

The City Record

Official Publication of the Council of the City of Cleveland



June the Twelfth, 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

The City Record is available online at
www.clevelandcitycouncil.org

| Containing | PAGE |
|---|------|
| City Council | 3 |
| The Calendar | 3 |
| Board of Control | 3 |
| Civil Service | 8 |
| Board of Zoning Appeals | 8 |
| Board of Building Standards and Building Appeals | 10 |
| Public Notice | 10 |
| Public Hearings | 10 |
| City of Cleveland Bids | 10 |
| Adopted Resolutions and Ordinances | 11 |
| Committee Meetings | 61 |
| Index | 61 |



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 Gissentaner, Interim Commissioner

Streets – Frank D. Williams, Interim Commissioner

Traffic Engineering – Robert Mavec, Commissioner

Waste Collection and Disposal – Randall T. Scott, Interim Commissioner

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

DIVISIONS:

Air Quality – David Heame, Interim Commissioner

Environment – Brian Kimball, Commissioner, 75 Erieview Plaza

Health – Persis Sosiak, Commissioner, 75 Erieview Plaza

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

DIVISIONS:

Animal Control Services – John Baird, Interim Chief Animal Control Officer, 2690 West 7th Street

Correction – 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 – Aynona Blue 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 – _____.

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; _____, 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. Itu, Chairman; Debra Janik, Bracy Lewis, Diane Downing, Donna Sciarappa, Council President Kevin J. Kelley; Law Director Barbara A. Langhenry.

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

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

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

The City Record

71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 106

WEDNESDAY, JUNE 12, 2019

No. 5505

CITY COUNCIL

MONDAY, JUNE 10, 2019

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

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.

contract to provide video surveillance cameras, network recorders and storage, wired infrastructure and ancillary equipment, professional services, system design and engineering, installation, project management, support, and maintenance to implement Safe Smart CLE Bridges and Docks Video Surveillance at City of Cleveland swing and sift bridges for remote viewing and recording.

Be it further resolved, that the Director of Finance is authorized to enter into a contract with Motorola Solutions, Inc. based upon its proposal dated November 19, 2018, which contract shall be prepared by the Director of Law, shall provide for rendering the above-mentioned professional services and equipment as described in the proposal for an amount not to exceed \$599,992.00, and shall contain such additional 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 Motorola Solutions, Inc. for the above-authorized contract is approved:

| <u>SUB-CONSULTANT</u> | <u>CSB/MBE/FBE</u> |
|-----------------------|--------------------|
| <u>AMOUNT</u> | <u>PERCENT</u> |

| | |
|-----------------------------|-------|
| Technology Install Partners | CSB |
| \$182,172.00 | 30.4% |

Yeas: Directors Langhenry, Dumas, Davis, Acting Director Bahur, Directors Cox, Gordon, Acting Directors Gehlmann, Wackers, Directors West, Ebersole, McNamara, and Donald.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 245-19.

By Director Dumas.

Whereas, under the authority of Ordinance No. 565-18, passed by the Council of the City of Cleveland on May 21, 2018, and Resolution No. 234-18, adopted June 13, 2018, the City, through the Director of Finance ("Director") entered into City Contract No. CT 1511 PS2018*0149 with Paladin Protective Systems, Inc. for equipment, professional services, installation, project management, support, and maintenance to implement Video Surveillance at Zelma George Watson Recreation Center, Luke Easter Park, Michael J. Zone Recreation Center and Park for remote viewing and recording; and

Whereas, under the authority of Board of Control Resolution No. 441-18, adopted October 17, 2018, the City entered into a first modification to Contract No. PS2018*0149 for the additional professional services necessary to design and implement a turnkey video surveillance solution

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2018-2021

MONDAY — Alternating

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

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

MONDAY

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

TUESDAY

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

TUESDAY — Alternating

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

June 5, 2019

The meeting of the Board of Control convened in the Mayor's office on Wednesday, June 5, 2019 at 10:42 a.m. with Director Langhenry presiding.

Present: Directors Langhenry, Dumas, Davis, Acting Director Bahur, Directors Cox, Gordon, Acting Directors Gehlmann, Wackers, Directors West, Ebersole, McNamara, and Donald.

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

Michael Curry, Acting Director, Office of Equal Opportunity.

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

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

Resolution No. 244-19.

By Director Dumas.

Be it resolved, by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 565-18, passed by the Council of the City of Cleveland on May 21, 2018, Motorola Solutions, Inc. is selected from a list of qualified consultants determined after a full and complete canvass by the Director of Finance as the consultant to be employed by

for Kerruish Park including equipment, professional services, installation, project management, support and maintenance, and increasing the contract amount to not to exceed \$345,080.71; and

Whereas, the City requires additional professional services to implement video surveillance cameras along the Lee Road Corridor as part of the Ward 1 Safe Smart CLE pilot deployment, comprising a turnkey video surveillance solution for the Lee Road Corridor including equipment, professional services, installation, project management, support and maintenance; and

Whereas, Paladin Protective Systems, Inc. has proposed by its May 8, 2019, proposal to perform the above-described additional professional services for compensation of \$49,975.00; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that the Director of Finance is authorized to enter into a second modification to Contract No. PS2018*0149 with Paladin Protective Systems, Inc., based upon its proposal dated May 8, 2019, for the additional professional services necessary to design and implement Video Surveillance for the Lee Road Corridor, and increasing the total contract amount by \$49,975.00 to an amount not to exceed \$395,055.71, which modification shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Langhenry, Dumas, Davis, Acting Director Bahur, Directors Cox, Gordon, Acting Directors Gehlmann, Wackers, Directors West, Ebersole, McNamara, and Donald.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 246-19.

By Director Davis.

Be it resolved by the Board of Control of the City of Cleveland that the bid of W.B. Mason Co. Inc. for an estimated quantity of promotional items, items 2, 3, 6, 15, 16, 19, 24, 26, 31, 33 and 38, for the Department of Public Utilities, for a period of one year starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on March 13, 2019, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$45,725.00 (0%, Net 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services necessary for the specified items.

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

Yeas: Directors Langhenry, Dumas, Davis, Acting Director Bahur, Directors Cox, Gordon, Acting Directors Gehlmann, Wackers, Directors West, Ebersole, McNamara, and Donald.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 247-19.

By Director Davis.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Joy Products, Inc. for an estimated quantity of promotional items, items 1, 4, 5, 7, 10, 11, 12, 13, 18, 28, 34, 36, 37 and 40 for the Department of Public Utilities, for a period of one year starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on March 13, 2019, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$114,147.00 (0%, Net 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services necessary for the specified items.

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

Yeas: Directors Langhenry, Dumas, Davis, Acting Director Bahur, Directors Cox, Gordon, Acting Directors Gehlmann, Wackers, Directors West, Ebersole, McNamara, and Donald.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 248-19.

By Director Davis.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Blink Marketing LLC dba Blink Swag for an estimated quantity of promotional items, items 8, 14, 20, 21, 25, 32, 35, and 39, for the Department of Public Utilities, for a period of one year starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on March 13, 2019, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$24,682.00 (2%, Net 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services necessary for the specified items.

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

Yeas: Directors Langhenry, Dumas, Davis, Acting Director Bahur, Directors Cox, Gordon, Acting Directors Gehlmann, Wackers, Directors West, Ebersole, McNamara, and Donald.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 249-19.

By Director Davis.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Koppel Advertising for an estimated quantity of promotional

items, items 9, 17, 22, 23, 27, 29 and 30 for the Department of Public Utilities, for a period of one year starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on March 13, 2019, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$23,879.72 (0%, Net 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services necessary for the specified items.

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

Yeas: Directors Langhenry, Dumas, Davis, Acting Director Bahur, Directors Cox, Gordon, Acting Directors Gehlmann, Wackers, Directors West, Ebersole, McNamara, and Donald.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 250-19.

By Director Davis.

Be it resolved by the Board of Control of the City of Cleveland that the bid of VanCuren Services, Inc., for an estimated quantity of Tree Trimming Services, all items, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two years starting upon the later of execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on April 4, 2019 under the authority of Ordinance No. 1177-18, passed October 29, 2018, which on the basis of the estimated quantity would amount to \$1,643,904.00, is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services necessary for the specified items.

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by VanCuren Services, Inc. for the above-mentioned service is approved:

| <u>Subcontractor</u> | <u>Dollar Amount</u> | <u>Percentage</u> |
|----------------------|----------------------|-------------------|
| Ullman Oil (FBE) | \$200,000.00 | 12.2% |

Yeas: Directors Langhenry, Dumas, Davis, Acting Director Bahur, Directors Cox, Gordon, Acting Directors Gehlmann, Wackers, Directors West, Ebersole, McNamara, and Donald.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 251-19.

By Director Spronz.

Whereas, under the authority of Ordinance No. 1629-06, passed by the Cleveland City Council December 11, 2006 and Resolution No. 387-08, adopted by this Board of Control on August 6, 2008, the City, through its Director of Public Service, entered into Contract No. 68816 in the amount of \$366,670.00 with Wilbur Smith Associates, Inc. ("Engineer") for professional engineering consulting services necessary for the design of the CUY-VOINOVICH Park Pedestrian Bridge nka CUY-North Coast Harbor Pedestrian Bridge (the "Project"); and

Whereas, under Board of Control Resolution No. 241-11, adopted May 25, 2011, the Director entered into a first modification to Contract No. 68816 for additional professional engineering consulting services for the design of the Project and approved additional sub-consultants and sub-consultant services; and

Whereas, Board of Control Resolution No. 577-11, adopted November 30, 2011, amended Resolution No. 241-11 by changing the reference to a "first modification" to "second modification" and similarly revised the reference to a "first amendment" in Resolution No. 241-11; and

Whereas, Resolution No. 676-12, adopted by this Board of Control on December 19, 2012, acknowledged the merger of Wilbur Smith Associates, Inc. into CDM Smith, Inc. and authorized the Director of Capital Projects to consent to assignment of City Contract No. 68816 from Wilbur Smith Associates, Inc. to CDM Smith, Inc.; and

Whereas, under Board of Control Resolution No. 109-14, adopted March 3, 2014, the Director entered into a third modification to Contract No. 68816 for additional professional engineering consulting services to modify the pedestrian bridge width and structural design, provide coordination for the bridge operation center design and other permitting and construction-related services for the design of the Project and approved additional sub-consultants and sub-consultant services; and

Whereas, under Board of Control Resolution No. 137-16, adopted March 30, 2016, the Director entered into a fourth modification to Contract No. 68816 to obtain the additional services necessary to resubmit the bridge type study, redesign Stages 1, 2 and 3, update environmental permitting and prepare the final ODOT plans, specifications and estimate bid package, and approved additional sub-consultants and sub-consultant services; and

Whereas, the City requires additional engineering services to administer the construction phase of the Project; and

Whereas, Engineer has proposed by its April 2, 2019 letter to perform the above-mentioned additional construction administration services for an amount not to exceed \$699,957.05, thereby requiring an increase in the total contract amount of \$499,957.05; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Capital Projects is authorized to enter into a fifth modification to Contract No. 68816 with CDM Smith, Inc., based on its April 2, 2019 proposal, for the additional

construction administration services necessary to complete the Project, for an additional amount not exceeding \$499,957.05, thereby increasing the total compensation under the contract to \$2,537,763.05.

Be it further resolved that employment of the following sub-consultants for services to be performed under the above-authorized fifth modification is approved:

KS Associates, Inc.
(FBE — \$39,553.94 — (1.559%))

Stanford Bandlow Engineering, Inc.
\$275,500.00 — (10.856%)

Yeas: Directors Langhenry, Dumas, Davis, Acting Director Bahur, Directors Cox, Gordon, Acting Directors Gehlmann, Wackers, Directors West, Ebersole, McNamara, and Donald.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 252-19.

By Director Spronz.

Whereas, under the authority of Ordinance Nos. 550-17, and 647-18, passed by the Council of the City of Cleveland on June 5, 2017 and June 4, 2018 respectively and Resolution Nos. 455-17 and 500-18 adopted by this Board of Control on September 6, 2017, and November 21, 2018 respectively, the City, through its Director of Capital Projects, entered into City Contract No. CT 0103 PS2017-241 with R.E. Warner and Associates, Inc. for the professional services necessary to supplement the regularly employed staff of several departments of the City in order to perform professional engineering services necessary to implement public improvement projects in the City of Cleveland, and a first modification thereto in the total amount of \$150,000.00 as modified; and

Whereas, Ordinance No. 900-18, passed by the Cleveland City Council on September 10, 2018, made certain additional funding available for professional engineering services necessary for the North Point Transitional Shelter; and

Whereas, the City requires additional professional engineering services under Contract No. CT 0103-PS2017-241 at the North Point Transitional Shelter in the amount of \$13,500.00; and

Whereas, R. E. Warner and Associates, Inc. has proposed by its May 3, 2019 letter to perform the above-mentioned additional services; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that, the City, through its Director of Capital Projects, is authorized to enter into a second modification to Contract No. CT 0103-PS2017-241 with R. E. Warner and Associates, Inc. for additional professional engineering services at the North Point Transitional Shelter, for an additional amount not to exceed \$13,500.00, thereby increasing the total compensation under the contract to \$163,500.00.

Yeas: Directors Langhenry, Dumas, Davis, Acting Director Bahur, Directors Cox, Gordon, Acting Directors Gehlmann, Wackers, Directors West, Ebersole, McNamara, and Donald.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 253-19.

By Director Spronz.

Be it resolved by the Board of Control of the City of Cleveland that the bid received on May 3, 2019 for the public improvement of the JFK Recreation Center Roof Repairs, for the Office of Capital Projects, pursuant to the authority of Ordinance No. 648-18, passed by the Council of the City of Cleveland on June 4, 2018, is rejected.

Yeas: Directors Langhenry, Dumas, Davis, Acting Director Bahur, Directors Cox, Gordon, Acting Directors Gehlmann, Wackers, Directors West, Ebersole, McNamara, and Donald.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 254-19.

By Director Spronz.

Be it resolved, by the Board of Control of the City of Cleveland, that all bids received on May 22, 2019 for the public improvement of Vega Avenue Retaining Wall, for the Division of Engineering & Construction, Office of Capital Projects, under the authority of Ordinance No. 1374-18, passed by Cleveland City Council on December 3, 2018 are rejected.

Yeas: Directors Langhenry, Dumas, Davis, Acting Director Bahur, Directors Cox, Gordon, Acting Directors Gehlmann, Wackers, Directors West, Ebersole, McNamara, and Donald.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 255-19.

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. 109-08-102 located at 10016 North Boulevard; 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 or lease Land Reutilization Program parcels when certain specified conditions have been met; and

Whereas, Erika Ervin-Acy has proposed to the City to lease the parcel for a community garden; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, to execute a lease for a period of 3 years, on behalf of the City of Cleveland with Erika Ervin-Acy for the purpose of maintaining

a community garden on Permanent Parcel No. 109-08-102, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Davis, Acting Director Bahur, Directors Cox, Gordon, Acting Directors Gehlmann, Wackers, Directors West, Ebersole, McNamara, and Donald.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 256-19.

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. 121-34-041, 121-34-042, 121-34-043, 121-33-123, 121-33-124, and 121-33-126 located on Woodland 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 or lease Land Reutilization Program parcels when certain specified conditions have been met; and

Whereas, Cleveland Botanical Garden has proposed to the City to lease the parcels for a Market Garden and Training Center; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, to execute a lease for a period of 5 years, on behalf of the City of Cleveland with Cleveland Botanical Garden for the purpose of maintaining a Market Garden and Training Center on Permanent Parcel Nos. 121-34-041, 121-34-042, 121-34-043, 121-33-123, 121-33-124, and 121-33-126, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for lease of the parcels shall be \$5.00, which amount is determined to be not less than the fair market value of the parcels for uses according to the Program.

Yeas: Directors Langhenry, Dumas, Davis, Acting Director Bahur, Directors Cox, Gordon, Acting Directors Gehlmann, Wackers, Directors West, Ebersole, McNamara, and Donald.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 257-19.

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. 104-14-027 located at 5713 Dibble 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, 5810 Dibble LLC has proposed to the City to purchase the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 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 5810 Dibble LLC for the sale of Permanent Parcel No. 104-14-027, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Davis, Acting Director Bahur, Directors Cox, Gordon, Acting Directors Gehlmann, Wackers, Directors West, Ebersole, McNamara, and Donald.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 258-19.

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. 120-14-008, 120-14-009, 120-14-010, 120-14-028, 120-14-069 and 120-14-070 located in Ward 9; and

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

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

Whereas, the following conditions exist:

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

2. The proposed purchaser of the 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 B.R. Knez Construction, Inc. for the sale and development of Permanent Parcel Nos. 120-14-008, 120-14-009, 120-14-010, 120-14-028, 120-14-069 and 120-14-070 located in Ward 9, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Davis, Acting Director Bahur, Directors Cox, Gordon, Acting Directors Gehlmann, Wackers, Directors West, Ebersole, McNamara, and Donald.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 259-19.

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. 128-09-030 located at 11505 Methyl 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, Constance M. Mason has proposed to the City to purchase the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 6 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 Constance M. Mason for the sale of Permanent Parcel No. 128-09-030, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Davis, Acting Director Bahur, Directors Cox, Gordon, Acting Directors Gehlmann, Wackers, Directors West, Ebersole, McNamara, and Donald.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 260-19.

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. 108-29-073 located on Helena 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, Cornelius Ray Love has proposed to the City to purchase the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 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 Cornelius Ray Love for the sale of Permanent Parcel No. 108-29-073, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Davis, Acting Director Bahur, Directors Cox, Gordon, Acting

Directors Gehlmann, Wackers, Directors West, Ebersole, McNamara, and Donald.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 261-19.

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. 129-24-034 located at 3054 East 126th Street; and

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

Whereas, Marlon Graves 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 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 Marlon Graves for the sale and development of Permanent Parcel No. 129-24-034 located at 3054 East 126th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Davis, Acting Director Bahur, Directors Cox, Gordon, Acting Directors Gehlmann, Wackers, Directors West, Ebersole, McNamara, and Donald.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 262-19.

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. 104-17-001 located at 5910 Dibble 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, Marshall Dos-Reis has proposed to the City to purchase the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 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 Marshall Dos-Reis for the sale of Permanent Parcel No. 104-17-001, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Davis, Acting Director Bahur, Directors Cox, Gordon, Acting Directors Gehlmann, Wackers, Directors West, Ebersole, McNamara, and Donald.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 263-19.

By Director West.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 1261-18, passed by the Cleveland City Council October 29, 2018, as amended by Ordinance No. 247-2019, passed on March 4, 2019, OPENonline, LLC is selected by the Director of Human Resources as the firm to be employed by contract to supplement the regularly employed staff of the City to perform the professional services necessary to administer pre-employment background and criminal records checks, for a period of one year with one one-year option to renew, exercisable by the Director of Human Resources.

Be it further resolved that the Director of Human Resources is authorized to enter into contract with OPENonline, LLC based on its proposal dated March 15, 2019, which contract shall be prepared by the Director of Law, shall provide for the furnishing of professional services as described in the proposal, for fees as set forth in the proposal and presently estimated to amount to \$75,000.00 per year, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Langhenry, Dumas, Davis, Acting Director Bahur, Directors Cox, Gordon, Acting Directors Gehlmann, Wackers, Directors West, Ebersole, McNamara, and Donald.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 264-19.

By Director Dumas.

