

The City Record

Official Publication of the Council of the City of Cleveland



April the Tenth, Two Thousand and Nineteen

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

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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	1769 West 31st Place	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

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

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 Communications Government & International Affairs

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

Tracy Martin-Thompson, Executive Assistant to the Mayor, Chief of Prevention, Intervention and Opportunity for Youth and Young Adults

OFFICE OF CAPITAL PROJECTS – Matthew L. Spronz, Director

DIVISIONS:

Architecture and Site Development – Carter Edman, 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,

Ronda G. Curtis, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel,

Victor R. Perez, Chief Assistant Prosecutor, Room 106; John Skrtic, 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 – Kimberly 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 & Burke Lakefront Airport – Khalid Bahhur,

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 Gissentener, 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

Corrections – David Carroll, Interim Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.

Emergency Medical Service – Nicole Carlton, Acting Commissioner, 1708 South Pointe Drive

Fire – Angelo Calvillo, Chief, 1645 Superior Avenue

Police – Calvin D. Williams, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

DEPT. OF COMMUNITY DEVELOPMENT – Tania Menesse, 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 Blie Donald, 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, Director, Room 210

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

COMMUNITY RELATIONS BOARD – Room 11, Grady Stevenson, 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, Ted Wammes.

CIVIL SERVICE COMMISSION – Room 119, Rev. Gregory E. Jordan, President; Michael

Flickinger, Vice-President; Michael Spreng, 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, Myrline 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; David

H. Bowen, Lillian Kuri, Gloria Jean Pinkney, Council Member Kerry McCormack,

Diane Downing, August Fluker, Charles Slife.

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; Michele Anderson, Stephen Harrison, Raymond Tarasuck, Jr.

AUDIT COMMITTEE – Yvette M. Ittu, Chairman; Debra Janik, Bracy Lewis, Diane

Downing, Donna Sciarappa, Council President Kevin J. Kelley; Law Director Barbara A.

Langhenry.

CLEVELAND MUNICIPAL COURT

JUSTICE CENTER – 1200 ONTARIO STREET

JUDGE COURTROOM ASSIGNMENTS

Judge	Courtroom
Presiding and Administrative Judge 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

Vol. 106

WEDNESDAY, APRIL 10, 2019

No. 5496

CITY COUNCIL

MONDAY, APRIL 8, 2019

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

The following Committees meet at the Call of the Chair:

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

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

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

OATHS OF OFFICE

File No. 427-2019.
Charles Boddy, Sergeant of Police,
City of Cleveland. Received.

File No. 428-2019.
Brian Carney, Captain of Police,
City of Cleveland. Received.

File No. 429-2019.
Marcus Cloud, Sergeant of Police,
City of Cleveland. Received.

File No. 430-2019.
Brian McEntee, Captain of Police,
City of Cleveland. Received.

File No. 431-2019.
Michael Moctezuma, Sergeant of
Police, City of Cleveland. Received.

File No. 432-2019.
Brian Pfeuffer, Sergeant of Police,
City of Cleveland. Received.

File No. 433-2019.
Michael Schroeder, Sergeant of
Police, City of Cleveland. Received.

File No. 434-2019.
Rick Stone, Sergeant of Police,
City of Cleveland. Received.

File No. 435-2019.
Dorothy Todd, Commander of
Police, City of Cleveland. Received.

File No. 436-2019.
Emmanuel Velez, Sergeant of
Police, City of Cleveland. Received.

File No. 437-2019.
Stephan Williams, Sergeant of
Police, City of Cleveland. Received.

FROM OHIO DIVISION OF LIQUOR CONTROL

File No. 452-2019.
RE: #26312750345. New License
Application, C2. Family Dollar
Stores of Ohio, Inc., 16122 Lake
Shore Blvd. (Ward 8). Received.

File No. 453-2019.
RE: #7701660. New License Appli-
cation, C1. Sam Hammad, Inc., 4464
Warner Rd. (Ward 2). Received.

File No. 454-2019.
RE: #9879120. Transfer of Owner-
ship Application, C2 C2X. Zaid Food,
Inc., 891 Lakeview Rd. (Ward 9).
Received.

File No. 455-2019.
RE: #26312750350. New License
Application, C2. Family Dollar
Stores of Ohio, Inc., 4576 West 130th
St. (Ward 16). Received.

File No. 456-2019.
RE: #22348151291. Transfer of
Location Application, C2. Dolgen
Midwest LLC, 1701 East 12th St.
(Ward 7). 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, Hair-
ston, Santana, Zone.

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

MONDAY

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

TUESDAY

9:30 A.M. — **Development, Plan-
ning 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, McCor-
mack, Polensek, Santana.

1:30 P.M. — **Workforce and Com-
munity Benefits Committee:** Bishop
(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 Com-
mittee:** Cleveland (CHAIR), Keane
(VICE-CHAIR), Bishop, Conwell,
Johnson, J. Jones, Santana.

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

April 8, 2019

The meeting of the Council was
called to order at 7:00 p.m. with the
President of Council, Kevin J. Kel-
ley, 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 San-
tana, and Matt Zone.

Also present were: Mayor Frank
G. Jackson, Chief Operating Officer
Darnell Brown, Chief of Communi-
cations, Government & International
Affairs Valarie J. McCall, Chief of
Regional Development Edward W.
Rybka, Chief of Education Monyka
S. Price, Media Relations Director
Dan Williams, Chief of Sustainabil-
ity Matt Gray, Chief of Public
Affairs Natoya Walker-Minor, Chief
of Prevention, Intervention and
Opportunity for Youth and Young
Adults Tracy Martin-Thompson, and
Directors Langhenry, Davis,
Kennedy, Spronz, Gordon, McGrath,
Cox, Menesse, Blue Donald, West,
Ebersole, Stevenson, Collier, McNa-
mara, Spreng, 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
Johnson, the reading of the minutes
of the last meeting was dispensed
with and the journal approved. Sec-
onded by Council Member Polensek.

CONDOLENCE RESOLUTIONS

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

Res. No. 465-2019 — Gwendolyn Travick.

Res. No. 466-2019 — Bedford Hugh Forte, Jr.

Res. No. 467-2019 — Schennetta Teree King Wimberly.

Res. No. 472-2019 — Carol Leigh Whitaker.

Res. No. 473-2019 — John Cromarti.

RECOGNITION RESOLUTIONS

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

Res. No. 469-2019 — 10th Annual Cleveland Asian Festival.

Res. No. 470-2019 — Cuyahoga Community College - Tri-C Day.

Res. No. 471-2019 — Cuyahoga Community College Black American Council.

COMMENDATION RESOLUTION

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

Res. No. 468-2019 — Prime Minister Jacinda Ardern.

FIRST READING EMERGENCY ORDINANCES REFERRED**Ord. No. 438-2019.**

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

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to The Convention and Visitors Bureau of Greater Cleveland, Inc. to encroach into the public right-of-way within the Tremont neighborhood with a Pedestrian Wayfinding Sign Program by installing, using, and maintaining eight wayfinding signs and associated electrical 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 Convention and Visitors Bureau of Greater Cleveland, Inc., 334 Euclid Avenue, Cleveland, OH 44114 ("Permittee"), to encroach into the public right-of-way within the Tremont neighborhood with a Pedestrian Wayfinding Sign Program by installing, using, and maintaining eight wayfinding signs and associated electrical duct banks, at the following locations:

1. Northwest corner of Abbey Avenue and West 13th Street
2. Northeast corner of West 10th Street and West 7th Street
3. Southeast corner of West 11th Street and Fairfield Avenue
4. Northwest corner of Professor Avenue and Starkweather Avenue
5. Northwest corner of West 11th Street and Starkweather Avenue
6. Southwest corner of West 11th Street and Kenilworth Avenue

7. Northeast corner of Professor Avenue and West 11th Street

8. Northeast corner of Abbey Avenue and Columbus Road

The final locations and the number of signs will be determined and approved after plan review on an individual site-by-site basis. The permit authorized shall not be issued until the Manager of the Division of Engineering and Construction and the Director of Capital Projects have first reviewed and approved each specific encroachment location.

Section 2. That Permittee may assign the permit only with the prior written consent of the Director of Capital Projects. That the encroaching structures permitted by this ordinance and the exact locations 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 encroachments.

Section 3. That the Director of Law shall prepare the permit authorized by this ordinance and shall incorporate such additional provisions as the director determines necessary to protect and benefit the public interest. The permit shall be issued only when, in the opinion of the Director of Law, a prospective Permittee has properly indemnified the City against any loss that may result from the encroachments permitted.

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

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

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

Ord. No. 439-2019.

By Council Members B. Jones, Cleveland, Griffin, Johnson and Brancatelli (by departmental request).

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to MidTown Cleveland, Inc. to encroach into the public right-of-way of the Midtown District by installing, using, and maintaining the MidTown Wayfinding Signage 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 Capital Projects is authorized to issue a permit, revocable at the will of Council, to MidTown Cleveland, Inc., 5000 Euclid Avenue, Suite 100, Cleveland, Ohio, 44103 ("Permittee"), to encroach into public rights-of-way within the Midtown District by

installing, using, and maintaining, 2 specialty trailblazer signs, 6 primary directional signs, 2 secondary directional signs, 19 trailblazer signs, 11 tertiary directional signs and 2 primary gateway monument signs at the following locations:

C2 - Specialty Trailblazer

SW corner of E. 30th and Chester Ave.

SE corner of E. 55th and Chester Ave.

A1 - Primary Gateway

NE corner of Interbelt and Euclid Ave.

In front of MTC office

C1 - Trailblazer

SE corner of E. 40th and Commerce Ave.

NE corner of E. 30th and Chester Ave.

NE corner of E. 47th and Commerce Ave.

SE corner of E. 55th and Hough Ave.

SW corner of E. 55th and Hough Ave.

SE corner of E. 55th and Euclid Ave.

SW corner of E. 55th and Chester Ave.

SW corner of E. 55th and Carnegie Ave.

NE corner of E.30th and Prospect Ave.

NW corner of E. 69th and Euclid Ave.

NW corner of E. 70th and Euclid Ave.

NW corner of E. 71st and Chester Ave.

SW corner of E. 71st and Carnegie Ave.

SE corner of E. 71st and Euclid Ave.

NE corner of E. 71st and Euclid Ave.

SW corner of E. 79th and Chester Ave.

SW corner of E. 79th and Carnegie Ave.

NW corner of E. 40th Commerce Ave.

SW corner of E. 70th and Chester Ave.

B1 - Primary Directional

SE corner of E. 40th and Chester Ave.

SW corner of E. 40th and Chester Ave.

SW corner of E. 55th and Chester Ave.

NE corner of E. 55th and Chester Ave.

NE corner of E. 55th and Carnegie Ave.

NW corner of E. 55th and Chester Ave.

B2 - Secondary Directional

SE corner of E. 30th and Chester Ave.

NW corner of E. 55th and Euclid Ave.

B3 - Tertiary Directional

NW corner of E. 40th and Euclid Ave.

NE corner of E. 40th and Euclid Ave.

SE corner of E. 40th and Euclid Ave.

NW corner of E. 55th and Prospect Ave.

NE corner of E. 66th and Chester Ave.

SW corner of E. 40th and Carnegie Ave.

SE corner of E. 55th and Prospect Ave.

SW corner of Prospect St. and Prospect Ave.

SW corner of E. 66th and Chester Ave.

SW corner of E. 30th and Prospect Ave.

SW corner of E. 30th and Carnegie Ave.

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

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

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

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

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

Ord. No. 440-2019.

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 MidTown Cleveland, Inc. to encroach into the public rights-of-way within the Midtown District by installing, using, and maintaining the Asiatown "pie slice" blade signage 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 Capital Projects is authorized to issue a permit, revocable at the will of Council, to MidTown Cleveland, Inc., 5000 Euclid Avenue, Suite 100, Cleveland, Ohio, 44103 ("Permittee"), to encroach into the public rights-of-way within the Midtown District by installing, using, and maintaining 56 blade signs as part of the Asiatown "pie slice" blade signage program at the following locations:

1. E. 27th St. and Payne Avenue, north - English & Chinese, English & Korean
2. E. 27th St. and Payne Avenue, south - English & Chinese, English & Tagalog
3. E. 31st St. and Payne Avenue, south - English & Chinese, English & Vietnamese
4. E. 32nd St. and Payne Avenue, north - English & Chinese, English & Thai
5. E. 33rd St. and Payne Avenue, north - English & Chinese, English & Hindi
6. E. 33rd St. and Payne Avenue, south - English & Chinese, English & Vietnamese
7. E. 34th St. and Payne Avenue, north - English & Chinese, English & Thai
8. E. 36th St. and Payne Avenue, south - English & Chinese, English & Korean
9. E. 36th St. and Payne Avenue, north - English & Chinese, English & Tagalog
10. E. 37th St. and Payne Avenue, south - English & Chinese, English & Thai
11. E. 38th St. and Payne Avenue, north - English & Chinese, English & Korean
12. E. 38th St. and Payne Avenue, south - English & Chinese, English & Thai
13. E. 39th St. and Payne Avenue, north - English & Chinese, English & Korean
14. E. 39th St. and Payne Avenue, south - English & Chinese, English & Thai
15. E. 30th St. and Superior Avenue, north - English & Chinese, English & Korean
16. E. 30th St. and Superior Avenue, south - English & Chinese, English & Vietnamese
17. E. 31st St. and Superior Avenue, north - English & Chinese, English & Vietnamese
18. E. 31st St. and Superior Avenue, south - English & Chinese, English & Korean
19. E. 32nd St. and Superior Avenue, north - English & Chinese, English & Hindi

20. E. 32nd St. and Superior Avenue, south - English & Chinese, English & Tagalog

21. E. 33rd St. and Superior Avenue, north - English & Chinese, English & Tagalog

22. E. 33rd St. and Superior Avenue, south - English & Chinese, English & Hindi

23. E. 34th St. and Superior Avenue, north - English & Chinese, English & Thai

24. E. 34th St. and Superior Avenue, south - English & Chinese, English & Vietnamese

25. E. 36th St. and Superior Avenue, north - English & Chinese, English & Vietnamese

26. E. 36th St. and Superior Avenue, south - English & Chinese, English & Thai

27. E. 38th St. and Superior Avenue, south - English & Vietnamese, English & Korean

28. E. 40th St. and King Avenue - English & Hindi, English & Chinese

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

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

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

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

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

Ord. No. 441-2019.

By Council Members B. Jones, Cleveland, Johnson and Brancatelli (by departmental request).

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to MidTown Cleveland, Inc. to encroach into the public rights-of-way within the Midtown District by installing, using, and maintaining from 24 to 36 bike racks.

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 MidTown Cleveland, Inc., 5000 Euclid Avenue, Suite 100, Cleveland, Ohio 44103 ("Permittee"), to encroach into the public rights-of-way within the Midtown District by installing, using, and maintaining from 24 to 36 bike racks, at the following locations:

List of **potential** bike rack locations for a total number of 24-36 bike racks.

1	The Agora	5000 Euclid Ave	Destination
2	Children's Museum	3813 Euclid Ave	Destination
3	Masonic Auditorium	3615 Euclid Ave	Destination
4	Morgan Conservatory	E. 47th St	Destination
5	CASTLE High School	3950 Prospect Ave E	Education /Service
6	City Mission	5310 Carnegie Ave	Education /Service
7	NewBridge	3634 Euclid Ave	Education /Service
8	Ohio Guidestone Workforce 360	3235 Prospect Ave E	Education /Service
9	Stepstone Academy	3328 Carnegie Ave	Education /Service
10	The Centers for Families & Children	4500 Euclid Ave	Education /Service
11	Jane Edna Social Services Building	3955 Euclid Ave	Education /Service
12	ALDI	7500 Euclid Ave-5	Food Amenities
13	Cleveland Bagel	Carnegie Ave & E.75 77th St	Food Amenities
14	Colonel Young Park	E. 46th St & Prospect Ave	Food Amenities
15	3631 Perkins	3631 Perkins Ave	Office
16	Link 59	6001 Euclid Ave	Office
17	MidTown Tech Park	6700 Euclid Ave	Office
18	Baker Electric Building	7100 Euclid Ave	Office
19	Tech Hive	6815 Euclid Ave	Office
20	Vocon	3142 Prospect Ave E	Office
21	NEORS	3900 Euclid Ave	Office
22	Cityview Rehab	6606 Carnegie Ave	Residential
23	University Studios	2901 Euclid Ave	Residential

The final locations and the number of bike racks will be determined and approved after plan review on an individual site-by-site basis. The permits authorized shall not be issued until the Manager of the Division of Engineering and Construction and the Director of Capital Projects have first reviewed and approved each specific encroachment location.

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

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

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

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

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

Ord. No. 442-2019.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing payment of membership dues of the City of Cleveland in Global Cleveland for 2019.

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

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

Section 1. That the Director of Finance is authorized to cause payment of membership dues of the City of Cleveland in the amount of \$125,000 to be made to Global Cleveland for 2019, from funds approved by the Director of Finance.

