116,957	
II. Other Expenses	9,570	
Board of Zoning Appeals		\$ 250,019
I. Personnel and Related Expenses	\$ 226,879	
II. Other Expenses	23,140	
Civil Service Commission		\$ 1,908,435
I. Personnel and Related Expenses	\$ 914,262	
II. Other Expenses	994,173	
Community Relations Board		\$ 3,700,742
I. Personnel and Related Expenses	\$ 1,844,539	
II. Other Expenses	1,856,203	

City Planning Commission		\$ 2,316,295
I. Personnel and Related Expenses	\$ 1,976,026	
II. Other Expenses	340,269	
Boxing and Wrestling Commission		\$ 25,892
I. Personnel and Related Expenses	\$ 25,892	
Office of Sustainability		\$ 1,066,237
I. Personnel and Related Expenses	\$ 693,762	
II. Other Expenses	372,475	
Office of Equal Opportunity		\$ 887,256
I. Personnel and Related Expenses	\$ 742,411	
II. Other Expenses	144,845	
Office of Budget & Management		\$ 875,395
I. Personnel and Related Expenses	\$ 828,264	
II. Other Expenses	47,131	
TOTAL GENERAL GOVERNMENT		\$ 22,549,112

DEPARTMENT OF AGING

Department of Aging		\$ 1,410,780
I. Personnel and Related Expenses	\$ 1,151,350	
II. Other Expenses	259,430	
TOTAL DEPARTMENT OF AGING		\$ 1,410,780

DEPARTMENT OF HUMAN RESOURCES

Department of Human Resources		\$ 2,943,005
I. Personnel and Related Expenses	\$ 1,492,838	
II. Other Expenses	1,450,167	
TOTAL DEPARTMENT OF HUMAN RESOURCES		\$ 2,943,005

DEPARTMENT OF LAW

Department of Law		\$ 13,516,507
I. Personnel and Related Expenses	\$ 7,489,862	
II. Other Expenses	6,026,645	
TOTAL DEPARTMENT OF LAW		\$ 13,516,507

DEPARTMENT OF FINANCE

Finance Administration		\$ 1,496,534
I. Personnel and Related Expenses	\$ 1,004,035	
II. Other Expenses	492,499	
Division of Accounts		\$ 2,180,741
I. Personnel and Related Expenses	\$ 1,343,927	
II. Other Expenses	836,814	
Division of Assessments and Licenses		\$ 4,643,228
I. Personnel and Related Expenses	\$ 3,376,609	
II. Other Expenses	1,266,619	
Division of Treasury		\$ 900,480
I. Personnel and Related Expenses	\$ 778,881	
II. Other Expenses	121,599	
Division of Purchases and Supplies		\$ 762,859
I. Personnel and Related Expenses	\$ 732,036	
II. Other Expenses	30,823	

Bureau of Internal Audit		\$ 1,262,402
I. Personnel and Related Expenses	\$ 613,025	
II. Other Expenses	649,377	
Division of Financial Reporting and Control		\$ 1,496,489
I. Personnel and Related Expenses	\$ 1,470,494	
II. Other Expenses	25,995	
Information Systems Services		\$ 6,820,889
I. Personnel and Related Expenses	\$ 3,230,356	
II. Other Expenses	3,590,533	
TOTAL DEPARTMENT OF FINANCE		\$ 19,563,622

DEPARTMENT OF PUBLIC HEALTH

Public Health Administration		\$ 1,655,722
I. Personnel and Related Expenses	\$ 1,170,559	
II. Other Expenses	485,163	
Division of Health		\$ 4,147,212
I. Personnel and Related Expenses	\$ 2,468,929	
II. Other Expenses	1,678,283	
Division of Environment		\$ 1,999,909
I. Personnel and Related Expenses	\$ 1,473,500	
II. Other Expenses	526,409	
Division of Air Quality		\$ 957,478
I. Personnel and Related Expenses	\$ 634,378	
II. Other Expenses	323,100	
TOTAL DEPARTMENT OF PUBLIC HEALTH		\$ 8,760,321

DEPARTMENT OF PUBLIC SAFETY

Public Safety Administration		\$ 6,783,416
I. Personnel and Related Expenses	\$ 3,713,058	
II. Other Expenses	3,070,358	
Division of Police		\$ 201,327,425
I. Personnel and Related Expenses	\$ 190,051,077	
II. Other Expenses	11,276,348	
Division of Fire		\$ 90,236,985
I. Personnel and Related Expenses	\$ 86,366,882	
II. Other Expenses	3,870,103	
Division of Emergency Medical Services		\$ 30,656,897
I. Personnel and Related Expenses	\$ 27,214,308	
II. Other Expenses	3,442,589	
Division of Animal Control Services		\$ 2,777,188
I. Personnel and Related Expenses	\$ 2,146,513	
II. Other Expenses	630,675	
Division of Correction		\$ 14,123,855
I. Personnel and Related Expenses	\$ 10,591,195	
II. Other Expenses	3,532,660	
Office of Professional Standards		\$ 2,260,480
I. Personnel and Related Expenses	\$ 1,204,079	
II. Other Expenses	1,056,401	
Police Review Board		\$ 164,050
I. Personnel and Related Expenses	\$ 147,170	
II. Other Expenses	16,880	
Community Police Commission		\$ 777,181
I. Personnel and Related Expenses	\$ 396,169	
II. Other Expenses	381,012	

Police Inspector General		\$ 228,302
I. Personnel and Related Expenses	\$ 217,602	
II. Other Expenses	10,700	
Department of Justice		\$ 5,802,386
I. Personnel and Related Expenses	\$ 3,037,272	
II. Other Expenses	2,765,114	
TOTAL DEPARTMENT OF PUBLIC SAFETY		\$ 355,138,165

DEPARTMENT OF PUBLIC WORKS

Division of Public Works Administration		\$ 3,267,744
I. Personnel and Related Expenses	\$ 3,056,372	
II. Other Expenses	211,372	
Division of Recreation		\$ 15,044,904
I. Personnel and Related Expenses	\$ 10,669,938	
II. Other Expenses	4,374,966	
Division of Parking Facilities-On Street		\$ 1,230,471
I. Personnel and Related Expenses	\$ 1,174,288	
II. Other Expenses	56,183	
Division of Property Management		\$ 7,898,619
I. Personnel and Related Expenses	\$ 5,671,571	
II. Other Expenses	2,227,048	
Division of Park Maintenance and Properties		\$ 15,676,834
I. Personnel and Related Expenses	\$ 10,036,866	
II. Other Expenses	5,639,968	
Division of Waste		\$ 27,978,218
I. Personnel and Related Expenses	\$ 15,991,727	
II. Other Expenses	11,986,491	
Division of Traffic Engineering		\$ 3,763,900
I. Personnel and Related Expenses	\$ 2,852,809	
II. Other Expenses	911,091	
TOTAL DEPARTMENT OF PUBLIC WORKS		\$ 74,860,690

DEPARTMENT OF COMMUNITY DEVELOPMENT-DIRECTOR'S OFFICE

Department of Community Development-Director's Office		\$ 298,352
I. Personnel and Related Expenses	\$ 288,690	
II. Other Expenses	9,662	
TOTAL DEPARTMENT OF COMMUNITY DEVELOPMENT		\$ 298,352

DEPARTMENT OF BUILDING AND HOUSING

Building and Housing Dir Office		\$ 2,629,188
I. Personnel and Related Expenses	\$ 1,946,861	
II. Other Expenses	682,327	
Division of Code Enforcement		\$ 8,551,114
I. Personnel and Related Expenses	\$ 8,240,967	
II. Other Expenses	310,147	
Division of Construction Permit		\$ 1,718,425
I. Personnel and Related Expenses	\$ 1,692,782	
II. Other Expenses	25,643	
TOTAL DEPARTMENT OF BUILDING AND HOUSING		\$ 12,898,727

DEPARTMENT OF ECONOMIC DEVELOPMENT

Economic Development		\$ 1,853,951
I. Personnel and Related Expenses	\$ 1,837,397	
II. Other Expenses	16,554	
TOTAL DEPARTMENT OF ECONOMIC DEVELOPMENT		<u>\$ 1,853,951</u>

NONDEPARTMENTAL

County Auditor Deductions		\$ 2,346,000
II. Other Expenses	\$ 2,346,000	
Other Administrative		\$ 19,376,803
II. Other Expenses	\$ 19,376,803	
Transfers to Other Funds		\$ 40,215,780
II. Other Expenses	\$ 40,215,780	
TOTAL NONDEPARTMENTAL		<u>\$ 61,938,583</u>
TOTAL EXECUTIVE BRANCH		<u>\$ 575,731,815</u>
TOTAL GENERAL FUND		<u>\$ 624,359,797</u>

SPECIAL REVENUE FUNDS

Restricted Income Tax Fund		\$ 51,737,512
II. Other Expenses	\$ 51,737,512	
Street Construction, Maintenance & Repair Fund		\$ 28,481,060
I. Personnel and Related Expenses	\$ 17,952,464	
II. Other Expenses	10,528,596	
Schools Recreation & Cultural Activities Fund		\$ 1,125,000
II. Other Expenses	\$ 1,125,000	
Division of Public Auditorium & Stadium-Stadium		\$ 11,764,375
II. Other Expenses	\$ 11,764,375	
TOTAL SPECIAL REVENUE FUNDS		<u>\$ 93,107,947</u>

DEBT SERVICE FUNDS

Sinking Fund Commission		\$ 93,272,493
III. Debt Service	\$ 93,272,493	
TOTAL DEBT SERVICE FUNDS		<u>\$ 93,272,493</u>

INTERNAL SERVICE FUNDS

Sinking Fund Commission		\$ 747,889
I. Personnel and Related Expenses	\$ 196,619	
II. Other Expenses	551,270	
Information Systems Services-Telephone Exchange		\$ 8,198,814
I. Personnel and Related Expenses	\$ 1,523,460	
II. Other Expenses	6,675,354	
Radio		\$ 3,805,377
I. Personnel and Related Expenses	\$ 662,950	
II. Other Expenses	3,142,427	

Division of Motor Vehicle Maintenance		\$ 18,216,831
I. Personnel and Related Expenses	\$ 5,930,630	
II. Other Expenses	12,286,201	
Division of Printing and Reproduction		\$ 2,554,398
I. Personnel and Related Expenses	\$ 976,829	
II. Other Expenses	1,577,569	
City Storeroom and Central Warehouse		\$ 584,677
I. Personnel and Related Expenses	\$ 114,477	
II. Other Expenses	470,200	
Health Self Insurance		\$ 89,146,773
II. Other Expenses	\$ 89,146,773	
Prescription Self Insurance		\$ 17,795,214
II. Other Expenses	\$ 17,795,214	
TOTAL INTERNAL SERVICE FUNDS		<u>\$ 141,049,973</u>

ENTERPRISE FUNDS

DEPARTMENT OF PUBLIC UTILITIES

Utilities Administration		\$ 6,685,766
I. Personnel and Related Expenses	\$ 5,497,829	
II. Other Expenses	1,187,937	
Division of Fiscal Control		\$ 7,765,231
I. Personnel and Related Expenses	\$ 6,221,180	
II. Other Expenses	1,544,051	
Division of Water		\$ 361,078,645
I. Personnel and Related Expenses	\$ 87,211,677	
II. Other Expenses	273,866,968	
Division of Water Pollution Control		\$ 28,207,685
I. Personnel and Related Expenses	\$ 11,609,809	
II. Other Expenses	16,597,876	
Division of Cleveland Public Power		\$ 215,989,237
I. Personnel and Related Expenses	\$ 26,498,348	
II. Other Expenses	189,490,889	
TOTAL DEPARTMENT OF PUBLIC UTILITIES		<u>\$ 619,726,564</u>

DEPARTMENT OF PORT CONTROL

Divisions of Cleveland Hopkins & Burke Lakefront Airports - Operations		\$ 168,572,666
I. Personnel and Related Expenses	\$ 35,124,283	
II. Other Expenses	133,448,383	
TOTAL DEPARTMENT OF PORT CONTROL		<u>\$ 168,572,666</u>

DEPARTMENT OF PUBLIC WORKS

Division of Cemeteries		\$ 1,798,105
I. Personnel and Related Expenses	\$ 1,349,859	
II. Other Expenses	448,246	
Golf Course Fund		\$ 18,381
I. Personnel and Related Expenses	\$ 381	
II. Other Expenses	18,000	
Division of Parking Facilities-Off Street Parking		\$ 10,460,314
I. Personnel and Related Expenses	\$ 1,354,607	
II. Other Expenses	9,105,707	

Division of Public Auditorium		\$ 2,838,402
I. Personnel and Related Expenses	\$ 1,450,502	
II. Other Expenses	1,387,900	
Division of West Side Market		\$ 1,712,599
I. Personnel and Related Expenses	\$ 509,025	
II. Other Expenses	1,203,574	
TOTAL DEPARTMENT OF PUBLIC WORKS		\$ 16,827,801
TOTAL ENTERPRISE FUNDS		\$ 805,127,031
AGENCY FUND		
Central Collection Agency		\$ 12,780,143
I. Personnel and Related Expenses	\$ 8,516,198	
II. Other Expenses	4,263,945	
TOTAL AGENCY FUND		\$ 12,780,143

Section 2. That the appropriations herein made are based upon the detail of expenditures set forth in the Mayor's Estimate, but are appropriated to the several departments, offices, and purposes in the aggregate for I. - Personnel and Related Expenses; and II. - Other Expenses and are not severally and individually appropriated in said detail. Any unencumbered balance in an appropriation fund at the close of the year 2017 is hereby appropriated to such fund for the payment of unpaid obligations lawfully incurred in 2018 or prior years. The Mayor's Estimate, as modified by the schedule published pursuant to Section 39 of the Charter shall within the sums appropriated in Section 1 hereof, constitute the expenditure budget for the year 2018 and shall be subject to the control of the Mayor, provided, however, that no transfer from I. - Personnel and Related Expenses, or II. - Other Expenses within any department or office, or from one department or office to another shall be made except as provided in Section 41 of the Charter.

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

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

**Schedule of Changes
(Published pursuant to Section 39 of the Charter)**

The following changes are made to provide for reductions/increases in various departments of City Government: to correct the total of the 2018 Appropriation Ordinance No. 147-18.