Whereas, under Ordinance No. 2302-03, passed by the Cleveland City Council on December 15, 2003, and Board of Control Resolutions No. 34-05, No. 445-06 and No. 58-10, respectively adopted January 26, 2005, October 4, 2006 and February 17, 2010, the City, through the Director of Finance, entered into City Contract No. 63976 with Kronos Incorporated ("Kronos") for a perpetual license to use certain Kronos timekeeping system software, to obtain the professional services required for implementation, installation, support for and training in the software, and to acquire certain timekeeping equipment as necessary to upgrade the Kronos timekeeping system, for various departments of the City, and First and Second Modifications thereto; and

Whereas, under the authority of Ordinance No. 268-12, passed April 2, 2012, the Director of Finance entered into a Third Modification to City Contract No. 63976 with Kronos Incorporated to obtain various additional software and services for the upgrade and expansion of the Kronos Workforce Solution tool including, but not limited to, the Workforce TeleStaff software providing scheduling and timekeeping for the Department of Public Safety; and

Whereas, under the authority Section No. 181.102, Codified Ordinances of Cleveland, Ohio, 1976 ("C.O.") and Board of Control Resolution No. 88-18, adopted March 14, 2018, the Director entered into City Contract No. PS2018-131 with Kronos to provide the professional services necessary to obtain software, professional maintenance, technical support, and other services necessary to implement, maintain, host, upgrade and enhance the City's timekeeping software; and

Whereas, when a director has been authorized by ordinance to acquire a software system, division (c) of Section 181.102 C.O. authorizes the director or the Director of Finance to execute one or more license agreements directly with software licensing firm for software needed to implement or maintain a previously acquired software system; and

Whereas, the City requires an upgrade to the Workforce TeleStaff v6 including the Enterprise, Global Access, Gateway Manager, and Gateway Manager Interface to WFC, Contact Manager, Bidding software modules to the Kronos Private Cloud and Interactive Voice Response, and the addition of the Institution Focus module, and educational training, professional and technical services, for the 12-month period commencing upon execution of a contract; and

Whereas, Kronos has proposed by its April 16, 2019 proposal to provide the aforementioned upgrade, additional licenses, software module and to perform the training, professional and technical services for additional compensation of \$161,133.18; and

Whereas, under the authority of Section 181.102 C.O., the City intends to enter into an agreement with Kronos to obtain upgrade, additional licenses, software module and to obtain the training, professional and technical services; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of division (e) of Section 181.102 C.O., the compensation to be paid for the upgrade to the Workforce TeleStaff v6 software including the Enterprise, Global Access, Gateway Manager, and Gateway Manager Interface to WFC, Contact Manager, Bidding software modules, to the Kronos Private Cloud and Interactive Voice Response, and the addition of the Institution Focus module and educational training, professional and technical services, to be performed under the agreement to be entered into with Kronos Incorporated is fixed at an amount not to exceed \$161,133.18.

Yeas: Directors Langhenry, Dumas, Davis, Acting Director Bahur, Directors Cox, Gordon, Acting Directors Gehlmann, Wackers, Directors West, Ebersole, McNamara, and Donald.

Nays: None.

Absent: Mayor Jackson.

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, JUNE 24, 2019

9:30 A.M.

Department of
Public Works Invoice
Calendar No. 19-103: 10517 Elk Avenue (PPN 10813100) (Ward 10)

Kay Smith, owner, appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland

and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of the hearing officer, dated April 12, 2019, to uphold the City of Cleveland's Department of Parks, Recreation, and Properties to issue invoices regarding abating nuisances at the subject property. (Filed May 10, 2019)

Calendar No. 19-109: 2305 West 40th Street (Ward 3)

Near West Reinvestment, owner, proposes to erect a front porch and open wolmanized wooden deck 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 357.08(b)(1) which states that the required rear yard shall not be less than 20 feet and the appellant is proposing 5 feet.

2. Section 357.09(b)(2)(B) which states that the interior side yards shall not be less than 10 feet and the appellant is proposing 8 feet and 1 inch.

3. Section 357.13(b)(4) which states that open front porches shall not be less than 10 feet from property line and the appellant is proposing zero feet. (Filed May 22, 2019)

Calendar No. 19-111: 2175 Columbus Road (Ward 3)

Robert Kennedy, owner, proposes to establish use as a fitness center in a G2 Limited Retail Business District and an Urban Overlay District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 358.04(d)(4)(A) which states that a required parking area equal to 2,175 square feet is required and 500 feet are provided.

2. Section 358.04(d)(1)(A) which states that the maximum front yard setback is 8 feet and 20 feet are proposed.

3. Section 358.04(d)(3)(A) which states that glazing is required on 75% of the frontage of building and no glazing is shown.

4. Section 343.18(d) which states that the maximum width of a driveway is 30 feet and a 44 foot driveway is proposed.

5. Section 343.18 (c) which states that driveways in retail districts must be at least 15 feet from side property lines. (Filed May 22, 2019)

Department of Public Works Invoice

Calendar No. 19-121: 2245 East 80th Street (Ward 6)

Carl Wallace, owner, appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of the hearing officer, dated May 10, 2019, to uphold the City of Cleveland's Department of Parks, Recreation, and Properties to issue invoice Number WO-7010-453076 regarding abating nuisances at the subject property. (Filed May 30, 2019)

REHEARING Department of Public Works Invoice

Calendar No. 19-070: 0000 Seymour Avenue (PPN 007-19-042) (Ward 3)
Carmen Davilla, owner, appeals under the authority of Section 76-

6(b) of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of the hearing officer, on March 13, 2019, to uphold the City of Cleveland's Department of Parks, Recreation, and Properties to issue invoices regarding abating nuisances at the subject property. (Filed April 15, 2019 - Testimony taken).

This case was denied on May 13, 2019 (due to a failed motion) but was not ratified as new information has been submitted.

POSTPONED FROM MAY 13, 2019

Calendar No. 19-72: 961 Addison Road (Ward 10)

City of Cleveland, owner, proposes to consolidate 4 parcels and build a parking lot in a B3 Semi-Industrial District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 349.07 which states that accessory off-street parking spaces shall be provided with wheel or bumper guards. The driveway used to provide accessibility to accessory parking spaces shall be arranged to minimize traffic congestion.

2. Section 352.10 which states that a 6 foot wide landscaped frontage strip is required.

3. Section 358.05 which states that fences in the actual front yard and in side street yard shall not exceed four (4) feet in height and shall be at least 50% open and proposed fence is 6 feet tall. (Filed April 16, 2019 - No Testimony)

First postponement made at the request of the City for further review.

POSTPONED FROM MAY 13, 2019

Calendar No. 19-75: 3977 Wendy Drive (Ward 1)

Quemonte Leonard, owner, proposes to establish use as a Type A day-care in an A1 One-Family Residential District. The owner appeals for relief from the strict application of Section 337.02(g)(3)(c) which states that childcare use in a One or Two Family Residential District is permitted if located not less than 30 feet from any adjoining premises in a residential district and subject to the review and approval of the Board of Zoning Appeals. (Filed April 23, 2019 - Testimony taken)

First postponement made at the request of the Board to allow time for the appellant to bring an authorization letter from the owner and to talk to Councilman as well as neighbors.

POSTPONED FROM JUNE 10, 2019

Illicit Discharge/Water Pollution Control Violation Notice

Calendar No. 19-055: 3381 Rocky River Drive (Ward 17)

Koussa Properties, LTD., 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 Commissioner of the City of Cleveland's Division of Water Pollution

Control to issue a Notice of Violation which states that the homeowner has failed to comply with section 541.1(a)(8) Cleveland Codified Ordinance Section regarding illicit discharge at 3381 Rocky River Drive. (Filed March 27, 2019 - No Testimony)

Second postponement made at the request of the appellant due to a scheduling conflict. First postponement made at the request of the Councilman to allow for time for further review.

POSTPONED FROM JUNE 10, 2019

Illicit Discharge/Water Pollution Control Violation Notice

Calendar No. 19-098: 3365 Rocky River Drive (Ward 17)

Laura and Wilbur Janosko, 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 Commissioner of the City of Cleveland's Division of Water Pollution Control to issue a Notice of Violation which states that the homeowner has failed to comply with section 541.11(a)(8) Cleveland Codified Ordinance Section regarding illicit discharge at 3365 Rocky River Drive. (Filed May 7, 2019 - No Testimony)

First postponement made at the request of the appellant due to a scheduling conflict.

POSTPONED FROM MAY 20, 2019

Division of Park Maintenance and Properties

Calendar No. 19-68: 10409 Meech Avenue (Ward 2)

Number Two Grace LLC., owner, appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of Natasha Bruister, Project Coordinator, for the Division of Park Maintenance and Properties on March 13, 2019 regarding Invoice WO-7010-465123. The invoice was issued in accordance with chapter 209 of the Cleveland Codified Ordinance which authorizes the Department of Parks Maintenance 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 April 12, 2019 - No Testimony)

First postponement made at the request of the appellant due to a scheduling conflict.

Division of Park Maintenance and Properties

Calendar No. 19-69: 10409 Meech Avenue (Ward 2)

Number Two Grace LLC., owner, appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of Natasha Bruister, Project Coordinator, for the Division of Park Maintenance and Properties on March 13, 2019 regarding Invoice WO-7010-546250. The invoice was issued in accordance with chapter 209 of the Cleveland Codified Ordinance which authorizes the Department of Parks Maintenance 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 April 12, 2019 - No Testimony)

First postponement made at the request of the appellant due to a scheduling conflict.

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, JUNE 10, 2018

At the meeting of the Board of Zoning Appeals on Monday, June 10, 2018 the following appeals were scheduled for hearing before the Board.

The following appeals were **APPROVED:**

Calendar No. 19-67: 8217 Korman Avenue

Darcia Lumpkin, owner, proposes to establish use as a Type A day-care in a B1 Two-Family Residential District.

Calendar No. 19-96: 17906 Canterbury Road

James P. Muhic, owner, proposes to erect a 1,080 square foot addition to existing single family residence located on a 9,000 square foot lot in an A1 One-Family Residential District.

Calendar No. 19-97: 805 Brayton Avenue

IRA Plan Partners, owner, proposes to erect a two story frame single family residence with a 20' x 20' detached garage in a B1 Two-Family Residential District.

Calendar No. 19-99: 6214 Lausche Avenue

St. Martin de Porres High School, owner, proposes to build a parking lot in a B1 Two-Family Residential District.

Calendar No. 19-102: 1400 Brookpark Road

Blue Stone 1400 LLC., owner, proposes to change use of machine shop to an auto dealership and repair shop in a B3 General Industry District.

The following appeals were **DENIED:**

None.

The following appeals were **WITHDRAWN:**

None

The following appeal was **DISMISSED:**

Waste Collection Ticket

Calendar No. 19-104: 11127 Mt. Carmel Road

Greeners Inc., 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 decision of the hearing examiner in Parking Violations Bureau on May 1, 2019 concerning the City of Cleveland Waste Collection issuance of Civil Infraction Ticket Number WC40082273.

The following cases were **POSTPONED**:

Calendar No. 19-47: Petru Stinea
6007 Ellen Avenue. Postponed to August 12, 2019.

Calendar No. 19-55: Koussa Properties, LTD
3381 Rocky River Drive. Postponed to June 24, 2019.

Calendar No. 19-71: BZSAM 111 LLC
2905 Franklin Boulevard. Postponed to July 15, 2019.

Calendar No. 19-98: Laura and Wibur Janosko
3365 Rocky River Drive. Postponed to June 24, 2019.

The following cases were heard by the Board of Zoning Appeals on Monday, June 3, 2019 and the decisions were adopted and approved on Monday, June 10, 2019:

The following appeals were **APPROVED**:

Calendar No. 19-78: 1814 Brainard Avenue
B.R. Knez, owner, proposes to erect a two story frame single family residence with a 20' by 20' detached garage.

Calendar No. 19-79: 1830 Brainard Avenue
B.R. Knez, owner, proposes to erect a two story frame single family residence with a 20' by 20' detached garage.

Calendar No. 19-84: 12027 Wade Park Avenue
B.R. Knez, owner, proposes to erect a two story frame single family residence with a 20' by 20' detached garage.

Calendar No. 19-85: 112101 Wade Park Avenue
B.R. Knez, owner, proposes to erect a two story frame single family residence with a 20' by 20' detached garage.

Calendar No. 19-94: 5010 Lorain Avenue
MUNU Properties, owner, proposes to renovate and use as a restaurant and 2 apartments in a G2 Limited Retail Business District and an Urban Form Overlay District.

Calendar No. 19-100: 1850 East 85th Street
Hough at Home owner, proposes to erect a two story frame single family residence with attached garage in a Multi-Family Residential District.

Calendar No. 19-101: 1856 East 85th Street
Hough at Home owner, proposes to erect a two story frame single family residence with attached garage in a Multi-Family Residential District.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY of CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

THURSDAY, JUNE 27, 2019

File No. 74-19 — HVAC/R Supplies, Items, Materials and Parts, for the Division of Property Management, Department of Public Works, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, WEDNESDAY, JUNE 19, 2019 AT 2:30 P.M. DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET BUILDING 1, CLEVELAND, OHIO 44105, BASEMENT MEETING 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).

File No. 75-19 — Purchase of New and Rebuilt Motors and Related Repairs, for the Division of Property Management, Department of Public Works, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, WEDNESDAY, JUNE 19, 2019 AT 2:00 P.M. DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET BUILDING 1, CLEVELAND, OHIO 44105, BASEMENT MEETING 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).

June 5, 2019 and June 12, 2019

FRIDAY, JUNE 28, 2019

File No. 73-19 — Criminal and Civil Filing Supplies, for the Cleveland Municipal Clerk of Courts, Department of Finance, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, THURSDAY, JUNE 13, 2019 AT 10:30 A.M. JUSTICE CENTER, 1200 ONTARIO STREET, CLEVELAND, OHIO 44113, LEVEL 2.

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).

June 5, 2019 and June 12, 2019

WEDNESDAY, JULY 10, 2019

File No. 76-19 — 2019 Hazardous Tree Maintenance, 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, THURSDAY, JUNE 20, 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).

June 12, 2019 and June 19, 2019

**ADOPTED RESOLUTIONS
AND ORDINANCES**

Res. No. 407-2019.

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

An emergency resolution declaring the intent to vacate a portion of Gehring Avenue.

Whereas, this Council is satisfied that there is good cause to vacate a portion of Gehring Avenue, 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:

A portion of Gehring Avenue

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio, and being part of original Brooklyn Township Lot Number 69, being part of Gehring Avenue (66 feet wide), originally dedicated as Brinard Street as part of Willeyville Allotment as recorded in Plat Book 2, Page 16, being further bounded and described as follows:

Beginning at a stone with a drill hole found on the centerline of said Gehring Avenue and the centerline of vacated Eureka Court (16.5 feet wide, Vacation Ordinances 640-99 and 72358) said stone being the POINT OF BEGINNING of the parcel of land hereinafter described:

1. Thence S 58° 16' 39" W for a distance of 47.89 feet to a rebar set;

2. Thence N 31° 43' 21" W for a distance of 47.95 feet to a point on the existing east right of way line of West 25th Street (82 1/2" wide) at the southwest corner of a parcel conveyed to Ohio City Legacy LLC as recorded in AFN 201901150661, as shown on Assembly Plat recorded in Plat Book 243, Page 85;

3. Thence on the south line of said Ohio City Legacy LLC and the north right of way line, N 58° 04' 00" E for a distance of 38.36 feet to a point at the southeast corner of said Ohio City Legacy LLC and the west right of way line of said Gehring Avenue;

4. Thence on the east line of said Ohio City Legacy LLC and west right of way line of Gehring Avenue N 0° 37' 09" W for a distance of 557.08 feet to a point;

5. Thence on the east line of said Ohio City Legacy LLC and west right of way line of Gehring Avenue northwesterly on a curve to the left, having an arc distance of 31.62 feet, having a central angle of 120° 47' 54", a radius of 15.00 feet, and a chord bearing N 61° 01' 06" W for a chord distance of 26.08 feet to a point on the south right of way line of Lorain Avenue (102 feet wide);

6. Thence N 58° 34' 57" E for a distance of 40.34 feet to a drill hole set;

7. Thence S 25° 55' 03" E for a distance of 7.60 feet to a drill hole set;

8. Thence southeasterly on a curve to the left, having an arc distance of 47.49 feet, having a central angle of 16° 08' 23", a radius of 168.61 feet,

and a chord bearing S 34° 03' 56" E for a chord distance of 47.34 feet to a drill hole set;

9. Thence S 30° 21' 53" W for a distance of 49.16 feet to a drill hole set;

10. Thence parallel to and 17.00 feet west of the centerline of said Gehring Avenue S 0° 37' 09" E for a distance of 278.85 feet to a drill hole set;

11. Thence N 89° 22' 51" E for a distance of 50.00 feet to a drill hole found on the existing east right of way line of said Gehring Avenue at the northwest corner of a parcel conveyed to West Side Market House Tenants Association as recorded in Volume 14639, Page 801 and the southwest corner of a parcel conveyed to Gehring Property Company, LLC as recorded in AFN 201704070331;

12. Thence along the existing east right of way line of Gehring Avenue, S 0° 37' 09" E for a distance of 259.51 feet to a point in the centerline of said vacated Eureka Court;

13. Thence on the centerline of vacated Eureka Court, S 89° 22' 51" W for a distance of 33.00 feet to the Point of Beginning, containing 0.5864 acres (25,543 sq.ft.) of land, more or less, and subject to all easements, restrictions and covenants of record. The above description prepared by Steven L. Mullaney, P.S. 7900 of Glaus, Pyle, Schomer, Burns & DeHaven, Inc., dba GPD Group, and based on a field survey made in January of 2019.

All bearings referred to herein, are relative to grid north of the Ohio State Plane Coordinate System, North Zone, NAD83 (2011), as determined from GNSS measurements tied to the Ohio Department of Transportation's VRS system.

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

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

Adopted June 3, 2019.

Effective June 5, 2019.

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.

Adopted June 3, 2019.

Effective June 5, 2019.

Res. No. 477-2019.

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

An emergency resolution declaring the intent to vacate a portion of the 1st Un-named Alley North of Trent Avenue and East of West 40th Street.

Whereas, this Council is satisfied that there is good cause to vacate a portion of the 1st Un-named Alley North of Trent Avenue and East of West 40th Street, as described; and

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

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

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

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being all that portion of the 1st Un-named Alley (12.00 feet wide) North of Trent Avenue (50.00 feet wide) (formerly East Trent Street) and East of West 40th Street (50.00 feet wide) (formerly Keil Street) extending from the Easterly line of said West 40th Street, Easterly approximately 120 feet to its terminus as shown in the Rhodes, Hartnell, Barber & Selden Re-Subdivision, recorded in Volume 27, Page 8 of the Cuyahoga County Map 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.

Adopted June 3, 2019.
Effective June 5, 2019.

Res. No. 478-2019.
By Council Members McCormack, Johnson and Brancatelli (by departmental request).

An emergency resolution declaring the intent to vacate a portion of West 4th Street and Mahoning Avenue.

Whereas, this Council is satisfied that there is good cause to vacate a portion of West 4th Street and Mahoning Avenue, as described; and Whereas, this resolution constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

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

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

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Brooklyn Township Lot No. 87, further described as follows:

West 4th Street
Being all that portion of West 4th Street (50.00 feet wide) extending from the Northerly line of Mahoning Avenue S.E. (50.00 feet wide) to the Northerly line of Cuyahoga Avenue S.E. (60.00 feet wide).