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 Directors of Finance, Law; Committee on Finance.

Ord. No. 443-2019.

By Council Member Kelley (by departmental request).

An emergency ordinance to amend Section 125.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 126-01, passed March 26, 2001, relating to the Law Director's powers and duties; and to amend Section 3 of Ordinance No. 323-15, passed March 30, 2015, relating to compensation for various classifications.

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

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

Section 1. That Section 125.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 126-01, passed March 26, 2001, is amended to read as follows:

Section 125.01 Director's Powers and Duties

(a) The work of the Department of Law shall be distributed between a civil branch and a criminal branch. The Director of Law shall supervise and control the Department. He or she may appoint such number of Assistant Directors of Law as he or she deems necessary for the proper conduct of the work of the civil branch, whose appointments shall be subject to the approval of Council, three (3) of whom he or she may designate as Chief Counsel, Chief Trial Counsel and Chief Corporate Counsel, and not to exceed eight (8) of whom he or she may designate as Chief Assistant Director of Law.

(b) The Director shall be the Prosecuting Attorney of the Municipal Court, pursuant to the provisions of Charter Section 84. He or she may also designate not more than ~~twenty-one (21)~~ **twenty-three (23)** assistant prosecutors, whose appointments shall be subject to the approval of Council. Two (2) of ~~such assistant prosecutors shall be known whom may be designated~~, respectively, as Chief Assistant Prosecutor and First Assistant Prosecutor; **and three (3) of whom may be designated as Deputy Assistant Prosecutor.**

(c) The Director is hereby authorized to employ such number of clerks, stenographers and persons in other classifications as he or she may deem necessary.

Section 2. That existing Section 125.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 126-01, passed March 26, 2001, is repealed.

Section 3. That Section 3 of Ordinance No. 323-15, passed March 30, 2015, is amended to read as follows:

Section 6. Department of Law

That the Director of Law shall fix the salary of each member of his staff of lawyers in accordance with the following schedule:

CIVIL BRANCH		Minimum	Maximum
1.	Assistant Director of Law I.....	\$26,250.00	\$86,986.00
2.	Assistant Director of Law I(s).....	26,250.00	93,199.31
3.	Assistant Director of Law II.....	31,500.00	105,625.89
4.	Assistant Director of Law II(s).....	31,500.00	117,574.68
5.	Chief Assistant Director of Law.....	31,500.00	136,692.31
6.	Chief Corporate Counsel.....	36,750.00	150,470.11
7.	Chief Counsel.....	36,750.00	150,470.11
8.	Chief Trial Counsel.....	36,750.00	150,470.11
9.	Deputy Law Director.....	36,750.00	150,470.11
CRIMINAL BRANCH		Minimum	Maximum
1.	Chief Assistant Prosecutor.....	36,750.00	150,470.11
2.	First Assistant Prosecutor.....	31,500.00	136,692.31
3.	Deputy Assistant Prosecutor.....	23,100.00	105,625.89
4.	Assistant Prosecutor.....	23,100.00	105,625.89

Section 4. That existing Section 3 of Ordinance No. 323-15, passed March 30, 2015, is repealed.

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. 444-2019.
By Council Members Keane, Cleveland, Brancatelli and Kelley (by departmental request).**

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located adjacent to Old Grayton Road to Canal Road Partners, LLC, for purposes of having clear title to all their structures and assets; and to enter into a purchase and sale agreement.

Whereas, the Director of Port Control has requested the sale of a 1.96 acre of City-owned property to Canal Road Partners, LLC ("CRP") located adjacent to Old Grayton Road and is more fully described as Permanent Parcel No. 029-07-053 (the "Property"); and

Whereas, in 2001, when CRP purchased the adjacent concrete manufacturing and recycling factory from Grayton Road Properties, Inc., the title research conducted prior to the purchase failed to reveal that several of the factory's related structures and staging areas were actually located on City property; and

Whereas, the Property is no longer needed for the City's public use and is being sold to CRP for purposes of CRP having clear title to all their structures and assets; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that the following described property is no longer needed for the City's public use:

**March 11, 2019
Legal Description
Of a Parcel of Land on Grayton Road
In the City of Cleveland
(1.9993 Acres)**

Situated in the City of Cleveland, formerly Township of Riveredge, County of Cuyahoga and the State of Ohio and known as being part of original Rockport Township Section 4, and being all of land conveyed by Thomas S. and Caroline L. Najjar, to the Township of Riveredge by deed dated 3/31/1982 and recorded in volume 15627, page 955 of Cuyahoga County Records (PPN 029-07-053 and 029-07-054), being further described as follows:

Beginning at the intersection of the centerline of Brookpark Road (100 feet wide), and re-located Old Grayton Road as shown by plat of vacation recorded in volume 340, page 31 of Cuyahoga County Map Records, witnessed by a 1 inch iron pin in a monument box found 231.14 feet along the arc of a curve in the centerline of said Brookpark Road, deflecting to the right and having a radius of 674.07 feet, a delta of 19°38'49" and a chord of 230.01 feet bearing South 79°53'19" West;

Thence North 19°56'05" West, along the centerline of said re-located Old Grayton Road, 176.63 feet to a point of curvature therein;

Thence northerly, 514.52 feet along the arc of a curve in the centerline of said re-located Old Grayton Road, 240.86 feet to a 5/8 inch iron pin in a monument box at a point of tangency therein;

Thence North 57°38'36" East, along the centerline of said re-located Old Grayton Road, 240.86 feet to a 5/8 inch iron pin in a monument box at a point of curvature therein;

Thence northeasterly, 232.37 feet along the arc of a curve in the centerline of said re-located Old Grayton Road, deflecting to the left and having a radius of 380.00 feet, a delta of 35°02'09" and a chord of 228.76 feet bearing North 40°07'31" East to a point of tangency therein, and being in the original unvacated centerline of Grayton Road;

Thence North 22°36'27" East, along the original centerline of said Grayton Road, 247.42 feet to the southerly limited access line of Interstate Route 480, and witnessed by a 5/8 inch iron pin in a monument box found North 22°36'27" East, 124.66 feet;

Thence South 88°36'31" West, along the southerly limited access line of Interstate Route 480, at 60.02 feet passing through a 5/8 inch iron pin (Id: CT) found at an angle point therein, and being the westerly right of way of said Grayton Road, the northeasterly corner of New Lot 1A as shown by Plat of Lot Split and Consolidation recorded in volume 333, page 59 of Cuyahoga County Map

Records, 148.39 feet to an angle point in the northerly line of said New Lot 1A:

Thence North 74°57'16" West, along the northerly line of said New Lot 1A, 150.54 feet to a 5/8 inch iron pin (Id: 7801) found at an angle point therein, and the Principal Place of Beginning of the following described parcel:

Course 1:

Thence South 00°15'26" East, along the northerly line of said New Lot 1A, 42.50 feet to a 5/8 inch iron pin (Id: K&S) found at an angle point therein;

Course 2:

Thence South 88°36'31" West, along the northerly line of said New Lot 1A, 149.79 feet to a 5/8 inch iron pin (Id: Polaris) set at an angle point therein;

Course 3:

Thence North 00°15'26" West, along the northerly line of said New Lot 1A, 29.93 feet to a 5/8 inch iron pin (not capped) found at an angle point therein;

Course 4:

Thence South 88°55'39" West, along the northerly line of said New Lot 1A, 208.37 feet to a 5/8 inch iron pin (Id: Polaris) set at an angle point therein;

Course 5:

Thence North 76°19'39" West, along the northerly line of said New Lot 1A, 257.64 feet to a 5/8 inch iron pin (Id: Polaris) set at an angle point therein;

Course 6:

Thence North 73°14'32" West, along the northerly line of said New Lot 1A, and the northerly line of New Lot 5A of said Plat of Lot Split and Consolidation, 238.69 feet to a 5/8 inch iron pin (Id: Polaris) set at an angle point therein;

Course 7:

Thence North 65°47'12" West, along the northerly line of said New Lot 5A, 75.88 feet to a 5/8 inch iron pin (Id: Polaris) set therein and being the most southerly corner of deed parcel 1 of land conveyed to Canal Road Partners by deed recorded as AFN 200108011336 of Cuyahoga County Records (PPN 029-38-004);

Course 8:

Thence North 83°53'42" East, along the southerly line of said deed parcel 1 of Canal Road Partners, 290.43 feet to a 5/8 inch iron pin (Id: Polaris) set at the southeasterly corner thereof, and being the southwesterly corner of parcel 2 of said Canal Road Partners (PPN 029-04-001);

Course 9:

Thence South 76°21'18" East, along the southerly line of said deed parcel 2 of Canal Road Partners, 571.97 feet to a 5/8 inch iron pin (Id: Polaris) set at a point of non-tangent curvature;

Course 10:

Thence southeasterly, 85.17 feet along the arc of a curve in the southerly line of said deed parcel 2 of Canal Road Partners, deflecting to the right and having a radius of

42.50 feet, a delta of 114°49'15" and a chord of 71.62 feet bearing South 59°10'58" East to the principal place of beginning, and containing 1.9993 acres of land (87,0914 square feet) per survey performed in February, 2019 by Michael P. Spellacy, P.S. 8169 of Polaris Engineering and Surveying, subject to all legal highways and easements of record. The bearings used herein are based on an the Ohio Coordinate System of 1983, North Zone, 1986 adjustment, and all iron pins set are 5/8 inch diameter by 30 inch long rebar with identification caps stamped "Polaris S-7087". The intent of this instrument is to provide a current legal description for PPN 029-07-053 and 029-07-054.

Section 2. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property CRP at a price not less than the appraised value, which is determined to be fair market value.

Section 3. That the conveyance shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain necessary provisions, including restrictive covenants deemed necessary for aviation purposes, as specified by the Directors of Port Control and Law, including restrictive reversionary interests as may be specified by the Board of Control or Director of Law, which shall protect the City's interests and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 4. That the City acknowledges, states and affirms, under Article IX of the Trust Indenture, dated November 1, 1976, as amended, that the City desires and requests that certain portion of its land heretofore subject to the Indenture be released and removed from all obligations under the Indenture. Further the City acknowledges, states and affirms that it is not in default under the Indenture and that release of the land is necessary in order to serve the public purpose.

Section 5. That the Director of Port Control is authorized to apply to The Bank of New York Mellon Trust Company, National Association, as successor trustee, for a land release under the Indenture.

Section 6. That the Director of Port Control is authorized to enter into a Purchase and Sale Agreement with CRP and any other agreements necessary, and to execute any documents needed to effectuate the purposes of this ordinance.

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

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

Ord. No. 445-2019.

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

An emergency ordinance authorizing the Director of Public Utilities to enter into one or more contracts with MCM Technology, LLC for professional services to acquire one or more licenses for the Office of Radio Communication Service Center to give them the ability to manage the radio system as well as the service center in one centralized location, and other services to implement the software, including training, maintenance and support for a period of two years.

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

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

Section 1. That the Director of Public Utilities is authorized to enter into one or more contracts with MCM Technology, LLC for professional services necessary to acquire one or more licenses for the Office of Radio Communication Service Center to give them the ability to manage the radio system as well as the service center in one centralized location, and other professional services to implement this ordinance, including but not limited to, business assessment, installation, configuration, data conversion, project management, and training, and maintenance and support for a period of two years, on the basis of its proposal dated March 8, 2019, for the Department of Public Utilities. The contract or contracts shall not exceed \$250,000 and shall be paid from Fund No. 50 SF 002, Request No. RQS 2001, RL 2017-102.

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. 448-2019.

By Council Member Kelley.

An emergency ordinance authorizing the Clerk of Council to enter into one or more internship agreements with various individuals to provide assistance to the Office of the Clerk and the members of Cleveland City Council in any and all matters related to official Council business.

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

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

Section 1. That the Clerk of Council is authorized to enter into one or more internship agreements with various individuals to provide assistance to the Office of the Clerk and the members of Cleveland City Council in any and all matters related to official Council business, as may be directed by the Clerk or her designees. The agreements may be

for terms of any number of weeks starting on or after May 1, 2019 and ending on or before May 1, 2020. The individuals shall be paid on an hourly basis in an amount up to and not to exceed \$15.00 per hour and shall be certified from fund number 01, subfund 001, department 0101, object 6320.

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. 449-2019.

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

An emergency ordinance authorizing the Director of Capital Projects and/or Public Works to enter into contract with Millstone Management Group for the immediate purchase of labor, equipment, and materials necessary for the emergency repair of several offices and one area in City Hall caused by water damage; authorizing the appropriate director to lease office space to temporarily locate employees while renovations are being made to their offices, for a period up to one year; and authorizing the purchase and rental by one or more requirement contracts of furniture, furniture systems, and equipment.

Whereas, in January 2019, several water pipes broke in City Hall causing substantial damage to the offices of the Departments of Law, Community Relations, and Economic Development and to an area in the Custodian's Office; and

Whereas, employees in those departments are currently relocated, or will need to be relocated, in temporary work places at several off-site locations; and

Whereas, it is necessary to begin the emergency repairs to those areas so that employees can be returned to their offices and can continue the business of the City; and

Whereas, Millstone Management Group previously submitted a bid for the project and is available to begin work on the project immediately; and

Whereas, the Director of Capital Projects and Public Works have determined that based on considerations of capability and experience, immediate availability, quality, cost, and safety, the City should contract with Millstone Management Group for the immediate purchase of labor, equipment, and materials necessary for the emergency repair of several offices and one area in City Hall caused by water damage; 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 Capital Projects and/or Public Works is authorized to make one or more written contracts with Millstone Management Group for the

immediate purchase of labor, equipment, and materials necessary for the repair of the offices of the Departments of Law, Community Relations, and Economic Development, and to an area in the Custodian's Office, to be purchased by the Commissioner of Purchases and Supplies for the Office of Capital Projects and/or Department of Public Works.

Section 2. That the Director of Capital Projects and/or Public Works is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements to be determined by the appropriate director of the necessary items of furniture and furniture systems, including installation, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the appropriate office or department. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 3. That under Section 108(b) of the Charter, the purchases authorized in Section 2 may be made through cooperative arrangements with other governmental agencies. The appropriate director may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 4. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Law, Community Relations, or Economic Development is authorized to lease office space for impacted departments while the emergency repairs are being done.

Section 5. That the term of the lease or leases shall not exceed one year.

Section 6. That the rent for lease or leases shall be fair market value, exclusive of utilities, as determined by the Board of Control.

Section 7. That the lease or leases may authorize the City to make improvements to the leased premises under terms to be determined by the parties to be consistent with the public purpose or purposes of providing office space for impacted departments.

Section 8. That the lease or leases may provide for the City's payment of appropriate utility and other operating costs of the leased premises.

Section 9. That the lease or leases shall be prepared by the Director of Law and shall contain any terms and conditions as are required to protect the interests of the City.

Section 10. That the Director of Law, Community Relations, or Economic Development is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period to be determined by the director of the

necessary items for the rental of office furniture and equipment for those departments entering into a lease agreement under this ordinance, to be procured by the Commissioner of Purchases and Supplies on a unit basis for the Department of Law, Community Relations, or Economic Development Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 11. That under Section 108(b) of the Charter, the procurements authorized in Section 10 may be made through cooperative arrangements with other governmental agencies. The appropriate director may sign all documents that are necessary to make the procurements, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 12. That the appropriate director, the Director of Law, and other appropriate City officials are authorized to execute any other documents and certificates, and take any other actions which may be necessary or appropriate to effectuate this ordinance.

Section 13. That the cost of the contract or contracts authorized with Millstone Management Group shall be paid from Fund Nos. 01-1001-6930, 20 SF 566, 20 SF 573, 20 SF 578, 20 SF 585, 20 SF 588, from the fund or funds to which are credited the proceeds from the sale of future bonds if issued for this purpose, and other funds approved by the Director of Finance.

Section 14. That the costs of the requirement contract or contracts for the purchase of furniture and furniture systems, including installation, shall be paid from Fund Nos. 20 SF 566, 20 SF 573, 20 SF 578, 20 SF 585, 20 SF 588, from the fund or funds to which are credited the proceeds from the sale of future bonds if issued for this purpose, and shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance.

Section 15. That the costs of any lease of office space needed for the Departments of Law, Community Relations, or Economic Development while the emergency repairs are being done shall be paid from Fund No. 01-1001-6930 and from funds approved by the Director of Finance.

Section 16. That the costs of the requirement contract or contracts for the rental of office furniture and equipment for those departments entering into a lease agreement for temporary office space under this ordinance shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any procurement under the contract, each of which procurements shall be made

on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQS 0103, RLA 2019-24)

Section 17. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 450-2019.

By Council Member Keane.

An emergency ordinance to repeal Ordinance 1419-18, passed April 1, 2019 and to amend Section 171.57 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1492-05, passed August 3, 2005, relating to military service leave of absence.

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

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

Section 1. That Ordinance No. 1419-18, passed April 1, 2019, is repealed.