2018 Mayor's Estimate Ordinance		DIFFERENCE
Executive Branch		
General Government		112,458
Department of Public Health		(62,528)
Department of Public Safety		(469,000)
Nondepartmental		1,842,090
Total Executive Branch		1,423,020
TOTAL GENERAL FUND		1,423,020
TOTAL APPROPRIATIONS FOR 2018		\$1,423,020
GENERAL FUND		
EXECUTIVE BRANCH		
GENERAL GOVERNMENT		
Office of Capital Projects		\$50,008
I. Personnel and Related Expenses	\$50,008	

Office of Sustainability		\$62,450
I. Personnel and Related Expenses	\$62,450	_____
TOTAL GENERAL GOVERNMENT		\$112,458 =====
 DEPARTMENT OF PUBLIC HEALTH 		
Public Health Administration		\$73,746
I. Personnel and Related Expenses	\$73,746	_____
Division of Health		\$(136,274)
I. Personnel and Related Expenses	\$(136,274)	_____
TOTAL DEPARTMENT OF PUBLIC HEALTH		\$(62,528) =====
 DEPARTMENT OF PUBLIC SAFETY 		
Division of Police		\$(350,000)
I. Personnel and Related Expenses	\$(350,000)	_____
Division of Emergency Medical Services		\$(119,000)
I. Personnel and Related Expenses	\$(119,000)	_____
TOTAL DEPARTMENT OF PUBLIC SAFETY		\$(469,000) =====
 NONDEPARTMENTAL 		
Transfers to Other Funds		\$1,842,090
II. Other Expenses	\$1,842,090	_____
TOTAL NONDEPARTMENTAL		\$1,842,090 =====
TOTAL EXECUTIVE BRANCH		\$1,423,020 =====
TOTAL GENERAL FUND		\$1,423,020 =====

MOTION

The Council Meeting adjourned at 7:40 p.m. to meet on Monday, March 12, 2018, at 7:00 p.m. in the Council Chamber.



Patricia J. Britt
City Clerk, Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

February 28, 2018

The meeting of the Board of Control convened in the Mayor's office on Wednesday, February 28, 2018 at 10:33 a.m. with Director Langhenry presiding.

Present: Directors Langhenry, Davis, Kennedy, Cox, Acting Director Sosiak, Director McGrath, Interim Director L. Jackson, Director West, Acting Director Brown, Director McNamara, and Interim Director Donald.

Absent: Mayor Jackson and Directors Dumas.

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

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

Melissa Burrows, Director, Office of Equal Opportunity.

Resolution No. 55-18.

By Director Davis.

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

the employment of the following subconsultants by Osborn Engineering Company under Contract No. PS2017-101 to provide professional engineering services necessary to design various water main renewal and repair projects, for a period of four (4) years; and to include testing analysis, for a period of two (2) years, for the Division of Water, Department of Public Utilities, is approved:

<u>Subconsultant</u>	<u>Work Percentage</u>
KS Associates (FBE)	\$24,200.00 0.9%
Underwater Marine Contractors (CSB)	\$ 7,100.00 0.3%

Yeas: Directors Langhenry, Davis, Kennedy, Cox, Acting Director Sosiak, Director McGrath, Interim Director L. Jackson, Director West, Acting Director Brown, Director McNamara, and Interim Director Donald.
Nays: None.

Absent: Mayor Jackson and Directors Dumas.

Resolution No. 56-18.

By Director Davis.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Bonded Chemicals, Inc. for an estimated quantity of potassium permanganate, item 1, for the Division of Water, Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on December 21, 2017 under the authority of Section 129.24 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$1,123,000.00 (Net 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services necessary for the specified items.

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

Yeas: Directors Langhenry, Davis, Kennedy, Cox, Acting Director Sosiak, Director McGrath, Interim Director L. Jackson, Director West, Acting Director Brown, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson and Directors Dumas.

Resolution No. 57-18.

By Director Davis.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Ferguson Enterprises, Inc. dba Ferguson Waterworks for an estimated quantity of curb stop boxes, all items, for the Division of Water, Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on December 8, 2017 under the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$99,830.00 (0%, Net 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services necessary for the specified items.

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

Yeas: Directors Langhenry, Davis, Kennedy, Cox, Acting Director Sosiak, Director McGrath, Interim Director L. Jackson, Director West, Acting Director Brown, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson and Directors Dumas.

Resolution No. 58-18.

By Director Davis.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Core & Main LP for an estimated quantity of adjustable valve boxes & appurtenances, items 4, 6, and 17-22 for the Division of Water, Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on November 29, 2017 under the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$85,585.40 (0%, Net 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services necessary for the specified items.

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

Yeas: Directors Langhenry, Davis, Kennedy, Cox, Acting Director Sosiak, Director McGrath, Interim Director L. Jackson, Director West, Acting Director Brown, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson and Directors Dumas.

Resolution No. 59-18.

By Director Davis.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Trumbull Industries, Inc for an estimated quantity of adjustable valve boxes & appurtenances, items 1, 2, and 3, for the Division of Water, Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on November 29, 2017 under the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$115,321.00 (0%, Net 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services necessary for the specified items.

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

Yeas: Directors Langhenry, Davis, Kennedy, Cox, Acting Director Sosiak, Director McGrath, Interim Director L. Jackson, Director West, Acting Director Brown, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson and Directors Dumas.

Resolution No. 60-18.

By Director Davis.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Winsupply Cleveland OH Co. for an estimated quantity of adjustable valve boxes & appurtenances, items 5 and 7-16 for the Division of Water, Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on November 29, 2017 under the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$42,841.80 (0%, Net 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services necessary for the specified items.

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

Yeas: Directors Langhenry, Davis, Kennedy, Cox, Acting Director Sosiak, Director McGrath, Interim Director L. Jackson, Director West, Acting Director Brown, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson and Directors Dumas.

Resolution No. 61-18.

By Director Davis.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Terrace Construction Company, Inc. for the public improvement of constructing and repairing catch basins and manholes at various locations citywide, base bid items including 10% contingency allowance, for the Division of Water Pollution Control, Department of Public Utilities, received on December 21, 2017, under the authority of Ordinance No. 543-17, passed by the Council of the City of Cleveland on June 5, 2017, upon a unit basis for the improvements to be performed as ordered during a period of two (2) years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, at the unit prices set forth in the bid, which on the basis of the estimated work to be done would amount to \$1,276,880.00, is affirmed and approved as the lowest responsible bid, and the Director of Public Utilities is requested to enter into a Public Improvement by requirement contract for the improvement.

The Public Improvement by requirement contract shall further provide that the contractor will perform all the City's requirements for the work as may be ordered under delivery orders separately certified against the Public Improvement by requirement contract, whether the same shall be more or less than the total estimate of work to be performed under the contract.

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

SUBCONTRACTOR CSB/MBE/FBE AMOUNT/PERCENTAGE

Rockport Construction	CSB
\$230,000.00	(18.01%)
The Vallejo Company	CSB
\$154,000.00	(12.06%)

Yeas: Directors Langhenry, Davis, Kennedy, Cox, Acting Director Sosiak, Director McGrath, Interim Director L. Jackson, Director West, Acting Director Brown, Director McNamara, and Interim Director Donald.
Nays: None.
Absent: Mayor Jackson and Directors Dumas.

Resolution No. 62-18.

By Director Davis.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Leff Electric Company, Inc. for an estimated quantity of High Voltage Switching Equipment, Group 1 (All Items), Group 2 (All Items), and Group 3 (All Items), for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two (2) years starting upon execution of a contract or the day following expiration of the currently effective contract for the goods or services, with two (2) one-year options to renew, received on September 22, 2017 under authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$1,369,138.00, 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, Kennedy, Cox, Acting Director Sosiak, Director McGrath, Interim Director L. Jackson, Director West, Acting Director Brown, Director McNamara, and Interim Director Donald.
Nays: None.
Absent: Mayor Jackson and Directors Dumas.

Resolution No. 63-18.

By Director Davis.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Professional Electric Products Company dba PEPCO for an estimated quantity of High Voltage Switching Equipment, Group 4 (All Items) and Group 5 (All Items), for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two (2) years starting upon execution of a contract or the day following expiration of the currently effective contract for the goods or services, with two

(2) one-year options to renew, received on September 22, 2017 under authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$195,952.00, 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, Kennedy, Cox, Acting Director Sosiak, Director McGrath, Interim Director L. Jackson, Director West, Acting Director Brown, Director McNamara, and Interim Director Donald.
Nays: None.
Absent: Mayor Jackson and Directors Dumas.

Resolution No. 64-18.

By Director Davis.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Univar USA, Inc. for an estimated quantity of fluorosilicic acid, bid item 1, for the Division of Water, Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on January 10, 2018 under the authority of Section 129.24 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$742,000.00 is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services necessary for the specified items.

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

Yeas: Directors Langhenry, Davis, Kennedy, Cox, Acting Director Sosiak, Director McGrath, Interim Director L. Jackson, Director West, Acting Director Brown, Director McNamara, and Interim Director Donald.
Nays: None.
Absent: Mayor Jackson and Directors Dumas.

Resolution No. 65-18.

By Director Kennedy.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Great Lakes Dock and Materials, LLC, for the public improvement of the Rehabilitation of the Burke Lakefront Airport Shoreline, base bid, including 10% Contingency, for the Department of Port Control, received on August 11, 2017 under the authority of Ordinance No. 272-14, passed by the Council of the City of Cleveland on March 31, 2014, for a unit price for the improvement, in the aggregate

amount of \$7,979,831.97 is affirmed and approved as the lowest responsible bid; and the Director of Port Control is authorized to enter into a contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that employment of the following subcontractors by Great Lakes Dock and Materials, LLC is approved:

<u>Subcontractor</u>	<u>Percentage Amount</u>
RAR Contracting Co, Inc.	29.33%-DBE \$2,127,955.19
Dempsey Surveying Company	.22%-SBE \$ 16,500.00
Geo. Gradel Co.	12.31%-SBE \$ 892,807.49
Safe Choice, LLC	.30%-SBE \$ 21,479.04
Sander Photo & Consulting, LLC	.10%-SBE \$ 7,128.00
The Lakewood Supply Company	.41%-SBE \$ 29,874.80

Yeas: Directors Langhenry, Davis, Kennedy, Cox, Acting Director Sosiak, Director McGrath, Interim Director L. Jackson, Director West, Acting Director Brown, Director McNamara, and Interim Director Donald.
Nays: None.
Absent: Mayor Jackson and Directors Dumas.

Resolution No. 66-18.

By Director Spronz.
Whereas, under the authority of Ordinances Nos. 1101-15 and 1024-16, passed by the Cleveland City Council on November 9, 2015 and November 14, 2016, respectively, and Resolution No. 536-17, adopted by this Board of Control on October 18, 2017, the City, through its Director of Capital Projects, entered into City Contract No. PI2017-60 with Perk Company, Inc. for the public improvement of North Marginal Road, including Western Avenue from West Blvd. to Lorain Rd., and the South Marginal Road from Western Ave. to W. 98th St. in the amount of \$2,555,795.36, and approved various subcontractors, for the Division of Engineering and Construction, Office of Capital Projects; and

Whereas, Resolution No. 536-17 inadvertently omitted two subcontractors to be utilized by Perk Company under the above-mentioned contract; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 536-17, adopted by this Board October 18, 2017, approving the bid of Perk Company, Inc. as the lowest responsible bidder for the public improvement of North Marginal Road, including Western Avenue from West Blvd. to Lorain Rd., and the South Marginal Road from Western Ave. to W. 98th St., is amended by approving the following additional subcontractors for the above-mentioned public improvement:

Van Curen Tree Services Co. \$ 9,200.00
 Burton Scot Contractors \$240,128.00

Be it further resolved that all other provisions of Resolution No. 536-17 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Directors Langhenry, Davis, Kennedy, Cox, Acting Director Sosiak, Director McGrath, Interim Director L. Jackson, Director West, Acting Director Brown, Director McNamara, and Interim Director Donald.

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

Resolution No. 67-18.

By Director Spronz.
 Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 540-17 passed by the Council of the City of Cleveland on June 5, 2017, CJL Engineering, is selected upon the nomination of the Director of Capital Projects as the firm to be employed by contract to supplement the regularly employed staff of the several departments of the City to provide professional architectural/engineering services for the Halloran Park Ice Skating Rink Improvements, Phase 2 Project.

Be it further resolved that the Director of Capital Projects is authorized to enter into a written contract with CJL Engineering, based upon their proposal dated January 26, 2018 for a total cost not to exceed \$87,780.00, which contract shall be prepared by the Director of Law and shall provide for furnishing of professional services as stated in the proposal and shall contain such other terms and conditions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following subconsultant by CJL Engineering is approved:

<u>Sub-Consultant</u>	<u>Percentage Amount</u>
Osborn Engineering CSB	11.4% \$10,000.00

Yeas: Directors Langhenry, Davis, Kennedy, Cox, Acting Director Sosiak, Director McGrath, Interim Director L. Jackson, Director West, Acting Director Brown, Director McNamara, and Interim Director Donald.

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

Resolution No. 68-18.

By Director Cox.
 Be it resolved, by the Board of Control of the City of Cleveland that all bids received on September 1, 2017, for an estimated quantity of City-wide tree planting, all items, for the Division of Park Maintenance, Department of Public Works, under the authority of Ordinance No. 288-17, passed April 10, 2017, by the Council of the City of Cleveland, are rejected.

Yeas: Directors Langhenry, Davis, Kennedy, Cox, Acting Director Sosiak, Director McGrath, Interim Director L.

Jackson, Director West, Acting Director Brown, Director McNamara, and Interim Director Donald.

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

Resolution No. 69-18.

By Interim Director Jackson.
 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. 007-20-003 located at 3719 Seymour 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, Jeff Burgess 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 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 Jeff Burgess for the sale and development of Permanent Parcel No. 007-20-003 located at 3719 Seymour Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Davis, Kennedy, Cox, Acting Director Sosiak, Director McGrath, Interim Director L. Jackson, Director West, Acting Director Brown, Director McNamara, and Interim Director Donald.

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

Resolution No. 70-18.

By Interim Director Jackson.
 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. 125-26-134 located at 5658 Hamlet 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, Denise M. Parks-Cook 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 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 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 Denise M. Parks-Cook for the sale and development of Permanent Parcel No. 125-26-134 located at 5658 Hamlet Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Davis, Kennedy, Cox, Acting Director Sosiak, Director McGrath, Interim Director L. Jackson, Director West, Acting Director Brown, Director McNamara, and Interim Director Donald.

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

Resolution No. 71-18.

By Interim Director Jackson.
 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. 116-35-041 located at 19010 Firwood 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, Nature's Beauty Tree Service, LLC has proposed to the City to purchase and develop the parcel for business expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 10 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 Nature's Beauty Tree Service, LLC for the sale and development of Permanent Parcel No. 116-35-041 located at 19010 Firwood 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 \$1,500.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Directors Langhenry, Davis, Kennedy, Cox, Acting Director Sosiak, Director McGrath, Interim Director L. Jackson, Director West, Acting Director Brown, Director McNamara, and Interim Director Donald.

Nays: None.

Absent: Mayor Jackson and Directors 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. Thereafter, eligible lists will be established which will consist of the names of those candidates who have been successful in all parts of the examination.

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

ROBERT BENNETT,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, MARCH 19, 2018

9:30 A.M.

Calendar No. 18-044: 1876 West 47th Street (Parcel A) (Ward 3)

Robert Crawford, owner, proposes to construct two single family dwellings on a 3,780 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 minimum lot width for two family dwellings in a "B" area districts is 50 feet and a 30 foot wide lot is proposed.

2. Section 355.04(a) which states that a minimum lot area of 6,000 square feet is required for a single family dwelling; a lot area of approximately 3,780 square feet is proposed.

3. Section 357.08 which states that the depth of required rear yard shall be not less than the height of the main building. The required rear yard for the rear building (garage w/studio) is 21' - 0".