Mahoning Avenue
Being all that portion of Mahoning Avenue S.E. (50.00 feet wide) extending from the Westerly line of West 3rd Street (70.00 feet wide) westerly to that portion of Mahoning Avenue S.E. vacated by City of Cleveland Ordinance 2225-41 passed February 9, 1942.

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

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

Adopted June 3, 2019.
Effective June 5, 2019.

Res. No. 663-2019.
By Council Member Kelley (by departmental request).

An emergency resolution to adopt and declare a Tax Budget for the City of Cleveland for the year 2020 and submit it to the County Budget Commission as required by State Law, Chapter 5705 of the Revised Code.

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 the Council, under the provisions of Chapter 5705 of the Revised Code, after public hearings as required by law, does adopt the statements of the year 2020 requirements for the several funds of the City of Cleveland as being the budget required by state law to be submitted to the County Budget Commission, which requirements are contained in File No. 663-2019-A.

Section 2. That the Clerk of Council is directed to certify a copy of the resolution to the County Auditor of Cuyahoga County.

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

Adopted June 3, 2019.
Effective June 5, 2019.

Res. No. 682-2019.
By Council Members Kelley, Zone, and Brancatelli.

An emergency resolution recognizing Cuyahoga50, a community-wide celebration of 50 years of progress since the last Cuyahoga River fire, and the need for continued vigilance and partnership with regional, state, and federal entities to ensure every Cleveland has access to clean water.

Whereas, The City of Cleveland honors those individuals in Cleveland and beyond that, over the last 50 years, are responsible for the recovery and re-naturalization of the Cuyahoga River, while also creating a model for how recreation and industry can co-exist; and

Whereas, from Wednesday, June 19th through Sunday, June 23rd, the City of Cleveland celebrates 50 years of progress on the Cuyahoga River with 25 events over 5 days, making Cuyahoga50 the largest series of clean water events in the country; and

Whereas, the Cuyahoga River is an important resource in northeast Ohio, providing jobs; drinking water; and fishing, boating, and swimming opportunities; and

Whereas, clean water has been a key component of Mayor Jackson's Sustainable Cleveland 2019 initiative, a 10-year plan to advance progress in making Cleveland a "green city on a blue lake"; and

Whereas, the Cuyahoga River has come a long way from its past, marking 50 years of progress since the river last caught on fire in on June 22, 1969; and

Whereas, the 1969 fire was just seen as another fire on the Cuyahoga River until Cleveland Mayor Carl Stokes sparked public outcry and demand action in Cleveland and across the nation, spurring Congress to establish the U.S. Environmental Protection Agency in 1970 and pass the federal Clean Water Act in 1972; and

Whereas, the Clean Water Act established critical water quality

protection rules that helped clean our lakes, rivers, streams, and wetlands; and

Whereas, as we celebrate how much water quality has improved over the last 50 years, the Clean Water Act protections for streams and wetlands are being eliminated by the federal administration, ignoring the critical benefits provided by these water bodies; and

Whereas, by eliminating protections for these small and seasonal streams and wetlands, Lake Erie will likely experience more nutrient pollution leading to potentially larger and more toxic algal blooms; and

Whereas, agricultural pollution is largely unregulated and yet is the largest source of nutrient pollution to Lake Erie, a source of drinking water for approximately 3 million Ohioans; and

Whereas, this Council established the Lake Erie Water Quality Subcommittee to study the effects of algae blooms on our water supply; Cleveland Water and Water Pollution Control have served as leading water utilities, working to make significant water infrastructure upgrades that address algae blooms and other threats to clean water; and

Whereas, there is still an approximately \$27 billion need in Ohio over the next 20 years in water infrastructure upgrades; and

Whereas, clean water is not only our greatest natural resource, it also drives our economy – 1.5 million jobs in the Great Lakes region rely on our freshwater resource; and

Whereas, the Great Lakes Restoration Initiative is critical to the health of the Cuyahoga River and Lake Erie, with more than \$13 million already invested to fund over 40 projects to remediate and restore the Cuyahoga River; and

Whereas, in 1969, the Cuyahoga River served to divide the east and west sides of the city more than unite them; now, a healthy Cuyahoga can help bridge the two, helping to extinguish racial barriers and serve as a community meeting place; and

Whereas, the City of Cleveland is committed to addressing clean water issues related to affordability, access, education, and resiliency; and

Whereas, the City of Cleveland will continue to implement the Cleveland Climate Action Plan, including its focus on making Clevelanders more resilient to the impacts of climate change, including more rain and more intense storms; and

Whereas, the City of Cleveland is working toward returning to its roots as the "Forest City", in collaboration with the Cleveland Tree Coalition, with the goal of a 30% tree canopy by 2040, and the ultimate goal of achieving 40%; and

Whereas, the City of Cleveland requests all members of the Ohio General Assembly to call for the reinstatement of the Clean Water Rule to protect small, seasonal streams and wetlands; support increased funding for the Great Lakes Restoration Initiative and water infrastructure; prioritize green infrastructure and farm bill funding for projects that improve water quality; establish Ohio as a national leader in the development of the blue economy; and ensure our

most vulnerable residents have access to clean, affordable water; and

Whereas, in 1969, the primary water problem was industrial pollution, while today, the major threats to clean water are different than those faced in 1969: climate change, drought, plastic pollution, invasive species, agricultural runoff and harmful algae blooms, among others; and

Whereas, like in 1969, the City of Cleveland is committed to partnering with regional, state, and federal entities to address meet these challenges; 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. This Council recognizes Cuyahoga50, a community-wide celebration of 50 years of progress since the last Cuyahoga River fire, and the need for continued vigilance and partnership with regional, state, and federal entities to ensure every Clevelander has access to clean water.

Section 2. This Council directs the Clerk of Council to send copies of this resolution to the Ohio Environmental Council, Max Schaefer, Regional Director and the Alliance for the Great Lakes.

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 June 3, 2019.
Effective June 5, 2019.

Res. No. 731-2019.

By Council Members Kelley, Griffin and J. Jones (by departmental request).

An emergency resolution strongly urging the Ohio Governor and Members of the Ohio General Assembly to restore the Local Government Fund to pre-recession levels.

Whereas, the Local Government Fund was reduced in 2011 by 50% during the Kasich Administration, from 3.68% of General Revenue Funds to its current level of 1.66% of General Revenue Funds; and

Whereas, past Ohio General Assemblies have repeatedly decreased funding and revenue sharing in recent years in addition to significantly reducing the Local Government Fund, including eliminating the Estate Tax and phasing out the Tangible Personal Property Tax; and

Whereas, these reductions have resulted in a loss of revenue of \$163,207,902; and

Whereas, this sudden revenue loss has made it increasingly difficult to provide basic services, rebuild infrastructure, and bolster public safety services to fight the opioid epidemic; and

Whereas, when municipalities experience success in fostering safe

communities, building sound infrastructure, and increasing economic development, the State of Ohio reaps the benefits as well; and

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

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that a reinvestment of Local Government Fund would aid the state in its goal of lowering taxes on the individual by enabling municipalities to decrease the local tax burden; now, therefore

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

Section 1. The Ohio General Assembly should restore the Local Government Fund to pre-recession levels, ensuring that these local communities are able to provide crucial services and improvements in infrastructure and public safety.

Section 2. This Council does hereby declare its opposition any further cuts to the Local Government Fund or the future diversion of revenues from the Local Government Fund.

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

Adopted June 3, 2019.
Effective June 5, 2019.

Res. No. 750-2019.

By Council Member Zone.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 1337 West 117th Street and repealing Resolution No. 644-2019 objecting to said permit.

Whereas, this Council objected to a transfer of ownership of a C1 and C2 Liquor Permit to West 117th Beverage, LLC, 1337 West 117th Street, Cleveland, Ohio 44107, Permit No. 9555774 by Resolution No. 644-2019 adopted by the Council on May 13, 2019; 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 and C2 Liquor Permit to West 117th Beverage, LLC, 1337 West 117th Street, Cleveland, Ohio 44107, Permit No. 9555774, be and the same is hereby withdrawn and Resolution No. 644-2019, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

Section 2. That this resolution is hereby declared to be an emergency measure and provided it receives the affirmative vote of two-thirds of all

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

Adopted June 3, 2019.
Effective June 5, 2019.

Res. No. 751-2019.

By Council Member Brady.

An emergency resolution withdrawing objection to the transfer of ownership of a C1, C2 and D6 Liquor Permit at 3778 West 117th Street and repealing Resolution No. 1060-18 objecting to said permit.

Whereas, this Council objected to a transfer of ownership of a C1, C2 and D6 Liquor Permit to Jaymadi, Inc., DBA Minimart, 3778 West 117th Street, Cleveland, Ohio 44111, Permit No. 4258670 by Resolution No. 1060-18 adopted by the Council on August 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 C1, C2 and D6 Liquor Permit to Jaymadi, Inc., DBA Minimart, 3778 West 117th Street, Cleveland, Ohio 44111, Permit No. 4258670, be and the same is hereby withdrawn and Resolution No. 1060-18, 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.

Adopted June 3, 2019.
Effective June 5, 2019.

Res. No. 752-2019.

By Council Member Zone.

An emergency resolution withdrawing objection to the transfer of ownership of a C1, C2 and D6 Liquor Permit at 7201 Lorain Avenue and repealing Resolution No. 299-2019 objecting to said permit.

Whereas, this Council objected to a transfer of ownership of a C1, C2 and D6 Liquor Permit to 7205 Lorain Avenue, Inc., 7201 Lorain Avenue, Cleveland, Ohio 44102, Permit No. 8003708 by Resolution No. 299-2019 adopted by the Council on March 4, 2019; 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, C2 and D6 Liquor Permit to 7205 Lorain Avenue, Inc., 7201 Lorain Avenue, Cleveland, Ohio 44102, Permit No. 8003708, be and the same is hereby withdrawn and Resolution No. 299-2019, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted June 3, 2019.
Effective June 5, 2019.

Res. No. 753-2019.

By Council Member Kazy.

An emergency resolution withdrawing objection to the transfer of ownership of a D5 and D6 Liquor Permit at 12210 Lorain Avenue and repealing Resolution No. 883-18 objecting to said permit.

Whereas, this Council objected to a transfer of ownership of a D5 and D6 Liquor Permit to Tilt, LLC, DBA Tilt Bar & Patio, 12210 Lorain Avenue, Cleveland, Ohio 44111, Permit No. 8933851 by Resolution No. 883-18 adopted by the Council on July 18, 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 D5 and D6 Liquor Permit to Tilt, LLC, DBA Tilt Bar & Patio, 12210 Lorain Avenue, Cleveland, Ohio 44111, Permit No. 8933851, be and the same is hereby withdrawn and Resolution

No. 883-18, 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.

Adopted June 3, 2019.
Effective June 5, 2019.

Res. No. 754-2019.

By Council Member J. Jones.

An emergency resolution withdrawing objection to the Liquor Agency Contract located at 4071 Lee Road, Unit 290, 1st floor and repealing Resolution No. 333-2019.

Whereas, this Council objected to the Liquor Agency Contract at RPM Spirits, Inc., DBA One Stop Liquor, 4071 Lee Road, Unit 290, 1st floor, Cleveland, Ohio, 44128, Permit Number 7569455 by Resolution No. 333-2019 adopted by the Council on March 18, 2019; 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 Liquor Agency Contract at RPM Spirits, Inc., DBA One Stop Liquor, 4071 Lee Road, Unit 290, 1st floor, Cleveland, Ohio, 44128, Permit Number 7569455, be and the same is hereby withdrawn and Resolution No. 333-2019, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

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

Adopted June 3, 2019.
Effective June 5, 2019.

Res. No. 755-2019.

By Council Member Cleveland.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 Liquor Permit at 3137 East 65th Street, 1st floor and basement and repealing Resolution No. 1129-18 objecting to said permit.

Whereas, this Council objected to a transfer of ownership of a C1 Liquor Permit to Tamka Ingram, DBA 65 Beverage, 3137 East 65th Street, 1st floor and basement, Cleveland, Ohio 44127, Permit No. 4142630 by Resolution No. 1129-18 adopted by the Council on September 10, 2019; 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 Tamka Ingram, DBA 65 Beverage, 3137 East 65th Street, 1st floor and basement, Cleveland, Ohio 44127, Permit No. 4142630, be and the same is hereby withdrawn and Resolution No. 1129-18, 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.

Adopted June 3, 2019.
Effective June 5, 2019.

Ord. No. 887-18.

By Council Member Brancatelli (by departmental request).

An ordinance to amend Sections 325.03, 337.23, 343.23, 357.09, and 357.13 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, relating to side yard setbacks, parking spaces sizes, residential garage placement and size, and conditional uses in the Pedestrian Retail Overlay; and to supplement the codified ordinances by enacting new Section 325.431 relating to the definition of Lot Interior.

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

Section 1. That the following sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 325.03, as amended by Ordinance No. 1205-58, passed June 30, 1958,
Section 337.23, as amended by Ordinance No. 814-10, passed October 4, 2010
Section 343.23, as amended by Ordinance No. 1648-12, passed November 27, 2012,
Section 357.09, as amended by Ordinance No. 573-18, passed July 18, 2018, and
Section 357.13, as amended by Ordinance No. 539-12, passed May 21, 2012
are amended to read as follows:

Section 325.03 Accessory Parking Space

“Accessory parking space” means an area open or enclosed, of not less than one hundred fifty-three (153) square feet accessible from a street, exclusive of drives or access area and to be used solely for the storage or parking of motor vehicles for use by the owner, tenants, visitors, patients, clients, customers or employees of the main building, structure or land use. Off-street loading requirements shall not be considered as accessory off-street parking spaces.

Section 337.23 Accessory Uses in Residence Districts

(a) *Permitted Accessory Uses.* The following accessory uses and buildings are permitted in a Residence District. Attached and detached garages shall be regulated as described in division (a)(6) of this section. All other permitted accessory buildings shall be located on the rear half of the lot, a minimum of eighteen (18) inches from all property lines and at least ten (10) feet from any main building on an adjoining lot in a Residence District. Accessory buildings shall not occupy more than forty percent (40%) of the area of the required rear yard and, in the case of a corner lot, shall be located back of any required setback or specific building line. For side street yard regulations consult Sections 357.05 to 357.07.

(1) Within a main building, the office of a surgeon, physician, clergyman, architect, engineer, attorney or similar professional person residing in such main building and employing in the office not more than one (1) non-resident office or laboratory assistant.

(2) Customary home occupation for gain carried on in the main building or in a rear building accessory thereto and requiring only customary home equipment; provided that no nonresident help is employed for that purpose, no trading in merchandise is carried on and no personal physical service is performed and, in a Limited One-Family District or in a One-Family District, no sign or other outward evidence of the occupation is displayed on the premises.

(3) Agricultural uses, subject to the regulations of Section 337.25 and Section 347.02 regarding the keeping of farm animals.

(4) Private incinerators for the burning of refuse and garbage produced on the same premises, provided that the construction is such as to assure immediate and complete combustion and freedom from offensive smoke, ash, unburned particles and odors, and a permit therefor is granted by the Commissioner of Environment.

(5) Fences and walls, as regulated in Chapter 358.

(6) Parking spaces for the occupants of the premises and, when the premises are used for other than residence purposes, for their employees, patrons and guests provided they are located in the rear half of the lot.

A. Interior Lots.

1. Detached garages. Permitted provided they are located in the rear half of the lot.

2. Attached Garages. Permitted provided they are located in the rear half of the lot, or provided that they have their entire width and height screened from a required or actual Front Yard Setback Building Line by an Active Use of at least 9 (nine) feet in depth.

B. Corner Lots.

1. Lot width: more than 40'

Attached and Detached garages. Permitted provided they are located in the rear half of the lot. Garage doors fronting a Side Lot Line shall be set back a minimum of eighteen (18) feet from the Side Lot Line, or a minimum of fifty percent (50%) of the established Side Street Setback, whichever is greater.

2. Lot width: 40' or less

a. Detached Garages. Permitted provided they are located in the rear half of the lot. Garage doors fronting a Side Lot Line shall be setback a minimum of 18 (eighteen) feet from the Side Lot Line.

b. Attached Garages. Permitted provided they are located in the rear half of the lot. Garage doors fronting a Side Lot Line shall be setback a maximum of twenty-four (24) feet from the Interior Side Lot Line. Any garage door fronting a side Lot Line and within eighteen (18) feet of a Side Lot Line shall be limited to a maximum of nine (9) feet in width.

C. In a Dwelling House District the floor area of a private garage erected as an accessory building shall not exceed eight hundred (800) square feet unless the lot area exceeds four thousand eight hundred (4,800) square feet in which event the floor area may be increased in the ratio of one (1) square foot for each twelve (12) square feet of additional lot area.

D. In Multi-Family Districts, garages and parking spaces erected or established as accessory uses shall be subject to the restrictions specified in Sections 343.19 to 343.21 and Chapter 349.

(7) Garage Sale or other Residential Property Sales, as defined in Section 676B.01(a), as long as they conform to the provisions in Chapter 676B.

(8) Signs permitted in accordance with the requirements of Chapter 350.

(9) Any other accessory use customarily incident to a use authorized in a Residence District except that no use prohibited in a Local Retail Business District shall be permitted as an accessory use.

(b) *Accessory Building Erected Prior to Erection of Main Building.* An accessory building may be erected prior to the construction of the main building only if:

(1) The accessory building is erected on the rear half of the lot;

(2) The accessory building is so placed as not to prevent the practicable and conforming location of the main building;

(3) The main building is completed within two (2) years from the date of issuance of the permit for the accessory building.

Section 343.23 Pedestrian Retail Overlay (PRO) District

(a) *Purpose.* The Pedestrian Retail Overlay (PRO) District is established to maintain the economic viability of older neighborhood shopping districts by preserving the pedestrian-oriented character of those districts and to protect public safety by minimizing conflicts between vehicles and pedestrians in neighborhood shopping districts.

(b) *Mapping.* The PRO District is an overlay district which shall be mapped only in an area where at least seventy-five percent (75%) of the underlying zoning is either Local Retail or General Retail. In every PRO District, any street frontage to be considered a "Pedestrian Retail Street Frontage," as defined in this section, shall be marked on the Zoning Map, with either one (1) or both sides of a street designated as such.

(c) *Applicability.* The PRO District regulations shall apply only in those portions of a PRO District in which the underlying zoning is either Local Retail or General Retail. In the relevant portions of a PRO District, the regulations of the underlying zoning district shall govern except where in conflict with the regulations of the PRO District, in which case the regulations of the PRO District shall govern.

(d) *Definitions.* As used in this section, the following terms shall be defined as stated below:

(1) "Pedestrian Retail Street Frontage" means that side or sides of a public street frontage where pedestrian-oriented retail shopping activity exists or is expected to exist and such street frontage is specifically designated on the Zoning Map.

(2) "Pedestrian Retail Space" means that portion of a building or property located at or closest to the level of the public sidewalk and within forty (40) feet of a Pedestrian Retail Street Frontage.

(3) "Open Sales Lot" means a property or portion of a property used for the sale of merchandise stored in outdoor, unenclosed locations.

(4) "Institutional Use" means, for purposes of this section, a school, day care center, place of worship, place of assembly, hospital, nursing home, residential treatment facility, or similar use.

(5) "Non-Retail Office" means an office use whose primary activity does not involve service to customers or clients on the premises.