Section 2. That Section 171.57 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1492-05, passed August 3, 2005, is amended to read as follows:

Section 171.57 Military Service Leave of Absence; Benefits During Service

(a) All officers and employees of the City who are ~~regular active duty members of any component of the Armed Forces of the United States, or reservists who are called to active duty to serve in the Ohio National Guard, the Ohio Defense Corps, the Ohio Naval Militia or other reserve components of the Armed Forces of the United States, are entitled to a leave of absence from their respective duties for such time as they are in the military service on field training or active duty. If a City employee's military pay or compensation during such period of leave of absence is less than his or her City pay would have been for such period, he or she shall be paid, by the City, the difference in money between the City pay and his or her military pay for such period, members of the Ohio organized militia or members of other reserve components of the armed forces of the United States, including the Ohio national guard, are entitled to a leave of absence from their respective positions without loss of pay for the time they are performing service in the uniformed services, for periods of up to one month, for each year in which they are performing service in the uniformed services.~~

(b) As used in this section:

(1) "Year" means calendar year.

(2) "Month" means twenty-two eight-hour work days or one hundred seventy-six hours, or for a public

safety employee, seventeen twenty-four-hour days or four hundred eight hours, within one year.

(3) "Officer and employee" means any person holding a position in employment with the City that requires working a regular schedule of twenty-six consecutive biweekly pay periods, or any other regular schedule of comparable consecutive pay periods, which is not limited to a specific season or duration. "Officer and employee" does not include student help; intermittent, seasonal, or external interim employees; or individuals covered by personal services contracts.

(4) "Service in the uniformed services" means the performance of duty, on a voluntary or involuntary basis, in a uniformed service, under competent authority, and includes active duty, active duty for training, initial active duty for training, inactive duty for training, full-time national guard duty, and performance of duty or training by a member of the Ohio organized militia pursuant to Chapter 5923 of the Revised Code. "Service in the uniformed services" includes also the period of time for which a person is absent from a position of public or private employment for the purpose of an examination to determine the fitness of the person to perform any duty described in this division.

(5) "Uniformed services" means the armed forces, the Ohio organized militia when engaged in active duty for training, inactive duty training, or full-time national guard duty, the commissioned corps of the public health service, and any other category of persons designated by the president of the United States in time of war or emergency.

(6) "Public safety employee" means a City employee who is employed as a fire fighter or emergency medical technician.

(c) Except as otherwise provided in division (d) of this section, any officer or employee of the City, who is entitled to the leave provided under division (a) of this section, and who is called or ordered to the uniformed services for longer than a month, for each year in which the employee performed service in the uniformed services, because of an executive order issued by the president of the United States, because of an act of congress, or because of an order to perform duty issued by the governor pursuant to section 5919.29 of the Revised Code is entitled, during the period designated in the order or act, to a leave of absence and to be paid, during each monthly pay period of that leave of absence:

The difference between the officer's or employee's gross monthly wage or salary as an officer or employee and the sum of the officer's or employee's gross uniformed pay and allowances received that month.

(d) No officer or employee shall receive payments under division (c) of this section if the sum of the officer's or employee's gross uniformed pay and allowances received in a pay period exceeds the officer's or employee's gross wage or salary as an officer or employee for that period or if the officer or employee is receiving pay under division (a) of this section.

(e) Each officer or employee who is entitled to leave provided under division (a) of this section shall submit the published order authorizing the call or order to the uniformed services or a written statement from the appropriate military commander authorizing that service, prior to being credited with that leave.

(f) Any officer or employee whose employment is governed by a collective bargaining agreement with provision for the performance of service in the uniformed services shall abide by the terms of that collective bargaining agreement with respect to the performance of that service, except that no collective bargaining agreement may afford fewer rights and benefits than are conferred under this section.

(g) For purposes of hospitalization, life insurance, vacation leave, sick leave and longevity pay, a person on a military leave of absence shall be deemed to be in the service of the City.

Section 3. That existing Section 171.57 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1492-05, passed August 3, 2005 is repealed.

Section 4. That the provisions of this section shall be in full force and effect from the effective date and forward of 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 Committee on Finance.

Ord. No. 464-2019.

By Council Members McCormack, Zone, Brancatelli and J. Jones.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976 by enacting new Sections 401.152, 401.153, 401.231, 401.532, 473.10 and new Chapter 517, Shared Mobility Device Vendors, Sections 517.01 through 517.05, and to amend Sections 473.01 through 473.03, 473.05, 473.07 through 473.09, 405.09, 431.03, and 431.15, as amended by various ordinances, regulating the vendors and use of shared mobility devices.

Whereas, the City of Cleveland seeks to promote shared mobility in the short and long term as a way to increase connectivity and opportunity for mobility options, as well as improve quality of life for its residents; and

Whereas, the City of Cleveland recognizes that shared mobility is key to reducing environmental impact, decreasing motor vehicle traffic, and improving access to other forms of transportation; and

Whereas, the rental of shared mobility devices is a fast-emerging industry that has taken root in many cities, including Columbus, Nashville, and Memphis; and

Whereas, establishing regulations for shared mobility devices is critical to ensuring the health, safety, and well-being of shared mobility riders, pedestrians and other users

of the public right-of-way, and the general public; 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 Codified Ordinances of the City of Cleveland, 1976 are supplemented by enacting new Sections 401.152, 401.153, 401.231, 401.532, 473.10 and new Chapter 517, Shared Mobility Device Vendors, Sections 517.01 through 517.05 to read as follows:

Section 401.152 E-Bike

E-Bike means a two-wheeled device that has handlebars, a seat, and pedals designed to be operated similar to a bicycle, and is powered by electricity. The electricity is stored on board in a rechargeable battery.

Section 401.153 E-Scooter

"E-Scooter" means a two-wheeled device that has handlebars, a floor board, designed to be stood upon when operating and is powered by electricity. The electricity is stored on board in a rechargeable battery.

Section 401.231 Mobility Device

"Mobility device" means a small motorized or electronic device, such as an e-scooter, e-bike or other similar device as determined by the Director of Capital Projects. A mobility device does not include those designed solely for use by a child, or those used as assistive mobility devices by persons with disabilities.

Section 401.532 Shared Mobility Device Vendor

"Shared mobility device vendor" means an entity approved by the Director of Capital Projects, or designee, to use/occupy the public right-of-way for offering shared mobility devices, such as a bicycle, scooter, or e-bike, e-scooter or any other mobility device as determined by the Director of Capital Projects, to subscribers on a fee basis subscription for short-term rental in point-to-point trips.

Section 473.10 Parking of bicycle or mobility device

(a) No person shall park a bicycle or mobility device on a sidewalk in such a manner so as to unduly interfere with pedestrian flow. This includes ADA ramps, areas departing to and from buildings and at transit stops.

(b) No person shall park a bicycle or mobility device on a sidewalk in such a manner as to block crosswalks, curb ramps, transit stops, fire escapes, fire hydrants, loading zones, disability parking, street furniture, building entryways, private property, railroad crossings, or vehicular driveways.

(c) No person shall park a bicycle or mobility device upon any street including parking spots and loading zones or as to unduly interfere with vehicular traffic.

(d) All bicycles and mobility devices must be parked in an upright position.

(e) Whoever violates this section is guilty of a minor misdemeanor.

Chapter 517 Shared Mobility Device Vendors

517.01 Shared Mobility Device Vendor Permit Application

Shared mobility device vendors, as defined in Section 401.532 of this code, shall apply for and receive an annual permit from the Director of Capital Projects (Director) prior to occupying any portions of the public right-of-way.

An application for a permit to operate as a shared mobility device vendor shall be made to the Director of Capital Projects upon a form provided by the Director for that purpose. The application form shall include the following:

(a) The name, address, telephone number, e-mail address of the applicant and a contact person primarily responsible for operating the shared mobility devices;

(b) Images and descriptions of the shared mobility devices and mobile application;

(c) Size of initial fleet at launch, including any planned fleet expansions;

(d) Service area at launch, including any planned expansions;

(e) Detailed plan for educating users on proper shared mobility device operation and parking;

(f) Detailed plan for providing an equitable shared mobility device service;

(g) Detailed plan for complying with all applicable codified ordinance requirements and rules and regulations;

(h) Any additional information deemed necessary by the Director.

Section 517.02 Permit Fee; Issuance

(a) An application for a permit shall be accompanied by a fee in an amount not to exceed the cost of administering the application as established by the Board of Control.

(b) On the approval of an application by the Director, the Commissioner of Traffic Engineering, the City Planning Commission, the Chief of Sustainability, and upon compliance with the Council notification provision described below, the Director shall issue a permit in accordance with this Chapter.

Section 517.03 Rules and Regulations

Within thirty days after the effective date of this ordinance, the Director shall establish rules and regulations governing the operation of shared mobility device vendors. Rules and regulations will include, but are not limited to, applicable procedures, fee schedule, indemnification agreement, operating regulations, insurance requirements, vendor agreement, maximum number of vendor permits, maximum number of shared mobility devices, fleet maintenance requirements, data sharing plan, and social media platform plan. The issuance of permits and all permitted vendors shall be subject to the rules and regulations established by the Director.

Section 517.04 Permit Conditions

(a) *Insurance.* The permitted vendor shall maintain insurance and limits of liability, the amounts to be specified in the Director's rules and regulations, at no cost to the City of Cleveland.

(b) *Indemnification.* If a permit is granted, the permitted vendor shall agree to indemnify the City of Cleveland against liability, loss, or damage.

(c) Any damage to the City of Cleveland from shared mobility devices shall be paid by the vendor.

(d) No permit shall be transferable in any manner.

(e) No vendor has the exclusive right to operate within the City of Cleveland.

(f) *Permit Revocation.* A permit granted under this Chapter may be revoked by the Director at any time if the vendor violates the conditions or rules and regulations of the permit. Upon revocation of a permit, the vendor shall, at no cost to the City, remove all shared mobility devices from the right-of-way. Prior to revocation of a permit under this division, the City shall send written notice to the vendor.

Section 517.05 Transportation Infrastructure Fund

The Director of Finance shall establish a Transportation Infrastructure Fund for the purpose of supporting the expansion of multi-modal infrastructure. Vendors shall pay the City of Cleveland an endowment of \$1.00 per shared mobility device per day. This endowment shall be earmarked to the Transportation Infrastructure Fund to support multi-modal infrastructure, including bicycle and mobility device racks and shared bicycle and mobility device lanes.

Section 2. That Chapter 473 title, Sections 473.01 through 473.03, 473.05, and 473.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 658-17, passed October 16, 2017, Sections 473.08 and 405.09, as amended by Ordinance No. 1684-76, passed June 29, 1976, Section 473.09, as amended by Ordinance No. 1473-06, passed June 11, 2007, and Sections 431.03 and 431.15, as amended by Ordinance No. 1279-015, passed April 24, 2017, are amended to read as follows:

Chapter 473 - Bicycles, Motorcycles, Mobility Devices

Section 473.01 Code Application to Bicycles and Mobility Devices

(a) The provisions of this Traffic Code that are applicable to bicycles and mobility devices apply whenever a bicycle or mobility device is operated upon any highway or upon any path set aside for the exclusive use of bicycles or mobility devices.

(b) **The provisions of this Traffic Code, shall apply to bicycles and mobility devices, and any person operating a bicycle or mobility device on a street shall comply with all operational rules and traffic control devices applicable to vehicular traffic, whenever possible.**

(c) Except as provided in division (e) of this section, a bicycle or mobility device operator who violates any provision of this Traffic Code described in division (a) of this section that is applicable to bicycles and mobility devices may be issued a ticket, citation, or summons by a law enforcement officer for the violation in the same manner as the operator of a motor vehicle would be cited for the same violation. A person who commits any such violation while operating

a bicycle or mobility device shall not have any points assessed against the person's driver's license, commercial driver's license, temporary instruction permit, or probationary license under RC 4510.036.

(d) Except as provided in division (e) of this section, in the case of a violation of any provision of this Traffic Code described in division (a) of this section by a bicycle operator, a mobility device operator, or by a motor vehicle operator when the trier of fact finds that the violation by the motor vehicle operator endangered the lives of bicycle riders or mobility device operators at the time of the violation, the court, notwithstanding any provision of this Traffic Code or the Revised Code to the contrary, may require the bicycle operator, mobility device operator or motor vehicle operator to take and successfully complete a bicycling skills course approved by the court in addition to or in lieu of any penalty otherwise prescribed by this Traffic Code or the Revised Code for that violation.

(e) Divisions (c) and (d) of this section do not apply to violations of RC 4511.19 or Chapter 433.

Section 473.02 Operation of Bicycles, Motorcycles, Mobility Devices, and Snowmobiles

(a) For purposes of this section, "snowmobile" has the same meaning as given that term in RC 4519.01.

(b) (1) No person operating a bicycle, mobility device, or motorcycle shall ride other than upon or astride the permanent and regular seat attached thereto, or carry any other person upon such bicycle, mobility device, or motorcycle other than upon a separate firmly attached and regular seat thereon, and no person shall ride upon a bicycle, mobility device, or motorcycle other than upon such a firmly attached and regular seat.

(2) A person operating a mobility device without a permanent and regular seat attached thereto shall not ride other than standing upon the footboard.

~~(2) No person operating a motorcycle shall ride other than upon or astride the permanent and regular seat or saddle attached thereto, or carry any other person upon such motorcycle other than upon a firmly attached and regular seat or saddle thereon, and no person shall ride upon a motorcycle other than upon such a firmly attached and regular seat or saddle.~~

(3) No person shall ride upon a motorcycle that is equipped with a saddle other than while sitting astride the saddle, facing forward, with one leg on each side of the motorcycle.

~~(4) No person shall ride upon a motorcycle that is equipped with a seat other than while sitting upon the seat.~~

(4) No person operating a bicycle or a mobility device shall carry any package, bundle, or article that prevents the driver from keeping at least one (1) hand upon the handlebars.

(5) No person operating a mobility device should do so on any streets if the posted speed limit is over 35 mph unless in a dedicated bike lane or shared use path.

(6) No person operating a mobility device shall exceed a speed at greater than fifteen (15) miles per hour.

(7) No person under the age of eighteen (18) shall operate a mobility device upon any street or highway or any public or private property used by the public for purposes of vehicular travel or parking except on a shared use path.

(8) No bicycle, mobility device or motorcycle shall be used to carry more persons ~~at one (1) time~~ than the number for which it is designed and equipped. No motorcycle shall be operated on a street or highway when the handlebars rise higher than the shoulders of the operator when the operator is seated in the operator's seat or saddle.

(c) (1) Except as provided in division (c)(2) of this section, no person shall operate or be a passenger on a snowmobile or motorcycle without using safety glasses or other protective eye device. Except as provided in division (c)(2) of this section, no person who is under the age of eighteen (18) years, or who holds a motorcycle operator's endorsement or license bearing a "novice" designation that is currently in effect as provided in RC 4507.13, shall operate a motorcycle on a highway, or be a passenger on a motorcycle, unless wearing a United States Department of Transportation-approved protective helmet on the person's head, and no other person shall be a passenger on a motorcycle operated by such a person unless similarly wearing a protective helmet. The helmet, safety glasses, or other protective eye device shall conform with rules adopted by the Director of Public Safety. The provisions of this paragraph or a violation thereof shall not be used in the trial of any civil action.

(2) Division (c)(1) of this section does not apply to a person operating an autocycle or cab-enclosed motorcycle when the occupant compartment top is in place enclosing the occupants.

(3) A. No person shall operate a motorcycle with a valid temporary instruction permit and temporary instruction permit identification card issued by the Registrar of Motor Vehicles pursuant to RC 4507.05 unless the person, at the time of such operation, is wearing on the person's head a protective helmet that has been approved by the United States Department of Transportation that conforms with rules adopted by the Director.

B. No person shall operate a motorcycle with a valid temporary instruction permit and temporary instruction permit identification card issued by the Registrar pursuant to RC 4507.05 in any of the following circumstances:

1. At any time when lighted lights are required by RC 4513.03(A)(1);
2. While carrying a passenger;
3. On any limited access highway or heavily congested roadway.

(d) Nothing in this section shall be construed as prohibiting the carrying of a child in a seat or trailer that is designed for carrying children and is firmly attached to the bicycle.

(e) Except as otherwise provided in this division, whoever violates division (b) or (c)(1) or (c)(3) of this section is guilty of a minor misdemeanor. If, within one (1) year of the offense, the offender previously has been convicted of or pleaded

guilty to one (1) predicate motor vehicle or traffic offense, whoever violates division (b) or (c)(1) or (c)(3) of this section is guilty of a misdemeanor of the fourth degree. If, within one (1) year of the offense, the offender previously has been convicted of two (2) or more predicate motor vehicle or traffic offenses, whoever violates division (b) or (c)(1) or (c)(3) of this section is guilty of a misdemeanor of the third degree.