4. Section 357.09(b)(2)(A) which states that in a Two Family District no interior side yard, and except as provided in subsection (b)(1) hereof, in any use district no interior side yard on a lot occupied by a dwelling house shall be less than five (5) feet in width for a corner lot nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than 10 feet. However, the width of any such interior side yard shall in no case be less than height of the main building on the premises.

5. Section 357.09(b)(2)(B) which states that because the building mean height is approximately 26' - 4" no interior side yard shall be less than 6' - 6" where a 5' - 0" side yard is proposed. Rear building garage w/studio, mean height is approximately 21' - 0" thus no interior side yard shall be less than 5' - 3".

6. Section 357.13(b)(4) which states that an open front porch shall not project more than 6'-0" and the proposed porch projects 8' - 0".

7. Section 357.15(a) which states that a residence building may be erected in the rear of a main building in any use district if the required front, rear and side yards are provided and the distance between such buildings is no less than forty (40) feet.

8. Section 357.15 (c) which states that no building shall be erected less than ten feet from a main building on an adjoining lot. Proposed distance from main residence to adjacent residence is 5' - 0". Proposed distance from garage with studio above to adjacent residence is 3' - 0". (Filed February 14, 2018)

Calendar No. 18-047: 1262 West Boulevard (Ward 11)

F.W. Pinard Building Co., owner, proposes to erect a 55' x 42' frame fee simple single family residence with attached garage in an A1 One-Family Residential District. The owner appeals for relief from the

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

1. Section 357.06(a) which states that the required front yard setback is 45 feet and 30 feet are proposed.

2. Section 357.09(2)(B) which states that no building shall be erected less than 10 feet from a main building on an adjoining lot within a Residence District; 0' and 33' - 3" are proposed. Interior side yard shall not be less than one fourth the height of the main building on the same premises of 8' - 6"; the appellant is proposing 33' - 3" and 0'. The total width of the side yards on the same premises shall not be less than 10' and 0' and 33' - 3" are proposed. (Filed February 20, 2018)

Calendar No. 18-048: 10011 Clifton Boulevard (Ward 11)

F.W. Pinard Building Co., owner, proposes to erect a 55' x 42' frame fee simple single family residence with attached garage in an A1 One-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 357.06(a) which states that the required front yard setback is 45 feet and 30 feet are proposed.

2. Section 357.09(2)(B) which states that no building shall be erected less than 10 feet from a main building on an adjoining lot within a Residence District; 0' and 37' - 11" are proposed. Interior side yard shall not be less than one fourth the height of the main building on the same premises of 8' - 6"; the appellant is proposing 37' - 3" and 0'. The total width of the side yards on the same premises shall not be less than 10' and 0' and 33' - 3" are proposed. (Filed February 20, 2018)

Calendar No. 18-049: 650 Harrison Street (Ward 3)

Allied Corporation, owner, proposes to establish use as hot mix asphalt plant on a parcel of land located in B3 Semi-Industry and General Industry. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 345.04(b) which states that the use is prohibited as the main or primary use of the premises and is permitted only as accessory or incidental to a permitted use and only if approved by the Board of Zoning Appeals through a Special Permit granted in accordance with the standards of division 345.04(c) of this section.

2. Section 345.04(a)(3) which states that open yard storage shall be enclosed within a minimum seven feet high solid masonry wall or slightly solid nontransparent well maintained substantial fence not closer to the street line than the setback building line.

3. Section 349.07(a) which states that accessory off street parking spaces, driveways and vehicle maneuvering areas shall be properly graded for drainage so that all water is drained within the lot providing such parking spaces, and surfaced with concrete, asphalt, or other acceptable paving material maintained in good condition. No

drainage or specific paving detail shown. Driveway and aprons must also be shown on plan. (Filed February 23, 2018)

Calendar No. 18-050: 17305 Groveswood Avenue (Ward 8)

Hive City, LLC., owner, proposes to establish use as office and retail business in a C1 Local Retail Business District. The owner appeals for relief from the strict application of Section 349.04(g) of the Cleveland Codified Ordinances which states that accessory off street parking requirement: 5 parking spaces required; 2 parking spaces proposed. (Filed February 23, 2018)

Calendar No. 18-051: 3600 Euclid Avenue (Ward 7)

IUOE Local 18, owner, proposes to install a new 6 foot tall wrought iron fence in a C4 Local Retail Business District. The owner appeals for relief from the strict application of Section 358.05(a)(2) which states that a fences in the actual front yard or side street yard shall not exceed 4 feet in height and a 6 feet high fence is proposed. (Filed February 28, 2018)

Calendar No. 18-57: 3333 Lorain Avenue (Ward 3)

K & Z Mutual Realty, owner, proposes to establish use as Planet Fitness (indoor recreational use) in a D3 Local Retail Business District and a Pedestrian Retail Overlay District (PRO) The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 343.11 which states that recreational uses are first permitted in the General Retail Business District.

2. Section 343.23(e)(2)(A) which states that off-street parking is a conditional use to be approved by the City Planning Commission.

3. Section 343.23(e)(2)(B) which states that driveways that extend across a public sidewalk are a conditional use to be approved by City Planning Commission.

4. Section 343.23(e)(2)(D) which states that any building-enclosed use that does not have a public pedestrian entrance from the Pedestrian Retail Street Frontage is a conditional use to be approved by City Planning Commission.

5. Section 343.23(e)(2)(E) which states that any use with more than forty (40) feet of frontage along the Pedestrian Retail Street Frontage is a conditional use to be approved by the City Planning Commission; all Conditional uses are subject to the Criteria for Conditional Uses in Section 346.23(f).

6. Section 349.07(b) which states that accessory off-street parking spaces shall be provided with wheel or bumper guards; none are proposed.

7. Section 352.03(a) which states that an 8 foot wide transition strip is required where a rear or interior side lot line abutting or across a court or alley right-of-way from a zoning district with a lower index number as required by the table contained in Section 352.09; none are proposed.

8. Section 352.12 which states that a table containing contents of landscaping plan is required.

9. Section 352.10 which states that a minimum width for a landscaped frontage strip is six (6) feet and proposed width is (4) 4 feet. (Filed March 1, 2018)

**POSTPONED FROM
FEBRUARY 26, 2018**

Calendar No. 17-347: 1260/1212 Sumner Avenue (Ward 5)

1235 Euclid Ave. Cleveland LLC., owner, proposes to establish a 99 space parking lot in an E5 Semi-Industry District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 352.10 which states that a 6 foot wide frontage landscape strip is required along Sumner Avenue where parking abuts the street and no landscaping is proposed.

2. Section 349.07(b) which states that a driveway shall not be located less than 15 feet from adjacent property line; driveway is proposed at the intersection of Bronson Court and East 12th Street property line.

3. Section 352.10(e) which states that a minimum 100 square foot island strip is required to separate parking spaces to no more than 20 parking spaces in a row; proposed lot has 22 parking space rows by Bronson Court and Sumner Avenue.

4. Section 341.02 which states that no building permit shall be issued by the city in Design Review Districts without design approval by the City Planning Commission; project has been denied by CPC. (Filed November 14, 2017 - Testimony Taken)

Third postponement was made at the request of the appellant as the City Planning Commission review is not complete. Second postponement made at the request of the appellant to allow for time to work with City Planning Commission. First postponement made at the request of the Board to allow time for the appellant to be reviewed by City Planning Commission.

**POSTPONED FROM
FEBRUARY 12, 2018**

Calendar No. 18-33: 5805-5813 Hough Avenue (Ward 7)

Sterling Pettway, owner, proposes to establish use as a fence contracting company with outdoor storage and to install an 8 foot tall chain link fence D2 Multi-Family Residential District. The owner appeals for relief from the strict application of Section of the following sections of the Cleveland Codified Ordinances:

1. Section 345.03(c)(33) which states that warehouse and outdoor storage use is first permitted in Semi Industrial District. Any material stored in unenclosed premises to a height greater than 4 feet above the grade level shall be a surrounded by a substantial 7 foot high wall or fence erected to observe all required building lines and chain link fence proposed.

2. Section 349.01 which states that a parking area in amount of 15% of the gross lot area is required and no off street parking proposed.

3. Section 349.07 which states that all vehicle maneuvering areas shall be paved and drained within the lot.

Only one driveway shall be permitted for each 100 feet of frontage. No driveway shall be so located that there would be less than 15 feet between the point of tangency of the driveway apron radius and the outside crosswalk the proposed new driveway is directly adjacent to the crosswalk.

4. Sections 352.08 through 352.11 which state that eight feet of landscaped transition strip is required where a Semi-Industry District would abut a Multi-Family District. Installation is required of screening with 75% or greater opacity of sufficient height to conceal uses specified herein (outdoor storage) from view from the ground floor level on adjoining properties and from the street and no landscaping proposed.

5. Section 358.04 which states that in residential districts, fences in actual front yards and in actual front yards shall not exceed 4 feet in height. Fences in actual rear yard and actual interior side yard shall not exceed 6 feet in height.

6. Section 358.04(b) which states that in residential districts, only ornamental fences shall be installed in actual front yards. (Filed January 26, 2018)

Calendar No. 17-358: 5809 Hough Avenue (Ward 7)

Sterling Pettway, owner, proposes to install an (8) eight feet tall chain link fence in a D2 Multi-Family Residential District. The owner appeals for relief from the strict application of Section of the following sections of the Cleveland Codified Ordinances:

1. Section 358.04(a) which states that fences in actual front yard and in actual side street yards shall not exceed four (4) feet in height.

2. Section 358.04(b) which states that in Residential Districts, only ornamental fences, as defined herein, shall be installed in actual front yards and in actual side street yards if located within four (4) feet of the side street property line. The Board of Zoning Appeals may however permit a chain link fence if the Board determines that such fence is common in the immediate vicinity of the subject property. (Filed December 4, 2017 - Testimony Taken)

Calendar No. 17-359: 5813 Hough Avenue (Ward 7)

Sterling Pettway, owner, proposes to install an (8) eight feet tall chain link fence in a D2 Multi-Family Residential District. The owner appeals for relief from the strict application of Section of the following sections of the Cleveland Codified Ordinances:

1. Section 358.04(a) which states that fences in actual front yard and in actual side street yards shall not exceed four (4) feet in height.

2. Section 358.04(b) which states that in Residential Districts, only ornamental fences, as defined herein, shall be installed in actual front yards and in actual side street yards if located within four (4) feet of the side street property line. The Board of Zoning Appeals may however permit a chain link fence if the Board determines that such fence is common in the immediate vicinity of the subject property. (Filed December 4, 2017 - Testimony Taken)

Second postponement made at the request of the Councilman to allow for time for further review. First postponement made at the request of the Board to allow time for the appellant to meet with the city planner about the proposed storage use.

**POSTPONED FROM
FEBRUARY 12, 2018**

Calendar No. 18-14: 8700 Denison Avenue (Ward 14)

Mihai Dobre, owner, proposes to erect a storage building on a vacant lot and use property as storage on a parcel of land that is located in a B1 Two-Family Residential and a C2 Local Retail Business. The owner appeals for relief from the strict application of Sections 337.03 and 343.01 of the Cleveland Codified Ordinances which state that storage is not permitted as a main use of property in Residential or Local Retail Business zoning district but is first permitted in Semi-Industry District. (Filed January 16, 2018 - No Testimony)

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

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, MARCH 5, 2018

At the meeting of the Board of Zoning Appeals on Monday, March 5, 2018 the following appeals were scheduled for hearing before the Board.

The following appeals were **APPROVED:**

Calendar No. 17-374: 16900 Lorain Avenue

Kamcor Realty, owner, and Britany Bosch, prospective tenant, propose to establish tattooing use in a C2 Local Retail Business District.

Calendar No. 18-005: 506 Marquardt Avenue

Cleveland Bricks, owner, proposes to erect a 2,722.5 square foot, three story, 32 feet tall single family townhouse on a 1,960 square foot lot in a B1 Two Family Residential District.

Calendar No. 18-006: 508 Marquardt Avenue

Cleveland Bricks, owner, proposes to erect a 2,032.3 square foot, three story, 32 feet tall single family townhouse on a 1,274 square foot lot in a B1 Two Family Residential District.

Calendar No. 18-007: 510 Marquardt Avenue

Cleveland Bricks, owner, proposes to erect a 2,032.3 square foot, three story, 32 feet tall single family townhouse on a 1,274 square foot lot in a B1 Two Family Residential District.

Calendar No. 18-008: 512 Marquardt Avenue

Cleveland Bricks, owner, proposes to erect a 2,536 square foot, three story, 32 feet tall single family townhouse on a 1,715 square foot lot in a B1 Two Family Residential District.

Calendar No. 18-15: 11813 Wade Park Avenue

B.R. Knez, owner, proposes to construct a 1,766 square foot, single family residence and detached garage on a 5,400 square foot lot in a C1 Multi-Family Residential District.

Calendar No. 18-16: 12010 Wade Park Avenue

B.R. Knez, owner, proposes to construct a 1,766 square foot, single family residence and detached garage on a 3,500 square foot lot in a B1 Two Family Residential District.

Calendar No. 18-17: 12012 Wade Park Avenue

B.R. Knez, owner, proposes to construct a 1,792 square foot, single family residence and detached garage on a 4,000 square foot lot in a B1 Two Family Residential District.

Calendar No. 18-18: 12016 Wade Park Avenue

B.R. Knez, owner, proposes to construct a 1,792 square foot, single family residence and detached garage on a 4,000 square foot lot in a B1 Two Family Residential District.

Calendar No. 18-19: 1520 East 120th Street

B.R. Knez, owner, proposes to construct a 1,372 square foot, single family residence on a 3,000 square foot lot in a C1 Multi-Family Residential District.

Calendar No. 18-28: 5151 Pearl Road
O'Reilly Auto Enterprises, owner, proposes to construct a new retail store for sale of automobile parts and supplies and parking lot in a B3 Semi-Industrial District.

Calendar No. 18-29: 11707 Cromwell Avenue

Cleveland Landbank, owner, and Home General Development LLC., propose to erect a 1,664 square foot single family residence and detached garage on a 4,640 square foot lot in a B1 Two Family Residential District.

Calendar No. 18-30: 11615 Cromwell Avenue

Cleveland Landbank, owner, and Home General Development LLC., propose to erect a 1,664 square foot single family residence and detached garage on a 4,720 square foot lot in a B1 Two Family Residential District.

Calendar No. 18-32: 14529 Puritas Avenue

Abdel Abukhalil, owner, proposes to add a drive-through window to existing pharmacy and add a parking lot in a C1 General Retail Business District.

Calendar No. 18-34: 1970 Carter Road
Carter Peninsula Inc., owner, proposed to add concrete and rock crushing use to material storage yard in a B3 General Industry District.

The following appeal was **DENIED:**

Calendar No. 18-009: 514 Marquardt Avenue

Cleveland Bricks, owner, proposes to erect a 2,155.5 square foot, three story, 32 feet tall single family townhouse on a 1,372 square foot lot in a B1 Two Family Residential District.

The following appeals were **WITHDRAWN:**

Calendar No. 17-326: The Meeting Place
2632 East 115th Street.

Calendar No. 17-327: The Meeting Place
2633 East 115th Street.

Calendar No. 17-362: 9803 Lake Ave LLC
9803-05 Lake Road.

Calendar No. 17-369: Jean Saad
3403 Denison Avenue.