(e) *Use Regulations.* All uses permitted in the underlying retail zoning district shall be permitted in the PRO District, except that the use of Pedestrian Retail Spaces, as defined in this section, shall be further limited as follows.

(1) *Prohibited Uses.* For Pedestrian Retail Spaces, as defined in this section, the following uses shall be prohibited:

A. Open sales lots, as defined in this section;

B. Filling and service stations;

C. Car washes; and

D. Any business served by a drive-through lane providing access to windows or other facilities at which food or merchandise can be ordered or picked up, or business can be transacted by a person in a motor vehicle.

(2) *Conditional Uses.* For Pedestrian Retail Spaces, as defined in this section, the following uses shall be permitted as Conditional Uses, as approved by the City Planning Commission under the approval criteria provided in this section:

A. Off-street parking or loading areas;

B. Driveways extending across a public sidewalk;

C. Residential, institutional and non-retail office uses, as defined herein, except that ground-floor entrances and lobbies serving such uses located on upper floors or in a basement level shall be permitted without the requirement for conditional approval;

D. Any building-enclosed use that does not have a public pedestrian entrance from the Pedestrian Retail Street Frontage;

E. A building with an interior side yard more than four (4) feet in width and located within forty (40) feet of a Pedestrian Retail Frontage.

(f) *Criteria for Conditional Uses.* The City Planning Commission shall approve a Conditional Use application if it determines that the application meets the following criteria:

(1) In the case of a proposed residential, institutional or non-retail office use, one (1) or more of the following conditions apply:

A. The subject building space was designed specifically for the type of use proposed and, as such, occupancy by an allowed use is an unreasonable expectation;

B. Denial of the application for occupancy by a conditional use would result in a long-term vacancy of the subject property, as demonstrated by the applicant;

C. It has been determined that the proposed use is needed in the immediate area and that suitable alternative locations are unavailable.

(2) In the case of a proposed off street parking or loading area or driveway, one (1) or both of the following conditions apply.

A. The size, shape or layout of the subject property does not permit placement of the parking, loading or driveway in a more suitable location.

B. It has been demonstrated by the applicant that placement of the parking, loading or driveway in an allowed location would jeopardize the continued occupancy of the subject property by uses suited to the PRO District.

(3) In the case of a building enclosed use that does not have an entrance from the Pedestrian Retail Street Frontage, one (1) or both of the following conditions apply:

A. The proposed use will occupy an existing building that lacks such pedestrian entrance, and the addition of a conforming pedestrian entrance is made infeasible by the configuration of the interior space or other factors related to the design and placement of the building.

B. Placement of the pedestrian entrance in a location other than on the Pedestrian Retail Street Frontage will result in more suitable pedestrian access.

(4) In the case of an interior side yard more than four (4) feet in width and located within forty (40) feet of a Pedestrian Retail Frontage, the subject building will be occupied by residential units which require the greater side yard area to allow for desirable levels of light and air.

(g) *Maximum Setbacks.* Notwithstanding the provisions of the underlying zoning district, properties in PRO Districts shall conform to the following regulations with respect to maximum setbacks.

(1) *Front Street Yard.* No main building on a lot abutting a Pedestrian Retail Street Frontage shall be set back more than five (5) feet from the Pedestrian Retail Street Frontage unless the City Planning Commission has approved establishment of a surface parking lot in such location as a Conditional Use. Such building features as entrances and display windows may be set back up to an additional five (5) feet as long as these features occupy no more than fifty percent (50%) of the building's total frontage. These setback regulations shall not apply to portions of buildings above the first-story level.

(2) *Interior Side Yard.* No portion of an interior side yard located within forty (40) feet of a Pedestrian Retail Street Frontage shall exceed four (4) feet in width on the ground floor level, unless the City Planning Commission has approved a driveway or a residential side yard in such location as a Conditional Use.

(3) *Exceptions for Outdoor Cafes.* A building may be set back a maximum of fifteen (15) feet from the Pedestrian Retail Street Frontage in order to accommodate a permanent outdoor café. If use of such café is discontinued for a period of two (2) years or more, the setback area shall be landscaped or otherwise improved in accordance with a plan approved by the City Planning Commission.

(h) *Window Areas.* For any nonresidential building or storefront facing a Pedestrian Retail Street Frontage, not less than sixty percent (60%) of the front facade between two and one-half (2-1/2) and seven and one-half (7-1/2) feet in height shall be composed of transparent windows or doors. In addition, not more than twenty-five percent (25%) of such window or door area on a building or storefront shall be covered with permanent signs.

(i) *Parking.* In recognition of the expected greater use of public transit, bicycles and walking by customers and employees traveling to PRO Districts, the minimum number of parking spaces otherwise required by the Zoning Code shall be reduced by thirty-three percent (33%) for retail business uses in the districts. The Board of Zoning Appeals may further reduce parking requirements where it has been demonstrated that additional park-

ing is available in common or shared parking facilities or in on-street parking areas located within a reasonable walking distance of the use, given the nature of the use and the district. The Board shall also consider factors as the number of bicycle racks available in proximity to a use. In making its determination, the Board shall be guided by an up-to-date analysis of parking supply and demand and other relevant factors submitted by or on behalf of the applicant. The City Planning Commission shall maintain a file of all such parking analyses submitted for properties in each PRO District.

(j) *Signs in the Public Street Right-of-Way.* An ordinance to map a PRO District in a particular location may include permission to place private signs in the public street right-of-way under the regulations of Chapter 512 of the Codified Ordinances. Such provision shall be included in the PRO designation only if it is determined, on the basis of a survey and analysis conducted by the City Planning Commission, that the particular PRO District is characterized by a preponderance of restaurants and small independent stores for which signs placed near the street curb would provide useful information to pedestrians seeking goods and services and would enhance the pedestrian-oriented image of the district. Any PRO District designated for display of signs in the street right-of-way shall be shown on the Zoning Map as a "PRO-S" District, with "S" noting the presence of special sign provisions. No sign permitted by these provisions shall be displayed without design approval of the sign's structure and permanent elements by the City Planning Commission, or where applicable, by the Landmarks Commission.

(k) *Variances.* The Board of Zoning Appeals may grant variances to requirements of this section under the applicable criteria stated in Chapter 329 of this code. In the case of an appeal for a variance to permit a drive-through business in a PRO District, the Board shall consider the following factors based, in part, on a traffic study performed by the applicant:

(1) The anticipated volume of vehicular use of the proposed drive-through facility, with higher volumes considered to detract from the pedestrian character of the district;

(2) The anticipated proportion of drive-through customer transactions to all transactions at the business, with over fifty percent (50%) of drive-through transactions indicating that the business is an inappropriate use for a Pedestrian Retail District.

(3) The impact of the drive-through facility on the pedestrian character of the designated Pedestrian Retail Street Frontage;

(4) The impact on traffic safety and pedestrian safety in the vicinity of the drive-through business.

(l) *Appeals.* Appeals from the decision of the City Planning Commission to approve or disapprove Conditional Uses in Pedestrian Retail Spaces shall be made to the Board of Zoning Appeals.

Section 357.09 Required Interior Side Yards

(a) *Where Required.*

(1) Interior side yards conforming to the provisions of this section shall be provided and maintained along the interior side lot lines of all buildings or parts of buildings of Residential Occupancy or Institutional H Occupancy Classification irrespective of the use district in which they are located.

(2) Interior side yards conforming to the provisions of this Zoning Code shall be provided and maintained along the interior side lot lines of all main buildings in Residence Districts irrespective of the occupancy classification of the building.

(b) *Width.*

(1) *Limited One-Family Districts.* In a Limited One-Family District the minimum width of an interior side yard shall be five (5) feet and the aggregate width of side yards on the same premises shall be not less than twenty (20) feet. No building shall be erected less than twenty (20) feet from a main building on an adjoining lot within such District, nor less than ten (10) feet from a main building on an adjoining lot in other Residence Districts.

(2) *Other Residence Districts.*

| Where applicable | | Min. distance to property line | Aggregate width of side yards | Min. distance between main buildings on adjoining lots |
|----------------------------------|-------------------------------|---|-------------------------------|--|
| A. Limited One Family | | 5' | 20' | Limited One Family District: 20' Other Residence Districts: 10' |
| B. One Family | | 1/2 height of main building or min. 10' | No requirement | 10' |
| C. Two Family | | 3' | 6' | 6' |
| D. Multi-Family | One or Two family Building | 3' | 6' | 6' |
| | Multi-Family Building | 7' | 14' | 10' |
| E. All other Residence Districts | | 5' | 10' | 10' |
| F. All other Districts | Abutting a Residence District | 7' | No requirement | 10' |
| | Abutting all other Districts | 0' | | 0' |

(3) *Irregularly Shaped Lots.* In the case of an irregular, triangular or segment-shaped lot, the required width of a required interior side yard shall be interpreted to mean the average width, provided that no such required interior side yard on any lot shall be less than three (3) feet in width at any point.

(4) Interior Side Yards Adjoining Alleys.

A. An alley line at the side of a lot shall be deemed to be an interior side lot line.

B. The half-width of an alley abutting and parallel to the side line of a lot may be considered as part of an interior side yard required on that side. However, in all cases a setback from the alley line of not less than three (3) feet shall be provided.

(5) **Interior Side Yards Adjoining Nonconforming Side Yards.** For a period of one (1) year from and after January 29, 1950, in Multi-Family Districts on any lot where the adjoining interior side yard of an existing building does not conform to the provisions of subsection (b)(2)C. hereof, the minimum width and area of the interior side yard on that side may be the average between the requirements specified in subsection (b)(2)C. hereof, and such existing adjoining side yard, but if such existing side yard is less in width than one-sixth (1/6) its building height (the ordinance requirement in effect prior to the passage of Ordinance No. 573-18 then the existing side yard shall be figured at one-sixth (1/6) the height of its building.

Section 357.13 Yard Encroachments Permitted

Required yard spaces shall be maintained free and unobstructed except for trees and shrubbery, and, in interior side or rear yards, cloths, poles, arbors, garden trellis and similar accessories, and except that the following encroachments shall be permitted.

(a) **Underground Garage or Accessory Space in Multi-Family Districts.** Within the required yard spaces back of the setback building line in a Multi-Family District, an underground garage or other accessory space may be constructed provided the height of such structure, including parapets, piers or railings, shall not exceed five (5) feet above the grade level, and provided such structure does not prevent free access to the rear yard.

(b) **Front Yard and Side Street Yard Encroachments.** Except as restricted or limited by other provisions of this Zoning Code, the following front yard and side street yard encroachments shall be permitted in any use district:

(1) Front yard and side street yard encroachments permitted under Chapter 3109, and Chapter 3113, except that in a Dwelling House District no entrance canopy shall be erected, and no marquees or fixed or retractable awning shall project more than six (6) feet beyond the building line or within ten (10) feet of the street line.

(2) Steps and landings, and their appurtenant railings, balustrades and parapets, leading up or down to floor levels directly above or below the grade level.

(3) Fences and walls, as regulated in Chapter 358.

(4) Open porticos or porches projecting not more than eight (8) feet, and enclosed porches, balconies or vestibules projecting not more than four (4) feet.

(5) Structures permitted by division (a) of Section 3113.10, division (a) of Section 3113.13 and Section 3113.16 or where not so permitted, gasoline pump islands, sign poles or similar temporary and easily removable structures, provided that conditional and temporary permits therefore are granted, subject to appropriate conditions and safeguards by the Board after public notice and public hearing, and provided, further, that the erection, maintenance and use thereof do not conflict with the intent and purposes of this Zoning Code.

(6) For one (1) to four (4) family dwelling structures, wheelchair lifts, including platform and appurtenant structures, set back a minimum of five (5) feet from any public right-of-way and a minimum of three (3) feet setback from any other property line, to be removed when no longer in use.

(7) For one (1) to four (4) family dwelling structures, wheelchair ramps set back a minimum of five (5) feet from any public right-of-way and a minimum of three (3) feet from any other property line, to be removed when no longer in use, and meeting slope requirements and all other requirements of the Ohio Building Code, and as determined by collaboration between the City Planning Commission office and the Department of Building and Housing:

A. designed to minimize the length of the ramp; and

B. located in a side yard or rear yard unless such placement is determined to be infeasible, thereby necessitating location in a front yard.

(c) **Rear Yard and Interior Side Yard Encroachments.** Except as restricted or limited by other provisions of this Zoning Code, the following rear yard and interior side yard encroachments shall be permitted in any use district:

(1) In rear yards only, accessory buildings and uses in connection with Residence Occupancy as defined and limited in Section 337.23, and similar accessory buildings and uses in connection with buildings of Institutional H Occupancy Classification. Accessory buildings or uses attached or forming part of a main building shall be permitted to encroach upon such rear yards to the extent permitted for detached accessory buildings or uses.

(2) Projections for architectural embellishment listed in Section 3109.08, provided that no main cornice or eaves shall project into a required yard more than two (2) feet, measured horizontally, and no bar or oriel shall be constructed in a required interior side yard and none shall project into a required rear yard more than eighteen (18) inches, and no other projection shall exceed the maximum permissible projection specified in Section 3109.08 or be so located as to materially obstruct natural light or ventilation.

(3) Fixed awnings, as permitted by Section 3109.10.

(4) Retractable awnings, as permitted by Section 3109.11.

(5) Steps, landings and their appurtenant railings, balustrades and parapets, leading up or down to floor levels directly above or below the grade level, not extending nearer than one (1) foot to a rear or side lot line.

(6) Chimneys projecting not more than thirty-two (32) inches, downspouts projecting not more than twelve (12) inches, and ventilating ducts or pipes projecting not more than thirty-two (32) inches and having a maximum aggregate cross-sectional area in any yard and at any level or one thousand twenty-four (1,024) square inches.

(7) Fences, walls, hedges or other barriers, as regulated in division (a)(6) of Section 337.23.

(d) **Temporary Structures.** Temporary offices, bridges, barricades and similar structures required for and incident to building construction.

Section 2. That the following existing sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 325.03, as amended by Ordinance No. 1205-58, passed June 30, 1958,

Section 337.23, as amended by Ordinance No. 814-10, passed October 4, 2010

Section 343.23, as amended by Ordinance No. 1648-12, passed November 27, 2012,

Section 357.09, as amended by Ordinance No. 573-18, passed July 18, 2018 and

Section 357.13, as amended by Ordinance No. 539-12, passed May 21, 2012

are repealed.

Section 3. That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 325.431 to read as follows:

Section 325.431 Lot, Interior

“Lot, Interior” means a lot other than a corner lot.

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 June 3, 2019.
Effective July 3, 2019.

Ord. No. 257-2019.

By Council Member McCormack.
An emergency ordinance to amend Section 551.22 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 773-A-80, passed December 14, 1981, relating to the waste collection hours in and near a residential district.

Whereas, residents in and near residential districts have been disrupted by early morning waste collection times by private commercial waste haulers; 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 Section 551.22 of the Codified Ordinances of Cleveland, Ohio 1976, as enacted by Ordinance No.

773-A-80, passed December 14, 1981, is amended as follows:

Section 551.22 Hours of Collection and Transportation

No person owning or driving a vehicle hauling solid waste shall cause the collection, transportation or transfer of such waste other than between the hours of 6:00 a.m. and 7:00 p.m., except that in areas within 250 feet of a residential district such collection, transportation or transfer shall begin no earlier than 7:00 a.m. No collection, transportation or transfer shall occur on Saturdays after 6:00 p.m. or on Sundays. Application for exceptions to this provision may be made to the Director of Public Works, on a form provided by the Director. Such exceptions shall be granted only where the applicant is able to demonstrate circumstances of great

practical difficulty in the collection and transportation of solid waste in areas where there is heavy daytime vehicular and pedestrian traffic and a concentration of commercial activity.

Section 2. That existing Section 551.22 of the Codified Ordinances of Cleveland, Ohio 1976, as enacted by Ordinance No. 773-A-80, passed December 14, 1981, is repealed.

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

Passed June 3, 2019.
Effective June 5, 2019.

Ord. No. 376-2019.

By Council Members Griffin and Kelley (by departmental request).
An emergency ordinance to amend Section 241.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1333-18, passed November 26, 2018, relating to food shop licenses and fees.

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 241.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1333-18, passed November 26, 2018, is amended to read as follows:

Section 241.05 Food Shop Licenses and Fees

(a) No food shop shall be operated without the person, firm, association, or corporation conducting the business first applying for and obtaining an annual license. All fees and charges assessed under this section shall be paid to the Commissioner of Assessments and Licenses.

(b) The provisions of RC Chapters 3715 and 3717 pertaining to the licensing, administration and enforcement of food safety programs by the local licensing authority are adopted and incorporated herein by the City of Cleveland.

(c) The holder of a food service operation license as defined by state law shall not be required to obtain a retail food establishment license except when the activities of a retail food establishment and a food service operation are carried on within the same facility by the same person or entity, then the determination of what license applies shall be made according to the primary business of the person or entity as determined by the licensor, the City of Cleveland Director of Public Health, as described in RC 3717.44.

(d) Each application to the Commissioner of Assessments and Licenses for a mobile food service operation license required under RC 3717.43 shall be accompanied by a combined license and inspection fee as follows:

| | 2018 | |
|-------------------|-------------|------------|
| Risk Level | | Fee |
| Mobile | | \$200.00 |
| | | |
| | 2019 | |
| Risk Level | | Fee |
| Mobile | | \$275.00 |

(e) Each application to the Commissioner of Assessments and Licenses for a vending food service operation license required under RC 3717.43 shall be accompanied by a combined license and inspection fee as follows:

| | 2018 | |
|-------------------|-------------|------------|
| Risk Level | | Fee |
| Vending | | \$14.20 |
| | | |
| | 2019 | |
| Risk Level | | Fee |
| Vending | | \$14.48 |

(f) Each application to the Commissioner of Assessments and Licenses for a temporary commercial food service operation and temporary non-commercial food service operation license required under RC 3717.43 shall be accompanied by a combined license and inspection fee as follows:

| | 2018 | |
|-------------------------------------|-------------|------------|
| Risk Level | | Fee |
| 5-day temporary | | \$74.00 |
| 5-day temporary (non-commercial) | | \$37.00 |
| | 2019 | |
| Risk Level | | Fee |
| 5-day temporary | | \$80.00 |
| 5-day temporary (non-commercial) | | \$40.00 |

(g) The Commissioner of Assessments and Licenses may also collect fees for collection and bacteriological examination of samples taken from a food shop in an amount equal to the cost of such collection and examination as determined by the Director of Public Health.

(h) Except for plans pertaining to mobile or temporary food service operations or vending devices, the Commissioner of Assessments and Licenses shall collect fees in the amounts stated below, for plan reviews of food shops prior to submission of plans to the Department of Public Health:

| 2018 Plan Review Fee | Commercial | Non-Commercial |
|--|-------------------|-----------------------|
| New Operations, less than 25,000 sq. feet | \$225.00 | \$112.50 |
| New Operations, greater than 25,000 sq. feet | \$300.00 | \$150.00 |
| Extensive Alteration, less than 25,000 sq. feet | \$75.00 | \$37.50 |
| Extensive Alteration, greater than 25,000 sq. feet | \$100.00 | \$50.00 |
| 2019 Plan Review Fee | Commercial | Non-Commercial |
| New Operations | \$400.00 | \$200.00 |
| Extensive Alteration | \$200.00 | \$100.00 |

(i) The Commissioner of Assessments and Licenses shall submit all applications for a food shop license to the Director of Public Health for approval or disapproval of the application.