Section 473.03 Prohibition against Attaching to Vehicles

(a) No person riding upon any bicycle, mobility device, coaster, roller skates, sled, or toy vehicle shall attach the same or self to any streetcar, trackless trolley, or vehicle upon a roadway.

(b) No operator shall knowingly permit any person riding upon any bicycle, mobility device, coaster, roller skates, sled, or toy vehicle to attach the same or self to any streetcar, trackless trolley, or vehicle while it is moving upon a roadway.

(c) This section does not apply to towing a disabled vehicle.

Section 473.05 Bicycle and Mobility Device Signal Devices, Lights, Reflectors and Brakes

(a) Every bicycle or mobility device when in use at the times specified in Section 437.02, shall be equipped with the following:

(1) A lamp mounted on the front of either the bicycle, mobility device, or the operator that shall emit a white light visible from a distance of at least five hundred (500) feet to the front and three hundred (300) feet to the sides. A generator-powered lamp that emits light only when the bicycle or mobility device is moving may be used to meet this requirement.

(2) A red reflector on the rear that shall be visible from all distances from one hundred (100) feet to six hundred (600) feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle;

(3) A lamp emitting either flashing or steady red light visible from a distance of five hundred (500) feet to the rear shall be used in addition to the red reflector. If the red lamp performs as a reflector in that it is visible as specified in division (a)(2) of this section, the red lamp may serve as the reflector and a separate reflector is not required.

(b) Additional lamps and reflectors may be used in addition to those required under division (a) of this section, except that red lamps and red reflectors shall not be used on the front of the bicycle or mobility device and white lamps and white reflectors shall not be used on the rear of the bicycle or mobility device.

(c) A bicycle or mobility device may be equipped with a device capable of giving an audible signal, except that a bicycle or mobility device shall not be equipped with nor shall any person use upon a bicycle or mobility device any siren or whistle.

(d) Every bicycle or mobility device shall be equipped with an adequate brake when used on a street or highway.

Section 473.07 Operating Bicycles, Mobility Devices and Motorcycles on Roadway

(a) Every person operating a bicycle or mobility device upon a roadway shall ride in any bike lane or traffic lane as near to the right side of the roadway as where practicable obeying all traffic rules applicable to vehicles and exercising due care when passing a standing vehicle or one ~~(1)~~ proceeding in the same direction.

(b) Persons riding bicycles mobility devices or motorcycles upon a roadway shall ride not more than two ~~(2)~~ abreast in a single lane, except on shared-use paths or parts of roadways set aside for the exclusive use of bicycles, mobility devices or motorcycles.

~~(c) This section does not require a person operating a bicycle to ride at the edge of the roadway when it is unreasonable or unsafe to do so. Conditions that may require riding away from the edge of the roadway include when necessary to avoid fixed or moving objects, parked or moving vehicles, surface hazards, or if it otherwise is unsafe or impracticable to do so, including if the lane is too narrow for the bicycle and an overtaking vehicle to travel safely side by side within the lane.~~

Section 473.08 Reckless Operation; Control, Course and Speed

No person shall operate a bicycle or mobility device:

(a) Without due regard for the safety and rights of pedestrians and drivers and occupants of all other vehicles, and so as to endanger the life, limb or property of any person while in the lawful use of the streets or sidewalks or any other public or private property;

(b) Without exercising reasonable and ordinary control over such bicycle or mobility device;

(c) In a weaving or zigzag course unless such irregular course is necessary for safe operation in compliance with law;

(d) Without both hands upon the handle grips except when necessary to give the required hand and arm signals, or as provided in Section 473.02(d);

(e) At a speed greater than is reasonable and prudent under the conditions then existing;

(f) Without complying with the instructions of any traffic control device applicable to vehicles unless otherwise directed by a police officer;

(g) Without giving the hand and arm signals as provided in Section 431.15 when turning or altering course.

Section 473.09 Riding on Sidewalks

(a) No person shall ride a bicycle, skateboard or roller skates upon a sidewalk within a business district.

(b) No person shall ride a bicycle or mobility device upon a sidewalk, except when necessary to go on or off adjacent properties or to park.

(c) No person shall ride a bicycle, mobility device, skateboard or roller-skates upon a sidewalk within the City or paved area within a public park owned by the City when the Chief of Police or Traffic Control Commissioner has prohibited the riding of a bicycle, skateboard or roller-skates thereon and, with

the consent of the member or members of Council in whose ward(s) the sidewalk or paved area within a public park is located has erected signs on or along such sidewalks or paved areas setting forth such prohibition.

(d) Whenever a person is riding a bicycle, mobility device, skateboard or roller skates upon a sidewalk within the City or paved area within a public park owned by the City, such person shall yield the right-of-way to any pedestrian and give an audible signal before attempting to overtake and pass such pedestrian.

(e) Whoever violates this section is guilty of a minor misdemeanor.

(f) This section shall not apply to Cleveland Police Department, Cleveland Emergency Medical Services, and Cleveland Fire Department personnel, nor to any private safety/security personnel, when personnel are acting within the scope of their official duties while riding a bicycle or mobility device.

Section 405.09 Impounding Bicycles for Violations

Whenever any bicycle or mobility device is operated by any person minor under the age of eighteen ~~(18)~~ years in violation of the provisions of this Traffic Code, such bicycle or mobility device may be seized and impounded for not more than thirty (30) days by any police officer in any vehicle pound established under authority of Section 405.01. ~~When any bicycle has been impounded, written notice or personal service shall be made forth with by the officer in charge of such pound to a parent or guardian of the licensee of such bicycle. The bicycle so impounded shall be surrendered to a parent or guardian of such minor after payment of any impounding charge and a full explanation to the parent or guardian of the reason for seizing the bicycle. When any impounded bicycle is not redeemed within three (3) days after mailing of notice or personal service, a charge of twenty five cents (\$0.25) per day but not to exceed one dollar (\$1.00) shall be made by the officer in charge of the pound and collected by the Clerk of the Municipal Court for such impounding.~~

Section 431.03 Overtaking and Passing of Vehicles Proceeding in the Same Direction

(a) The following rules govern the overtaking and passing of vehicles or trackless trolleys proceeding in the same direction:

(1) The operator of a vehicle or trackless trolley overtaking another vehicle proceeding in the same direction shall, except as provided in division (a)(3) of this section, signal to the vehicle or trackless trolley to be overtaken, shall pass to the left thereof at a safe distance, and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle or trackless trolley. When a motor vehicle or trackless trolley overtakes and passes a bicycle or mobility device, three (3) feet or greater is considered a safe passing distance.

(2) Except when overtaking and passing on the right is permitted, the operator of an overtaken vehicle shall give way to the right in favor

of the overtaking vehicle at the latter's audible signal, and the operator shall not increase the speed of the operator's vehicle until completely passed by the overtaking vehicle.

(3) The operator of a vehicle or trackless trolley overtaking and passing another vehicle or trackless trolley proceeding in the same direction on a divided highway as defined in Section 431.31, a limited access highway as defined in RC 5511.02 or a highway with four (4) or more traffic lanes, is not required to signal audibly to the vehicle being overtaken and passed. (RC 4511.27)

(b) The operator of a motor vehicle overtaking a bicycle or mobility device proceeding in the same direction on a roadway shall leave a safe distance, but not less than three (3) feet, when passing the bicycle or mobility device and shall maintain that distance, and shall not increase the speed of his or her vehicle, until safely past the overtaken bicycle or mobility device. The same requirements shall apply to the operator of a commercial motor vehicle, commercial truck, commercial unit, or bus, except that the safe distance shall not be less than six (6) feet. However, in the case of a bus operated by a transit authority that has implemented a training program that promotes safe bus operation while overtaking a bicycle or mobility device, that safe distance shall be not less than three (3) feet.

(c) The operator of a motor vehicle overtaking a bicycle or mobility device proceeding in the same direction on a roadway shall vacate the lane in which the bicycle user is located if the roadway has two (2) or more marked lanes running in the same direction.

Section 431.15 Hand and Arm Signals

(a) Except as provided in division (b) of this section, all signals required by this Traffic Code and RC 4511.01 to 4511.78, when given by hand and arm, shall be given from the left side of the vehicle in the following manner, and such signals shall indicate as follows:

(1) Left turn, hand and arm extended horizontally;

(2) Right turn, hand and arm extended upward;

(3) Stop or decrease speed, hand and arm extended downward.

(b) As an alternative to division (a)(2) of this section, a person operating a bicycle or mobility device may give a right turn signal by extending the right hand and arm horizontally and to the right side of the bicycle or mobility device.

Section 3. That existing Chapter 473 title, Sections 473.01 through 473.03, 473.05, and 473.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 658-17, passed October 16, 2017, Sections 473.08 and 405.09, as amended by Ordinance No. 1684-76, passed June 29, 1976, Section 473.09, as amended by Ordinance No. 1473-06, passed June 11, 2007, and Sections 431.03 and 431.15, as amended by Ordinance No. 1279-015, passed April 24, 2017, are repealed.

Section 4. That the provisions of this ordinance shall take effect thirty days after the effective date of this ordinance. The provisions of

this ordinance shall be of no force and effect one year after the effective date of this ordinance unless reauthorized by Cleveland City Council. Consideration for reauthorization shall take place one month prior to expiration, and the Director of Capital Projects shall provide the members of Council with a review of this legislation at that time.

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

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

FIRST READING EMERGENCY RESOLUTION REFERRED

Res. No. 463-2019.

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

An emergency resolution declaring the intent to vacate a portion of Barber Court S.W.

Whereas, this Council is satisfied that there is good cause to vacate a portion of Barber Court S.W., as described; and

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

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

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

Barber Court S.W.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a portion of Barber Court S.W. (14.00 feet wide) in the H. Stone's Addition Subdivision of part of Original Brooklyn Township Tract No's 53 and 68, as shown by the recorded plat in Volume 1 of Maps, Page 41 of Cuyahoga County Records, further described as follows:

Being all that portion of Barber Court S.W. (14.00 feet wide) extending from the East line of West 30th Street (50.00 feet wide) easterly to its intersection with the Northerly prolongation of the West line of land conveyed to Urbano Perez and Julia Perez by deed in A.F.N. 200202260077 of Cuyahoga County Records.

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

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

from and after the earliest period allowed by law.

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

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 446-2019.

By Council Members McCormack and Zone.

An emergency ordinance consenting and approving the issuance of a permit for the Hermes Cleveland 10 Miler on April 27, 2019, managed by Hermes Sports & Events.

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 Hermes Cleveland 10 Miler on April 27, 2019; START-Upper Edgewater Park; head west on Upper Edgewater Drive; turn right on Cliff Drive; continue onto West 103rd Street; turn right on Edgewater Drive; turn right on Harborview Drive; continue onto W 115th Street; turn right on Edgewater Drive; turn left on West 117th Street; turn left on Lake Avenue; turn left on West 104th Street; turn left on West 103rd Street; continue onto Cliff Drive; follow marked Upper Edgewater Trail; enter Edgewater tunnel and exit onto Lake Avenue; make a left onto Detroit Avenue; turn left onto West 28th Street; turn left onto Washington Avenue; continue onto Lakefront Bikeway Trail; follow marked Lakefront Bikeway Trail and then make a right on West 58th Street; continue onto Lakefront Bikeway Trail and then make a right on Father Caruso Drive; turn left on West 70th Street; turn right on Detroit Avenue; make a slight right onto Lake Avenue; enter Edgewater Tunnel and follow marked Upper Edgewater Trail; continue on Trail to Lower Edgewater; FINISH- Lower Edgewater Trail; 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. 451-2019.

By Council Member Hairston. An emergency ordinance authorizing the Director of the Department of Aging to enter into an agreement with Collinwood & Nottingham Villages Development Corporation for the Five Pointes Senior Food Program through the use of Ward 10 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 Aging is hereby authorized to enter into an agreement effective July 1, 2018 with the Collinwood & Nottingham Villages Development Corporation for the Five Pointes Senior Food Program for the public purpose of providing nutritious foods and meals to needy senior citizens residing in the city of Cleveland through the use of Ward 10 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$15,000 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. 462-2019.

By Council Member Cleveland. An emergency ordinance authorizing the Director of the Department of Community Development to enter into an agreement with Burten, Bell, Carr Development Inc. for the Holiday Food Gift Card Program through the use of Ward 5 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into an agreement effective November 1, 2018 with Burten, Bell, Carr Development Inc., for the Holiday Food Gift Card Program for the public purpose of providing food gift cards to low/moderate income residents residing in the city of Cleveland through the use of Ward 5 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$7,000 and shall be paid from Fund No. 10 SF 188.

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

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

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. 447-2019.

By Council Member Kelley.

An emergency resolution objecting to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit to 4374-76 Pearl Road.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit from CLP, Inc., DBA Pearl Road Tavern & Eatery & 4370 Pearl Road, 1st floor and basement, 4374-76 Pearl Road, patio only, Cleveland, Ohio 44109, Permit Number 1569435, to PRT Management, Inc., DBA Pearl Road Tavern & 4370 Pearl Road, 1st floor and basement, 4374-76 Pearl Road, patio only, Cleveland, Ohio 44109, Permit No. 6617633; 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 D1, D2, D3, D3A and D6 Liquor Permit from CLP, Inc., DBA Pearl Road Tavern & Eatery & 4370 Pearl Road, 1st floor and basement, 4374-76 Pearl Road, patio only, Cleveland, Ohio 44109, Permit Number 1569435, to PRT Management, Inc., DBA Pearl Road Tavern & 4370 Pearl Road, 1st floor and basement, 4374-76 Pearl Road, patio only, Cleveland, Ohio 44109, Permit No. 6617633; 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. 457-2019.

By Council Member Kelley.

An emergency resolution withdrawing objection to the transfer of location of a C2 and C2X Liquor Permit at 4380 State Road and repealing Resolution No. 1128-18, objecting to said transfer.

Whereas, this Council objected to the transfer of location of a C2 and C2X Liquor Permit to 4380 State Road, Inc., DBA Save More Mart, 4380 State Road, Cleveland, Ohio 44109, Permit No. 28767030005 by Resolution No. 1128-18 adopted by the Council on September 10, 2018; and

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

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

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

Section 1. That objection to the transfer of location of a C2 and C2X Liquor Permit to 4380 State Road, Inc., DBA Save More Mart, 4380 State Road, Cleveland, Ohio 44109,

Permit No. 28767030005, be and the same is hereby withdrawn and Resolution No. 1128-18, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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. 458-2019.

By Council Member Kelley.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 Liquor Permit at 4380 State Road and repealing Resolution No. 510-18 objecting to said permit.

Whereas, this Council objected to a transfer of ownership of a C1 Liquor Permit to 4380 State Road, Inc., DBA Save More Mart, 4380 State Road, Cleveland, Ohio 44109, Permit No. 2876703 by Resolution No. 510-18 adopted by the Council on April 23, 2018; and

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

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

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

Section 1. That objection to the transfer of ownership of a C1 Liquor Permit to 4380 State Road, Inc., DBA Save More Mart, 4380 State Road, Cleveland, Ohio 44109, Permit No. 2876703 by Resolution No. 510-18, be and the same is hereby withdrawn and Resolution No. 1268-18, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

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

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

Res. No. 459-2019.

By Council Member Kelley.

An emergency resolution withdrawing objection to the transfer of ownership of a C2, CX and D6 Liquor Permit at 4398-4400 State Road and repealing Resolution No. 1268-18 objecting to said permit.

Whereas, this Council objected to a transfer of ownership of a C2, C2X and D6 Liquor Permit to Abboud Enterprises, LLC, DBA West Side Beverage & Deli, 4398-4400 State Road, Cleveland, Ohio 44109, Permit No. 0018677 by Resolution No. 1268-18 adopted by the Council on October 15, 2018; and

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

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

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

Section 1. That objection to the transfer of ownership of a C2, C2X and D6 Liquor Permit to Abboud Enterprises, LLC, DBA West Side Beverage & Deli, 4398-4400 State Road, Cleveland, Ohio 44109, Permit No. 0018677 by Resolution No. 1268-18, be and the same is hereby withdrawn and Resolution No. 1268-18, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

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

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

Res. No. 460-2019.

By Council Member Hairston.

An emergency resolution withdrawing objection to the transfer of location of a D2, D2X and D3 Liquor Permit at 17001 Euclid Avenue and repealing Resolution No. 430-18, objecting to said transfer.

Whereas, this Council objected to the transfer of location of a D2, D2X and D3 Liquor Permit to R & T Estate, LLC, 17001 Euclid Avenue, Cleveland, Ohio 44112, Permit No. 7569712 by Resolution No. 430-18 adopted by the Council on April 9, 2018; and

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

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

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

Section 1. That objection to the transfer of location of a D2, D2X and D3 Liquor Permit to R & T 17001 Euclid Avenue, Cleveland, Ohio 44112, Permit No. 7569712, be and the same is hereby withdrawn and Resolution No. 430-18, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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. 461-2019.

By Council Member Cleveland.

An emergency resolution withdrawing objection to the transfer of stock of a C1 Liquor Permit at 3608 Woodland Avenue and repealing Resolution No. 55-2019, objecting to said transfer.