Calendar No. 18-20: Old Brooklyn Investments
4899 Pearl Road.

Calendar No. 18-40: Mosha Inc
7210 Memphis Avenue.

Calendar No. 18-42: Gerald & Christine Kensick
3577 Rockport Avenue.

The following appeals were **DISMISSED:**

None.

The following case was **POSTPONED:**

Calendar No. 18-35: Abdel Abukhalil
1956 East 79th Street. Postponed to April 9, 2018.

The following cases were heard by the Board of Zoning Appeals on Monday, February 26, 2018 and the decisions were adopted and approved on Monday, March 5, 2018:

Calendar No. 18-21: 1835 West 54th Street
W. 54 Townhomes LLC., owner, proposes to construct a new town home in a B1 Two Family Residential District.

Calendar No. 18-22: 1839 West 54th Street
W. 54 Townhomes LLC., owner, proposes to construct a new town home in a B1 Two Family Residential District.

Calendar No. 18-23: 1843 West 54th Street
W. 54 Townhomes LLC., owner, proposes to construct a new town home in a B1 Two Family Residential District.

Calendar No. 18-24: 1837 West 54th Street
W. 54 Townhomes LLC., owner, proposes to construct a new town home in a B1 Two Family Residential District.

Calendar No. 18-25: 1841 West 54th Street
W. 54 Townhomes LLC., owner, proposes to construct a new town home in a B1 Two Family Residential District.

Calendar No. 18-26: 1845 West 54th Street

W. 54 Townhomes LLC., owner, proposes to construct a new town home in a B1 Two Family Residential District.

Calendar No. 18-27: 1930 West 50th Street

Roger Bliss proposes to erect a new single family, 896 square foot house and detached garage on a 3,300 square foot Cleveland Land Bank Lot in a B1 Two Family Residential District.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

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

**Mercedes Cotner
Committee Room 217
City Hall, Cleveland, Ohio
On Tuesday, March 20, 2018
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, March 20, 2018, at 9:30 a.m., to consider the following ordinances now pending in the Council:

Ord. No. 77-18.

By Council Member McCormack, An ordinance changing the Use, Area and Height Districts of parcels in the Flats along the west bank of the Cuyahoga River as identified on the attached map (Map Change No. 2578).

Ord. No. 78-18.

By Council Members McCormack, Cleveland and B. Jones, An ordinance changing the Height Districts for the Central Business District and lands along the East Bank of the Flats as identified on the attached map (Map Change No. 2573).

Anthony Brancatelli, Chair
Committee on Development,
Planning and Sustainability

March 7, 2018 and March 14, 2018

CITY of CLEVELAND BIDS

For All Departments

Sealed bids will be received at the office of the Commissioner of Purchases and Supplies, Room 128, City

Hall, in accordance with the appended schedule, and will be opened and read in Room 128, City Hall, immediately thereafter.

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

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

WEDNESDAY, MARCH 21, 2018

File No. 24-18 — East 59th Street Rehabilitation Project, for the Division of Engineering and Construction, Office of Capital Projects, as authorized by Ordinance No. 656-16, passed by the Council of the City of Cleveland, June 5, 2016.

THERE WILL BE A NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR MONEY ORDER (NO COMPANY CHECKS, NO CASH, AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS. ALL PLANS AND SPECIFICATIONS MUST BE PURCHASED DIRECTLY FROM THE DIVISION OF PURCHASES AND SUPPLIES. BIDDERS MUST BE ON PLAN-HOLDERS LIST TO SUBMIT A BID OR RECEIVED ADDENDUMS.)

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, THURSDAY, MARCH 8, 2018 AT 9:30 A.M. CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, ROOM 518.

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. 27-18 — Purchase of Transformers and Accessories, for the Division of Cleveland Public Power, Department of Public

Utilities, as authorized by Section 126.26 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, MARCH 9, 2018 AT 2:30 P.M. CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, CONFERENCE ROOM A.

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. 28-18 — Pipe-type Cable, and Labor and Materials to Repair, Replace, and Maintain Existing Pipe-type Cable, for the Division of Cleveland Public Power, Department of Public Utilities, Ordinance Pending.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, MARCH 9, 2018 AT 10:30 A.M. CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, CENTENNIAL ROOM.

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).

February 28, 2018 and March 7, 2018

WEDNESDAY MARCH 28, 2018

File No. 25-18 — Nottingham Alum Tank Liner Replacement, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1406-15, passed by the Council of the City of Cleveland, November 30, 2015.

THERE WILL BE A NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF FIFTEEN (\$15.00) 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. ALL PLANS AND SPECIFICATIONS MUST BE PURCHASED DIRECTLY FROM THE DIVISION OF PURCHASES AND SUPPLIES. BIDDERS MUST BE ON PLAN-HOLDERS LIST TO SUBMIT A BID OR RECEIVED ADDENDUMS.)

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, THURSDAY, MARCH 8, 2018 AT 10:00 A.M. NOTTINGHAM WATER WORKS PLANT, 1300 CHARDON ROAD CLEVELAND, OHIO 44117.

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. 26-18 — 1060 Lakeside Building Exterior Repairs, for the Division of Water, 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. ALL PLANS AND SPECIFICATIONS MUST BE PURCHASED DIRECTLY FROM THE DIVISION OF PURCHASES AND SUPPLIES. BIDDERS MUST BE ON PLAN-HOLDERS LIST TO SUBMIT A BID OR RECEIVED ADDENDUMS.)

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, MARCH 9, 2018 AT 10:00 A.M. CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, 4TH FLOOR ATRIUM CONFERENCE ROOM.

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).

February 28, 2018 and March 7, 2018

THURSDAY, MARCH 22, 2018

File No. 31-18 — 2018-2020 Citywide Exterminating and Pest Control Services, for various Divisions, Department of Finance, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, TUESDAY, MARCH 13, 2018 AT 1:30 P.M. CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, ROOM 18.

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).

March 7, 2018 and March 14, 2018

THURSDAY, MARCH 29, 2018

File No. 29-18 — Purchase of Lane Marking Paints and Related Items, for the Division of Traffic Engineering, Department of Public Works, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, TUESDAY, MARCH 20, 2018 AT 10:00 A.M. CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, ROOM 25.

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. 30-18 — 2018 Pothole Repair, for the Division of Streets, Department of Public Works, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, TUESDAY, MARCH 20, 2018 AT 10:30 A.M. CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, ROOM 25.

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. 32-18 — Greenwood Park Pool House Renovation, for the Division of Architecture and Site Development, Office of Capital Projects, as authorized by Ordinance No. 549-17, passed by the Council of the City of Cleveland, June 5, 2017.

THERE WILL BE A NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR MONEY ORDER (NO COMPANY CHECKS, NO CASH, AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS. ALL PLANS AND SPECIFICATIONS MUST BE PURCHASED DIRECTLY FROM THE DIVISION OF PURCHASES AND SUPPLIES. BIDDERS MUST BE ON PLAN-HOLDERS LIST TO SUBMIT A BID OR RECEIVED ADDENDUMS.)

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, WEDNESDAY, MARCH 21, 2018 AT 11:00 A.M. CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, ROOM 517A.

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).

March 7, 2018 and March 14, 2018

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 200-18. By Council Member Griffin. An emergency resolution objecting to a New C1 Liquor Permit at 8410 Cedar Avenue.

Whereas, Council has been notified by the Division of Liquor Control of an application for a New C1 Liquor Permit at Steward Family Enterprises, LLC, DBA Sumoo Mart, 8410 Cedar Avenue, Cleveland, Ohio 44103, Permit Number 85669770; 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 Steward Family Enterprises, LLC, DBA Sumoo Mart, 8410 Cedar Avenue, Cleveland, Ohio 44103, Permit Number 85669770; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted February 26, 2018. Effective February 28, 2018.

Ord. No. 12-18. By Council Member Brady. An emergency ordinance rescinding the landmark designation on the building located at 10025 Detroit Avenue.

Whereas, the building located at 10025 Detroit Avenue was condemned by the City in 2010 and remains in such condition as to be a public nuisance; and

Whereas, as a condemned property, the building located at 10025 Detroit Avenue is an imminent danger and peril to human life and public health, safety and welfare; and

Whereas, this building should no longer have landmark status; 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, pursuant to division (b)(9) of Section 161.04 of the Codified Ordinances, the landmark designation on the building located at 10025 Detroit Avenue, Cleveland, Ohio is hereby rescinded.

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

Passed February 26, 2018.

Effective February 28, 2018.

Ord. No. 14-18.

By Council Members B. Jones, Johnson and Brancatelli (by departmental request).

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to The Cleveland Clinic Foundation to encroach into the public right-of-way beneath Chester Avenue by installing, using and maintaining electrical and communications duct banks.

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 The Cleveland Clinic Foundation, 9500 Euclid Avenue, Cleveland, Ohio 44195 ("Permittee"), to encroach into the public right-of-way beneath Chester Avenue by installing, using and maintaining electrical duct banks and communications duct banks at the following locations:

Encroachment No. 1

Electrical duct bank (eight 5" conduits, concrete encased) and communications duct bank (four 5" conduits, concrete encased).

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being part of Original One Hundred Acre Lot No. 401 and is further bounded and described as follows:

Beginning at a stone monument found on the centerline of Chester Avenue (Width Varies) at a distance of 29.59 feet Easterly from the centerline of East 93rd Street (60 Feet Wide);

Thence North 00°36'52" East, a distance of 43.01 feet to the intersection of the Easterly right of way of said East 93rd Street and the Northerly right of way of said Chester Avenue;

Thence South 88°18'25" East, along the Northerly right of way of said Chester Avenue, a distance of 152.09 feet to the principal place of beginning;

Thence South 88°18'25" East, continuing along the Northerly right of way of said Chester Avenue, a distance of 12.00 feet;

Thence South 00°58'16" West, a distance of 86.00 feet to a point on

the Southerly right of way of said Chester Avenue;

Thence North 88°18'25" West, along the Southerly right of way of said Chester Avenue, a distance of 12.00 feet

Thence North 00°58'16" East, a distance of 86.00 feet to the principal place of beginning and containing 0.0237 Acre (1,032 S.F.) of land according to a survey made by Thomas J. Neff, Jr. Registered Surveyor No. 7065-Ohio in July 12, 2016

Be the same more or less, but subject to all legal highways and easements of record.

Encroachment No. 2

Communications duct bank (four 5" conduits, concrete encased).

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being part of Original One Hundred Acre Lot No. 401 and is further bounded and described as follows:

Beginning at the intersection of the centerline of Chester Avenue (Width Varies) and the centerline of East 97th Street (56 Feet Wide);

Thence North 00°02'30" East, along the centerline of said East 97th Street, a distance of 44.16 feet;

Thence North 88°18'25" West, along the extension of and the Northerly right of way of said Chester Avenue, a distance of 48.42 feet to the principal place of beginning;

Thence South 00°00'01" West, a distance of 86.04 feet to a point on the Southerly right of way of said Chester Avenue;

Thence North 88°18'25" West, along the Southerly right of way of said Chester Avenue, a distance of 10.00 feet;

Thence North 00°00'01" East, a distance of 86.04 feet to a point on the Northerly right of way of said Chester Avenue;

Thence South 88°18'25" East, along the Northerly right of way of said Chester Avenue, a distance of 10.00 feet to the principal place of beginning and containing 0.0198 Acre (860 S.F.) of land according to a survey made by Thomas J. Neff, Jr. Registered Surveyor No. 7065-Ohio in July 12, 2016

Be the same more or less, but subject to all legal highways and easements of record.

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

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

Section 3. That the Director of Law shall prepare the permit authorized by this ordinance and shall incorporate such additional provisions as the director determines necessary to protect and benefit the public interest. The permit shall be issued only when, in the opinion of the Director of Law, Permittee has properly indemnified the City against any loss that may result from the encroachment(s) permitted.

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

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

Passed February 26, 2018.

Effective February 28, 2018.

Ord. No. 118-18.

By Council Member Basheer Jones.

An emergency ordinance designating the Patterson-Sargent Company Canned Paint Warehouse as a Cleveland Landmark.

Whereas, under Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976, the Cleveland Landmarks Commission (the "Commission"), has proposed to designate the Patterson-Sargent Company Canned Paint Warehouse as a landmark; and

Whereas, the owner of the Patterson-Sargent Company Canned Paint Warehouse has been properly notified and has consented in writing to the proposed designation; and

Whereas, the Commission has recommended designation of the Patterson-Sargent Company Canned Paint Warehouse as a landmark and has set forth certain findings of fact constituting the basis for its decision; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, and safety in that the immediate protection of the historic landmark is necessary to safeguard the special historical, community, or aesthetic interest or value in the landmark; now, therefore

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

Section 1. That the Patterson-Sargent Company Canned Paint Warehouse whose street address in the City of Cleveland is 3400 Hamilton Avenue N.E., Cuyahoga County Auditor's Permanent Parcel Number is 102-13-018, and is also known as the following described property:

Situated in the City of Cleveland, County of Cuyahoga and the State of Ohio and known as being all of Sublots Nos. 94, 95, 96, 97, 98 and part of Sublot No. 93 in Leonard Case's Subdivision of part of Original Ten Acre Lots Nos. 146 to 153 Inclusive, as shown in the recorded plat in Volume 3 of Maps, Page 31 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning on the Southeastery line of Hamilton Avenue, N.E., at the most Westerly corner of said Sublot No. 98;

Thence Northeasterly along the Southeastery line of Hamilton Avenue, N.E., to the most Westerly corner of land conveyed to The Cleveland and Pittsburgh Railroad Company by deed dated January 31, 1912, and recorded in Volume 1381, Page 407 of Cuyahoga County Records;

Thence Southeasterly along the Southwesterly line of land so conveyed and along the Southwesterly line of The Cleveland and Pittsburgh Railroad Company's Right-of-Way to the Northwesterly line of Krause Court, N.E.;

Thence Southwesterly along the Northwesterly line of Krause Court, N.E., 400 feet to the most southerly corner of said Sublot No. 98;

Thence Northwesterly along the Southwesterly line of said Sublot No. 98, 156.75 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

Passed February 26, 2018.

Effective February 28, 2018.

Ord. No. 119-18.

By Council Member Santana.

An emergency ordinance designating the Astrup Awning Company Complex as a Cleveland Landmark.