(j) The Commissioner of Assessments and Licenses is authorized to collect license fees for retail food establishments and food service operations and deposit the fees into a fund created under RC 3717.25 and 3717.45.

(k) For purposes of this section, non-commercial organizations are defined as organizations such as churches, or non-profit organizations operated exclusively for charitable purposes as defined in RC 5739.02(B)(12), provided that displayed foods are not displayed for more than seven (7) consecutive days or more than fifty-two (52) separate days per year.

(l) For a food service operation, a penalty of twenty five percent (25%) of any license fee required by this section must be paid before the issuance of the license if the required license fee is not paid on or before the date it is due.

Section 2. That existing Section 241.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1333-18, passed November 26, 2018, is repealed.

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

Passed June 3, 2019.

Effective June 5, 2019.

Ord. No. 409-2019.
By Council Members Johnson and Brancatelli (by departmental request).

An emergency ordinance authorizing the Director of Capital Projects to issue one or more permits to MCI-metro Access Transmission Services Corp. d/b/a Verizon Access Transmission Services to encroach into the public right-of-way at various locations in the City of Cleveland by installing, using, and maintaining a wireline fiber optic communications network to include fiber optic cable, to be attached to utility poles (by separate permission of pole owner), duct banks and vaults.

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 MCI-metro

Access Transmission Services Corp. d/b/a Verizon Access Transmission Services, 7300 Northfield Rd. Walton Hills, OH 44146 ("Permittee"), to encroach into the public right-of-way at various locations within the City of Cleveland by installing, using, and maintaining a wireline fiber optic communications network to include fiber optic cable to be attached to utility poles (by separate permission of pole owner), duct banks and vaults. 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.

Section 2. That Permittee may assign a permit only with the prior 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 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 4. That the Director of Law shall prepare the permit(s) authorized by this ordinance and shall incorporate such additional provisions as the director determines necessary to protect and benefit the public interest. The permit(s) 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 5. That the permit(s) shall reserve reasonable right of entry to the City to each encroachment location.

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 June 3, 2019.
Effective June 5, 2019.

Ord. No. 410-2019.
By Council Members McCormack, Johnson and Brancatelli (by departmental request).

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to Flats Forward, Inc. to encroach into the public rights-of-way at four locations in the Flats by installing, using and maintaining four wayfinding signs.

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 Flats Forward, Inc., 1010 Euclid Avenue Suite 300, Cleveland, OH 44115 ("Permittee"), to encroach into the public rights-of-way at four locations in the Flats by installing, using and maintaining four wayfinding signs, as follows:

1. East side of Columbus Road and Carter Road, on island;
2. Main Avenue and West 10th Street, on island;
3. S.W. corner of West Superior Avenue and Robert Lockwood Drive; and
4. N.E. corner of West 25th Street and Washington Avenue.

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

Section 2. That the Director of Law shall prepare the permit authorized by this ordinance and shall incorporate such additional provisions as the Director 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.

Passed June 3, 2019.
Effective June 5, 2019.

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.

Passed June 3, 2019.
Effective June 5, 2019.

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.

Passed June 3, 2019.
 Effective June 5, 2019.

**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:

11. E. 27th St. and Payne Avenue, north - English & Chinese, English & Korean
12. E. 27th St. and Payne Avenue, south - English & Chinese, English & Tagalog
13. E. 31st St. and Payne Avenue, south - English & Chinese, English & Vietnamese
14. E. 32nd St. and Payne Avenue, north - English & Chinese, English & Thai
15. E. 33rd St. and Payne Avenue, north - English & Chinese, English & Hindi
16. E. 33rd St. and Payne Avenue, south - English & Chinese, English & Vietnamese
17. E. 34th St. and Payne Avenue, north - English & Chinese, English & Thai
18. E. 36th St. and Payne Avenue, south - English & Chinese, English & Korean
19. 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.

Passed June 3, 2019.
 Effective June 5, 2019.

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 Mid-Town 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.

Passed June 3, 2019.
Effective June 5, 2019.

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, deflecting to the right and having a radius of 380.00 feet, a delta of 77°34'41" and a chord of 476.11 feet bearing North 18°51'15" East 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.

Passed June 3, 2019.

Effective June 5, 2019.

Ord. No. 464-2019

By Council Member McCormack
An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976 by enacting new Sections 401.152, 401.153, 401.231, 473.10 and new Chapter 517, Shared Mobility Device and Bicycle Vendors, Sections 517.01 through 517.08, and to amend Sections 473.01 through 473.03, 473.05, 473.07 through 473.09, 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 and bicycles 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, 473.10 and new Chapter 517, Shared Mobility Device and Bicycle Vendors, Sections 517.01 through 517.08 to read as follows:

Section 401.152 E-Bike

E-Bike or "electric bicycle" is a two-wheeled device that has handlebars, a seat, and pedals designed to be operated similar to a bicycle, and is powered by electricity. E-Bike or "electric bicycle" means a "class 1 electric bicycle", a "class 2 electric bicycle", or a "class 3 electric bicycle" and is further defined as follows:

(a) "Class 1 electric bicycle" means a bicycle that is equipped with fully operable pedals and an electric motor of less than seven hundred fifty watts that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of twenty miles per hour.

(b) "Class 2 electric bicycle" means a bicycle that is equipped with fully operable pedals and an electric motor of less than seven hundred fifty watts that may provide assistance regardless of whether the rider is pedaling and is not capable of providing assistance when the bicycle reaches the speed of twenty miles per hour.

(c) "Class 3 electric bicycle" means a bicycle that is equipped with fully operable pedals and an electric motor of less than seven hundred fifty watts that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of twenty-eight miles per hour.

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 small mobility devices, such as scooters, e-scooters, e-bikes, or other similar devices. 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 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 so 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 and Bicycle Vendors

Section 517.01 Shared Mobility Device and Bicycle Vendor

"Shared mobility device and bicycle 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 device such as a scooter, e-scooter, e-bike, or any other mobility device as determined by the Director of Capital Projects, and bicycles that do not require a fixed docking apparatus to return ("devices"), to subscribers on a fee basis subscription for short-term rental in point-to-point trips.

Section 517.02 Shared Mobility Device and Bicycle Vendor Permit Application

(a) An application for a permit to operate as a shared mobility device and bicycle 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:

(1) The name, address, telephone number, e-mail address of the applicant and a contact person primarily responsible for the vendor's shared mobility device and bicycle operations;

(2) Images and descriptions of the devices and mobile application;

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

(4) Preferred service area at launch, including any planned expansions;

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

(6) Detailed plan for providing an equitable shared mobility device and bicycle service;

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

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

(b) Upon initial application, a permit shall be valid for not more than a 6-month demonstration period. Following successful completion of the demonstration period, as determined by performance criteria established by the Director of Capital Projects in the Rules and Regulations, the permittee may apply for a 6-month

permit renewal followed by annual permits thereafter. Permits may be renewed, on a form provided by the Director, provided all the requirements of this chapter are met, and no changes have been made from the previous approved application. The permit renewal fee shall be waived for the 6-month permit following the demonstration period. If there are changes to the application, a new application must be made and the appropriate permit fee shall accompany the application.

(c) Permittees must remove all devices and associated equipment within thirty (30) days after the expiration of the term.

Section 517.03 Permit Fee; Issuance

(a) The Director is authorized to charge and collect an application fee and a per trip fee from the permittee in an amount established by the Board of Control.

(b) All devices must comply with local and state safety standards, as well as those established by the Consumer Product Safety Commission.

(c) Each device must have a unique permanent identification number that is provided to the City and aligns with data reporting, as well as be labeled clearly with the permittee's logo and 24-hour customer service phone number.

(d) All devices shall have GPS equipment affixed to the device that is calibrated to ping a minimum of every 90 seconds while in use.

(e) Permittees must be able to remotely lock a device to prevent use.

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

(g) On the approval of an application by the Director, the Commissioner of Traffic Engineering, the Director of City Planning and the Director of Public Safety, the Director shall issue a permit in accordance with this Chapter.

Section 517.04 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 and bicycle vendors. Rules and regulations will include, but are not limited to, applicable procedures, fee schedule, indemnification agreement, operating regulations, insurance requirements, maximum number of vendor permits, maximum number of devices, fleet maintenance requirements, data sharing plan, and communications plan. The issuance of permits and all permittees shall be subject to the rules and regulations established by the Director.

Section 517.05 Permit Conditions

(a) Permittees and their agents shall comply with all of the requirements of this chapter and any applicable state law, and shall conduct business in compliance with all applicable provisions of the Codified Ordinances.

(b) Permittees and their agents shall be responsible for maintaining all devices and associated equipment in good repair, and in a safe, sound, and non-hazardous condition.

(c) Permittees and their agents shall obey any lawful order of a police officer to remove their shared mobility devices from the public right-of-way if necessary to avoid congestion or obstruction in an emergency.

(d) Permits shall be maintained by the permittee in such a manner that they are readily accessible on request from a City official. Each permit shall contain the following information:

(1) The name and address of the Permittee;

(2) A description of the permitted mobility device type and minimum and maximum permitted fleet size;

(3) The expiration date of the permit; and

(4) Any other information the Director deems appropriate.”.

(e) Any device and other associated equipment placed in a public sidewalk, court, alley, street or other public right-of-way without a permit issued under this section may be seized and removed. Prior to such seizure and removal, the permittee shall be notified and asked to immediately begin to remove the devices and associated equipment, and to complete the removal within a reasonable amount of time. If the permittee fails to remedy the violation, the city may seize and remove the equipment.

(f) The permittee 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.

(g) If a permit is granted, permittee shall agree to indemnify the City of Cleveland against liability, loss, or damage.

(h) Any damage to City of Cleveland property from shared mobility devices shall be paid by the permittee.

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

(j) No permittee has the exclusive right to operate within the City of Cleveland.

(k) When any device or other associated equipment placed on a public sidewalk, court, alley, street or other public right-of-way poses a risk or inhibits access to the right of way by other users, the permittee shall be notified and asked to immediately begin to remove the devices and associated equipment, and to complete the removal within a reasonable amount of time. If the permittee fails to remedy the violation, the City may seize and remove the equipment.

(l) Any device that is parked in one location for more than seven (7) consecutive days without moving may be seized and removed by the City.

(m) Notwithstanding any other provisions of this chapter, the City may seize any device and other associated equipment, whether placed with or without a permit, without prior notice if the equipment is placed in such a place or manner as to pose an immediate and serious danger to persons or property, or if the condition of the equipment renders it unsafe, unsound, or hazardous so as to pose an immediate and serious danger to persons or property. After seizure, the City shall promptly notify the permittee, and such individual shall have the right to request an informal hearing

before the Director within ten (10) days after such notification to determine whether the seizure was proper.

(n) Notwithstanding any codified ordinance to the contrary, police officers are authorized to provide for the removal of a mobility device located in the public right-of-way in violation of the provisions of this Chapter.

(o) As a condition of recovering any equipment seized pursuant to this section, the permittee shall pay an impound fee covering the actual cost to the City of transporting and storing such device and other associated equipment.

Section 517.06 Permit Suspension Revocation; Appeal

(a) A permit granted under this Chapter may be suspended or revoked by the Director at any time if the permittee violates the conditions or rules and regulations of the permit. Additionally, if the operation of shared mobility device and bicycle rentals on City streets and rights-of-way become a hazard or risk to the health, safety and welfare of the public, the Director may revoke existing permits and discontinue the issuance of permits under this Chapter. Upon suspension or revocation of a permit, the permittee shall, at no cost to the City, remove all devices from the right-of-way.

(b) The Director shall give written notice of suspension or revocation of the permit to the permittee or his or her agent stating the reasons therefor. The action shall be effective upon giving such notice to the permittee or to his or her agent, and the permittee shall have five (5) business days to remove all devices from the public right-of-way. If the business owner or operator of the equipment fails to comply, the City may seize and remove the devices.

(c) Within five (5) days of receipt of the notice, the permittee may request a hearing before the Director. The Director shall forthwith hold the requested hearing, at which time the permittee shall be afforded the opportunity to give his or her version of the facts which gave rise to the Director's action. After the hearing the Director shall determine whether to reinstate the permit or to permanently rescind it. The action of the Director may be appealed in accordance with the provisions of the Charter.

Section 517.07 Shared Mobility Fund

The Director of Finance shall establish a Shared Mobility Fund for the purpose of supporting the expansion of multi-modal infrastructure and programming. All permit and per-trip fees collected or received under this chapter shall be earmarked to the Shared Mobility Fund to support multi-modal infrastructure and programming, including bicycle and mobility device racks and shared bicycle and mobility device infrastructure. The Director of Capital Projects shall provide an annual report to the members of Council concerning the amount of revenue collected and deposited into the Shared Mobility Fund and how the funds were spent during that reporting year.

Section 517.08 Contracts

The Director is authorized to enter into a cooperative agreement with Cuyahoga County (“County”) related to the operation of devices and, if necessary, to receive payment of the City's share of the per-trip fees charged or collected by the County under its Bicycle and Scooter Share Licensing authority.

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, Section 473.08, 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 or mobility device 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.

(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 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 an e-scooter 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 an e-scooter shall exceed a speed at greater than twelve (12) miles per hour.

(7) No bicycle, mobility device or motorcycle shall be used to carry more persons 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 473.02, 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 as near to the right side of the roadway 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, mobility device, skateboard or roller skates upon a sidewalk within a business district.

(b) 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.

(c) 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.

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

(e) This section shall not apply to the Cleveland Divisions of Police, Emergency Medical Services, and Fire 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 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, Section 473.08, 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.

Passed June 3, 2019.

Effective June 5, 2019.

Ord. No. 511-2019.

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

An emergency ordinance authorizing the Director of Public Safety to enter into one or more mutual aid agreements with other political subdivisions in the State of Ohio for additional police protection, fire, and emergency medical services for aid and assistance in connection with the Major League Baseball Association 2019 All-Star Game being held in Cleveland on July 9, 2019, along with associated events and activities on days before and after the day of the Game.

Whereas, it is the intent of the City to provide for, and mutually enhance, the police, fire, and emergency medical service protection capabilities of the City and other municipalities in the Greater Cleveland area during the Major League Baseball Association 2019 All-Star Game to be held in the City of Cleveland on July 9, 2019, and the associated events, activities, and security concerns during and in the days before and after the Game for the benefit of the public safety and welfare during the time period of approximately July 5, 2019, through July 10, 2019; and

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

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

Section 1. That the Director of Public Safety is authorized to enter into one or more mutual aid agreements with other political subdivisions in the State of Ohio for additional police protection, fire, and emergency medical services in connection with the Major League Baseball Association 2019 All-Star Game to be held in the City of Cleveland on July 9, 2019, and the associated events, activities, and security concerns during the time period including and surrounding the Game of approximately July 5, 2019, through July 10, 2019.

Section 2. The Director of Law shall review all such agreements to determine that the terms and conditions are appropriate and consistent with the City's interests.

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 June 3, 2019.

Effective June 5, 2019.

Ord. No. 514-2019.

By Council Member McCormack.

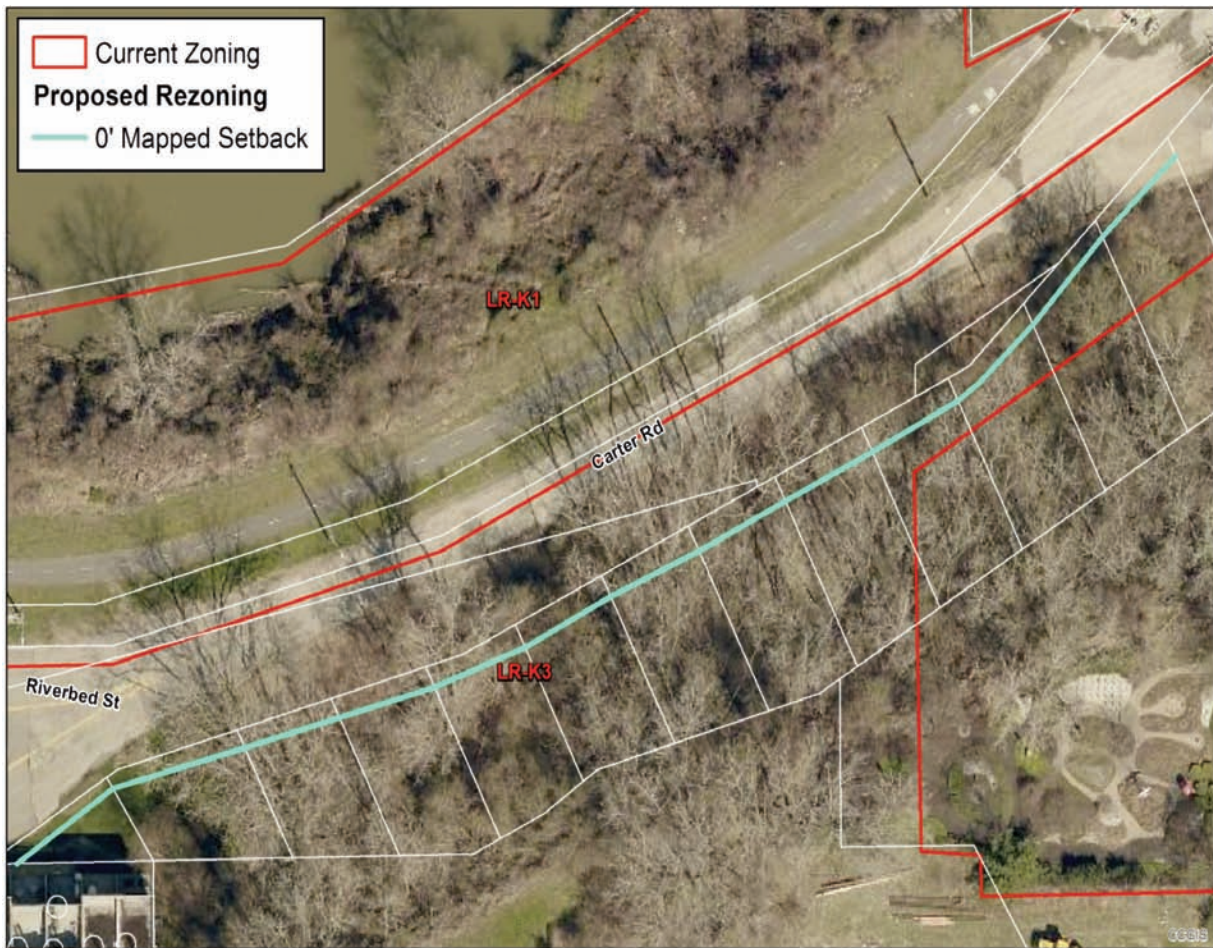
An ordinance establishing a zero foot Mapped Building Setback from the property line along the southern side of Carter Road between Riverbed Street and the eastern property line of Permanent Parcel No. 004-26-040 (Map Change 2600).

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

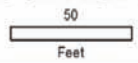
Section 1. That a Mapped Building Setback of zero (0) feet from the property line shall be established on the northern frontages of parcels of land along the south eastern side of Carter Road between the southwestern line of a parcel of land quit-claimed unto Irishtown Bend Condominium Association on July 2, 2018 and known as being Block A in the Carter Road Subdivision of part of Original Brooklyn Township Lot No. 70, as shown by the plat recorded as Instrument No. 2018011260402 (formerly AFN #201801260382) of Cuyahoga County Records also known as Permanent Parcel No. (PPN) 004-26-041; and the eastern line of a parcel of land conveyed by deed to Lake Link LLC on January 26, 2018 and known as being Sublot No. 12 in said Subdivision, as shown by the aforementioned plat of Cuyahoga County Records (PPN: 004-26-040); And as identified on the attached map, the zero (0) foot mapped building setback from the property line is hereby established on the Building Zone Maps of the City of Cleveland;

Section 2. That the changes described in Section 1 shall be identified as Map Change No. 2600, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.