Whereas, this Council objected to the transfer of stock of a C1 Liquor Permit at Foodfy and Gorcify, LLC, 3608 Woodland Avenue, Cleveland, Ohio 44115, Permit No. 2808241 by Resolution No. 55-2019 adopted by the Council on January 7, 2019; and

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

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

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

Section 1. That objection to a C1 Liquor Permit at Foodfy and Gorcify, LLC, 3608 Woodland Avenue, Cleveland, Ohio 44115, Permit No. 2808241, be and the same is hereby withdrawn and Resolution No. 55-2019, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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

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

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 320-2019.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter into one or more contracts with JIJ Communications for professional services necessary for the development, support, and management of communication and media strategies, and related services, for a period of one year, with one option to

renew for an additional one-year period, exercisable by the Director of Finance.

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

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

Ord. No. 322-2019.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Bear Diversified Properties, LLC, or its designee, to provide for tax abatement for certain real property improvements to assist with the renovations located at the facility located at 5900-6000 Harvard Avenue as part of the Northern Stamping expansion project in the Cleveland Area Enterprise Zone.

Approved by Directors of Economic Development, 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. 323-2019.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with 18901 Euclid Avenue, LLC, or its designee, to provide for tax abatement for certain real property improvements to assist with the renovations located at 18901 Euclid Avenue as part of the Dynamic Metal Services expansion project in the Cleveland Area Enterprise Zone.

Approved by Directors of Economic Development, 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. 325-2019.

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

An emergency ordinance authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by Sustainable Community Associates, LTD, or its designee, located at 2703 Scranton Road 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. 371-2019.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the lease by one or more requirement contracts of Group I, II and III copiers and services for the various divisions of City government, for a period of five years, with three one-year options to renew, exercisable by the Director of Finance.

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

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

Ord. No. 372-2019.

By Council Member Kelley (by departmental request).

An emergency ordinance to amend Section 52 of Ordinance No. 323-15, passed March 30, 2015, as amended, relating to compensation for various classifications.

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

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

Ord. No. 373-2019.

By Council Member Kelley (by departmental request).

An emergency ordinance approving in its entirety the Fact-Finding Report and Recommendations in the matter of the City of Cleveland and Communications Workers of America, AFL-CIO, Local 4340; and to amend Section 23 of Ordinance No. 323-15, passed March 30, 2015, as amended, relating to compensation for various classifications.

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

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

MOTION

The Council Meeting adjourned at 7:19 p.m. to meet on Monday, April 15, 2019, 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

April 3, 2019

The meeting of the Board of Control convened in the Mayor's office on Wednesday, April 3, 2019 at 10:35 a.m. with Director Langhenry presiding.

Present: Director Langhenry, Acting Directors Wood, Bahhur, Johnson, Directors Cox, McGrath, Acting Director Wackers, Directors West, Ebersole, and McNamara.

Absent: Mayor Jackson, Directors Dumas, and Donald.

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

Melissa Burrows, Director, Office of Equal Opportunity.

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

Resolution No. 114-19.

By Director Davis.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 570-18, passed by the Council of the City of Cleveland on May 21, 2018, Kucera International Inc. is selected from a list of firms determined after a full and complete canvass by the Director of Public Utilities as the firm to be employed by contract to provide professional services for aerial photography services for a period of two years, for the Division of Cleveland Public Power, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities is authorized to enter into a contract with Kucera International Inc. based upon its proposal dated February 14, 2019, which contract shall be prepared by the Director of Law, shall provide that the compensation for the professional services described in the proposal shall not exceed \$123,000.00, and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following sub-consultant by Kucera International Inc. for the above-mentioned professional services is approved:

SUB-CONSULTANTS WORK PERCENTAGE

Dempsey Surveying Company (CSB)	\$12,300.00 10.000%
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Yeas: Director Langhenry, Acting Directors Wood, Bahhur, Johnson, Directors Cox, McGrath, Acting Director Wackers, Directors West, Ebersole, and McNamara.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, and Donald.

Resolution No. 115-19.

By Director Cox.

Whereas, Ordinance No. 261-2019, passed March 25, 2019 by the Council of the City of Cleveland authorizes the Commissioner of Purchases and Supplies, by and at the direction of the City Board of Control, to sell City-owned Orr Park, found and determined to be not needed for the City's public use and more fully described in the ordinance, to New

Village Corporation, or its designee, for redevelopment, at a price not less than the appraised value of \$580,384, which is determined to be fair market value; now therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Ordinance No. 261-2019, passed March 25, 2019, by the Cleveland City Council, the Commissioner of Purchases and Supplies is directed to convey a fee simple interest in the aforementioned City-owned property located on Permanent Parcel No. 119-13-072, as more fully described in the ordinance, to New Village Corporation, or its designee, at the price of \$580,384.

Be it further resolved that the Mayor is requested to execute and deliver the official deed of the City of Cleveland conveying in fee simple the aforementioned City-owned property, which deed shall contain such additional terms and provisions as the Director of Law shall determine is required and necessary to protect the City's interests.

Yeas: Director Langhenry, Acting Directors Wood, Bahhur, Johnson, Directors Cox, McGrath, Acting Director Wackers, Directors West, Ebersole, and McNamara.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, and Donald.

Resolution No. 116-19.

By Director Menesse.

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. 107-12-086 located at 1344 East 93rd Street; and

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

Whereas, Erica Ann Spence and Ernest F. Spence have proposed to the City to purchase the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 7 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Erica Ann Spence and Ernest F. Spence for the sale of Permanent Parcel No. 107-12-086, 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: Director Langhenry, Acting Directors Wood, Bahhur, Johnson, Directors Cox, McGrath, Acting Director Wackers, Directors West, Ebersole, and McNamara.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, and Donald.

Resolution No. 117-19.

By Director Menesse.

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

Whereas, under the Program, the City has acquired Permanent Parcel Nos. 119-03-083, 119-03-102, 119-04-096, 119-04-097, and 119-04-098 located on East 85th Street; and

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

Whereas, Hough at Home, LLC has proposed to the City to purchase and develop the parcels for new single-family home construction; and

Whereas, the following conditions exist:

1. The member of Council from Ward 7 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Hough at Home, LLC for the sale and development of Permanent Parcel Nos. 119-03-083, 119-03-102, 119-04-096, 119-04-097, and 119-04-098, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Director Langhenry, Acting Directors Wood, Bahhur, Johnson, Directors Cox, McGrath, Acting Director Wackers, Directors West, Ebersole, and McNamara.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, and Donald.

Resolution No. 118-19.

By Director Menesse.

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 No. 119-13-022 located at 9620 Hough 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, New Village Corporation has proposed to the City to purchase and develop the parcel for new residential construction; and

Whereas, the following conditions exist:

1. The member of Council from Ward 7 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 New Village Corporation or its designee, for the sale and development of Permanent Parcel No. 119-13-022 located at 9620 Hough 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: Director Langhenry, Acting Directors Wood, Bahhur, Johnson, Directors Cox, McGrath, Acting Director Wackers, Directors West, Ebersole, and McNamara.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, and Donald.

Resolution No. 119-19.

By Director Menesse.

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. 106-04-057 located 7511 Decker 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, Tamir Y. Norton 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 7 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 Tamir Y. Norton for the sale and development of Permanent Parcel No. 106-04-057 located at 7511 Decker 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: Director Langhenry, Acting Directors Wood, Bahhur, Johnson, Directors Cox, McGrath, Acting Director Wackers, Directors West, Ebersole, and McNamara.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, and Donald.

Resolution No. 120-19.

By Director Menesse.

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. 128-14-058 located at 10210 Lamontier 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, Mamie L. Jordan and Robert E. Jordan have proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official

Deed for and on behalf of the City of Cleveland, with Mamie L. Jordan and Robert E. Jordan for the sale and development of Permanent Parcel No. 128-14-058 located at 10210 Lamontier 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: Director Langhenry, Acting Directors Wood, Bahhur, Johnson, Directors Cox, McGrath, Acting Director Wackers, Directors West, Ebersole, and McNamara.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, and Donald.

Resolution No. 121-19.

By Director Menesse.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 109-12-018 located at 10605 Amor 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, to sell Land Reutilization Program parcels when certain specified conditions have been met; and

Whereas, Marcus Norman and Aaris Norman have proposed to the City to purchase the parcel for side yard expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Marcus Norman and Aaris Norman for the sale of Permanent Parcel No. 109-12-018, 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: Director Langhenry, Acting Directors Wood, Bahhur, Johnson, Directors Cox, McGrath, Acting Director Wackers, Directors West, Ebersole, and McNamara.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, and Donald.

Resolution No. 122-19.

By Director Menesse.

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. 128-13-157 located at 9917 Parkview 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, to sell Land Reutilization Program parcels when certain specified conditions have been met; and

Whereas, Bernice Brown has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Bernice Brown for the sale of Permanent Parcel No. 128-13-157, 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: Director Langhenry, Acting Directors Wood, Bahhur, Johnson, Directors Cox, McGrath, Acting Director Wackers, Directors West, Ebersole, and McNamara.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, and Donald.

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, APRIL 22, 2019

9:30 A.M.

Calendar No. 19-050: 4855 Broadview Road (Ward 13)

R & R Salvage and Towing proposes to change use from restaurant to office/towing service and motor vehicle maintenance in a C1 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 343.01(b) which states that office/towing service and motor vehicle maintenance is not permitted in a Local Retail Business District but first permitted in a General Retail Business District.

2. Section 352.07(b)(2)(A) which states that when a property that is applying to change use and is non-conforming in required landscaping, a determination by the Board of Zoning Appeals is required to maintain the landscaping non-conformity. Property is non-conforming in that a six foot wide landscaped frontage strip is required separating parking lot from street. Some frontage landscaping of less than six feet with no plantings is proposed. (Filed March 25, 2019)

Calendar No. 19-051: 12341 Chesterfield Avenue (Ward 9)

RD Management Group LLC., owner, proposes to change use of existing two family residence to a three family residence in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.03(a) which states that a three family dwelling is not permitted in a Two-Family residential district but first allowed in a Multi-Family Residential District.

2. Section 355.04(b) which states that in a 'B' Area District, a minimum lot area of 7,200 square feet is required and 4,480 square feet is proposed. (Filed March 26, 2019)

Department of Public Works Invoice

Calendar No. 19-052: 6809 Wade Park Avenue (Ward 7)

Thomas J. & Marianne Wright, owners, appeal under the authority of Section 76-6(b) of the Charter of

the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of the hearing officer, on March 13, 2019, to uphold Department of Public Works invoice WO-7010-493250. The invoice was issued in accordance with chapter 209 of the Cleveland Codified Ordinance which authorizes the Department of Parks and Recreation and Properties to abate nuisances on any property and bill the owner of the abated property at a rate of seven cents per square foot. (Filed March 26, 2019)

**Waste Collection Ticket
Calendar No. 19-053:** 502-504 East 123rd Street (Ward 10)

Eloise Bolden, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances and disputes the City of Cleveland Waste Collection issuance of Civil Infraction Ticket Number WC40082182 issued January 15, 2019 regarding failure to comply with Section 551.111(B) in the Cleveland Codified Ordinances. (Filed March 26, 2019)

**POSTPONED FROM
MARCH 18, 2019**

Calendar No. 19-26: 15706 Parkgrove Avenue (Ward 8)

Yolanda F. Hamilton, owner, proposes to establish use as a state licensed Residential Facility for 5 residents in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of sections of the Cleveland Codified Ordinances:

1. Section 337.03(b) which states that uses located in a Two-Family Residential District are subject to regulations stated in the One Family Residential District.

2. Section 337.02(h) states that a residential facility for one (1) to five (5) unrelated persons is permitted provided it is located not less than one thousand feet from another residential facility. Two other Residential Facilities exist within 1,000 feet of the proposed use: Westchester House Adult Family Home at 15320 Parkgrove Avenue, and Healing Hearts Adult Family Home at 15410 Parkgrove Avenue. (Filed February 14, 2019 - Testimony Taken)

First postponement made at the request of the appellant to allow for time to meet with the Councilman and the community.

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, APRIL 8, 2019

At the meeting of the Board of Zoning Appeals on Monday, April 8, 2019 the following appeals were scheduled for hearing before the Board and;

The following appeals were **APPROVED:**

Calendar No. 19-037: 3312 Broadview Road

ALSA-I Holding LLP, owner, proposes to establish use as restaurant in a C2 Local Retail Business District.

Calendar No. 19-039: 1926 West 52nd Street

Elmhurst Homes, owner, proposes to install a 26" x 26" air conditioning unit in a B1 Two-Family Residential District.

The following appeal was **DENIED:**

Waste Collection

Calendar No. 19-044: 616 East 128th Street

Freddy Moore, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances.

The following appeals were **WITHDRAWN:**

None.

The following appeals were **DISMISSED:**

None.

The following cases were **POSTPONED:**

Calendar No. 19-21: 2481 Tremont LLC.

2481 Tremont Street. Postponed to April 15, 2019.

Calendar No. 19-40: Beatrice Price

3919 East 176th Street. Postponed to May 6, 2019.

The following cases were heard by the Board of Zoning Appeals on Monday, April 1, 2019 and the decisions were adopted and approved on Monday, April 8, 2019:

The following appeals were **APPROVED:**

Calendar No. 18-283: 1575 Merwin Avenue

Target Industries Inc., owner, proposes to use as a cocktail and dessert lounge (without entertainment) in a B3 General Industry District.

Calendar No. 19-033: 1800 Fulton Avenue

Civic Builders, owner, proposes to erect an irregular shaped 2 story frame addition attached to an existing single family residence with attached garage in a B1 Two-Family Residential District.

Calendar No. 19-034: 2624 Marvin Avenue

B.R. Knez Construction Incorporation, owner, proposes to erect a 25' x 36' two story frame single family residence with an attached garage in a B1 Two-Family Residential District.

Calendar No. 19-035: 3227 Marvin Avenue

B.R. Knez Construction Incorporation, owner, proposes to erect a two story frame single family residence with an attached garage in a B1 Two-Family Residential District.

Calendar No. 19-036: 2197 West 44th Street

B.R. Knez Construction Incorporation, owner, proposes to erect a two

story frame single family residence with an attached garage in a B1 Two-Family Residential District.

Secretary

**REPORT OF THE BOARD
OF BUILDING STANDARDS
AND BUILDING APPEALS**

Re: Report of the Meeting of April 3, 2019

As required by the provisions of Section 3103.20(2) of the Codified Ordinances of the City of Cleveland, Ohio 1976, the following brief of action of the subject meeting is given for publication in the City Record:

* * *

Docket A-270-18.

RE: Appeal of George M. Chelala/Christopher M. Corrigan, Owner of the One Dwelling Unit Single-Family Residence Two Story Metal Frame Property located on the premises known as 3716 West 130th street appeals from an INTERIOR/EXTERIOR MAINTENANCE, dated October 1, 2018 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to GRANT the Appellant until JUNE 15, 2019 to obtain the required permits; and until September 1, 2019 to complete abatement of the violations; and maintaining the exterior property in an acceptable condition; the property is REMANDED to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None. Absent: None.

* * *

Docket A-6-19.

RE: Appeal of Catherine J. Brazis, Owner of the One Family Dwelling Unit Single-Family Residence Two Story Frame Property located on the premises known as 1511 East 172nd street appeals from a NOTICE OF VIOLATION — CONDEMNATION-MAIN STRUCTURE, dated December 19, 2018 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket. A-6-19 has been WITHDRAWN; per the Appellant Request.

* * *

Docket A-10-19.

RE: Appeal of Anthony Williams, Autumn Lam, Owner of the One Dwelling Unit Single-family Residence Two and One Half Story Frame Property, located on the premises known as 3705 Erin Avenue appeals from a NOTICE OF VIOLATION — FIRE DAMAGE,

dated November 27, 2018 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order to REMAND the property to the Department of Building & Housing for supervision and any required action, noting that the appellant is not present; there is no insurance; and the property is severely fire damaged. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None. Absent: None.

* * *

Docket A-11-19.

RE: Appeal of Solar Action, LLC Contractor appeals from an ADJUDICATION ORDER-Alterations in an existing building 3129.02 Roof Snow Load of 30 PSF required per local ordinance-Slope less than 4 vertical to 12 horizontal, dated December 18, 2018; appellant states that the accessory or auxiliary structure is an open air unheated Carport with a Solar PV Canopy, that has open space between the Solar PV Modules that allows rain and snow to flow through, so that there is little or no build-up upon the structure and that the present structure is capable of 20# per. Appellant is requesting a waiver and allowance of Canopy Carport to 20# per SF instead of local 30# per SF of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to GRANT the variance of the ADJUDICATION ORDER of Ohio Building Code 3129.02 from 30 PSF to 26 PSF contingency upon receipt of the following; the contractor shall submit from the manufacturer a certified letter stating that the structure as designed is rated for a 26 PSF without any other compulsory variances; the contractor shall submit a letter from University Hospital stating that they accept the design as is; therefore, no further action is required and the property is REMANDED to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned Mr. Gallagher and seconded by Mr. Saab

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None. Absent: None.