Whereas, under Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976, the Cleveland Landmarks Commission (the "Commission"), has proposed to designate the Astrup Awning Company Complex as a landmark; and

Whereas, the owner of the Astrup Awning Company Complex has been properly notified and has consented in writing to the proposed designation; and

Whereas, the Commission has recommended designation of the Astrup Awning Company Complex as a landmark and has set forth certain findings of fact constituting the basis for its decision; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, and safety in that the immediate protection of the historic landmark is necessary to safeguard the special historical, community, or aesthetic interest or value in the landmark; now, therefore

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

Section 1. That the Astrup Awning Company Complex whose street address in the City of Cleveland is 2937 West 25th Street, Cuyahoga County Auditor's Permanent Parcel Numbers are 008-05-001 Thru 007 inclusive, 008-05-057 Thru 061 inclusive, 008-05-107, 008-05-111, and 108-05-114, and is also known as the following described property:

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

and known as being part of Original Brooklyn Township Lot No. 68, and as shown by un-recorded Consolidation for The Astrup Company as approved by the Cleveland Department of Engineering and Construction on December 15, 1983, Map number A-254, being bounded and described as follows:

Beginning at the point of intersection of the Easterly line of West 25th Street (66 feet wide) (Formerly Pearl Road) and the Southerly line of Seymour Avenue S.W. (60 feet wide);

Thence Due East along said Southerly line of Seymour Avenue S.W., about 208.21 feet to a point;

Thence Due South at right angles, about 139.75 feet to a point;

Thence S 89 degrees 36' 38" E, about 185.69 feet to an I.P.;

Thence S 5 degrees 38' 9" W, about 189.89 feet to an I.P. in the Northerly line of Castle Avenue S.W. (40 feet wide) (formerly Warden Street);

Thence N 84 degrees 47' 41" W along said Northerly line of Castle Avenue S.W., about 405.85 feet to an I.P. at its intersection with said Easterly line of West 25th Street;

Thence N 5 degrees 38' 09" E along said Easterly line of West 25th Street, about 294.58 feet to the place of beginning be the same, more or less but subject to all legal highways.

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

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

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

Passed February 26, 2018.

Effective February 28, 2018.

Ord. No. 222-18.

By Council Members Conwell and Keane.

An emergency ordinance amending the Title and Sections 1 and 2 of Ordinance No. 1371-17, passed November 13, 2017 as amended by Ordinance No. 188-18, passed February 12, 2018 as it pertains to authorizing the Director of the Department of Community Development to enter into agreement with the Cleveland Restoration Society for the Heritage Home Program through the use of Wards 5, 6, 8, 9, 10, 11, 13, 15 and 17 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 Title and Sections 1 and 2 of Ordinance No. 1371-17, passed November 13, 2017 as

amended by Ordinance No. 188-18, passed February 12, 2018 are hereby amended to read as follows:

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with the Cleveland Restoration Society for the Heritage Home Program through the use of Wards 5, 8, 9, 10, 11, 13, 15 and 17 Casino Revenue Funds.

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into agreement effective July 1, 2017 with the Cleveland Restoration Society for the Heritage Home Program for the public purpose of providing housing rehabilitation services to residents residing in the city of Cleveland through the use of Wards 5, 6, 8, 9, 10, 11, 13, 15 and 17 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$119,000 and shall be paid from Fund No. 10 SF 188.

Section 2. That the Title and Sections 1 and 2 of Ordinance No. 1371-17, passed November 13, 2017 as amended by Ordinance No. 188-18, passed February 12, 2018 are hereby repealed.

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

Passed February 26, 2018.

Effective February 28, 2018.

COUNCIL COMMITTEE MEETINGS

**Monday, March 5, 2018
9:30 a.m.**

Municipal Services and Properties Committee: Present: Johnson, Chair; Brady, Vice Chair; Bishop, Brancatelli, Hairston, J. Jones, Kazy.

2:00 p.m.

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

**Tuesday, March 6, 2018
9:30 a.m.**

Development, Planning and Sustainability Committee: Brancatelli, Chair; Bishop, B. Jones, Keane, McCormack. *Authorized Absence:* Cleveland, Vice Chair; Hairston.

1:30 p.m.

Workforce and Community Benefits: Conwell, Chair; Cleveland, Vice Chair; Brady, B. Jones, J. Jones, Kazy. *Authorized Absence:* Griffin.

**Wednesday, March 7, 2018
10:00 a.m.**

Transportation Committee: Present: Cleveland, Chair; Keane, Vice Chair; Bishop, Conwell, Johnson, J. Jones. *Authorized Absence:* Santana.

Index

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

Agreements

Amending the Title and Sections 1 and 2 of Ordinance No. 1371-17, passed November 13, 2017 as amended by Ordinance No. 188-18, passed February 12, 2018 as it pertains to authorizing the Director of the Department of Community Development to enter into agreement with the Cleveland Restoration Society for the Heritage Home Program through the use of Wards 5, 6, 8, 9, 10, 11, 13, 15 and 17 Casino Revenue Funds. (O 222-18) **302**

Authorizing the Clerk of Council to enter into a subscription agreement with LexisNexis to obtain online access to computer assisted legal and other research data bases, materials and services required for the work of Cleveland City Council. (O 197-18) **284**

Authorizing the Director of Public Works to enter into an agreement with the Neighborhood Leadership Institute to implement educational, recreational, and cultural programs in various school buildings and recreation centers during evening hours, provide leadership training, and supervise the summer tennis program. (O 203-18) **284**

Authorizing the Director of the Department of Community Development to enter into agreement with the Spanish American Committee for a Better Community for the Relief for Refugee Families Displaced by Natural Disaster Program through the use of Wards 3 and 15 Casino Revenue Funds. (O 264-18) **281**

Authorizing the Directors of Economic Development, Public Works, and Public Utilities, to enter into one or more agreements with the Northeast Ohio Regional Sewer District for the exchange of easements, real property, and other consideration; authorizing the appropriate directors to execute deeds of easement and temporary deeds of easement granting to NEORS D certain easement rights in various properties; declaring the easement rights not needed for the City's public use; and authorizing the Director of Public Works to accept from NEORS D the transfer of a portion of land known as the former Clarence Van Duzer property located on Merwin Avenue for the City's Canal Basin Park project. (O 263-18) **271**

Appropriations

To make appropriations and provide current expenses for the daily operation of all municipal departments of the City of Cleveland for the fiscal year from January 1, 2018 until December 31, 2018. (O 147-18) **282-284**

Board of Control — Airports Division

Burke Lakefront Airport Shoreline Rehabilitation — per Ord. 272-14 to Great Lakes Dock and Materials, LLC — Dept. of Port Control (BOC Res. 65-18) **294**

Board of Control — Capital Projects Office

Halloran Park Ice Skating Rink Improvements — per Ord. 540-17 to CJL Engineering — Dept. of Law (BOC Res. 67-18) **295**

North Marginal Road improvements — amend BOC Res. 536-17 — Division of Engineering and Construction (BOC Res. 66-18) **294**

Board of Control — Cleveland Public Power Division

High Voltage Switching Equipment — per C.O. Sec. 129.26 to Leff Electric Company, Inc. — Dept. of Public Utilities (BOC Res. 62-18) **294**

High Voltage Switching Equipment — per C.O. Sec. 129.26 to Professional Electric Products Company dba PEPCO — Dept. of Public Utilities (BOC Res. 63-18) **294**

Board of Control — Community Development Department

Firwood Avenue, 19010 (Ward 10) — PPN 116-35-041 — Nature's Beauty Tree Service, LLC (BOC Res. 71-18) **295**

Hamlet Avenue, 5658 (Ward 5) — PPN 125-26-134 — Denis M. Parks-Cook (BOC Res. 70-18) **295**

Seymour Avenue, 3719 (Ward 3) — PPN 007-20-003 — Jeff Burgess (BOC Res. 69-18) **295**

Board of Control — Engineering and Construction Division

North Marginal Road improvements — amend BOC Res. 536-17 — Office of Capital Projects (BOC Res. 66-18) **294**

Board of Control — Land Reutilization Program

Firwood Avenue, 19010 (Ward 10) — PPN 116-35-041 — Nature's Beauty Tree Service, LLC (BOC Res. 71-18) **295**

Hamlet Avenue, 5658 (Ward 5) — PPN 125-26-134 — Denis M. Parks-Cook (BOC Res. 70-18) **295**

Seymour Avenue, 3719 (Ward 3) — PPN 007-20-003 — Jeff Burgess (BOC Res. 69-18) **295**

Board of Control — Land Reutilization Program (Ward 3)

Seymour Avenue, 3719 (Ward 3) — PPN 007-20-003 — Jeff Burgess (BOC Res. 69-18) 295

Board of Control — Land Reutilization Program (Ward 5)

Hamlet Avenue, 5658 (Ward 5) — PPN 125-26-134 — Denis M. Parks-Cook (BOC Res. 70-18) 295

Board of Control — Land Reutilization Program (Ward 10)

Firwood Avenue, 19010 (Ward 10) — PPN 116-35-041 — Nature's Beauty Tree Service, LLC
(BOC Res. 71-18) 295

Board of Control — Law Department

Halloran Park Ice Skating Rink Improvements — per Ord. 540-17 to CJL Engineering — Office
of Capital Projects (BOC Res. 67-18) 295

Board of Control — Park Maintenance and Properties Division

City-wide Tree Planting — per Ord. 288-17 — all bids rejected — Dept. of Public
Works (BOC Res. 68-18) 295

Board of Control — Port Control Department

Burke Lakefront Airport Shoreline Rehabilitation — per Ord. 272-14 to Great Lakes Dock
and Materials, LLC — Division of Airports (BOC Res. 65-18) 294

Board of Control — Professional Service Contracts

Halloran Park Ice Skating Rink Improvements — per Ord. 540-17 to CJL Engineering — Office
of Capital Projects, Dept. of Law (BOC Res. 67-18) 295
Water Main Renewal and Repair Projects design — approve subcontractors — Contract
#PS2017-101 per BOC Res. 146-17 — Division of Water, Dept. of Public Utilities
(BOC Res. 55-18) 292

Board of Control — Public Improvement Contracts

Burke Lakefront Airport Shoreline Rehabilitation — per Ord. 272-14 to Great Lakes Dock
and Materials, LLC — Division of Airports, Dept. of Port Control (BOC Res. 65-18) 294
Constructing and Repairing Catch Basins and Manholes — per Ord. 543-17 to Terrace
Construction Company, Inc. — Division of Water Pollution Control, Dept. of Public
Utilities (BOC Res. 61-18) 293
North Marginal Road improvements — amend BOC Res. 536-17 — Division of Engineering and
Construction, Office of Capital Projects (BOC Res. 66-18) 294

Board of Control — Public Utilities Department

Adjustable Valve Boxes & Appurtenances — per C.O. Sec. 129.25 to Core & Main LP —
Division of Water (BOC Res. 58-18) 293
Adjustable Valve Boxes & Appurtenances — per C.O. Sec. 129.25 to Trumbull
Industries, Inc. — Division of Water (BOC Res. 59-18) 293
Adjustable Valve Boxes & Appurtenances — per C.O. Sec. 129.25 to Winsupply Cleveland OH
Co. — Division of Water (BOC Res. 60-18) 293
Constructing and Repairing Catch Basins and Manholes — per Ord. 543-17 to Terrace
Construction Company, Inc. — Division of Water Pollution Control (BOC Res. 61-18) 293
Curb Stop Boxes — per C.O. Sec. 129.25 to Ferguson Enterprises, Inc. dba Ferguson
Waterworks — Division of Water (BOC Res. 57-18) 293
Fluorosilicic Acid — per C.O. Sec. 129.24 to Univar USA Inc. — Division
of Water (BOC Res. 64-18) 294
High Voltage Switching Equipment — per C.O. Sec. 129.26 to Leff Electric Company, Inc. —
Division of Cleveland Public Power (BOC Res. 62-18) 294
High Voltage Switching Equipment — per C.O. Sec. 129.26 to Professional Electric Products
Company dba PEPCO — Division of Cleveland Public Power (BOC Res. 63-18) 294
Potassium Permanganate — per C.O. Sec. 129.24 to Bonded Chemicals, Inc. — Division
of Water (BOC Res. 56-18) 293
Water Main Renewal and Repair Projects design — approve subcontractors — Contract
#PS2017-101 per BOC Res. 146-17 — Division of Water (BOC Res. 55-18) 292

Board of Control — Public Works Department

City-wide Tree Planting — per Ord. 288-17 — all bids rejected — Division
of Park Maintenance (BOC Res. 68-18) 295

Board of Control — Requirement Contracts

Adjustable Valve Boxes & Appurtenances — per C.O. Sec. 129.25 to Core & Main LP —
Division of Water, Dept. of Public Utilities (BOC Res. 58-18) 293

Adjustable Valve Boxes & Appurtenances — per C.O. Sec. 129.25 to Trumbull Industries, Inc. — Division of Water, Dept. of Public Utilities (BOC Res. 59-18)..... 293

Adjustable Valve Boxes & Appurtenances — per C.O. Sec. 129.25 to Winsupply Cleveland OH Co. — Division of Water, Dept. of Public Utilities (BOC Res. 60-18)..... 293

City-wide Tree Planting — per Ord. 288-17 — all bids rejected — Division of Park Maintenance, Dept. of Public Works (BOC Res. 68-18)..... 295

Constructing and Repairing Catch Basins and Manholes — per Ord. 543-17 to Terrace Construction Company, Inc. — Division of Water Pollution Control, Dept. of Public Utilities (BOC Res. 61-18) 293

Curb Stop Boxes — per C.O. Sec. 129.25 to Ferguson Enterprises, Inc. dba Ferguson Waterworks — Division of Water, Dept. of Public Utilities (BOC Res. 57-18) 293

Fluorosilicic Acid — per C.O. Sec. 129.24 to Univar USA Inc. — Division of Water, Dept. of Public Utilities (BOC Res. 64-18) 294

High Voltage Switching Equipment — per C.O. Sec. 129.26 to Leff Electric Company, Inc. — Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 62-18) 294

High Voltage Switching Equipment — per C.O. Sec. 129.26 to Professional Electric Products Company dba PEPCO — Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 63-18) 294

Potassium Permanganate — per C.O. Sec. 129.24 to Bonded Chemicals, Inc. — Division of Water, Dept. of Public Utilities (BOC Res. 56-18) 293

Board of Control — Water Division

Adjustable Valve Boxes & Appurtenances — per C.O. Sec. 129.25 to Core & Main LP — Dept. of Public Utilities (BOC Res. 58-18) 293

Adjustable Valve Boxes & Appurtenances — per C.O. Sec. 129.25 to Trumbull Industries, Inc. — Dept. of Public Utilities (BOC Res. 59-18)..... 293

Adjustable Valve Boxes & Appurtenances — per C.O. Sec. 129.25 to Winsupply Cleveland OH Co. — Dept. of Public Utilities (BOC Res. 60-18)..... 293

Curb Stop Boxes — per C.O. Sec. 129.25 to Ferguson Enterprises, Inc. dba Ferguson Waterworks — Dept. of Public Utilities (BOC Res. 57-18) 293

Fluorosilicic Acid — per C.O. Sec. 129.24 to Univar USA Inc. — Dept. of Public Utilities (BOC Res. 64-18) 294

Potassium Permanganate — per C.O. Sec. 129.24 to Bonded Chemicals, Inc. — Dept. of Public Utilities (BOC Res. 56-18) 293

Water Main Renewal and Repair Projects design — approve subcontractors — Contract #PS2017-101 per BOC Res. 146-17 — Dept. of Public Utilities (BOC Res. 55-18)..... 292

Board of Control — Water Pollution Control Division

Constructing and Repairing Catch Basins and Manholes — per Ord. 543-17 to Terrace Construction Company, Inc. — Dept. of Public Utilities (BOC Res. 61-18) 293

Board of Zoning Appeals — Report

Carter Road, 1970 (Ward 3) — Carter Peninsula Inc., owner — appeal heard on 3/5/18 (Cal. 18-34)..... 298