Carter Road Subdivision
Map Change #2600
0' Proposed Mapped Setback is from the property line.



Cleveland City Planning Commission
 801 Lakeside Ave. Cleveland, OH 44114

Date: April 11, 2019

Passed June 3, 2019.
 Effective July 3, 2019.

Ord. No. 516-2019.
By Council Members Griffin, Johnson and Brancatelli (by departmental request).

An emergency ordinance authorizing the acquisition and recording of certain easement interests from Uptown Three L.P. for use of a public sidewalk to be used as a drop-off area for students and residents, for the Office of Capital Projects.

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

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

Section 1. That notwithstanding and as an exception to the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized to acquire, accept, and record certain easement rights from Uptown Three L.P. for use of a public sidewalk to be used as a drop-off area for students and residents, in and to the premises more particularly described as follows:

**SIDEWALK EASEMENT ON
 P.P.N. 120-23-016**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Parcel "A-1" in the Plat of Lot Split of Parcel "A" of part of Original 100 Acre Lot No. 395 as shown by the plat recorded in Volume 373, Page 55 of Cuyahoga County Map Records and further known as being part of Parcel "G" in the Lot Split and Consolidation of Parcels "A-1" and "A-2" as recorded in the A.F.N. 201903180407 of Cuyahoga County Map Records and bounded and described as follows:

Beginning at the intersection of the centerline of Euclid Avenue (State Route 20) (80 feet wide) and the centerline of East 115th Street (formerly Rosedale Avenue) (50 feet wide);

Thence North 31°07'22" West along the centerline of East 115th Street, 41.61 feet to a point;

Thence North 42°52'53" East to the intersection of the easterly right of way of East 115th Street and the northerly right of way of Euclid Avenue;

Thence North 31°07'22" West along the easterly right of way of East 115th Street, 26.06 feet to a point and the PRINCIPAL PLACE OF BEGINNING of the easement herein described;

Thence North 31°07'22" West, continuing along the easterly right of way of East 115th Street, 71.00 feet to a point;

Thence North 58°52'38" East, 0.88 feet to a point;

Thence South 47°07'22" East, 6.49 feet to a point;

Thence South 31°07'22" East, 64.77 feet to a point;

Thence South 58°52'38" West 2.67 feet to the PRINCIPAL PLACE OF BEGINNING and containing 0.0042 acres (184 square feet) of land as described by Edward B. Dudley, P.S. No. 6747 of The Riverstone Company in January 2019 subject to all legal highways, restrictions, reservations and easements.

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

Section 2. That the cost of the acquiring, accepting, and recording the easement rights shall be \$1.00 and other valuable consideration which is determined to be fair market value or the amount of the jury verdict in the event eminent domain is needed to acquire the easement interests in and to the premises. The purchase price, appraisal, title, escrow, and all other costs incurred in acquiring and recording the easement interests shall be paid from the fund or funds deemed appropriate by the Director of Finance.

Section 3. That the Director of Capital Projects is authorized to execute any documents on behalf of the City of Cleveland necessary to effect the purposes 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 June 3, 2019.
 Effective June 5, 2019.

Ord. No. 535-2019.
By Council Members Griffin and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Health to enter into one or more contracts with The Center on Urban Poverty and Community Development at Case Western Reserve University to provide evaluation services for the MomsFirst Program, for a period of one year.

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

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

Section 1. That the Director of Public Health is authorized to enter into one or more contracts with The Center on Urban Poverty and Community Development at Case Western Reserve University to provide evaluation services for the MomsFirst Program, for a period of one year. The services shall include but not be limited to, attend regular project meetings, provide interim presentations and annual reporting, provide input on MomsFirst's quality improvement plan, provide assistance with the Local Evaluation Report, provide an in-depth analysis of individual client-level social determinants of health factors and their association with program receipt and birth outcomes, and other services.

Section 2. That the aggregate costs of these contracts shall not exceed \$89,000 and shall be paid from Fund No. 01-5005-6320, RQS 5005, RL 2019-43.

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 June 3, 2019.
 Effective June 5, 2019.

Ord. No. 536-2019.
By Council Members Keane and Kelley (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of disposal of debris at landfills, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years.

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

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

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

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

Section 3. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 2002, RL 2019-12)

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 June 3, 2019.
 Effective June 5, 2019.

Ord. No. 540-2019.
By Council Members Cleveland and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with Swissport USA, Inc. for the lease of space located in the passenger terminal building at Cleveland Hopkins International Airport to support its ground handling and other airline support service operations for multiple airlines, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority.

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

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

Section 1. That the Director of Port Control is authorized to enter into a Lease Agreement ("Lease") with Swissport USA, Inc. ("Lessee") for use and occupancy of approximately 944 square feet of space located on the ramp level beneath Concourse A of the passenger terminal building at Cleveland Hopkins International Airport ("Leased Premises") to support its ground handling and other airline support service operations for multiple airlines. The term of the Lease shall be for a two-year period, with three one-year options to renew, the first of which requires additional legislative authority. The first of the one-year options to renew may be exercised by the Director of Port Control only if additional legislative authority is obtained. If such additional legislative authority is granted, the second and third one-year options to renew may be exercised at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council. For use of the Leased Premises, Lessee shall pay the City a rate of \$95.18 per square foot, equaling \$89,849.92 annually, payable in twelve equal monthly installments, which rate is based on the 2019 airport's annual rates and charges calculation, subject to annual changes based on said budget.

Section 2. That the Lease authorized shall be prepared by the Director of Law.

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

Passed June 3, 2019.
 Effective June 5, 2019.

Ord. No. 541-2019.
By Council Members Cleveland and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with United Airlines Inc. for the lease of certain office and warehouse space located in the South Cargo Facility

Building at Cleveland Hopkins International Airport, Department of Port Control, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority.

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

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

Section 1. That the Director of Port Control is authorized to enter into a Lease Agreement ("Lease") with United Airlines Inc. ("Lessee") for use and occupancy of approximately 5,461 square feet of space of office and warehouse space located in the South Cargo Facility Building at 6090 Cargo Road at Cleveland Hopkins International Airport ("Leased Premises") to support its cabin cleaning operation and other support services operations. The term of the Lease shall be for a period two-year period, with three one-year options to renew, the first of which requires additional legislative authority. The first of the one-year options to renew may be exercised by the Director of Port Control only if additional legislative authority is obtained. If such additional legislative authority is granted, the second and third one-year options to renew may be exercised at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council. For use of the Leased Premises, Lessee shall pay the City a rate of \$7.00 per square foot, equaling \$38,227 annually, payable in twelve equal monthly installments, which rate is determined by an independent third party appraisal. The rental amount will be adjusted annually on the effective date by CPI calculation, but never less than the initial rate.

Section 2. The Lease authorized by this ordinance shall be prepared by the Director of Law.

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

Passed June 3, 2019.
 Effective June 5, 2019.

Ord. No. 542-2019.
By Council Members Cleveland and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into a Lease with KeyBank National Association to maintain and operate an aviation hangar facility for the storage and maintenance for aircraft owned by KeyBank at Cleveland Hopkins International Airport, for a period of ten years, with two five-year options to renew, the first of which requires additional legislative authority.

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

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

Section 1. That the Director of Port Control is authorized to enter into a Lease Agreement ("Lease") with KeyBank National Association ("Lessee") for use and occupancy of an approximately 23,546-square foot hangar and approximately 2.6-acre parcel of land on Cargo Road at Cleveland Hopkins International Airport ("Leased Premises") to maintain and operate a corporate aircraft hangar facility for aircraft owned by Lessee at Cleveland Hopkins International Airport. The term of the Lease shall be for a ten-year period, with two five-year options to renew, the first of which requires additional legislative authority. The first of the five-year options to renew may be exercised by the Director of Port Control only if additional legislative authority is obtained. If such additional legislative authority is granted, the second five-year option to renew may be exercised at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council. For use of the Leased Premises, Lessee shall pay the City an annual rate determined by an independent third party appraisal. The rental amount will be adjusted annually on the effective date by CPI calculation, but never less than the initial rate. The rent is payable in twelve (12) equal monthly installments.

Section 2. That the Lease authorized shall be prepared by the Director of Law.

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

Passed June 3, 2019.
 Effective June 5, 2019.

Ord. No. 543-2019.
By Council Members Cleveland and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into a Lease with the United States Postal Service to maintain and operate a warehouse, sorting facility, and post office retail store at Cleveland Hopkins International Airport, for a period of five years, with one five-year option to renew, which requires additional legislative authority.

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

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

Section 1. That the Director of Port Control is authorized to enter into a Lease Agreement ("Lease") with the United States Postal Service ("Lessee") for use and occupancy of an approximately 115,660-square foot facility and approximately 7.9-acre parcel of land on Postal Road at Cleveland Hopkins International Airport

("Leased Premises") to maintain and operate a warehouse, sorting facility, and post office retail store at Cleveland Hopkins International Airport. The term of the Lease shall be for a five-year period, with one five-year option to renew, which requires additional legislative authority. For use of the Leased Premises, Lessee shall pay the City an annual rate determined by an independent third party appraisal. The rental amount will be adjusted annually on the effective date by CPI calculation, but never less than the initial rate. The rent is payable in twelve (12) equal monthly installments.

Section 2. That the Lease authorized shall be prepared by the Director of Law.

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

Passed June 3, 2019.
Effective June 5, 2019.

Ord. No. 544-2019.

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

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with PrimeFlight Aviation Services, Inc. for the lease of space located in the passenger terminal building at Cleveland Hopkins International Airport to support its ground handling, skycap, and other airline support service operations for JetBlue Airways and other airlines, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority.

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

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

Section 1. That the Director of Port Control is authorized to enter into a Lease Agreement ("Lease") with PrimeFlight Aviation Services, Inc. ("Lessee") for use and occupancy of approximately 237 square feet of space located on the ramp level beneath Gate C-6 on Concourse C of the passenger terminal building at Cleveland Hopkins International Airport ("Leased Premises") to support its ground handling, sky-cap, and other airline support service operations for JetBlue Airways and other airlines. The term of the Lease shall be for a two-year period, with three one-year options to renew, the first of which requires additional legislative authority. The first of the one-year options to renew may be exercised by the Director of Port Control only if additional legislative authority is obtained. If such additional legislative authority is granted, the second and third one-year options to renew may be exercised at the option of the Director of Port Control, without

the necessity of obtaining additional authority of this Council. For use of the Leased Premises, Lessee shall pay the City a rate of \$95.18 per square foot, equaling \$22,557.66 annually, payable in twelve equal monthly installments, which rate is based on the 2019 airport's annual rates and charges calculation, subject to annual changes based on said budget.

Section 2. That the Lease authorized shall be prepared by the Director of Law.

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

Passed June 3, 2019.
Effective June 5, 2019.

Ord. No. 545-2019.

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

An emergency ordinance authorizing the Director of Port Control to execute a deed of easement granting to Cargill, Incorporated and its successors and assigns, certain easement rights located above a city-owned portion of 5300 Whiskey Island Drive, and declaring that the easement rights granted are not needed for the City's public use.

Whereas, Cargill, Incorporated and its successors and assigns ("Cargill") has requested the Director of Port Control to convey certain aerial easement rights above a city-owned portion of 5300 Whiskey Island Drive, known as Permanent Parcel No. 003-02-008, and to install a telecommunication line; and

Whereas, the easement rights to be granted are not needed for the City's public use; and

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

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

Section 1. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that an aerial utility easement interest located above the following described property is not needed for the City's public use:

Legal Description of Easement over PPN 003-02-008

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Brooklyn Township Lot No. 50.

Starting at the southeast corner of Whiskey Island Drive Extension, 35.00 feet wide, as shown by the Dedication Plat recorded in Volume 268, Pages 11-12 of Cuyahoga County Map Records, said point also being in the easterly line of the First Parcel of land conveyed to the City of Cleveland in deed dated February 16, 1897 and recorded in Volume 659, Page 145 of Cuyahoga County Deed Records; thence South

35° 16' 58" East along the easterly line of said land so conveyed, 139.80 feet to the Principal Place of Beginning of the easement herein intended to be described;

Thence continuing South 35° 16' 58" East along the easterly line of said land so conveyed, 10.04 feet;

Thence South 59° 45' 48" West, 100.40 feet to a point in the westerly line of said land so conveyed;

Thence North 35° 16' 58" West along the westerly line of said land so conveyed, 10.04 feet;

Thence North 59° 45' 48" East 100.40 feet to the Principal Place of Beginning and containing 1003.95 square feet (0.0230 acres) of land as described on January 17, 2019 by R.M. Kole & Assoc., Corp., Professional Land Surveyors.

Section 2. That, by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the above-described easement interest to Cargill subject to any conditions stated in this ordinance. The consideration to be paid for this property shall not exceed the appraised value of \$2,000, which is determined to be fair market value.

Section 3. That the aerial utility easement shall be non-exclusive and the purpose of the easement shall be to install a telecommunication line above a city-owned portion of 5300 Whiskey Island Drive, known as Permanent Parcel No. 003-02-008.

Section 4. That the duration of the easement shall be perpetual but shall revert to the City if abandoned; that the easement shall not be assignable without the consent of the Director of Port Control; that the easement shall require that Cargill provide reasonable insurance, maintain any Cargill improvements located within the easement; pay any applicable taxes and assessments; and shall contain such other terms and conditions that the Director of Law determines to be necessary to protect and benefit the City.

Section 5. That the conveyance referenced above shall be made by official deed of easement prepared by the Director of Law and executed by the Director of Port Control on behalf of the City of Cleveland. The Directors of Port Control and Law are authorized to execute any other documents, including without limitation, contracts for right of entry, as may be necessary to effect this ordinance.

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

Passed June 3, 2019.
Effective June 5, 2019.

Ord. No. 546-2019.

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

An emergency ordinance authorizing the Director of Public Works to execute a deed of easement granting to The East Ohio Gas Company dba Dominion Energy Ohio certain

easement rights in property located along Woodhill Road at the Ozell A. Dobbins, Sr. Maintenance Center, and declaring that the easement rights granted are not needed for the City's public use.

Whereas, The East Ohio Gas Company dba Dominion Energy Ohio ("Dominion") has requested the Director of Public Works to convey certain easement rights in property along Woodhill Road at the Ozell A. Dobbins, Sr. Maintenance Center located at 3000 Woodhill Road and known as Permanent Parcel Number 126-38-016; and

Whereas, Dominion requires an easement to replace the natural gas pipeline along the area; and

Whereas, the easement rights to be granted are not needed for the City's public use; and

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

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

Section 1. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that an easement interest in the following described property located at the Ozell A. Dobbins, Sr. Maintenance Center located at 3000 Woodhill Road and known as Permanent Parcel Number 126-38-016 is not needed for the City's public use:

5 Foot Permanent Dominion Energy Easement

February 8, 2019

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 acre lots 425 and 433 and is further bounded and described as follows:

Beginning at drill hole found in a stone located on the centerline of Sophia Ave, 40' wide & at prolongation of the Westerly Right of Way of Woodhill Road (East 93rd) 80' wide;

Thence South 21°05'53" West along the prolongation of the Easterly Right-of-Way line of said Woodhill Road a distance of 21.52 feet and the principal point of beginning;

Course 1:

Thence South 21°05'53" West, along the Right of Way of said Woodhill Road, a distance of 98.31 feet;

Course 2:

Thence South 21°02'12" West, continuing along said Woodhill Road Right of Way to a point on the southerly line of the property conveyed to The City of Cleveland by AFN# 201211280370, a distance of 772.20 feet;

Course 3:

Thence South 89°44'42" West, along said northerly property line, a distance of 5.37 feet;

Course 4:

Thence North 21°02'12" East, a distance of 774.15 feet;

Course 5:

Thence North 21°05'53" East, a distance of 96.33 feet to a point on the southerly Right of Way of said Sophia Ave.;

Course 6:

Thence North 89°25'32" East along the Right of Way of said Sophia Ave, a distance of 5.38 feet to the principle place of beginning and containing 0.0999 acre (4,352.47 square feet) of land, according to a surveyed by Steven J. Metcalf, Registered Surveyor No. 8622-Ohio of Neff & Associates, dated February 22, 2019.

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

Section 2. That, by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the above-described easement interest to Dominion subject to any conditions stated in this ordinance. The consideration to be paid for this property shall not exceed the appraised value of \$2,400, which is determined to be fair market value.

Section 3. That the easement shall be exclusive and the purpose of the easement shall be to replace the natural gas pipeline along the area.

Section 4. That the duration of the easement shall be perpetual; that the easement shall not be assignable without the consent of the Director of Public Works; that the easement shall require that Dominion provide reasonable insurance, maintain any Dominion improvements located within the easement; pay any applicable taxes and assessments; and shall contain such other terms and conditions that the Director of Law determines to be necessary to protect and benefit the City.

Section 5. That the conveyance referenced above shall be made by official deed of easement prepared by the Director of Law and executed by the Director of Public Works on behalf of the City of Cleveland. The Directors of Public Works and Law are authorized to execute any other documents, including without limitation, contracts for right of entry, as may be necessary to effect this ordinance.

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

Passed June 3, 2019.

Effective June 5, 2019.

Ord. No. 547-2019.

By Council Members B. Jones, Zane, Brancatelli and Kelley (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell a portion of City-owned property no longer needed for public use located at 4601 Chester Avenue to Richard and Kathy Lehmann, for the purpose of access to their business.

Whereas, Richard and Kathy Lehmann have requested that the Director of Public Safety sell a portion of City's Third District Police Station located at 4601 Chester Avenue, known as Permanent Parcel No. 104-31-017, no longer needed for the City's public use, for the purpose of access to their business; 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, which is a portion of City's Third District Police Station located at 4601 Chester Avenue and known as Permanent Parcel No. 104-31-017, is no longer needed for the City's public use:

TRANSFER PARCEL

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Lot "2" of the Plat of Lot Split for the City of Cleveland, of part of Original 10 Acre Lots Nos. 96, 97 and 98, as shown by the recorded plat in volume 360 of maps, page 55, of Cuyahoga County Records, and further described as follows:

Beginning at a point on the southerly line of Perkins Avenue (70 feet wide), at its intersection with the easterly line of Original 10 Acre Lot No. 96, said point being the Place of Beginning;

Thence S 81°55'00" W, along said southerly line of Perkins Avenue, a distance of 82.50 feet, to a point at the most northeasterly corner of a parcel of land belonging to Brent Young & Mark Sudduth by Deed Dated February 01, 1988, in Volume 88-0434, Page 04 of Cuyahoga County Deed Records said point witnessed by a 5/8" I.P. found 0.09' S. 0.50' W.;

Thence S 08°09'36" E, along the easterly line of said parcel of land belonging to Brent Young & Mark Sudduth, a distance of 163.60 feet, to a point on the northerly line of Lot "2" of the Plat of Lot Split for the City of Cleveland, as shown by the recorded plat in volume 360 of maps, page 55, of Cuyahoga County Records and 5/8" I.P. w/cap set;

Thence N81°55'00" E, along said northerly line of Lot "2", a distance of 11.00 feet, to a point;

Thence N 08°09'36" W, along a line parallel to the aforesaid easterly line of a parcel of land belonging to Brent Young & Mark Sudduth, a distance of 163.60 feet, to a point on the southerly line of Perkins Avenue (70 feet wide);

Thence S 81°55'00" W, along said southerly line of Perkins Avenue, a distance of 11.00 feet, to the Place of Beginning; containing within said bounds 0.0413 acre of land, (1799.60 Sq. Ft.), be the same more or less, but subject to all legal highway's.