* * *

Docket A-12-19.

RE: Appeal of Gartland West Properties LLC, Owner of the One Dwelling Unit Single-Family Residence One and Half Story Frame Property, located on the premises know as 1896 West 57th Street appeals from NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE, dated December 11, 2018 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY the request for additional time; noting the appellant is not present; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None. Absent: None.

* * *

Docket A-13-19.

RE: Appeal of Rose Marie Thomas, Owner of the One Dwelling Unit Single-Family Residence Property, located on the premises known as 10913 Massie Avenue appeals from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated December 17, 2018 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY the request for additional time; noting the violation are unsightly and dangerous; also noting the appellant is not present; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None. Absent: None.

* * *

Docket A-14-19.

RE: Appeal of Grafton Hill Holdings, LLC, Owner of a MXD Mixed Uses- Multiple uses in one building Two (2) Story Frame Property, located on the premises known as 996 Evangeline Road appeals from a NOTICE OF VIOLATION — CONDEMNATION-MAIN, dated January 8, 2019 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to GRANT the Appellant until JUNE 15, 2019 to submit plans and to obtain permits; the property is REMANDED to the Department of Building & Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None. Absent: None.

* * *

Docket A-15-19.

RE: Appeal of Randy Gary, Owner of the Two Dwelling Units Two-Family Residence Two Story Wood Frame Property, located on the premises know as 9401 Prince Avenue appeals from a NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE, dated December 21, 2018 of the Director of the Department of Building and

Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY the request for additional time; noting the dangerous and decayed conditions of the property and the appellant was not present for the hearing; the property is REMANDED to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher,

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None. Absent: None.

* * *

Docket A-16-19.

RE: Appeal of Oliver Blocker, Owner of the Two Dwelling Units Two-Family Residence Two and Half Story Frame Property, located on the premises known as 11445 Carolina Road appeals from NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE, dated February 1, 2019 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to GRANT the Appellant until May 15, 2019 to complete abatement of all violations on the property; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None. Absent: None.

* * *

Docket A-17-19.

RE: Appeal of Oliver Blocker, Owner of the One Dwelling Unit Single-Family Residence One and Half Story Frame Property, located on the premises known as 1210 East 112th Street appeals from a NOTICE OF VIOLATION — INTERIOR MAINTENANCE, dated January 31, 2019 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order to GRANT the Appellant until April 3, 2019 to complete abatement of all violations of the property; the property is REMANDED to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Maschke.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None. Absent: None.

* * *

Docket A-18-19.

RE: Appeal of Oliver Blocker, Owner of the Two Dwelling Units Two-Family Residence Two and Half Story Frame Property, located

on the premises known as 11705 Hzaeldell Road appeals from a NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE, dated January 9 2019 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order to GRANT the Appellant until May 15, 2019 to complete abatement of all violations of the property; the property is REMANDED to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Maschke.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None. Absent: None.

* * *

Docket A-19-19.

RE: Appeal of Ray Sohrabi, Owner of the Two Dwelling Unit Two-Family Residence Two Story Wood Frame/Siding/Masonry Veneer Property, located on the premises known as 12726 Benwood Avenue appeals from NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE, dated January 14, 2019 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order to grant the Appellant until May 1, 2019 to obtain permits and until July 15, 2019 to complete abatement of the violations; the property is REMANDED to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None. Absent: None.

* * *

Docket A-20-19.

RE: Appeal of Deleva Gregory Kain Sr., Owner of the Two Dwelling Units Two-Family Residence Two and Half Story Masonry Property, located on the premises known as 1262 West 69th Street appeals from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated January 14, 2019 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-20-19 has been Postponed; to be rescheduled for May 1, 2019.

* * *

Docket A-21-19.

RE: Appeal of Marcelo Galarza, Owner of the Two Dwelling Unit Two-Family Residence Two Story Frame Property located on the premises known as 3197 West 32nd Street appeals from an NOTICE OF VIOLATION — FIRE DAMAGE dated January 8, 2019; of the Director of the Department of Building and Housing, requiring compliance

with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order to grant the Appellant until October 1, 2019 to complete abatement of all violations of the property; the property is REMANDED to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None. Absent: None.

* * *

Docket A-22-19.

RE: Appeal of Lisa Houchens, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property located on the premises known as 4813 Behrwald Avenue appeals from an NOTICE OF VIOLATION — EXTERIOR MAINTENANCE dated December 27, 2018; of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order to grant the Appellant until July 1, 2019 to complete abatement of all violations of the property; the property is REMANDED to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None. Absent: None.

* * *

Docket A-23-19.

RE: Appeal of Pera Vlku/Branka Vlku, Owner of the One Dwelling Unit Single-Family Residence One and Half Story Frame Property located on the premises known as 5621 Delora Avenue appeals from an EXTERIOR MAINTENANCE, dated January 3, 2019; of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order to grant the Appellant until June 1, 2019 to complete abatement of all violations of the property; the property is REMANDED to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Gallagher.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None. Absent: None.

* * *

Docket A-54-19.

RE: Appeal of Gayle Cummings, Owner of the Mixed Uses-Multiple Uses Building appeals from and ADJUDICATION ORDER-OPC 403.2; Separate facilities shall not be required in structures or tenant spaces where a total occupant load, including both employee and customers, of 15 or fewer. (Appellant proposed an occupant load of 25

with only one unisex bathroom), dated December 14, 2018 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to GRANT the Appellant's variance request contingent upon; no more than fifteen (15) occupants will be using the bathroom facility with a maximum occupancy of twenty-five (25) total (adult and children); the property is REMANDED to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None. Absent: None.

APPROVAL OF RESOLUTIONS

Separate motions were entered by Mr. Gallagher and seconded by Mr. Maschke for Approval and Adoption of the Resolutions as presented by the Secretary for the following Dockets respectively, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

- A-294-18 — Eric & John Connelly
- A-307-18 — APPS Properties LLC
- A-317-18 — Pernel Jones, Jr
- A-318-18 — Anthony Williams
- A-1-19 — Willie Pace, III
- A-2-19 — 14509 Milverton Road
- A-4-19 — DaHua Chen & Mei Jie Lai
- A-5-19 — Darryl Defranco
- A-8-19 — Anthony S. Means Jr
- A-9-19 — Anthony S. Means Jr
- A-289-18 — Amended-Sheko Miguel Poteete

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None. Absent: None.

* * *

APPROVAL OF MINUTES

Separate motions were entered by Mr. Maschke and seconded by Mr. Gallagher approval and Adoption of the Minutes as presented by the Secretary, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

April 3, 2019

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None. Absent: None.

* * *

JOSEPH F. DENK
Chairman

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY of CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, APRIL 24, 2019

File No. 38-19 — 2019-2021 Miscellaneous Sized Steel Citywide, for the various Divisions, Department of Finance, as authorized by Ordinance No. 1358-18, passed by the Council of the City of Cleveland, November 19, 2018.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, APRIL 12, 2019 AT 10:00 A.M. CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, ROOM 19.

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

April 3, 2019 and April 10, 2019

WEDNESDAY, MAY 1, 2019

File No. 37-19 — Labor and Materials to Maintain and Repair Automatic Doors, for the Division of Airports, Department of Port Control, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, APRIL 19, 2019 AT 10:00

A.M. CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135, CENTRAL RECEIVING.

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

April 3, 2019 and April 10, 2019

THURSDAY, MAY 2, 2019

File No. 39-19 — Nuisance Animal Trapping, for the Division of Animal Control, Department of Public Safety, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976. THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, APRIL 12, 2019 AT 2:00 P.M. CLEVELAND KENNEL, 9203 DETROIT AVENUE, CLEVELAND, OHIO 44102.

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

April 3, 2019 and April 10, 2019

WEDNESDAY, MAY 8, 2019

File No. 36-19 — The Storm Sewer Pumps Replacement, for the Division of Airports, Department of Port Control, as authorized by Ordinance No. 746-18, passed by the Council of the City of Cleveland, September 24, 2018.

THERE WILL BE A NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF ONE HUNDRED DOLLARS (\$100.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR MONEY ORDER (NO COMPANY CHECKS, NO CASH, AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS. ALL PLANS AND SPECIFICATIONS MUST BE PURCHASED DIRECTLY FROM THE DIVISION OF PURCHASES AND SUPPLIES. BIDDERS MUST BE ON THE PLAN-HOLDERS LIST TO SUBMIT A BID OR RECEIVE ANY ADDENDA.) OUT-OF-AREA BIDDERS MAY SEND THEIR NON-REFUNDABLE FEE FOR PLANS VIA FED EX DELIVERY TO: CITY OF CLEVELAND, DIVISION OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE ROOM 128, CLEVELAND, OHIO 44114. INCLUDE IN YOUR REQUEST YOUR COMPANY'S FED EX ACCOUNT NUMBER, FULL COMPANY NAME AND ADDRESS, COMPANY CONTACT/REPRESENTATIVE FULL NAME, CONTACT TELEPHONE NUMBER, FACSIMILE TELEPHONE NUMBER AND EMAIL ADDRESS. THE FED EX DELIVERY CHARGES FOR THE PLANS AND SPECIFICATIONS WILL

BE BILLED TO THE BIDDER'S COMPANY FED EX ACCOUNT NUMBER PROVIDED.

THERE WILL BE A MANDATORY PRE-BID MEETING, THURSDAY, APRIL 18, 2019 AT 10:30 A.M. DIVISION OF HOPKINS INTERNATIONAL AIRPORT, PLANNING AND ENGINEERING BUILDING, 3501 WEST HANGAR ROAD, CLEVELAND, OHIO 44135, MEETING ROOM 6C-24C 2ND FLOOR.

QUESTIONS REGARDING THE PURCHASE OF PLANS AND SPECIFICATIONS CAN BE DIRECTED TO ROYCE GRIFFIN AT (216) 664-2628.

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

April 3, 2019 and April 10, 2019

FRIDAY, APRIL 26, 2019

File No. 41-19 — Camp Forbes Food Program, for the Division of Recreations, Department of Public Works, as authorized by Ordinance No. 1241-18, passed by the Council of the City of Cleveland, October 29, 2018.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, MONDAY, APRIL 22, 2019 AT 10:30 A.M. CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, ROOM 8.

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. 42-19 — 2019 Summer Foods, for the Division of Recreations, Department of Public Works, as authorized by Ordinance No. 1241-18, passed by the Council of the City of Cleveland, October 29, 2018.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, MONDAY, APRIL 22, 2019 AT 10:00 A.M. CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, ROOM 8.

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

April 10, 2019 and April 17, 2019

THURSDAY, MAY 2, 2019

File No. 40-19 — 2019 Emergency Tree Removal and Ground Restoration Initiative, for the Division of Park Maintenance, Department of Public Works, as authorized by Ordinance No. 1223-18, passed by the Council of the City of Cleveland, December 3, 2018.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, TUESDAY, APRIL 23, 2019 AT 10:00 A.M. ROCKEFELLER GREENHOUSE, 750 EAST 88TH STREET, CLEVELAND, OHIO 44108.

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

April 10, 2019 and April 17, 2019

WEDNESDAY, MAY 8, 2019

File No. 44-19 — Powdered Activated Carbon, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, APRIL 18, 2019 AT 10:00 A.M. CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, 2ND 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).

April 10, 2019 and April 17, 2019

THURSDAY, MAY 9, 2019

File No. 43-19 — Purchase of Various Types of Safety Equipment Required OSHA/PERRP Compliance, for the various Divisions, Department of Finance, as authorized by Ordinance No. 1357-18, passed by the Council of the City of Cleveland, November 19, 2018.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, APRIL 25, 2019 AT 11:30 A.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).

April 10, 2019 and April 17, 2019

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 341-2019.
By Council Members Kelley, Polensek, Brancatelli, Griffin and Mayor Jackson.
An emergency resolution supporting Governor DeWine's proposed 18 cent gas tax increase to fund road construction projects.

Whereas, Governor DeWine has proposed an 18-cent per gallon gas tax increase in the state transportation budget to pay for road construction projects; and

Whereas, the state has not raised the gas tax in 14 years; the tax has been 28 cents a gallon since 2005; and

Whereas, the current 28 cents per gallon tax is insufficient for state and local governments to maintain current roads or finish major new construction projects – by 2023, the state will have zero money for road improvements or road safety projects; and

Whereas, last week, Ohio House republicans approved a 10.7 cents per gallon gas tax increase, which the Governor has decried as a "minimalist approach" to addressing the state's infrastructure needs that will jeopardize the safety of Ohioans; and

Whereas, imminently, the state will begin paying \$390 million per year to service highway bonds that have paid for road and highway projects over the previous several years; and

Whereas, a gas tax increase of 18 cents a gallon would raise \$2.5 billion in additional revenue over the next two years, compared to about \$1.1 billion in the House proposal; and

Whereas, the Governor's 18 cent gas tax increase would allow local governments more choice about how to spend local funds; and

Whereas, the governor's proposed 18 cent gas tax increase will ensure that major infrastructure projects are not delayed and further will ensure that the our roads and infrastructure remain in satisfactory condition for the safety of Ohioans; and

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

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

Section 1. That this Council supports Governor DeWine's proposed 18 cent gas tax increase to fund road construction projects.

Section 2. That the Clerk of Council is directed to forward a copy of this resolution Governor Mike DeWine and all members of the Ohio legislature.

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

Adopted April 1, 2019.
Effective April 2, 2019.

Ord. No. 1419-18.
By Council Member Keane.
An emergency ordinance to amend Section 171.57 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1492-05, passed August 3, 2005, relating to military service leave of absence.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of

a municipal department; now, therefore,

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

Section 1. That Section 171.57 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1492-05, passed August 3, 2005, is amended to read as follows:

Section 171.57 Military Service Leave of Absence; Benefits During Service

(a) All officers and employees of the City who are members of the Ohio organized militia or members of other reserve components of the armed forces of the United States, including the Ohio national guard, are entitled to a leave of absence from their respective positions without loss of pay for the time they are performing service in the uniformed services, for periods of up to one month, for each year in which they are performing service in the uniformed services.

(b) As used in this section:

(b)(1) "Year" means the calendar year.

(2) "Month" means twenty-two eight-hour work days or one hundred seventy-six hours, or for a public safety employee, seventeen twenty-four-hour days or four hundred eight hours, within one year.

(3) "Officer and employee" means any person holding a position in employment with the City that requires working a regular schedule of twenty-six consecutive biweekly pay periods, or any other regular schedule of comparable consecutive pay periods, which is not limited to a specific season or duration. "Officer and employee" does not include student help; intermittent, seasonal, or external interim employees; or individuals covered by personal services contracts.

(4) "Service in the uniformed services" means the performance of duty, on a voluntary or involuntary basis, in a uniformed service, under competent authority, and includes active duty, active duty for training, initial active duty for training, inactive duty for training, full-time national guard duty, and performance of duty or training by a member of the Ohio organized militia pursuant to Chapter 5923 of the Revised Code. "Service in the uniformed services" includes also the period of time for which a person is absent from a position of public or private employment for the purpose of an examination to determine the fitness of the person to perform any duty described in this division.

(5) "Uniformed services" means the armed forces, the Ohio organized militia when engaged in active duty for training, inactive duty training, or full-time national guard duty, the commissioned corps of the public health service, and any other category of persons designated by the president of the United States in time of war or emergency.

(6) "Public safety employee" means a City employee who is employed as a fire fighter or emergency medical technician.

(c) Except as otherwise provided in division (d) of this section, any officer or employee of the City, who is entitled to the leave provided under division (a) of this section,

and who is called or ordered to the uniformed services for longer than a month, for each year in which the employee performed service in the uniformed services, because of an executive order issued by the president of the United States, because of an act of congress, or because of an order to perform duty issued by the governor pursuant to section 5919.29 of the Revised Code is entitled, during the period designated in the order or act, to a leave of absence and to be paid, during each monthly pay period of that leave of absence.

The difference between the officer's or employee's gross monthly wage or salary as an officer or employee and the sum of the officer's or employee's gross uniformed pay and allowances received that month;

Section 2. That existing Section 171.57 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1492-05, passed August 3, 2005 is repealed.

Section 3. That the provisions of this section shall be in full force and effect from the effective date and forward of this ordinance.

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

Passed April 1, 2019.

Effective April 2, 2019.

Ord. No. 198-2019.

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

An emergency ordinance authorizing the Director of Capital Projects to issue one or more permits to Detroit Shoreway Community Development Organization to encroach into the public rights-of-way within the Gordon Square District with approximately 40 wayfinding signs as part of the TLCI Gordon Square Wayfinding Program, to be attached to Cleveland Public Power utility poles (by separate permission).