Cromwell Avenue, 11615 (Ward 6) — Cleveland Landbank, owner, and Home General Development LLC — appeal heard on 3/5/18 (Cal. 18-30)..... 298

Cromwell Avenue, 11707 (Ward 6) — Cleveland Landbank, owner, and Home General Development LLC — appeal heard on 3/5/18 (Cal. 18-29)..... 298

Denison Avenue, 3403 (Ward 12) — Jean Saad, owner — appeal withdrawn on 3/5/18 (Cal. 17-369)..... 298

East 115th Street, 2632 (Ward 6) — The Meeting Place Church Inc., owner — appeal withdrawn on 3/5/18 (Cal. 17-326)..... 298

East 115th Street, 2633 (Ward 6) — The Meeting Place Church Inc., owner — appeal withdrawn on 3/5/18 (Cal. 17-327)..... 298

East 120th Street, 1520 (Ward 9) — B.R. Knez, owner — appeal heard on 3/5/18 (Cal. 18-19) 298

East 79th Street, 1956 (Ward 7) — Abdel Abukhalil, owner — appeal postponed to 4/9/18 on 3/5/18 (Cal. 18-35) 298

Lake Road, 9803-05 (Ward 15) — 9803 Lake Avenue LLC, owner — appeal withdrawn on 3/5/18 (Cal. 17-362)..... 298

Lorain Avenue, 16900 (Ward 17) — Kamcor Realty, owner, and Brittany Bosch, prospective tenant — appeal heard on 3/5/18 (Cal. 17-374) 298

Marquardt Avenue, 506 (Ward 3) — Cleveland Bricks, owner — appeal heard on 3/5/18 (Cal. 18-5)..... 298

Marquardt Avenue, 508 (Ward 3) — Cleveland Bricks, owner — appeal heard on 3/5/18 (Cal. 18-6)..... 298

Marquardt Avenue, 510 (Ward 3) — Cleveland Bricks, owner — appeal heard on 3/5/18 (Cal. 18-7)..... 298

Marquardt Avenue, 512 (Ward 3) — Cleveland Bricks, owner — appeal heard on 3/5/18 (Cal. 18-8)..... 298

Marquardt Avenue, 514 (Ward 3) — Cleveland Bricks, owner — appeal dismissed on 3/5/18 (Cal. 18-9)..... 298

Memphis Avenue, 7210 (Ward 13) — Moshia Inc., owner — appeal withdrawn on 3/5/18 (Cal. 18-40)..... 298

Pearl Road, 4899 (Ward 13) — Old Brooklyn Investments, owner — appeal withdrawn on 3/5/18 (Cal. 18-20)..... 298

Pearl Road, 5151 (Ward 13) — O'Reilly Auto Enterprises, owner — appeal heard on 3/5/18 (Cal. 18-28)..... 298

Puritas Avenue, 14529 (Ward 16) — Abdel Abukhalil, owner — appeal heard on 3/5/18 (Cal. 18-32)..... 298

Rockport Avenue, 3577 (Ward 17) — Gerald & Christina Kensick, owner — appeal withdrawn on 3/5/18 (Cal. 18-42)..... 298

Wade Park Avenue, 11813 (Ward 9) — B.R. Knez, owner — appeal heard on 3/5/18 (Cal. 18-15)..... 298

Wade Park Avenue, 12010 (Ward 9) — B.R. Knez, owner — appeal heard on 3/5/18 (Cal. 18-16)..... 298

Wade Park Avenue, 12012 (Ward 9) — B.R. Knez, owner — appeal heard on 3/5/18 (Cal. 18-17)..... 298

Wade Park Avenue, 12016 (Ward 9) — B.R. Knez, owner — appeal heard on 3/5/18 (Cal. 18-18)..... 298

West 50th Street, 1930 (Ward 15) — Roger Bliss, owner — appeal granted and adopted on 3/5/18 (Cal. 18-27)..... 299

West 54th Street, 1835 (Ward 15) — W. 54 Townhomes LLC., owner — appeal granted and adopted on 3/5/18 (Cal. 18-21)..... 298

West 54th Street, 1837 (Ward 15) — W. 54 Townhomes LLC., owner — appeal granted and adopted on 3/5/18 (Cal. 18-24)..... 298

West 54th Street, 1839 (Ward 15) — W. 54 Townhomes LLC., owner — appeal granted and adopted on 3/5/18 (Cal. 18-22)..... 298

West 54th Street, 1841 (Ward 15) — W. 54 Townhomes LLC., owner — appeal granted and adopted on 3/5/18 (Cal. 18-25)..... 298

West 54th Street, 1843 (Ward 15) — W. 54 Townhomes LLC., owner — appeal granted and adopted on 3/5/18 (Cal. 18-23)..... 298

West 54th Street, 1845 (Ward 15) — W. 54 Townhomes LLC., owner — appeal granted and adopted on 3/5/18 (Cal. 18-26)..... 298

Board of Zoning Appeals — Schedule

Clifton Boulevard, 10011 (Ward 11) — F.W. Pinard Building Co., owner — appeal to be heard on 3/19/18 (Cal. 18-48)..... 296

Euclid Avenue, 3600 (Ward 7) — IUOE Local 18, owner — appeal to be heard on 3/19/18 (Cal. 18-51)..... 297

Groveswood Avenue, 17305 (Ward 8) — Hive City LLC, owner — appeal to be heard on 3/19/18 (Cal. 18-50)..... 297

Harrison Street, 650 (Ward 3) — Allied Corporation, owner — appeal to be heard on 3/19/18 (Cal. 18-49)..... 296

Lorain Avenue, 3333 (Ward 3) — K & Z Mutual Realty, owner — appeal to be heard on 3/19/18 (Cal. 18-57)..... 297

West 47th Street (Parcel A), 1876 (Ward 3) — Robert Crawford, owner — appeal to be heard on 3/19/18 (Cal. 18-44)..... 296

West Boulevard, 1262 (Ward 11) — F.W. Pinard Building Co., owner — appeal to be heard on 3/19/18 (Cal. 18-47)..... 296

Buckeye Shaker Square Development Corporation

Authorizing the Director of the Department of Community Development to enter into agreement with Buckeye Shaker Square Development Corporation for the Mt. Pleasant INFO Neighborhood Magazine Project through the use of Ward 4 Casino Revenue Funds. (O 265-18)..... 281

Budget

To make appropriations and provide current expenses for the daily operation of all municipal departments of the City of Cleveland for the fiscal year from January 1, 2018 until December 31, 2018. (O 147-18)..... 282-284

Building and Housing Department

Authorizing the Director of Building and Housing to apply for and accept a grant from Environmental Health Watch for the Build Health Challenge 2.0 Program; and authorizing the Director of Building and Housing and/or Public Health to enter into one or more contracts and memoranda of understanding needed to implement the grant. (O 124-18)..... 283

Capital Projects

Authorizing the Director of Capital Projects to issue a permit to The Cleveland Clinic Foundation to encroach into the public right of way beneath Chester Avenue by installing, using and maintaining electrical and communications duct banks. (O 14-18)..... 301

Case Western Reserve University (CWRU)

Authorizing the Director of Public Works to enter into one or more contracts with Case Western Reserve University to provide a youth summer sports, nutrition, health, and life skills development program for 2018 under the National Youth Sports Program sponsored by Case Western Reserve University. (O 202-18)..... 284

Consenting and approving the issuance of a permit for the 2018 Hudson Relays, on April 28, 2018, sponsored by Case Western Reserve University. (O 255-18)280

Casino Revenue Funds

Amending the Title and Sections 1 and 2 of Ordinance No. 1371-17, passed November 13, 2017 as amended by Ordinance No. 188-18, passed February 12, 2018 as it pertains to authorizing the Director of the Department of Community Development to enter into agreement with the Cleveland Restoration Society for the Heritage Home Program through the use of Wards 5, 6, 8, 9, 10, 11, 13, 15 and 17 Casino Revenue Funds. (O 222-18) **302**

Authorizing the Director of the Department of Community Development to enter into agreement with the Spanish American Committee for a Better Community for the Relief for Refugee Families Displaced by Natural Disaster Program through the use of Wards 3 and 15 Casino Revenue Funds. (O 264-18)281

Central Business District

Changing the Height Districts for the Central Business District and lands along the East Bank of the Flats as identified on the attached map (Map Change No. 2573). (O 78-18)299

Charter

Providing for the selection of a Charter Review Commission pursuant to Section 200-1 of the Charter of the City of Cleveland. (O 260-18)271

Charter Review Commission

Providing for the selection of a Charter Review Commission pursuant to Section 200-1 of the Charter of the City of Cleveland. (O 260-18)271

City Council

Authorizing the Clerk of Council to enter into a subscription agreement with LexisNexis to obtain online access to computer assisted legal and other research data bases, materials and services required for the work of Cleveland City Council. (O 197-18)284

City of Cleveland Bids

1060 Lakeside Building Exterior Repairs — Department of Public Utilities — Division of Water — per Ord. 1276-16 — bid due March 28, 2018 (advertised 2/28/2018 and 3/7/2018) 299

East 59th Street Rehabilitation Project — Office of Capital Projects — Division of Engineering and Construction — per Ord. 656-16 — bid due March 21, 2018 (advertised 2/28/2018 and 3/7/2018) 299

Exterminating and Pest Control Citywide (2018-2020) — Department of Finance — per C.O. Sec. 181.101 — bid due March 22, 2018 (advertised 3/7/2018 and 3/14/2018) 300

Greenwood Park Pool House Renovation — Office of Capital Projects — Division of Architecture and Site Improvement — per Ord. 549-17 — bid due March 29, 2018 (advertised 3/7/2018 and 3/14/2018)..... 300

Lane Marking Paints and Related Items — Department of Public Works — Division of Traffic Engineering and Parking — per C.O. Sec. 181.101 — bid due March 29, 2018 (advertised 3/7/2018 and 3/14/2018) 300

Nottingham Alum Tank Liner Replacement — Department of Public Utilities — Division of Water — per Ord. 1406-15 — bid due March 28, 2018 (advertised 2/28/2018 and 3/7/2018) 299

Pipe-type Cable — Department of Public Utilities — Division of Cleveland Public Power — bid due March 21, 2018 (advertised 2/28/2018 and 3/7/2018)..... 299

Pothole Repair — Department of Public Works — Division of Streets — per C.O. Sec. 181.101 — bid due March 29, 2018 (advertised 3/7/2018 and 3/14/2018) 300

Transformers and Accessories — Department of Public Utilities — Division of Cleveland Public Power — per C.O. Sec. 129.26 — bid due March 21, 2018 (advertised 2/28/2018 and 3/7/2018) 299

City Planning Commission

Changing the Height Districts for the Central Business District and lands along the East Bank of the Flats as identified on the attached map (Map Change No. 2573). (O 78-18)299

Changing the Use, Area and Height Districts of parcels in the Flats along the west bank of the Cuyahoga River as identified on the attached map (Map Change No. 2578). (O 77-18)299

Designating the Astrup Awning Company Complex as a Cleveland Landmark. (O 119-18) **302**

Designating the Patterson Sargent Company Canned Paint Warehouse as a Cleveland Landmark. (O 118-18) **301**

Rescinding the landmark designation on the building located at 10025 Detroit Avenue. (O 12-18) **300**

Clerk of Council

Authorizing the Clerk of Council to enter into a subscription agreement with LexisNexis to obtain online access to computer assisted legal and other research data bases, materials and services required for the work of Cleveland City Council. (O 197-18)284

Cleveland Clinic Foundation

- Authorizing the Director of Capital Projects to issue a permit to The Cleveland Clinic Foundation to encroach into the public right of way beneath Chester Avenue by installing, using and maintaining electrical and communications duct banks. (O 14-18) **.301**
- From Andrea Zwischenberger, Senior Director, Executive Administration, The Cleveland Clinic Foundation. Notice of Operations for 2017, as required by Section 686.02 of the Codified Ordinances, of Cleveland, Ohio, 1976. (O 253-18) **.269**

Cleveland Metroparks District

- From Ohio Environmental Protection Agency. Public notice of receipt of an application for a Clean Water Act Section 401 water quality certification for the construction of a new pier and removal of marine debris along the shoreline of Lake Erie at Euclid Beach/Villa Angela Park, East 156th Street in Cleveland, Ohio; submitted by Cleveland Metroparks Park District. (F 251-18) **.269**

Cleveland Municipal Court

- Authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to apply for and accept a grant from the Ohio Department of Mental Health & Addiction Services for the Specialized Dockets Program; and authorizing the Director to enter into one or more contracts with various agencies, entities, or individuals to implement the grant. (O 256-18) **.281**

Cleveland Public Power (CPP)

- Authorizing the Director of Public Utilities to exercise the first option to renew Contract No. MA 1505 RCD 2016-1 with Tyco Fire & Security (US) Management Inc. dba SimplexGrinnell LP for the requirements of the labor and materials necessary for the inspection, testing, repair, and service of proprietary fire protection and life safety systems, including replacement equipment, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities. (O 258-18) **.270**

Cleveland Restoration Society

- Amending the Title and Sections 1 and 2 of Ordinance No. 1371-17, passed November 13, 2017 as amended by Ordinance No. 188-18, passed February 12, 2018 as it pertains to authorizing the Director of the Department of Community Development to enter into agreement with the Cleveland Restoration Society for the Heritage Home Program through the use of Wards 5, 6, 8, 9, 10, 11, 13, 15 and 17 Casino Revenue Funds. (O 222-18) **.302**

Codified Ordinances

- To amend Section 135.52 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1649-92, passed October 5, 1992, relating to the rental of site and purchase of refreshments and mementos for Safety Programs. (O 122-18) **.283**
- To amend Sections 131.07 of the Codified Ordinances of Cleveland, Ohio 1976, as enacted by Ordinance No. 1516-11, passed December 5, 2011, and 675.02, as enacted by Ordinance No. 1657-11, passed November 28, 2011, to exempt special event permit holders and vendors associated with a permitted special event from an additional vendor's license and identification card; and to require record keeping by special event permit holders. (O 164-18) **.283**

Communications

- From Andrea Zwischenberger, Senior Director, Executive Administration, The Cleveland Clinic Foundation. Notice of Operations for 2017, as required by Section 686.02 of the Codified Ordinances, of Cleveland, Ohio, 1976. (O 253-18) **.269**
- From Diana Holly, Director of Asset Management, EDEN, Inc. Notice of intent to apply to Ohio Housing Finance Agency for multifamily funding programs for the development known as EDEN Portfolio Preservation Phase IV, at 3235 West 41st Street; 1820 West 48th Street; 1804 West 50th Street; and 6907 Detroit Avenue; all in Cleveland, Ohio. (F 252-18) **.269**

Community Development

- Authorizing the Director of the Department of Community Development to enter into agreement with the Spanish American Committee for a Better Community for the Relief for Refugee Families Displaced by Natural Disaster Program through the use of Wards 3 and 15 Casino Revenue Funds. (O 264-18) **.281**

Concession Agreements

- Authorizing the Director of Public Works to enter into one or more concession agreements for the operation of soft drink, candy, snack, and other vending machines throughout various parks and various City owned and City leased buildings, for a period not to exceed two years, with a one year option to renew, exercisable by the Director of Public Works. (O 85-18) **.283**