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 to Richard and Kathy Lehmann at a price not less than the Broker's Opinion of Value of \$500.00, 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 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 Director of Public Safety is authorized to execute any documents as may be necessary to effectuate the purposes 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.

Passed June 3, 2019.
Effective June 5, 2019.

Ord. No. 551-2019.
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 The Centers for Families and Children to encroach into the public right-of-way of Euclid Avenue by installing, using, and maintaining an ADA-compliant entrance ramp and railing.

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 Centers for Families and Children, 4500 Euclid Avenue, Cleveland, Ohio 44103 ("Permittee"), to encroach into the public right-of-way of Euclid Avenue by installing, using, and maintaining an ADA-compliant entrance ramp and railing at the following location:

Centered in front of the entrance to 4500 Euclid Avenue, encroaching into the right-of-way of Euclid Avenue 3.5 feet and being 16.0 feet long.

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

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

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

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

Passed June 3, 2019.
Effective June 5, 2019.

Ord. No. 552-2019.
By Council Members Johnson, Brancatelli and Kelley (by departmental request).

An emergency ordinance giving consent of the City of Cleveland to the County of Cuyahoga for the resurfacing of Ridge Road from Memphis Avenue to Denison Avenue; authorizing the Director of Capital Projects to enter into agreements; to apply for and accept an allocation of County Motor Vehicle License Tax Funds; and to cause payment to the County for the City's share of the improvement.

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

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

Section 1. Consent. That it is declared to be in the public interest that the consent of the City of Cleveland is given to the County of Cuyahoga (the "County") to construct the following improvement under plans, specifications, and estimates approved by the County: resurfacing of Ridge Road from Memphis Avenue to Denison Avenue in the Cities of Cleveland and Brooklyn, County ID No. 1205 (the "Improvement").

Section 1a. That the Municipality's rights and responsibilities under this Agreement shall be limited to the portion of Ridge Road from Memphis Avenue to Denison Avenue that is located within its City limits.

Section 2. Cooperation
(a) That the City will cooperate with the County in the Improvement.

(b) That the County will arrange for the preparation of construction plans and specifications, including necessary engineering reports for the Improvement, under Current Cuyahoga County standards for construction of County roads and bridges.

(c) That the County will arrange for the supervision and administration of the construction project.

(d) That the City agrees to assume and contribute 100% of the cost of any items included in the construction contract at the request of the City, which are determined by the County to be not eligible or made necessary by the Improvement.

Section 3. Funding
(a) That the City agrees to cooperate with the County in the cost of the Improvement by an allocation from the County Motor Vehicle

License Tax Fund to pay the County portion of the project.

(b) That if the Improvement is financed with State or Federal-aid funds, eligible costs of the Improvement shall be financed from the aforesaid funds.

(c) That if funds administered by the Ohio Public Works Commission are used for this project, the amount of such funds will be deducted from designated project costs prior to the application of the participatory percentages specified in this ordinance.

(d) Within the corporate limits of the City, the City will be responsible for 50% of the Non-Federal Share of the cost of construction, and construction supervision for the Improvement.

(e) Within the corporate limits of the City, the City will be responsible for 20% and the County will be responsible for 80% of the cost of preparation of construction plans and specifications, including necessary engineering reports for the Improvement.

(f) That the City agrees to deposit with the Treasurer of Cuyahoga County the City's share of the estimated cost of the project or agrees to enter into an escrow agreement with the County prior to an award of a contract for the Improvement.

Section 4. Maintenance. That upon completion of the Improvement, the City will keep the highway open to traffic at all times; and

(a) Maintain the Improvement in accordance with the provisions of the statutes relating thereto and make ample financial provisions for the maintenance;

(b) Maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the County and hold the right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the right-of-way limits;

(c) That the County shall continue to maintain the structural elements of any bridge (defined as a structure with a span of twenty feet or greater) located within the limits of the Improvement under the applicable sections of the Revised Code; and

(d) After construction of the Improvement is complete, the City agrees to follow and maintain post-construction Best Management Practices as outlined in the Municipal Storm Water Permit that is filed with the Ohio Environmental Protection Agency.

Section 5. Traffic. That on completion of the Improvement, the City will keep the highway open to traffic at all times; and

(a) Place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the Improvement in compliance with the provisions of Section 4511.11 of the Revised Code and other related sections of the Revised Code;

(b) That the street or highway within the limits of the Improvement is designated a through highway as provided in division (A)(6) of Section 4511.07 of the Revised Code;

(c) That stop signs affecting the movement of traffic on the street or highway within the Improvement shall be removed, and no stop signs

shall be erected on same except at its intersection with another through highway where traffic does not warrant the installation of a traffic control signal but where the warrants for a "Four-Way Stop" as provided in the above-mentioned Manual are met;

(d) That no rule or regulation shall be enacted restricting the use of the Improvement by any class of vehicle or vehicle load permitted by the Revised Code to use a public highway. Any existing rule or regulation so restricting road usage is rescinded; and

(e) The City shall regulate parking in the following manner: Prohibit parking under Section 4511.66 of the Revised Code unless otherwise controlled by local ordinance or resolution.

Section 6. Right-of-Way

(a) That all existing street and public right-of-way within the City which is necessary for the Improvement shall be made available.

(b) That in the event any additional right-of-way is required, the City will arrange for the acquisition.

Section 7. Utilities

(a) That the City will make arrangements with and obtain arrangements from all privately-owned public utility companies whose lines or structures will be affected by the Improvement, and the companies have agreed to make any and all necessary arrangements in such a manner as to be clear of any construction called for by the plans for the Improvement, and the companies have agreed to make necessary rearrangements immediately after notification by the City.

(b) That the County will pay the costs of alterations of governmentally-owned utility facilities which come within the provisions of Section 8204 (Utility Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual to the same extent that it participates in the other costs of the Improvement, provided, however, that such participation will not extend to any additions or betterments of existing facilities.

(c) That it is agreed that the City shall cooperate with the County to make all arrangements of governmentally-owned utilities and/or appurtenances that do not comply with the provisions of Section 8204 (Utility Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual, whether whether inside or outside the corporate limits, as may be necessary to conform to the Improvement.

(d) That the construction, reconstruction, and/or arrangement of all utilities shall be done in a manner as not to interfere unduly with the operation of the contractor constructing the Improvement, and all backfilling of trenches made necessary by utility rearrangements shall be performed under the provisions of the ODOT Construction and Material Specifications.

Section 8. Miscellaneous

(a) That if the County is formally requested by ordinance of this Council to include the construction of sanitary sewers, water lines, area sewers (drainage of area surrounding the Improvement), sidewalks,

alternat bid items, or other items in the Improvement that are in addition to those now existing and not provided for elsewhere in this ordinance, the County will do so, provided that the construction meets with the approval of the County and the City; and that the City agrees to pay, or make arrangements for the payment of the cost of the construction, cost of preliminary and design engineering, and construction supervision.

(b) For purposes of this ordinance, the agent for the County and liaison officer shall be the County Engineer of Cuyahoga County, Ohio, and/or such members of his staff as he may designate.

(c) That the City agrees to conduct this transaction by electronic means and agrees that all documents requiring County signatures may be executed by electronic means, and that the electronic signatures affixed by the County to the documents shall have the same legal effect as if that signature was manually affixed to a paper version of the document. The City also agrees on behalf of the aforementioned entities and persons to be bound by the provisions of Chapters 304 and 1306 of the Revised Code as they pertain to electronic transactions, and to comply with the electronic signature policy of the County.

Section 9. That the Director of Capital Projects is authorized to enter into agreements necessary to complete the Improvement.

Section 10. That the Director of Capital Projects is authorized to apply to the County for approval to use County Motor Vehicle License Tax funds to pay for the Improvement, to accept the funds and to file all papers and execute all documents necessary to receive the funds; and that the funds are appropriated for the purposes set forth above.

Section 11. That the Director of Capital Projects is authorized to apply for and accept any gifts or grants for this purpose from any public or private entity; and that the Director is authorized to file all papers and execute all documents necessary to receive the funds under this ordinance; and that the funds are appropriated for the purposes described in this ordinance.

Section 12. That the Director of Capital Projects is authorized to accept a cash contribution from public or private entities, for infrastructure restoration costs associated with relocating, rehabilitating or reconstructing utility infrastructure for the Improvement. The Director of Capital Projects is authorized to enter into agreements with the entities for this purpose.

Section 13. That this Council requests the County to proceed with the Improvement.

Section 14. That this Council authorizes payment to the County for the City's share of the Improvement, payable from Fund Nos. 20 SF 520, 20 SF 528, 20 SF 534, 20 SF 540, 20 SF 546, 20 SF 554, 20 SF 563, 20 SF 568, 20 SF 574, 20 SF 579, 20 SF 586, from the fund or funds to which are credited grant proceeds or cash gifts and the proceeds from the sale future bonds, if issued for this purpose, and from any funds approved by the Director of Finance. (RQS 0103, RL 2019-36)

Section 15. That the Clerk of Council is directed to transmit to the County three (3) certified copies of this ordinance immediately on its taking effect.

Section 16. 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 June 3, 2019.
Effective June 5, 2019.

Ord. No. 592-2019.

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

An emergency ordinance authorizing the Director of Public Utilities to exercise the first option to renew Contract No. PIRC 2018-3 with Terrace Construction Company, Inc. for the public improvement of installing automated meter reading units on remaining residential and commercial accounts, including Cleveland Heights accounts and master meter vaults not yet converted.

Whereas, under the authority of Ordinance No. 655-16, passed July 13, 2016, the Director of Public Utilities entered into Contract No. PI 2017-8 with Utilicon Corp. ("Utilicon") for the public improvement of installing automated meter reading units on remaining residential and commercial accounts, including Cleveland Heights accounts and master meter vaults not yet converted; and

Whereas, under Board of Control Resolution No. 266-18, adopted July 9, 2018, the City consented to the assignment by Utilicon of City Contract No. PI 2017-18 to Terrace Construction Company, Inc. ("Terrace") under new Contract No. PIRC 2018-3; and

Whereas, Ordinance No. 655-16 requires further legislation before exercising the first option to renew on this contract; and

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

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

Section 1. That the Director of Public Utilities is authorized to exercise the first option to renew Contract No. PIRC 2018-3 with Terrace for the public improvement of installing automated meter reading units on remaining residential and commercial accounts, including Cleveland Heights accounts and master meter vaults not yet converted. This ordinance constitutes the additional legislative authority required by Ordinance No. 655-16 to exercise this option. (RQN 2002, RL 2019-13)

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

Passed June 3, 2019.
Effective June 5, 2019.

Ord. No. 593-2019.

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

An emergency ordinance authorizing the Director of Public Utilities to exercise the option to renew Contract No. RCD 2017-6 with Hach Co. to maintain, service, calibrate, refurbish, and test various scientific and in-line process analytical instruments manufactured by Hach Co. used to monitor the drinking water purification process.

Whereas, under the authority of Ordinance No. 824-17, passed August 16, 2017, the Director of Public Utilities entered into Contract No. RCD 2017-6 with Hach Co. to maintain, service, calibrate, refurbish, and test various scientific and in-line process analytical instruments manufactured by Hach Co. used to monitor the drinking water purification process; and

Whereas, Ordinance No. 824-17 requires further legislation before exercising the option to renew on this contract; and

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

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

Section 1. That the Director of Public Utilities is authorized to exercise the option to renew Contract No. RCD 2017-6 with Hach Co. to maintain, service, calibrate, refurbish, and test various scientific and in-line process analytical instruments manufactured by Hach Co. used to monitor the drinking water purification process at a cost not to exceed \$174,580. This ordinance constitutes the additional legislative authority required by Ordinance No. 824-17 to exercise this option. (RQS 2002, RL 2019-33)

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

Passed June 3, 2019.

Effective June 5, 2019.

Ord. No. 594-2019.

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

An emergency ordinance authorizing the Director of Public Utilities to exercise the options to renew various contracts for the requirements of various types of machines and equipment, and labor and materials to repair and/or replace parts or equipment to maintain various types of machines and equipment, for the Department of Public Utilities.

Whereas, under the authority of Ordinance No. 431-16, passed May 9, 2016, the Director of Public Utilities entered into Contract Nos. RC 2017-069 with Colony Hardware Corporation dba Phillips Contractors Supply, RC 2018-013 with Southeastern Equipment Co., Inc., and RC 2018-035 with Bain Enterprises, LLC for the purchase of various types of machines and equipment, and labor and materials to repair and/or

replace parts or equipment to maintain various types of machines and equipment for the Department of Public Utilities; and

Whereas, Ordinance No. 431-16 requires further legislation before exercising the option to renew on these contracts; and

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

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

Section 1. That the Director of Public Utilities is authorized to exercise the options to renew Contract Nos. RC 2017-069 with Colony Hardware Corporation dba Phillips Contractors Supply, RC 2018-013 with Southeastern Equipment Co., Inc., and RC 2018-035 with Bain Enterprises, LLC for the purchase various types of machines and equipment, and labor and materials to repair and/or replace parts or equipment to maintain various types of machines and equipment, in the total estimated sum of \$295,000, for the Department of Public Utilities. This ordinance constitutes the additional legislative authority required by Ordinance No. 431-16 to exercise these options.

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

Passed June 3, 2019.

Effective June 5, 2019.

Ord. No. 595-2019.

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

An emergency ordinance authorizing the Director of Public Utilities to employ one or more computer software vendors to acquire or renew Cisco maintenance and support, including Cisco Smartnet, for networking and telecommunication software and equipment; and authorizing the purchase by one or more requirement contracts of Cisco hardware and software products, including those used for networking and telecommunication and for the phone system, and maintenance and technical support, for the various divisions of the Department of Public Utilities, for a period of one year, with a one-year option to renew, exercisable by the Director of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is authorized to employ by contract or contracts one or more computer software vendors or one or more firms of computer software vendors for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to acquire or renew Cisco

maintenance and support, including Cisco Smartnet for networking and telecommunication software, hardware, and equipment, for a period of one year, with a one-year option to renew, exercisable by the Director of Public Utilities.

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

Section 2. That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period of one year, with a one-year option to renew, exercisable by the Director of Public Utilities of the necessary items of Cisco hardware and software products, including those used for networking and telecommunication and for the phone system, including maintenance and technical support which have not been acquired under the professional services contract authorized above, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of the Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

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

Section 4. That the Director of Public Utilities is authorized to enter into any third-party software license agreements necessary to effectuate the purposes of this ordinance.

Section 5. That the costs of the requirement contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance.

Section 6. That the cost of the contract or contracts authorized shall be paid from Fund No. 52 SF 001. (RQS 2002, RL 2019-34)

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.

Passed June 3, 2019.
Effective June 5, 2019.

Ord. No. 596-2019.

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

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants or vendors to acquire licenses for data storage expansion or to develop data storage expansion solutions, and other related services and equipment, including but not limited to, hardware, servers, chassis, ancillary components, and maintenance, for the Division of Water, Department of Public Utilities; for a period of one year, with two one-year options to renew, the second of which requires additional legislative authority.

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

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

Section 1. That the Director of Public Utilities is authorized to employ by contract or contracts one or more consultants or vendors or one or more firms of consultants or vendors for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland to acquire licenses for data storage expansion or to develop data storage expansion solutions, and other related services and equipment, including but not limited to, hardware, servers, chassis, ancillary components, and maintenance for the Division of Water, Department of Public Utilities, for a period of one year, with two one-year options to renew, the second of which requires additional legislative authority.

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

Section 2. That the Director of Public Utilities is authorized to enter into any third-party software license agreements necessary to effectuate the purposes of this ordinance.

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

Section 4. That the cost of the contract or contracts authorized by this ordinance shall be paid from Fund No. 52 SF 001, and from the fund or funds to which are credited any future bonds, if issued for this purpose. (RQS 2002, RL 2019-35)

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

Passed June 3, 2019.
Effective June 5, 2019.

Ord. No. 597-2019.

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

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

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

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

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

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

of any procurement under the contract, each of which procurements shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 2002, RL 2019-9)

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

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

Passed June 3, 2019.
Effective June 5, 2019.

Ord. No. 621-2019.

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

An emergency ordinance approving that the Cleveland Citywide Development Corporation, or its designee, may enter into up to eleven partially forgivable separate loan contracts with Famicos Foundation, Inc., or its designee, to rehabilitate up to eleven vacant single family homes on scattered sites within the Circle North area of the Glenville neighborhood, and other associated costs necessary to redevelop the property, under the authority of Ordinance No. 563-17, passed August 16, 2017.

Whereas, under Ordinance No. 563-17, passed August 16, 2017, this Council authorized the Directors of Community Development and/or Economic Development to enter into an agreement with Cleveland Citywide Development Corporation, or its designees ("CCDC"), to implement several programs in order to improve housing opportunities in the neighborhoods of the City of Cleveland; and

Whereas, in 2018, the City entered into a Fund Administration Agreement with CCDC to create several funds to implement housing programs; and

Whereas, through the Fund Administration Agreement and this authorizing legislation, the City approves CCDC entering into up to eleven (11) partially forgivable separate loan agreements with Famicos Foundation, Inc., or its designee ("Famicos") to rehabilitate up to eleven (11) vacant single family homes on scattered sites within the Circle North area of the Glenville neighborhood, and other associated costs necessary to redevelop the property; 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, through the Fund Administration Agreement authorized under Ordinance No. 563-17, passed August 16, 2017 and this authorizing legislation, the Director of Economic Development is authorized to approve one or more partially forgivable loan agreements between CCDC and Famicos to rehabilitate up to eleven (11) vacant single family homes on scattered sites within the Circle North area of the Glenville neighborhood, and other associated costs necessary to redevelop the properties.

Section 2. That the Executive Summary for the loans, File No. 621-2019-B, made a part of this ordinance as if fully rewritten, is approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the costs of each partially forgivable separate loan agreement shall not exceed \$250,000 maximum, and shall be paid from the funds certified on Contract No. CT 9501 ST 2018*13 and from Fund No. 20 SF 567 as identified in Ordinance No. 563-17, passed August 16, 2017.

Section 4. That the contract and other appropriate documents needed to complete the transaction authorized by this legislation shall be reviewed and approved by the Directors of Economic Development and Law.

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

Passed June 3, 2019.
Effective June 5, 2019.

Ord. No. 622-2019.
By Council Members Cleveland and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into a lease agreement with the United Service Organization, Inc. for the use of a lounge and office space located in the Main Terminal Building at Cleveland Hopkins International Airport, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority.

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

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

Section 1. That the Director of Port Control is authorized to enter into a lease agreement with United Services Organization, Inc. ("USO") for approximately 1,400 square feet of space located in the Main Terminal Building at Cleveland Hopkins International Airport, to be used for a lounge and office space, for a period of two years, with three one-year options to renew, the first of which requires additional legislative

authority. The first of the one-year options to renew may be exercised by the Director of Port Control only if additional legislative authority is obtained. If such additional legislative authority is granted, the second and third one-year options to renew may be exercised at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council.