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 one or more permits, revocable at the will of Council, to Detroit Shoreway Community Development Organization ("Permittee"), 6516 Detroit Avenue, Cleveland, Ohio 44102, to encroach into the public rights-of-way within the Gordon Square District by installing, using, and maintaining approximately 40 wayfinding signs, as part of the Transportation for Living Communities Initiative ("TLCI") Gordon Square Wayfinding Program, to be attached to Cleveland Public Power utility poles (by separate permission). The permit(s) authorized shall not be issued until the Manager of the Division of Engineering

and Construction and the Director of Capital Projects have first reviewed and approved each specific encroachment location that the Permittee requests including, but not necessarily limited to, the following, which are further depicted in File No. 198-2019-A:

West 41st + 90 Exit West NW corner sign post (Gordon Square ("GS") >)

West 41st + Lorain SW corner 1st PP (< GS)

West 65th + Lorain NE corner 1st LP (GS >)

West 65th + Lorain SW corner 1st LP (< GS)

West 65th + Lorain SE corner 1st PP (GS .)

Lawn + RTA Station SW corner 1st PP (GS >)

Lawn + 65th NE corner 2nd PP (GS >)

West 65th + Franklin SE corner 1st PP (GS .)

Parking S. of Detroit @ Gypsy 2nd LP (Public Parking Double-sided)

West 65th + Detroit NE corner 1st LP (Public Parking x3)

West of West 65th + South side of Detroit 2nd LP (Edgewater Park Pedestrian Tunnel)

E. side of West 65th North of Detroit 3rd PP (Public Parking)

W. side of West 65th North of Detroit on sign post (Public Parking)

Herman + W65th NE corner 1st PP (Edgewater Park Pedestrian Tunnel)

Caruso + W65th NE corner ground sign (Edgewater Park Entrance)

West 58th + Cass NE corner ground sign (Gordon Square)

West 58th + Caruso SW corner 1st PP (Edgewater Park)

West 67th + Detroit NE corner 1st LP (Public Parking) (Double-sided)

E. side West 67th N. of Detroit by parking entrance sign post (Public Parking)

W. side of West 73rd N of Father Frascati ground sign (Entrance GS, Battery Park)

W. side of West 73rd + N. of Detroit 1st PP (GS, 78 Studios)

West 73rd + Detroit NE corner 1st PP (Edgewater Vehicular Tunnel)

Detroit + Lake NE corner 2nd PP (78 Studios)

West 76th + Lake NE corner 1st PP (Edgewater Park Pedestrian Tunnel)

West 78th + Lake NE corner 1st PP E (78 Studios)

West 78th + Lake NE corner 1st PP N (GS)

West 78th + Detroit SE corner ground (GS + 78 Studios)

West 80th + Lake NE 1st PP (78 Studio Double-sided)

Between West 75th and West 77th S. side of Detroit 1st PP E. of W77 (GS)

Detroit + Lake NW corner 1st PP (GS)

Lake + Clifton SW corner 1st PP Lake + Clifton NW 1st PP

W. side of West 76th S. of Father Frascati sign post by Tunnel (Welcome to GS + BP)

Detroit + 49th NW corner 1st PP (GS >)

West 49th + N. side of Herman by ramp (< Welcome to GS)

West 45th + Detroit NW corner 1st PP (GS >)

West 81st and S. side of Lorain @ I90 West Exit Ramp ground sign (GS >)

Section 2. That Permittee may assign the permit only with the written consent of the Director of Capital Projects. That nothing in this ordinance grants or shall be considered to grant to Permittee any right, privilege, or permission to use, or to attach or affix any object to, poles; Permittee shall obtain such permission from the respective pole owner.

Section 3. That the encroaching objects permitted by this ordinance shall conform to plans and specifications 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 encroachments.

Section 4. That the Director of Law shall prepare the permit authorized by this ordinance and shall incorporate such additional provisions as the director determines necessary to protect and benefit the public interest. The permit shall be issued only when, in the opinion of the Director of Law, a prospective Permittee has properly indemnified the City against any loss that may result from the encroachment(s) permitted.

Section 5. That the Permit shall reserve reasonable right of entry to the encroachment location to the City.

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.

Passed April 1, 2019.

Effective April 2, 2019.

Ord. No. 201-2019.

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

An emergency ordinance authorizing the Directors of Community Development, Economic Development, and/or Public Works, to enter into one or more agreements with the Board of Education of the Cleveland Metropolitan School District for the exchange of lands for future redevelopment and the mutual benefit of the parties; and authorizing the Commissioner of Purchases and Supplies to acquire and convey the properties.

Whereas, Section 3313.40 of the Revised Code permits a board of education and a municipal corporation to exchange real estate upon a vote of a majority of members of the board of education and a concurring vote of the legislative authority declaring that said exchange will be mutually beneficial to both parties; and

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

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

Section 1. That the Directors of Community Development, Economic Development, and/or Public Works, are authorized to enter into one or

more agreements ("Agreement") with the Board of Education of the Cleveland Metropolitan School District ("CMSD") for the transfer of lands between the City and CMSD needed for future redevelopment and the mutual benefit of the parties, necessary to implement this ordinance, including but not limited to future occupancy conditions, reversionary rights, demolition of remaining school buildings, and site restoration of the CMSD properties.

Section 2. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Directors of Community Development, Economic Development and/or Public Works, as appropriate, and the Commissioner of Purchases and Supplies are authorized to accept from CMSD title to the properties which are more fully described as follows: Public Works: Permanent Parcel No. 111-02-112; Economic Development: Permanent Parcel Nos. 126-18-022, 126-18-062, 126-18-028, 126-18-025, 126-18-027, 126-18-018, 126-18-023, 126-18-024, 126-18-026, 126-18-065, 126-18-066, 126-18-019, 126-18-021; and Community Development: a portion of Permanent Parcel No. 107-15-008, which is more fully described as follows:

A portion of Permanent Parcel No. 107-15-008

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being part of Original 100 Acre Lot No. 324 and is further bounded and described as follows:

Beginning at the intersection of the centerline of Wade Park Avenue N.E. (70 Feet Wide) and the centerline of East 92nd Street (48 Feet Wide and witnessed by a stone monument with a drill hole found on the centerline of said East 92nd Street, North 34.07 feet;

Thence South 89°08'09" West, along the centerline of said Wade Park Avenue N.E., a distance of 654.45 feet to the intersection with the centerline of East 89th Street (40 Feet Wide);

Thence North 00°55'56" West, along the centerline of said East 89th Street, a distance of 179.84 feet to that portion of East 89th Street that was Vacated by Ordinance No. 1384-67 and passed June 26, 1967 and the principal place of beginning;

Course No. 1:

Thence South 89°08'15" West, along the Northerly line of said East 89th Street and that portion of East 89th Street that was Vacated by Ordinance No. 1384-67 and passed June 26, 1967, a distance of 20.00 feet to capped iron pin "#7104" found at the Northwesterly corner of said East 89th Street;

Course No. 2:

Thence South 00°55'56" East, along the Westerly line of said East 89th Street, a distance of 11.92 feet to a capped iron pin "#7104" found at the Northeastly corner of a parcel of land conveyed to City of Cleveland by deed recorded in Volume 90-3561, Page 38 of Cuyahoga County Deed Records;

Course No. 3:

Thence South 89°06'07" West, along the Northerly line of said City

of Cleveland parcel, a distance of 84.78 feet to the Northwesterly corner of said City of Cleveland parcel and a point on the Easterly line of a parcel of land conveyed to Kenmore Gardens Ltd. Partnership by deed recorded in Volume 94-11213, page 39 of Cuyahoga County Deed Records and witnessed by a 1/2" iron pin found West of line 0.15 feet;

Course No. 4:

Thence North 00°51'58" West, along the Westerly line of said Kenmore Gardens Ltd. Partnership parcel and continuing along the Westerly line of a parcel of land conveyed to Charles Bush by deed recorded in A.F.N. 201002170060, a distance of 35.15 feet to a point and witnessed by a 1" iron pipe found South 79°18'40" East, a distance of 2.96 feet;

Course No. 5:

Thence North 89°08'23" East, a distance of 104.74 feet to a point on the extension of the centerline of said East 89th Street and witnessed by a capped iron pin found North of line 0.11 feet;

Course No. 6:

Thence South 00°55'56" East, along the extension of the centerline of said East 89th Street, a distance of 23.17 feet to the principal place of beginning and containing 0.0790 Acre (3440 Square Feet) of land.

Be the same more or less, but subject to all legal highways and easements of record.

Section 3. That according to the Agreement referenced above and by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the following properties to CMSD: Permanent Parcel No. 106-18-007.

Section 4. That this Council finds that the transactions contemplated in this ordinance are mutually beneficial to the City and the CMSD.

Section 5. That the Directors of Community Development, Economic Development, and/or Public Works are authorized to execute on behalf of the City of Cleveland all necessary documents to acquire, accept, record, and convey the properties.

Section 6. That the conveyances shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain necessary provisions, including restrictive reversionary interests as may be specified by the Board of Control or Director of Law, which shall protect the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 7. That notwithstanding and as an exception to the provisions of Chapters 183.07 of the Codified Ordinances of Cleveland, Ohio, 1976, the transfer of properties between CMSD and the City are at no cost to either party, with all of the transactions together acknowledged and determined to be a fair market value transaction.

Section 8. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all

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

Passed April 1, 2019.
Effective April 2, 2019.

Ord. No. 327-2019.

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

An emergency ordinance approving the 2019-2033 Cuyahoga County Solid Waste Management Plan Update for the Cuyahoga County Solid Waste Management District.

Whereas, the City of Cleveland is located within the jurisdiction of the Cuyahoga County Solid Waste Management District ("District"); and

Whereas, under Sections 3734.53, 3734.54, and 3734.55 of the Revised Code, the Cuyahoga County Solid Waste Management District Policy Committee prepared and adopted a Final Draft of the 2019-2033 Cuyahoga County Solid Waste Management Plan Update ("Plan Update"); and

Whereas, following a public comment and public hearing period, the District has provided a copy of the Plan Update for ratification or disapproval by each of the legislative authorities of the District within ninety days after receiving the Plan Update; and

Whereas, the City approves the Plan Update; 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 Plan Update is approved and document entitled the Ratification Copy December 2018 is placed in File No. 327-2019-A.

Section 2. That the Clerk of Council is directed to send a copy of this ordinance to Diane Bickett, Executive Director, Cuyahoga County Solid Waste District, 4750 East 131st Street, Garfield Heights, Ohio 44105.

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

Passed April 1, 2019.
Effective April 2, 2019.

Ord. No. 412-2019.

By Council Member Brancatelli.
An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with the Boys & Girls Clubs of Cleveland for the Career Readiness Program through the use of Ward 12 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 effective February 1, 2019 with the Boys & Girls Clubs of Cleveland for the Career Readiness Program for the public purpose of providing career employment education and training for youth residing in the city of Cleveland through the use of Ward 12 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$25,000 and shall be paid from Fund No. 10 SF 188.

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

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

Passed April 1, 2019.
Effective April 2, 2019.

Ord. No. 413-2019.

By Council Member Bishop.
An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with the Mt. Pleasant NOW Development Corporation for the Community Engagement Program through the use of Ward 2 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into agreement effective September 1, 2018 with the Mt. Pleasant NOW Development Corporation for the Community Engagement Program for the public purpose of providing educational community workshops on such topics as health, safety, and

social support services to city of Cleveland residents through the use of Ward 2 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$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.

Passed April 1, 2019.
Effective April 2, 2019.

Ord. No. 414-2019.

By Council Member Keane.
An emergency ordinance authorizing the Director of the Department of Public Works to enter into agreement with Greater Cleveland Sports Commission for the Youth Education through Sports Program through the use of Ward 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 Director of the Department of Public Works is hereby authorized to enter into agreement effective January 1, 2019 with the Greater Cleveland Sports Commission for the Youth Education through Sports Program for the public purpose of providing youth sports education programming and recreational activities for youth residing in the city of Cleveland through the use of Ward 17 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$25,000 and shall be paid from Fund No. 10 SF 188.

Section 3. That the Director of Law shall prepare and approve said contract and that the contract shall

contain such terms and provisions as he deems necessary to protect the City's interest.

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

Passed April 1, 2019.
Effective April 2, 2019.

COUNCIL COMMITTEE MEETINGS

**Monday, April 8, 2019
9:30 a.m.**

Health and Human Services Committee: Present: Griffin, Chair; McCormack, Vice Chair; Conwell, Hairston, B. Jones, Santana, Zone.

2:00 p.m.

Finance Committee: Present: Kelley, Chair; Zone, Vice Chair; Brady, Brancatelli, Cleveland, Conwell, Griffin, Keane, McCormack.

**Tuesday, April 9, 2019
9:30 a.m.**

Development, Planning and Sustainability (Zoning) Committee: Present: Brancatelli, Chair; Bishop, Hairston, B. Jones, Keane, McCormack. *Authorized Absence:* Cleveland, Vice Chair.

Development, Planning and Sustainability Committee: Present: Brancatelli, Chair; Bishop, Hairston, B. Jones, Keane, McCormack. *Authorized Absence:* Cleveland, Vice Chair.

1:30 p.m.

Utilities Committee: Present: Keane, Chair; Kazy, Vice Chair; Bishop, Hairston, McCormack, Polensek, Santana.

**Wednesday, April 10, 2019
10:00 a.m.**

Safety Committee: Present: Zone, Chair; Polensek, Vice Chair; Griffin, Kazy, B. Jones, J. Jones, Santana.

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Authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Bear Diversified Properties, LLC, or its designee, to provide for tax abatement for certain real property improvements to assist with the renovations located at the facility located at 5900-6000 Harvard Avenue as part of the Northern Stamping expansion project in the Cleveland Area Enterprise Zone. (O 322-2019)506

Finance Department

Approving in its entirety the Fact Finding Report and Recommendations in the matter of the City of Cleveland and Communications Workers of America, AFL-CIO, Local 4340; and to amend Section 23 of Ordinance No. 323-15, passed March 30, 2015, as amended, relating to compensation for various classifications. (O 373-2019)507

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(O 442-2019)496

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To amend Section 52 of Ordinance No. 323-15, passed March 30, 2015, as amended, relating to compensation for various classifications. (O 372-2019)507

To repeal Ordinance 1419-18, passed April 1, 2019 and to amend Section 171.57 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1492-05, passed August 3, 2005, relating to military service leave of absence. (O 450-2019)500

To supplement the Codified Ordinances of Cleveland, Ohio, 1976 by enacting new Sections 401.152, 401.153, 401.231, 401.532, 473.10 and new Chapter 517, Shared Mobility Device Vendors, Sections 517.01 through 517.05, and to amend Sections 473.01 through 473.03, 473.05, 473.07 through 473.09, 405.09, 431.03, and 431.15, as amended by various ordinances, regulating the vendors and use of shared mobility devices. (O 464-2019)500

Hermes Sports & Events, Inc.

Consenting and approving the issuance of a permit for the Hermes Cleveland 10 Miler on April 27, 2019, managed by Hermes Sports & Events. (O 446-2019)504

Holiday Food Gift Card Program

Authorizing the Director of the Department of Community Development to enter into an agreement with Burten, Bell, Carr Development Inc. for the Holiday Food Gift Card Program through the use of Ward 5 Casino Revenue Funds. (O 462-2019)504

Human Resources Department

Approving in its entirety the Fact Finding Report and Recommendations in the matter of the City of Cleveland and Communications Workers of America, AFL-CIO, Local 4340; and to amend Section 23 of Ordinance No. 323-15, passed March 30, 2015, as amended, relating to compensation for various classifications. (O 373-2019)507

To amend Section 171.57 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1492-05, passed August 3, 2005, relating to military service leave of absence. (O 1419-18)514

To amend Section 52 of Ordinance No. 323-15, passed March 30, 2015, as amended, relating to compensation for various classifications. (O 372-2019)507

Law Department

To amend Section 125.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 126-01, passed March 26, 2001, relating to the Law Director's powers and duties; and to amend Section 3 of Ordinance No. 323-15, passed March 30, 2015, relating to compensation for various classifications. (O 443-2019)496

Leases

Authorizing the Director of Capital Projects and/or Public Works to enter into contract with Millstone Management Group for the immediate purchase of labor, equipment, and materials necessary for the emergency repair of several offices and one area in City Hall caused by water damage; authorizing the appropriate director to lease office space to temporarily locate employees while renovations are being made to their offices, for a period up to one year; and authorizing the purchase and rental by one or more requirement contracts of furniture, furniture systems, and equipment. (O 449-2019)499

Authorizing the lease by one or more requirement contracts of Group I, II and III copiers and services for the various divisions of City government, for a period of five years, with three one-year options to renew, exercisable by the Director of Finance. (O 371-2019)507

Liquor Permits

#22348151291. Transfer of Location Application, C2. Dolgen Midwest LLC, 1701 East 12th St. (Ward 7). (F 456-2019)493

#26312750345. New License Application, C2. Family Dollar Stores of Ohio, Inc., 16122 Lake Shore Blvd. (Ward 8). (F 452-2019)493

#26312750350. New License Application, C2. Family Dollar Stores of Ohio, Inc., 4576 West 130th St. (Ward 16). (F 455-2019)493

#7701660. New License Application, C1. Sam Hammad, Inc., 4464 Warner Rd. (Ward 2). (F 453-2019)493

#9879120. Transfer of Ownership Application, C2 C2X. Zaid Food, Inc., 891 Lakeview Rd. (Ward 9). (F 454-2019)493

Objecting to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit to 4374-76 Pearl Road. (R 447-2019)505

Withdrawing objection to the transfer of location of a C2 and C2X Liquor Permit at 4380 State Road and repealing Resolution No. 1128-18, objecting to said transfer. (R 457-2019)505

Withdrawing objection to the transfer of location of a D2, D2X and D3 Liquor Permit at 17001 Euclid Avenue and repealing Resolution No. 430-18, objecting to said transfer. (R 460-2019)506

Withdrawing objection to the transfer of ownership of a C1 Liquor Permit at 4380 State Road and repealing Resolution No. 510-18 objecting to said permit. (R 458-2019)505

Withdrawing objection to the transfer of ownership of a C2, CX and D6 Liquor Permit at 4398-4400 State Road and repealing Resolution No. 1268-18 objecting to said permit. (R 459-2019)505

Withdrawing objection to the transfer of stock of a C1 Liquor Permit at 3608 Woodland Avenue and repealing Resolution No. 55-2019, objecting to said transfer. (R 461-2019)506

Midtown Cleveland, Inc.