Condolences

Condolence Resolution for Daphne Johnson (R 292-18)270
 Condolence Resolution for Gladys Harrison Dunbar (R 290-18)270
 Condolence Resolution for Joseph I. Mendise (R 288-18)270
 Condolence Resolution for Joyce Yvonne Devese (R 277-18)270
 Condolence Resolution for Mary Ann Forte (R 278-18)270
 Condolence Resolution for Mary Elizabeth "Daisy" Ford (R 287-18)270
 Condolence Resolution for Ozie Smith, Sr. (R 291-18)270
 Condolence Resolution for Pamela Ann Thomas (R 279-18)270
 Condolence Resolution for Ralph M. Veverka (R 289-18)270

Congratulations

Congratulations Resolution for James J. Kilbane, Jr. 2018 Hibernian of the Year (R 284-18)270
 Congratulations Resolution for Joan (Harnett) Reali 2018 Irish Mother of the Year (R 280-18)270
 Congratulations Resolution for Linda Fulton Burke Inside Co Chair, 2018 St. Patrick's Day Parade (R 282-18)270
 Congratulations Resolution for Noreen Halley Outside Co Chair, 2018 St. Patrick's Day Parade (R 283-18)270
 Congratulations Resolution for Sheila Murphy Crawford Grand Marshal, 2018 St. Patrick's Day Parade (R 281-18)270

Contracts

Authorizing the Director of Building and Housing to apply for and accept a grant from Environmental Health Watch for the Build Health Challenge 2.0 Program; and authorizing the Director of Building and Housing and/or Public Health to enter into one or more contracts and memoranda of understanding needed to implement the grant. (O 124-18)283
 Authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to apply for and accept a grant from the Ohio Department of Mental Health & Addiction Services for the Specialized Dockets Program; and authorizing the Director to enter into one or more contracts with various agencies, entities, or individuals to implement the grant. (O 256-18)281
 Authorizing the Director of Law to apply for and accept a grant from the Cuyahoga County Department of Public Safety and Justice Services for the FY 2017 Cleveland Domestic Violence Program; and to enter into one or more contracts with Cuyahoga County and other entities to implement the program. (O 257-18)270
 Authorizing the Director of Port Control to exercise the first option to renew Contract No. PIRC 2016-2 with Cook Paving & Construction Co., Inc. to provide for the public improvement of repairing and maintaining runways, taxiways, ramps, roads and other concrete surfaces, for the various divisions of the Department of Port Control. (O 254-18)270
 Authorizing the Director of Public Utilities to exercise the first option to renew Contract No. MA 1505 RCD 2016-1 with Tyco Fire & Security (US) Management Inc. dba SimplexGrinnell LP for the requirements of the labor and materials necessary for the inspection, testing, repair, and service of proprietary fire protection and life safety systems, including replacement equipment, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities. (O 258-18)270
 Authorizing the Director of Public Works to enter into one or more contracts with City Year, Inc. to perform community service work and to collaborate with various non- profit agencies. (O 201-18)284

Cuyahoga County Department of Public Safety and Justice Services

Authorizing the Director of Law to apply for and accept a grant from the Cuyahoga County Department of Public Safety and Justice Services for the FY 2017 Cleveland Domestic Violence Program; and to enter into one or more contracts with Cuyahoga County and other entities to implement the program. (O 257-18)270

Easements

Authorizing the Directors of Economic Development, Public Works, and Public Utilities, to enter into one or more agreements with the Northeast Ohio Regional Sewer District for the exchange of easements, real property, and other consideration; authorizing the appropriate directors to execute deeds of easement and temporary deeds of easement granting to NEORSRD certain easement rights in various properties; declaring the easement rights not needed for the City's public use; and authorizing the Director of Public Works to accept from NEORSRD the transfer of a portion of land known as the former Clarence Van Duzer property located on Merwin Avenue for the City's Canal Basin Park project. (O 263-18)271

Economic Development Department

Authorizing the Commissioner of Purchases and Supplies to acquire and re convey properties presently owned by Project 29 Partners LLC, or its designee, located on Detroit Avenue between West 28th Street and West 29th Street for the purpose of entering into the chain of title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code. (O 80-18)283

Authorizing the Directors of Economic Development, Public Works, and Public Utilities, to enter into one or more agreements with the Northeast Ohio Regional Sewer District for the exchange of easements, real property, and other consideration; authorizing the appropriate directors to execute deeds of easement and temporary deeds of easement granting to NEORSRD certain easement rights in various properties; declaring the easement rights not needed for the City's public use; and authorizing the Director of Public Works to accept from NEORSRD the transfer of a portion of land known as the former Clarence Van Duzer property located on Merwin Avenue for the City's Canal Basin Park project. (O 263-18)271

Encroachments

Authorizing the Director of Capital Projects to issue a permit to The Cleveland Clinic Foundation to encroach into the public right of way beneath Chester Avenue by installing, using and maintaining electrical and communications duct banks. (O 14-18)301

Finance Department

Authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to apply for and accept a grant from the Ohio Department of Mental Health & Addiction Services for the Specialized Dockets Program; and authorizing the Director to enter into one or more contracts with various agencies, entities, or individuals to implement the grant. (O 256-18)281
 To make appropriations and provide current expenses for the daily operation of all municipal departments of the City of Cleveland for the fiscal year from January 1, 2018 until December 31, 2018. (O 147-18)282-284

Flats District

Changing the Height Districts for the Central Business District and lands along the East Bank of the Flats as identified on the attached map (Map Change No. 2573). (O 78-18)299
 Changing the Use, Area and Height Districts of parcels in the Flats along the west bank of the Cuyahoga River as identified on the attached map (Map Change No. 2578). (O 77-18)299

Grants

Authorizing the Director of Building and Housing to apply for and accept a grant from Environmental Health Watch for the Build Health Challenge 2.0 Program; and authorizing the Director of Building and Housing and/or Public Health to enter into one or more contracts and memoranda of understanding needed to implement the grant. (O 124-18)283
 Authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to apply for and accept a grant from the Ohio Department of Mental Health & Addiction Services for the Specialized Dockets Program; and authorizing the Director to enter into one or more contracts with various agencies, entities, or individuals to implement the grant. (O 256-18)281
 Authorizing the Director of Law to apply for and accept a grant from the Cuyahoga County Department of Public Safety and Justice Services for the FY 2017 Cleveland Domestic Violence Program; and to enter into one or more contracts with Cuyahoga County and other entities to implement the program. (O 257-18)270

Health Department

Authorizing the Director of Building and Housing to apply for and accept a grant from Environmental Health Watch for the Build Health Challenge 2.0 Program; and authorizing the Director of Building and Housing and/or Public Health to enter into one or more contracts and memoranda of understanding needed to implement the grant. (O 124-18)283

Landmark Commission

Designating the Astrup Awning Company Complex as a Cleveland Landmark. (O 119-18)302
 Designating the Patterson Sargent Company Canned Paint Warehouse as a Cleveland Landmark. (O 118-18)301
 Rescinding the landmark designation on the building located at 10025 Detroit Avenue. (O 12-18)300

Leases

Authorizing the Director of Public Works to lease certain property located in the vicinity of Dell Avenue and East 75th Street, to Mount Sinai Ministries, or its designee, for the purpose of providing parking for visitors to the Mount Sinai Baptist Church, for a term not to exceed three years; authorizing the Director of Public Works to enter into an Option to Purchase Agreement with Mount Sinai Ministries, or its designee, in connection with the sale and environmental remediation of the property; and authorizing the Commissioner of Purchases and Supplies to convey the property, which is no longer needed for the City's public use. (O 20-18)283

Liquor Permits

#08142350035. New License Application, D3. Bon Appetit Management Co.,-1801 East 9th St. (Ward 3). (F 267-18)269

#14374151020. New License Application, D5. Chipotle Mexican Grill of Colorado LLC, 224 Euclid Ave. (Ward 3). (F 272-18)269

#14374151025. New License Application, D5. Chipotle Mexican Grill of Colorado LLC, 11452 Euclid Ave. (Ward 6). (F 273-18)270

#2434360. New License Application, C1. E S Eastside Deli, Inc., 10643 St. Clair Ave. (Ward 9). (F 270-18)269

#26312750025. New License Application, C2. Family Dollar Stores of Ohio, Inc., 4071 Lee Rd. (Ward 1). (F 271-18)269

#3176534. Transfer of License Application, D1 D2 D3. Giant Step, Inc., 1051 West 10th St. (Ward 3). (F 268-18)269

#8089915. Stock Application, D1 D2 D3 D3A. SH K E LLC, 6410 Lorain Ave. (Ward 15). (F 276-18)270

#9033090. Economic Development Transfer Application, D5 D6. 27 Club LLC, 10 West 10th St. (Ward 3). (F 269-18)269

#9836730. Economic Development Transfer Application, D5 D6. Yards Project LLC, 725 Johnson Ct. (Ward 3). (F 275-18)270

Objecting to a New C1 Liquor Permit at 8410 Cedar Avenue. (R 200-18)300

Objecting to a New C1 Liquor Permit at 9901-03 Union Avenue. (R 261-18)282

Objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 8802 Superior Avenue. (R 262-18)282

Northeast Ohio Regional Sewer District (N.E.O.R.S.D)

Authorizing the Directors of Economic Development, Public Works, and Public Utilities, to enter into one or more agreements with the Northeast Ohio Regional Sewer District for the exchange of easements, real property, and other consideration; authorizing the appropriate directors to execute deeds of easement and temporary deeds of easement granting to NEORS D certain easement rights in various properties; declaring the easement rights not needed for the City’s public use; and authorizing the Director of Public Works to accept from NEORS D the transfer of a portion of land known as the former Clarence Van Duzer property located on Merwin Avenue for the City’s Canal Basin Park project. (O 263-18)271

Ohio Environmental Protection Agency (EPA)

From Ohio Environmental Protection Agency. Public notice of receipt of an application for a Clean Water Act Section 401 water quality certification for the construction of a new pier and removal of marine debris along the shoreline of Lake Erie at Euclid Beach/Villa Angela Park, East 156th Street in Cleveland, Ohio; submitted by Cleveland Metroparks Park District. (F 251-18)269

Ohio Housing Finance Agency

From Diana Holly, Director of Asset Management, EDEN, Inc. Notice of intent to apply to Ohio Housing Finance Agency for multifamily funding programs for the development known as EDEN Portfolio Preservation Phase IV, at 3235 West 41st Street; 1820 West 48th Street; 1804 West 50th Street; and 6907 Detroit Avenue; all in Cleveland, Ohio. (F 252-18)269

Permits

Authorizing the Director of Capital Projects to issue a permit to The Cleveland Clinic Foundation to encroach into the public right of way beneath Chester Avenue by installing, using and maintaining electrical and communications duct banks. (O 14-18)301

Consenting and approving the issuance of a permit for the 2018 Hudson Relays, on April 28, 2018, sponsored by Case Western Reserve University. (O 255-18)280

To amend Sections 131.07 of the Codified Ordinances of Cleveland, Ohio 1976, as enacted by Ordinance No. 1516-11, passed December 5, 2011, and 675.02, as enacted by Ordinance No. 1657-11, passed November 28, 2011, to exempt special event permit holders and vendors associated with a permitted special event from an additional vendor’s license and identification card; and to require record keeping by special event permit holders. (O 164-18)283

Port Control Department

Authorizing the Director of Port Control to exercise the first option to renew Contract No. PIRC 2016-2 with Cook Paving & Construction Co., Inc. to provide for the public improvement of repairing and maintaining runways, taxiways, ramps, roads and other concrete surfaces, for the various divisions of the Department of Port Control. (O 254-18)270

Public Hearings (Notices)

Changing the Height Districts for the Central Business District and lands along the East Bank of the Flats as identified on the attached map (Map Change No. 2573). (O 78-18)299

Changing the Use, Area and Height Districts of parcels in the Flats along the west bank of the Cuyahoga River as identified on the attached map (Map Change No. 2578). (O 77-18)299

Public Improvements

Authorizing the Director of Port Control to exercise the first option to renew Contract No. PIRC 2016-2 with Cook Paving & Construction Co., Inc. to provide for the public improvement of repairing and maintaining runways, taxiways, ramps, roads and other concrete surfaces, for the various divisions of the Department of Port Control. (O 254-18)270

Public Works

Authorizing the Director of Public Works to enter into an agreement with the Neighborhood Leadership Institute to implement educational, recreational, and cultural programs in various school buildings and recreation centers during evening hours, provide leadership training, and supervise the summer tennis program. (O 203-18)284

Authorizing the Director of Public Works to enter into one or more concession agreements for the operation of soft drink, candy, snack, and other vending machines throughout various parks and various City owned and City leased buildings, for a period not to exceed two years, with a one year option to renew, exercisable by the Director of Public Works. (O 85-18)283

Authorizing the Director of Public Works to enter into one or more contracts with City Year, Inc. to perform community service work and to collaborate with various non-profit agencies. (O 201-18)284

Authorizing the Director of Public Works to lease certain property located in the vicinity of Dell Avenue and East 75th Street, to Mount Sinai Ministries, or its designee, for the purpose of providing parking for visitors to the Mount Sinai Baptist Church, for a term not to exceed three years; authorizing the Director of Public Works to enter into an Option to Purchase Agreement with Mount Sinai Ministries, or its designee, in connection with the sale and environmental remediation of the property; and authorizing the Commissioner of Purchases and Supplies to convey the property, which is no longer needed for the City's public use. (O 20-18)283

Authorizing the Directors of Economic Development, Public Works, and Public Utilities, to enter into one or more agreements with the Northeast Ohio Regional Sewer District for the exchange of easements, real property, and other consideration; authorizing the appropriate directors to execute deeds of easement and temporary deeds of easement granting to NEORSRD certain easement rights in various properties; declaring the easement rights not needed for the City's public use; and authorizing the Director of Public Works to accept from NEORSRD the transfer of a portion of land known as the former Clarence Van Duzer property located on Merwin Avenue for the City's Canal Basin Park project. (O 263-18)271

To amend Sections 131.07 of the Codified Ordinances of Cleveland, Ohio 1976, as enacted by Ordinance No. 1516-11, passed December 5, 2011, and 675.02, as enacted by Ordinance No. 1657-11, passed November 28, 2011, to exempt special event permit holders and vendors associated with a permitted special event from an additional vendor's license and identification card; and to require record keeping by special event permit holders. (O 164-18)283

Purchase Agreement

Authorizing the Director of Public Works to lease certain property located in the vicinity of Dell Avenue and East 75th Street, to Mount Sinai Ministries, or its designee, for the purpose of providing parking for visitors to the Mount Sinai Baptist Church, for a term not to exceed three years; authorizing the Director of Public Works to enter into an Option to Purchase Agreement with Mount Sinai Ministries, or its designee, in connection with the sale and environmental remediation of the property; and authorizing the Commissioner of Purchases and Supplies to convey the property, which is no longer needed for the City's public use. (O 20-18)283

Purchases and Supplies Division

Authorizing the Commissioner of Purchases and Supplies to acquire and re convey properties presently owned by Project 29 Partners LLC, or its designee, located on Detroit Avenue between West 28th Street and West 29th Street for the purpose of entering into the chain of title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code. (O 80-18)283

Races

Consenting and approving the issuance of a permit for the 2018 Hudson Relays, on April 28, 2018, sponsored by Case Western Reserve University. (O 255-18)280

Recognition

Recognition Resolution for Muhammad Mosque 18 Annual Saviours' Day Awards Banquet (R 286-18)270

Recognition Resolution for Women of Color HERStory Month (R 285-18)270

Resolution of Support

Opposing proposed "right to work" Constitutional amendments and supporting fair labor practices that support working families and Cleveland's economy. (R 274-18)280

Resolutions - Miscellaneous

Opposing proposed "right to work" Constitutional amendments and supporting fair labor practices that support working families and Cleveland's economy. (R 274-18)280

Safety Department

To amend Section 135.52 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1649-92, passed October 5, 1992, relating to the rental of site and purchase of refreshments and mementos for Safety Programs. (O 122-18)283

Spanish American Committee

Authorizing the Director of the Department of Community Development to enter into agreement with the Spanish American Committee for a Better Community for the Relief for Refugee Families Displaced by Natural Disaster Program through the use of Wards 3 and 15 Casino Revenue Funds. (O 264-18)281

Tax Increment Financing (TIF)

Authorizing the Commissioner of Purchases and Supplies to acquire and re convey properties presently owned by Project 29 Partners LLC, or its designee, located on Detroit Avenue between West 28th Street and West 29th Street for the purpose of entering into the chain of title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code. (O 80-18)283

The Sisters of Charity of St. Augustine Health System, Inc.