Authorizing the Director of Capital Projects to issue a permit to MidTown Cleveland, Inc. to encroach into the public right-of-way of the Midtown District by installing, using, and maintaining the MidTown Wayfinding Signage Program. (O 439-2019)494

Military Service

To amend Section 171.57 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1492-05, passed August 3, 2005, relating to military service leave of absence. (O 1419-18)514

To repeal Ordinance 1419-18, passed April 1, 2019 and to amend Section 171.57 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1492-05, passed August 3, 2005, relating to military service leave of absence. (O 450-2019)500

Mt. Pleasant Now Development Corporation

Authorizing the Director of the Department of Community Development to enter into agreement with the Mt. Pleasant NOW Development Corporation for the Community Engagement Program through the use of Ward 2 Casino Revenue Funds. (O 413-2019)517

Oath of Office

Oath of Office for Brian Carney, Captain of Police, City of Cleveland. (F 428-2019)493
 Oath of Office for Brian McEntee, Captain of Police, City of Cleveland. (F 430-2019)493
 Oath of Office for Brian Pfeuffer, Sergeant of Police, City of Cleveland. (F 432-2019)493
 Oath of Office for Charles Boddy, Sergeant of Police, City of Cleveland. (F 427-2019)493
 Oath of Office for Dorothy Todd, Commander of Police, City of Cleveland. (F 435-2019)493
 Oath of Office for Emmanuel Velez, Sergeant of Police, City of Cleveland. (F 436-2019)493
 Oath of Office for Marcus Cloud, Sergeant of Police, City of Cleveland. (F 429-2019)493
 Oath of Office for Michael Moctezuma, Sergeant of Police, City of Cleveland. (F 431-2019)493
 Oath of Office for Michael Schroeder, Sergeant of Police, City of Cleveland. (F 433-2019)493
 Oath of Office for Rick Stone, Sergeant of Police, City of Cleveland. (F 434-2019)493
 Oath of Office for Stephan Williams, Sergeant of Police, City of Cleveland. (F 437-2019)493

Permits

Authorizing the Director of Capital Projects to issue a permit to MidTown Cleveland, Inc. to encroach into the public right-of-way of the Midtown District by installing, using, and maintaining the MidTown Wayfinding Signage Program. (O 439-2019)494
 Authorizing the Director of Capital Projects to issue a permit to The Convention and Visitors Bureau of Greater Cleveland, Inc. to encroach into the public right-of-way within the Tremont neighborhood with a Pedestrian Wayfinding Sign Program by installing, using, and maintaining eight wayfinding signs and associated electrical duct banks. (O 438-2019)494
 Authorizing the Director of Capital Projects to issue one or more permits to Detroit Shoreway Community Development Organization to encroach into the public rights of way within the Gordon Square District with approximately 40 wayfinding signs as part of the TLCI Gordon Square Wayfinding Program, to be attached to Cleveland Public Power utility poles (by separate permission). (O 198-2019)515
 Consenting and approving the issuance of a permit for the Hermes Cleveland 10 Miler on April 27, 2019, managed by Hermes Sports & Events. (O 446-2019)504
 To supplement the Codified Ordinances of Cleveland, Ohio, 1976 by enacting new Sections 401.152, 401.153, 401.231, 401.532, 473.10 and new Chapter 517, Shared Mobility Device Vendors, Sections 517.01 through 517.05, and to amend Sections 473.01 through 473.03, 473.05, 473.07 through 473.09, 405.09, 431.03, and 431.15, as amended by various ordinances, regulating the vendors and use of shared mobility devices. (O 464-2019)500

Police Division

Oath of Office for Brian Carney, Captain of Police, City of Cleveland. (F 428-2019)493
 Oath of Office for Brian McEntee, Captain of Police, City of Cleveland. (F 430-2019)493
 Oath of Office for Brian Pfeuffer, Sergeant of Police, City of Cleveland. (F 432-2019)493
 Oath of Office for Charles Boddy, Sergeant of Police, City of Cleveland. (F 427-2019)493
 Oath of Office for Dorothy Todd, Commander of Police, City of Cleveland. (F 435-2019)493
 Oath of Office for Emmanuel Velez, Sergeant of Police, City of Cleveland. (F 436-2019)493
 Oath of Office for Marcus Cloud, Sergeant of Police, City of Cleveland. (F 429-2019)493
 Oath of Office for Michael Moctezuma, Sergeant of Police, City of Cleveland. (F 431-2019)493
 Oath of Office for Michael Schroeder, Sergeant of Police, City of Cleveland. (F 433-2019)493
 Oath of Office for Rick Stone, Sergeant of Police, City of Cleveland. (F 434-2019)493
 Oath of Office for Stephan Williams, Sergeant of Police, City of Cleveland. (F 437-2019)493

Port Control Department

Authorizing the Commissioner of Purchases and Supplies to sell City owned property no longer needed for public use located adjacent to Old Grayton Road to Canal Road Partners, LLC, for purposes of having clear title to all their structures and assets; and to enter into a purchase and sale agreement. (O 444-2019)497

Professional Services Contracts

Authorizing the Director of Public Utilities to enter into one or more contracts with MCM Technology, LLC for professional services to acquire one or more licenses for the Office of Radio Service Center to give them the ability to manage the radio system as well as the service center in one centralized location, and other services to implement the software, including training, maintenance and support for a period of two years. (O 445-2019)498

Public Works

Authorizing the Director of Capital Projects and/or Public Works to enter into contract with Millstone Management Group for the immediate purchase of labor, equipment, and materials necessary for the emergency repair of several offices and one area in City Hall caused by water damage; authorizing the appropriate director to lease office space to temporarily locate employees while renovations are being made to their offices, for a period up to one year; and authorizing the purchase and rental by one or more requirement contracts of furniture, furniture systems, and equipment. (O 449-2019) .....	.499
Authorizing the Director of the Department of Public Works to enter into agreement with Greater Cleveland Sports Commission for the Youth Education through Sports Program through the use of Ward 17 Casino Revenue Funds. (O 414-2019) .....	.517
Authorizing the Directors of Community Development, Economic Development, and/or Public Works, to enter into one or more agreements with the Board of Education of the Cleveland Metropolitan School District for the exchange of lands for future redevelopment and the mutual benefit of the parties; and authorizing the Commissioner of Purchases and Supplies to acquire and convey the properties. (O 201-2019) .....	.515

Purchase Agreement

Authorizing the Commissioner of Purchases and Supplies to sell City owned property no longer needed for public use located adjacent to Old Grayton Road to Canal Road Partners, LLC, for purposes of having clear title to all their structures and assets; and to enter into a purchase and sale agreement. (O 444-2019)497
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Purchases and Supplies Division

Authorizing the Commissioner of Purchases and Supplies to sell City owned property no longer needed for public use located adjacent to Old Grayton Road to Canal Road Partners, LLC, for purposes of having clear title to all their structures and assets; and to enter into a purchase and sale agreement. (O 444-2019)497
Authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by Sustainable Community Associates, LTD, or its designee, located at 2703 Scranton Road 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 325-2019) .....	.506

Races

Consenting and approving the issuance of a permit for the Hermes Cleveland 10 Miler on April 27, 2019, managed by Hermes Sports & Events. (O 446-2019)504
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Recognition

Recognition Resolution for 10th Annual Cleveland Asian Festival. (R 469-2019)494
Recognition Resolution for Cuyahoga Community College – Tri-C Day. (R 470-2019) .....	.494
Recognition Resolution for Cuyahoga Community College Black American Council. (R 471-2019) .....	.494

Resolution of Support

Supporting Governor DeWine's proposed 18 cent gas tax increase to fund road construction projects. (R 341-2019)514
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Safety Department

Oath of Office for Brian Carney, Captain of Police, City of Cleveland. (F 428-2019)493
Oath of Office for Brian McEntee, Captain of Police, City of Cleveland. (F 430-2019) .....	.493
Oath of Office for Brian Pfeuffer, Sergeant of Police, City of Cleveland. (F 432-2019) .....	.493
Oath of Office for Charles Boddy, Sergeant of Police, City of Cleveland. (F 427-2019) .....	.493
Oath of Office for Dorothy Todd, Commander of Police, City of Cleveland. (F 435-2019) .....	.493
Oath of Office for Emmanuel Velez, Sergeant of Police, City of Cleveland. (F 436-2019) .....	.493
Oath of Office for Marcus Cloud, Sergeant of Police, City of Cleveland. (F 429-2019) .....	.493
Oath of Office for Michael Moctezuma, Sergeant of Police, City of Cleveland. (F 431-2019) .....	.493
Oath of Office for Michael Schroeder, Sergeant of Police, City of Cleveland. (F 433-2019) .....	.493
Oath of Office for Rick Stone, Sergeant of Police, City of Cleveland. (F 434-2019) .....	.493
Oath of Office for Stephan Williams, Sergeant of Police, City of Cleveland. (F 437-2019) .....	.493

Salaries

Approving in its entirety the Fact Finding Report and Recommendations in the matter of the City of Cleveland and Communications Workers of America, AFL-CIO, Local 4340; and to amend Section 23 of Ordinance No. 323-15, passed March 30, 2015, as amended, relating to compensation for various classifications. (O 373-2019) .....	.507
To amend Section 52 of Ordinance No. 323-15, passed March 30, 2015, as amended, relating to compensation for various classifications. (O 372-2019) .....	.507

Street Vacation

Declaring the intent to vacate a portion of Barber Court S.W. (R 463-2019)504

Tax

Supporting Governor DeWine’s proposed 18 cent gas tax increase to fund road construction projects. (R 341-2019)514

Tax Abatement

Authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Bear Diversified Properties, LLC, or its designee, to provide for tax abatement for certain real property improvements to assist with the renovations located at the facility located at 5900-6000 Harvard Avenue as part of the Northern Stamping expansion project in the Cleveland Area Enterprise Zone. (O 322-2019)506

Tax Increment Financing (TIF)

Authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by Sustainable Community Associates, LTD, or its designee, located at 2703 Scranton Road 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 325-2019)506

Utilities Department

Authorizing the Director of Public Utilities to enter into one or more contracts with MCM Technology, LLC for professional services to acquire one or more licenses for the Office of Radio Service Center to give them the ability to manage the radio system as well as the service center in one centralized location, and other services to implement the software, including training, maintenance and support for a period of two years. (O 445-2019)498

Ward 02

#7701660. New License Application, C1. Sam Hammad, Inc., 4464 Warner Rd. (Ward 2). (F 453-2019)493
 Authorizing the Director of the Department of Community Development to enter into agreement with the Mt. Pleasant NOW Development Corporation for the Community Engagement Program through the use of Ward 2 Casino Revenue Funds. (O 413-2019)517

Ward 03

Authorizing the Director of Capital Projects to issue a permit to The Convention and Visitors Bureau of Greater Cleveland, Inc. to encroach into the public right-of-way within the Tremont neighborhood with a Pedestrian Wayfinding Sign Program by installing, using, and maintaining eight wayfinding signs and associated electrical duct banks. (O 438-2019)494
 Condolence Resolution for John Cromarti. (R 473-2019)494
 Consenting and approving the issuance of a permit for the Hermes Cleveland 10 Miler on April 27, 2019, managed by Hermes Sports & Events. (O 446-2019)504
 Declaring the intent to vacate a portion of Barber Court S.W. (R 463-2019)504

Ward 05

Authorizing the Director of the Department of Community Development to enter into an agreement with Burten, Bell, Carr Development Inc. for the Holiday Food Gift Card Program through the use of Ward 5 Casino Revenue Funds. (O 462-2019)504
 Withdrawing objection to the transfer of stock of a C1 Liquor Permit at 3608 Woodland Avenue and repealing Resolution No. 55-2019, objecting to said transfer. (R 461-2019)506

Ward 06

Condolence Resolution for Carol Leigh Whitaker. (R 472-2019)494

Ward 07

#22348151291. Transfer of Location Application, C2. Dolgen Midwest LLC, 1701 East 12th St. (Ward 7). (F 456-2019)493
 Authorizing the Director of Capital Projects to issue a permit to MidTown Cleveland, Inc. to encroach into the public right-of-way of the Midtown District by installing, using, and maintaining the MidTown Wayfinding Signage Program. (O 439-2019)494
 Commendation Resolution for Prime Minister Jacinda Ardern, New Zealand. (R 468-2019)494
 Condolence Resolution for Schennetta Teree King Wimberly. (R 467-2019)494
 Recognition Resolution for 10th Annual Cleveland Asian Festival. (R 469-2019)494

Ward 08

#26312750345. New License Application, C2. Family Dollar Stores of Ohio, Inc., 16122 Lake Shore Blvd. (Ward 8). (F 452-2019)493
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Ward 09

#9879120. Transfer of Ownership Application, C2 C2X. Zaid Food, Inc., 891 Lakeview Rd. (Ward 9). (F 454-2019)493
Condolence Resolution for Bedford Hugh Forte, Jr. (R 466-2019) .....	.494
Condolence Resolution for Gwendolyn Travick. (R 465-2019) .....	.494

Ward 10

Authorizing the Director of the Department of Aging to enter into an agreement with Collinwood & Nottingham Villages Development Corporation for the Five Pointes Senior Food Program through the use of Ward 10 Casino Revenue Funds. (O 451-2019) .....	.504
Withdrawing objection to the transfer of location of a D2, D2X and D3 Liquor Permit at 17001 Euclid Avenue and repealing Resolution No. 430-18, objecting to said transfer. (R 460-2019) .....	.506

Ward 12

Authorizing the Director of the Department of Community Development to enter into agreement with the Boys & Girls Clubs of Cleveland for the Career Readiness Program through the use of Ward 12 Casino Revenue Funds. (O 412-2019)516
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Ward 13

Objecting to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit to 4374-76 Pearl Road. (R 447-2019)505
Recognition Resolution for Cuyahoga Community College – Tri-C Day. (R 470-2019) .....	.494
Recognition Resolution for Cuyahoga Community College Black American Council. (R 471-2019) .....	.494
Withdrawing objection to the transfer of location of a C2 and C2X Liquor Permit at 4380 State Road and repealing Resolution No. 1128-18, objecting to said transfer. (R 457-2019) .....	.505
Withdrawing objection to the transfer of ownership of a C1 Liquor Permit at 4380 State Road and repealing Resolution No. 510-18 objecting to said permit. (R 458-2019) .....	.505
Withdrawing objection to the transfer of ownership of a C2, CX and D6 Liquor Permit at 4398-4400 State Road and repealing Resolution No. 1268-18 objecting to said permit. (R 459-2019) .....	.505

Ward 15

Authorizing the Director of Capital Projects to issue one or more permits to Detroit Shoreway Community Development Organization to encroach into the public rights of way within the Gordon Square District with approximately 40 wayfinding signs as part of the TLCI Gordon Square Wayfinding Program, to be attached to Cleveland Public Power utility poles (by separate permission). (O 198-2019) .....	.515
Consenting and approving the issuance of a permit for the Hermes Cleveland 10 Miler on April 27, 2019, managed by Hermes Sports & Events. (O 446-2019) .....	.504

Ward 16

#26312750350. New License Application, C2. Family Dollar Stores of Ohio, Inc., 4576 West 130th St. (Ward 16) (F 455-2019)493
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Ward 17

Authorizing the Director of the Department of Public Works to enter into agreement with Greater Cleveland Sports Commission for the Youth Education through Sports Program through the use of Ward 17 Casino Revenue Funds. (O 414-2019)517
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