Authorizing the Director of the Department of Community Development to enter into agreement with The Sisters of Charity of St. Augustine Health System, Inc., for the Building Healthy Communities Program through the use of Ward 5 Casino Revenue Funds. (O 266-18)282

Utilities Department

Authorizing the Director of Public Utilities to exercise the first option to renew Contract No. MA 1505 RCD 2016-1 with Tyco Fire & Security (US) Management Inc. dba SimplexGrinnell LP for the requirements of the labor and materials necessary for the inspection, testing, repair, and service of proprietary fire protection and life safety systems, including replacement equipment, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities. (O 258-18)270

Authorizing the Directors of Economic Development, Public Works, and Public Utilities, to enter into one or more agreements with the Northeast Ohio Regional Sewer District for the exchange of easements, real property, and other consideration; authorizing the appropriate directors to execute deeds of easement and temporary deeds of easement granting to NEORS D certain easement rights in various properties; declaring the easement rights not needed for the City's public use; and authorizing the Director of Public Works to accept from NEORS D the transfer of a portion of land known as the former Clarence Van Duzer property located on Merwin Avenue for the City's Canal Basin Park project. (O 263-18)271

Ward 01

#26312750025. New License Application, C2. Family Dollar Stores of Ohio, Inc., 4071 Lee Rd. (Ward 1). (F 271-18)269
Condolence Resolution for Ozie Smith, Sr. (R 291-18)270

Ward 03

#08142350035. New License Application, D3. Bon Appetit Management Co.,-1801 East 9th St. (Ward 3). (F 267-18)269
#14374151020. New License Application, D5. Chipotle Mexican Grill of Colorado LLC, 224 Euclid Ave. (Ward 3). (F 272-18)269
#3176534. Transfer of License Application, D1 D2 D3. Giant Step, Inc., 1051 West 10th St. (Ward 3). (F 268-18)269
#9033090. Economic Development Transfer Application, D5 D6. 27 Club LLC, 10 West 10th St. (Ward 3). (F 269-18)269
#9836730. Economic Development Transfer Application, D5 D6. Yards Project LLC, 725 Johnson Ct. (Ward 3). (F 275-18)270
Authorizing the Commissioner of Purchases and Supplies to acquire and re convey properties presently owned by Project 29 Partners LLC, or its designee, located on Detroit Avenue between West 28th Street and West 29th Street for the purpose of entering into the chain of title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code. (O 80-18)283

Authorizing the Director of the Department of Community Development to enter into agreement with the Spanish American Committee for a Better Community for the Relief for Refugee Families Displaced by Natural Disaster Program through the use of Wards 3 and 15 Casino Revenue Funds. (O 264-18)	281
Changing the Height Districts for the Central Business District and lands along the East Bank of the Flats as identified on the attached map (Map Change No. 2573). (O 78-18)	299
Changing the Use, Area and Height Districts of parcels in the Flats along the west bank of the Cuyahoga River as identified on the attached map (Map Change No. 2578). (O 77-18)	299
Condolence Resolution for Mary Elizabeth "Daisy" Ford (R 287-18)	270
From Diana Holly, Director of Asset Management, EDEN, Inc. Notice of intent to apply to Ohio Housing Finance Agency for multifamily funding programs for the development known as EDEN Portfolio Preservation Phase IV, at 3235 West 41st Street; 1820 West 48th Street; 1804 West 50th Street; and 6907 Detroit Avenue; all in Cleveland, Ohio. (F 252-18)	269

Ward 04

Authorizing the Director of the Department of Community Development to enter into agreement with Buckeye Shaker Square Development Corporation for the Mt. Pleasant INFO Neighborhood Magazine Project through the use of Ward 4 Casino Revenue Funds. (O 265-18)	281
Condolence Resolution for Joyce Yvonne Devese (R 277-18)	270
Condolence Resolution for Mary Ann Forte (R 278-18)	270
Recognition Resolution for Muhammad Mosque 18 Annual Saviours' Day Awards Banquet (R 286-18)	270

Ward 05

Amending the Title and Sections 1 and 2 of Ordinance No. 1371-17, passed November 13, 2017 as amended by Ordinance No. 188-18, passed February 12, 2018 as it pertains to authorizing the Director of the Department of Community Development to enter into agreement with the Cleveland Restoration Society for the Heritage Home Program through the use of Wards 5, 6, 8, 9, 10, 11, 13, 15 and 17 Casino Revenue Funds. (O 222-18)	302
Authorizing the Director of Public Works to lease certain property located in the vicinity of Dell Avenue and East 75th Street, to Mount Sinai Ministries, or its designee, for the purpose of providing parking for visitors to the Mount Sinai Baptist Church, for a term not to exceed three years; authorizing the Director of Public Works to enter into an Option to Purchase Agreement with Mount Sinai Ministries, or its designee, in connection with the sale and environmental remediation of the property; and authorizing the Commissioner of Purchases and Supplies to convey the property, which is no longer needed for the City's public use. (O 20-18)	283
Authorizing the Director of the Department of Community Development to enter into agreement with The Sisters of Charity of St. Augustine Health System, Inc., for the Building Healthy Communities Program through the use of Ward 5 Casino Revenue Funds. (O 266-18)	282
Changing the Height Districts for the Central Business District and lands along the East Bank of the Flats as identified on the attached map (Map Change No. 2573). (O 78-18)	299
Recognition Resolution for Women of Color HERStory Month (R 285-18)	270

Ward 06

#14374151025. New License Application, D5. Chipotle Mexican Grill of Colorado LLC, 11452 Euclid Ave. (Ward 6). (F 273-18)	270
Amending the Title and Sections 1 and 2 of Ordinance No. 1371-17, passed November 13, 2017 as amended by Ordinance No. 188-18, passed February 12, 2018 as it pertains to authorizing the Director of the Department of Community Development to enter into agreement with the Cleveland Restoration Society for the Heritage Home Program through the use of Wards 5, 6, 8, 9, 10, 11, 13, 15 and 17 Casino Revenue Funds. (O 222-18)	302
Consenting and approving the issuance of a permit for the 2018 Hudson Relays, on April 28, 2018, sponsored by Case Western Reserve University. (O 255-18)	280
Objecting to a New C1 Liquor Permit at 8410 Cedar Avenue. (R 200-18)	300
Objecting to a New C1 Liquor Permit at 9901-03 Union Avenue. (R 261-18)	282

Ward 07

Authorizing the Director of Capital Projects to issue a permit to The Cleveland Clinic Foundation to encroach into the public right of way beneath Chester Avenue by installing, using and maintaining electrical and communications duct banks. (O 14-18)	301
Changing the Height Districts for the Central Business District and lands along the East Bank of the Flats as identified on the attached map (Map Change No. 2573). (O 78-18)	299
Condolence Resolution for Pamela Ann Thomas (R 279-18)	270
Designating the Patterson Sargent Company Canned Paint Warehouse as a Cleveland Landmark. (O 118-18)	301
Objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 8802 Superior Avenue. (R 262-18)	282

Ward 08

Amending the Title and Sections 1 and 2 of Ordinance No. 1371-17, passed November 13, 2017 as amended by Ordinance No. 188-18, passed February 12, 2018 as it pertains to authorizing the Director of the Department of Community Development to enter into agreement with the Cleveland Restoration Society for the Heritage Home Program through the use of Wards 5, 6, 8, 9, 10, 11, 13, 15 and 17 Casino Revenue Funds. (O 222-18)**.302**
 Condolence Resolution for Joseph I. Mendise (R 288-18)270
 Condolence Resolution for Ralph M. Veverka (R 289-18)270
 From Ohio Environmental Protection Agency. Public notice of receipt of an application for a Clean Water Act Section 401 water quality certification for the construction of a new pier and removal of marine debris along the shoreline of Lake Erie at Euclid Beach/Villa Angela Park, East 156th Street in Cleveland, Ohio; submitted by Cleveland Metroparks Park District. (F 251-18)269

Ward 09

#2434360. New License Application, C1. E S Eastside Deli, Inc., 10643 St. Clair Ave. (Ward 9). (F 270-18)269
 Amending the Title and Sections 1 and 2 of Ordinance No. 1371-17, passed November 13, 2017 as amended by Ordinance No. 188-18, passed February 12, 2018 as it pertains to authorizing the Director of the Department of Community Development to enter into agreement with the Cleveland Restoration Society for the Heritage Home Program through the use of Wards 5, 6, 8, 9, 10, 11, 13, 15 and 17 Casino Revenue Funds. (O 222-18)**.302**
 Condolence Resolution for Gladys Harrison Dunbar (R 290-18)270
 Consenting and approving the issuance of a permit for the 2018 Hudson Relays, on April 28, 2018, sponsored by Case Western Reserve University. (O 255-18)280

Ward 10

Amending the Title and Sections 1 and 2 of Ordinance No. 1371-17, passed November 13, 2017 as amended by Ordinance No. 188-18, passed February 12, 2018 as it pertains to authorizing the Director of the Department of Community Development to enter into agreement with the Cleveland Restoration Society for the Heritage Home Program through the use of Wards 5, 6, 8, 9, 10, 11, 13, 15 and 17 Casino Revenue Funds. (O 222-18)**.302**

Ward 11

Amending the Title and Sections 1 and 2 of Ordinance No. 1371-17, passed November 13, 2017 as amended by Ordinance No. 188-18, passed February 12, 2018 as it pertains to authorizing the Director of the Department of Community Development to enter into agreement with the Cleveland Restoration Society for the Heritage Home Program through the use of Wards 5, 6, 8, 9, 10, 11, 13, 15 and 17 Casino Revenue Funds. (O 222-18)**.302**
 Congratulations Resolution for James J. Kilbane, Jr. 2018 Hibernian of the Year (R 284-18)270
 Congratulations Resolution for Joan (Harnett) Reali 2018 Irish Mother of the Year (R 280-18)270
 Congratulations Resolution for Linda Fulton Burke Inside Co Chair, 2018 St. Patrick's Day Parade (R 282-18)270
 Congratulations Resolution for Noreen Halley Outside Co Chair, 2018 St. Patrick's Day Parade (R 283-18)270
 Congratulations Resolution for Sheila Murphy Crawford Grand Marshal, 2018 St. Patrick's Day Parade (R 281-18)270
 Rescinding the landmark designation on the building located at 10025 Detroit Avenue. (O 12-18)**.300**

Ward 13

Amending the Title and Sections 1 and 2 of Ordinance No. 1371-17, passed November 13, 2017 as amended by Ordinance No. 188-18, passed February 12, 2018 as it pertains to authorizing the Director of the Department of Community Development to enter into agreement with the Cleveland Restoration Society for the Heritage Home Program through the use of Wards 5, 6, 8, 9, 10, 11, 13, 15 and 17 Casino Revenue Funds. (O 222-18)**.302**
 Condolence Resolution for Daphne Johnson (R 292-18)270

Ward 14

Designating the Astrup Awning Company Complex as a Cleveland Landmark. (O 119-18)**.302**

Ward 15

#8089915. Stock Application, D1 D2 D3 D3A. SH K E LLC, 6410 Lorain Ave. (Ward 15). (F 276-18)270
 Amending the Title and Sections 1 and 2 of Ordinance No. 1371-17, passed November 13, 2017 as amended by Ordinance No. 188-18, passed February 12, 2018 as it pertains to authorizing the Director of the Department of Community Development to enter into agreement with the Cleveland Restoration Society for the Heritage Home Program through the use of Wards 5, 6, 8, 9, 10, 11, 13, 15 and 17 Casino Revenue Funds. (O 222-18)**.302**

Authorizing the Director of the Department of Community Development to enter into agreement with the Spanish American Committee for a Better Community for the Relief for Refugee Families Displaced by Natural Disaster Program through the use of Wards 3 and 15 Casino Revenue Funds. (O 264-18)281

From Diana Holly, Director of Asset Management, EDEN, Inc. Notice of intent to apply to Ohio Housing Finance Agency for multifamily funding programs for the development known as EDEN Portfolio Preservation Phase IV, at 3235 West 41st Street; 1820 West 48th Street; 1804 West 50th Street; and 6907 Detroit Avenue; all in Cleveland, Ohio. (F 252-18)269

Ward 17

Amending the Title and Sections 1 and 2 of Ordinance No. 1371-17, passed November 13, 2017 as amended by Ordinance No. 188-18, passed February 12, 2018 as it pertains to authorizing the Director of the Department of Community Development to enter into agreement with the Cleveland Restoration Society for the Heritage Home Program through the use of Wards 5, 6, 8, 9, 10, 11, 13, 15 and 17 Casino Revenue Funds. (O 222-18)302

Water Division

Authorizing the Director of Public Utilities to exercise the first option to renew Contract No. MA 1505 RCD 2016-1 with Tyco Fire & Security (US) Management Inc. dba SimplexGrinnell LP for the requirements of the labor and materials necessary for the inspection, testing, repair, and service of proprietary fire protection and life safety systems, including replacement equipment, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities. (O 258-18)270

Water Pollution Control Division

Authorizing the Director of Public Utilities to exercise the first option to renew Contract No. MA 1505 RCD 2016-1 with Tyco Fire & Security (US) Management Inc. dba SimplexGrinnell LP for the requirements of the labor and materials necessary for the inspection, testing, repair, and service of proprietary fire protection and life safety systems, including replacement equipment, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities. (O 258-18)270

Zoning

Changing the Height Districts for the Central Business District and lands along the East Bank of the Flats as identified on the attached map (Map Change No. 2573). (O 78-18)299

Changing the Use, Area and Height Districts of parcels in the Flats along the west bank of the Cuyahoga River as identified on the attached map (Map Change No. 2578). (O 77-18)299