Section 2. That for use of the Leased Premises USO shall pay the City an annual fee of \$1.00 and other valuable consideration, which is determined to be fair market value.

Section 3. That the Lease may authorize the USO to make improvements to the Leased Premises subject to the approval of appropriate City agencies and officials.

Section 4. That the Director of Port Control, the Director of Law, and other appropriate City officials are authorized to execute any other documents and certificates, and take any other actions which may be necessary or appropriate to effect the Lease authorized by this ordinance.

Section 5. That the Lease authorized by this ordinance shall be prepared by the Director of Law.

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 June 3, 2019.
Effective June 5, 2019.

Ord. No. 623-2019.
By Council Members Zane and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to donate grow lights, ballasts, and two Werner-brand ladders seized as the result of a criminal conviction to the Cleveland Metropolitan School District and to Benedictine High School; and to enter into an agreement to make the donation.

Whereas, Section 181.19 of the Codified Ordinances of Cleveland, Ohio, 1976, authorizes the Commissioner of Purchases and Supplies to sell personal property owned by the City of Cleveland when no longer needed or not suitable for the use of any department or office of the City; and

Whereas, the City owns grow lights, ballasts, and two Werner-brand ladders seized as the result of a criminal conviction which are no longer needed for use by any department or office of the City and desires to donate them, without title, to the Cleveland Metropolitan School District and to Benedictine High School for use in as part of their science, technology, engineering, and math (STEM) curriculum; 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 Section 181.19 of the Codified Ordinances of Cleveland, Ohio, 1976, the

Director of Public Safety is authorized to donate fifty (50) new grow lights, approximately seventy (70) used grow lights, ballasts, and two Werner-brand ladders which are no longer needed for use by any department or office of the City and desires to donate them, without title, to the Cleveland Metropolitan School District; and to enter into one or more agreements if necessary to make the donation.

Section 2. That, notwithstanding Section 181.19 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Safety is authorized to donate fifty (50) new grow lights, approximately ten (10) used grow lights, ballasts, and two Werner-brand ladders which are no longer needed for use by any department or office of the City and desires to donate them, without title, to Benedictine High School; and to enter into one or more agreements if necessary to make the donation.

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

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 June 3, 2019.
Effective June 5, 2019.

Ord. No. 625-2019.
By Council Members Griffin and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the United States Department of Homeland Security for 2019-20 Biowatch Program.

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

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

Section 1. That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$302,260 and any other funds that become available during the grant term, from the United States Department of Homeland Security to conduct the 2019-20 Biowatch Program in accordance with the purposes set forth in the executive summary; that the Director of Public Health is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes in the executive summary for the grant.

Section 2. That the executive summary for the grant, File No. 625-2019-A, made a part of this ordinance as if fully rewritten, is approved in all respects and shall not be changed without additional legislative authority.

Section 3. That, unless expressly prohibited by the grant agreement, under Section 108(B) of the Charter,

purchases made under the grant agreement may be made through cooperative arrangements with other governmental agencies. The Director of Public Health may sign all documents and do all things that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process. The contracts shall be paid from the fund or funds to which are credited any grant funds accepted under this ordinance.

Section 4. That the Director of Public Health shall have the authority to extend the term of the grant during the grant term.

Section 5. That the Director of Public Health shall deposit the grant accepted under this ordinance into a fund or funds designated by the Director of Finance to implement the program as described in the file and appropriated for that purpose.

Section 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 June 3, 2019.
Effective June 5, 2019.

Ord. No. 626-2019.

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County for the "This is (Not) About Drugs" Program; and authorizing the Director to enter into one or more contracts with Overdose Lifeline, Inc. and Preventure to implement the grant.

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

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

Section 1. That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$67,500.00, and any other funds that may become available during the grant term from the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County for the "This is (Not) About Drugs" Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the executive summary for the grant contained in the file described below.

Section 2. That the executive summary for the grant, File No. 626-2019-A, made a part of this ordinance as if fully rewritten, is approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the Director of Public Health is authorized to extend the term of the grant during the grant term.

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

Section 5. That the Director of Public Health is authorized to enter into one or more contracts with Overdose Lifeline, Inc. and Preventure to implement the grant as described in the file.

Section 6. That the costs of the contract or contracts authorized by this ordinance shall be paid from the fund or funds to which are credited the grant proceeds accepted under 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.

Passed June 3, 2019.
Effective June 5, 2019.

Ord. No. 627-2019.

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

An emergency ordinance authorizing the Director of Public Health to enter into one or more agreements with the Ohio Department of Health to reimburse the City of Cleveland for monitoring, collecting, and analyzing radiation levels in the vicinity of the Burke Lakefront Airport, 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 Health is authorized to enter into one or more agreements with the Ohio Department of Health to reimburse the City of Cleveland for monitoring, collecting, and analyzing radiation levels in the vicinity of the Burke Lakefront Airport, for a period of two years, and the funds are appropriated for this purpose. The Director of Public Health is authorized to file all papers and execute all documents necessary to receive the funds under this ordinance.

Section 2. That funds received under this ordinance shall be deposited into Fund 10 SF 812, and shall be used for operation of the Division of Air Quality.

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 June 3, 2019.
Effective June 5, 2019.

Ord. No. 628-2019.

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

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

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

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

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

Section 2. That the executive summary for the grant, File No. 628-2019-A, made a part of this ordinance as if fully rewritten, is approved in all respects and shall not be changed without additional legislative authority.

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

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

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

Passed June 3, 2019.
Effective June 5, 2019.

Ord. No. 629-2019.

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

An emergency ordinance authorizing the Director of Capital Projects to employ one or more professional consultants to provide various engineering, testing, and related services needed for various capital improvement projects, for the Division of Engineering and Construction, Office of Capital Projects, on an as-needed basis, for a period up to 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 Capital Projects is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide various engineering, testing, and related services needed for various capital improvement projects for the Division of Engineering and Construction, Office of Capital Projects, on an as-needed basis, for a period up to two years.

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

Section 2. That the cost of the contract or contracts authorized in this ordinance shall be paid from Fund Nos. 20 SF 568, 20 SF 574, 20 SF 579, 20 SF 586, and from the fund or funds which are credited the proceeds from the sale of bonds authorized by Ordinance Nos. 508-2019, 509-2019, 510-2019, passed April 29, 2019, if eligible for these purposes, any and all funds approved by the Director of Finance, including future bond funds if issued for this purpose. (RQS 0103, RLA 2019-34)

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 June 3, 2019.
Effective June 5, 2019.

Ord. No. 630-2019.

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

An emergency ordinance giving consent of the City of Cleveland to the Ohio Department of Transportation to upgrade and interconnect a traffic signal located at the intersection of East 116th Street and Harvard Avenue in the City of Cleveland.

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 it is declared to be in the public interest that consent of the City of Cleveland is given to the Director of Transportation of the State of Ohio (the "Director of Transportation") to make the following improvements under the plans, specifications and estimates

approved by the Director of Transportation: to upgrade the traffic signal at the south leg of the East 116th Street and Harvard Avenue intersection and interconnect it with the preemption at the Cleveland Commercial Railroad crossing across East 116th Street just north of the intersection in the City of Cleveland, PID No. 106732 (the "Improvement").

Section 2. That the City gives its consent to the Improvement and its administration by the Director of Transportation provided that this ordinance shall not be construed to impose any financial obligation on the City for the Improvement. However, the City agrees to assume and contribute 100% of the cost of any item, included in the construction contracts at the request of the City, which are determined by the Director of Transportation to be ineligible or unnecessary for the Improvement.

Section 3. That the Director Capital Projects is authorized to enter into agreements with the Director of Transportation necessary to complete the planning and construction of the Improvement.

Section 4. Utilities and Right-of-Way Statement. That the City agrees to acquire and/or make available to Ohio Department of Transportation ("ODOT"), in accordance with current State and Federal regulations, all necessary right-of-way required for the described Project. The City also understands that right-of-way costs include eligible utility costs. The City agrees to be responsible for all utility accommodation, relocation, and reimbursement and agrees that all such accommodations, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

Section 5. Maintenance. That upon completion of the Improvement, and unless otherwise agreed, the City shall (1) provide adequate maintenance for the Improvement in accordance with all applicable State and Federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Improvement; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

Section 6. That this Council requests ODOT to proceed with the Improvement.

Section 7. That the City agrees to allow the Director of Transportation to act as contractual agent for the Improvement.

Section 8. That the Clerk of Council is authorized to transmit to the Director of Transportation three (3) certified copies of this ordinance immediately on taking effect, and it shall become the basis for proceeding with the Improvement.

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

Passed June 3, 2019.
Effective June 5, 2019.

Ord. No. 631-2019.

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

An emergency ordinance giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio to rehabilitate the Center Swing Bridge over the Cuyahoga River; to cause payment to ODOT for the City's share; to authorize the Mayor to apply to the District One Public Works Integrating Committee for state funding; authorizing one or more contracts for the design and other relative agreements; accepting gifts and grants from any public or private entity; to apply and accept funds from Ohio Public Works Commission; to authorize the Division of Purchasing and Supplies to acquire, accept, and record all land necessary to make the improvement.

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

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

Section 1. That it is declared to be in the public interest that the consent of the City of Cleveland is given to the Director of Transportation of the State of Ohio ("the State") to construct the rehabilitation of the Center Swing Bridge (SFN 1869345) over the Cuyahoga River, PID 109597 (the "Improvement").

Section 2. That the City proposes to cooperate with the State in the cost of the Improvement by assuming and contributing the entire cost and expense of the Improvement, less the amount of federal funds allocated by the Federal Highway Administration, United States Department of Transportation. The City agrees to assume one hundred percent (100%) of the cost of preliminary engineering, right-of-way and environmental documentation. Also, the City agrees to assume and contribute 100% of the cost of any items included in the construction contract at the request of the City, which are determined by the State not eligible or made necessary by the Improvement. The share of the cost of the City is estimated in the amount of \$1,193,728, but the estimated amount is to be adjusted in order that the City's ultimate share of the Improvement shall correspond with the percentages of actual costs when the actual costs are determined. Also, the City further agrees that change orders and extra work contracts required to fulfill the construction contracts shall be processed as needed. The State shall not approve a change order or extra work contract until it first gives notice, in writing, to the City. The City shall contribute its share of the cost of these items in accordance with other provisions herein.

Section 3. That the Director of Capital Projects is authorized to enter into one or more agreements with the State necessary to complete the planning and construction of the Improvement, which agreements shall contain terms and conditions that the Director of Law determines shall best protect the public interest.

Section 4. Utilities and Right-of-Way Statement. The City agrees to acquire and/or make available to

ODOT, under current State and Federal regulations, all necessary right-of-way required for the Improvement. The City also understands that right-of-way costs include eligible utility costs. The City agrees to be responsible for all utility accommodation, relocation, and reimbursement and agrees that all such accommodations, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

Section 5. Maintenance. Upon completion of the Improvement, and unless otherwise agreed, the City shall: (1) provide adequate maintenance for the Improvement under all applicable state and federal laws, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Improvement; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

Section 6. That the Director of Capital Projects is authorized to enter into contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Improvement and to enter into contracts with the Director of Transportation necessary to complete the above described project. Upon the request of ODOT, the Director of Capital Projects is also authorized to assign all rights, title, and interests of the City to ODOT arising from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

Section 7. That the City agrees that if Federal Funds are used to pay the cost of any consultant contract, the City shall comply with 23 CFR 172 in the selection of its consultant and the administration of the consultant contract. Further, the City agrees to incorporate ODOT's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The City agrees to require, as a scope of services clause, that all plans prepared by the consultant must conform to ODOT's current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the Improvement. The City agrees to include a completion schedule acceptable to ODOT and to assist ODOT in rating the consultant's performance through ODOT's Consultant Evaluation System.

Section 8. That this Council requests the State to proceed with the Improvement.

Section 9. That the Director of Capital Projects is authorized to apply for and accept any gifts or grants for this purpose from any public or private entity, including but not limited to NOACA; and that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in this ordinance.

Section 10. That, when appropriate, the Director of Capital Projects is authorized to enter into one or more contracts with the railroads, Greater Cleveland Regional Transit

Authority, the Northeast Ohio Regional Sewer District and other entities to obtain services or to acquire property rights such as easements and licenses, necessary to construct the improvements described in this ordinance.

Section 11. That the Director of Capital Projects is authorized to accept cash contributions from public or private entities, for infrastructure restoration costs associated with relocating, rehabilitating or reconstructing utility infrastructure for the improvement.

Section 12. That the Director of Capital Projects is authorized to enter into one or more agreements with private utility companies to pay charges for the installation of underground lines in connection with the Improvement.

Section 13. That the Director of Capital Projects is authorized to enter into any agreements necessary to implement the Improvement.

Section 14. That the Clerk of Council is authorized and directed to transmit to the State three (3) certified copies of this ordinance immediately on its taking effect, and it shall become the basis for proceeding with the Improvement.

Section 15. That this Council authorizes payment to the State of the City's share of the Improvement.

Section 16. That the Mayor is authorized to apply to the District One Public Works Integrating Committee for state funding for the Improvement.

Section 17. That the Mayor is authorized to apply to the District One Public Works Integrating Committee for state funding to obtain credit enhancements and loan assistance in support of the city's bonds issued for bridge and road improvements.

Section 18. That the Mayor is authorized to accept one or more grants from the Ohio Public Works Commission, acting by and through its Director, and to apply for and accept grants or other funding from other public or private entities, to finance the Improvement; that the Mayor is authorized to file all papers and execute all documents necessary to receive the funds under the grant or loan, or combination; and that the funds are appropriated for the purposes described in this ordinance.

Section 19. That the Director of Capital Projects is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

Section 20. That the Director of Capital Projects is authorized to enter into one or more Local Project Administration agreements with the Ohio Department of Transportation to fund and construct the Improvement.

Section 21. That, provided the City sells future bonds authorized for the purposes of this ordinance, the City of Cleveland is obligated to provide cash matching funds in the amount of the local share.

Section 22. That, provided the City sells future bonds authorized for the purposes of this ordinance, the Director of Capital Projects is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for

the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional design, engineering and construction services necessary for the Improvement.

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

Section 23. That the Director of Capital Projects is authorized to accept cash contributions from public or private entities, NEORS, and GCRTA for infrastructure restoration costs associated with relocating, rehabilitating or reconstructing utility infrastructure for the Improvement and costs associated with implementing green infrastructure features to address combined sewer overflows. That the Director of Capital Projects is authorized to enter into agreements with the entities for this purpose.

Section 24. That the Director of Capital Projects is authorized to enter into one or more agreements with private utility companies to pay charges for the installation of underground lines in connection with the Improvement.

Section 25. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is authorized to acquire, accept, and record all land necessary in making of the public improvement, including but not limited to fee simple acquisitions, temporary easements, permanent easements, and work agreements necessary to make the Improvement. The consideration to be paid for the property and easements shall not exceed fair market value to be determined by the Board of Control.

Section 26. That the Director of Capital Projects is authorized to execute, on behalf of the City, all documents necessary to acquire, accept, and record the property and easements and to employ and pay all fees for title companies, surveys, escrows, appraisers, and all other costs necessary for the acquisition of the property and easements.

Section 27. That the Mayor or Director of Capital Projects is authorized to file all papers and execute all documents necessary to receive the funds under this ordinance; and that the funds are appropriated for the purposes described in the ordinance.

Section 28. That the cost of the professional services and the City's share of the improvement shall be paid from Fund Nos. 20 SF 520, 20 SF 528, 20 SF 534, 20 SF 540, 20 SF 546, 20 SF 554, 20 SF 563, 20 SF 568, 20 SF 574, 20 SF 579 and 20 SF 586 and any all funds approved by the Director of Finance, including future bond funds if issued for this purpose, RQS 0103, RLA 2019-31.

Section 29. 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 June 3, 2019.
Effective June 5, 2019.

Ord. No. 632-2019.
By Council Members J. Jones, Bishop, Johnson and Kelley (by departmental request).

An emergency ordinance giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio for improving Miles Avenue from Warrensville Corporation Line to Broadway Avenue; to apply for and accept any gifts or grants from any public or private entity; authorizing a Local Project agreement and any other relative agreements; and causing payment of the City's share to the State for the cost of the improvement.

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

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

Section 1. That it is declared to be in the public interest that the consent of the City of Cleveland is given to the Director of Transportation of the State of Ohio ("the State") to construct the following improvement under plans, specifications, and estimates approved by the State: improving Miles Avenue (SR 43-10.61), from Warrensville Corporation Line to Broadway Avenue, PID No. 85360 (the "Improvement").

Section 2. That the City proposed to cooperate with the State in the cost of the Improvement by assuming and contributing the entire cost and expense of the Improvement, less the amount of federal funds allocated by the Federal Highway Administration, United States Department of Transportation. The City agrees to assume one hundred percent (100%) of the cost of preliminary engineering, right-of-way and environmental documentation. Also, the City agrees to assume and contribute 100% of the cost of any items included in the construction contract at the request of the City, which are determined by the State not eligible or made necessary by the Improvement. The share of the cost of the City is estimated in the amount of \$1,800,000, but the estimated amount is to be adjusted in order that the City's ultimate share of the Improvement shall correspond with the percentages of actual costs when the actual costs are determined.

Section 3. That the Director of Capital Projects is authorized to enter into one or more agreements with the State necessary to complete the planning and construction of the Improvement, which agreements shall contain terms and conditions that the Director of Law determines shall best protect the public interest.

Section 4. Utilities and Right-of-Way Statement. The City agrees to acquire and/or make available to the State, under current State and Federal regulations, all necessary right-of-way required for the Improvement. The City also understands that right-of-way costs include eligible utility costs. The City agrees to be responsible for all utility accommodation, relocation, and reimbursement and agrees that all such accommodations, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

Section 5. Maintenance. Upon completion of the Improvement, and unless otherwise agreed, the City shall: (1) provide adequate maintenance for the Improvement under all applicable State and Federal laws, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Improvement; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

Section 6. That the Director of Capital Projects is authorized to enter into contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Improvement and to enter into contracts with the Director of Transportation necessary to complete the Improvement. Upon the request of the State, the Director of Capital Projects is also authorized to assign all rights, title, and interests of the City to the State arising from any agreement with its consultant in order to allow the State to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

Section 7. That the City agrees that if Federal funds are used to pay the cost of any consultant contract, the City shall comply with 23 CFR 172 in the selection of its consultant and the administration of the consultant contract. Further, the City agrees to incorporate the State's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The City agrees to require, as a scope of services clause, that all plans prepared by the consultant must conform to the State's current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the Improvement. The City agrees to include a completion schedule acceptable to the State and to assist the State in rating the consultant's performance through the State's Consultant Evaluation System.

Section 8. That this Council requests the State to proceed with the Improvement.

Section 9. That the Director of Capital Projects is authorized to apply for and accept any gifts or grants for this purpose from any public or private entity, including but not limited to NOACA; and that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in this ordinance.

Section 10. That, when appropriate, the Director of Capital Projects is authorized to enter into one or more contracts with the railroads, Greater Cleveland Regional Transit Authority, the Northeast Ohio Regional Sewer District and other entities to obtain services or to acquire property rights such as easements and licenses, necessary to construct the Improvement described in this ordinance.

Section 11. That the Director of Capital Projects is authorized to accept cash contributions from public or private entities for infrastructure restoration costs associated with relocating, rehabilitating or reconstructing utility infrastructure for the Improvement.

Section 12. That the Director of Capital Projects is authorized to enter into any agreements necessary to implement the Improvement.

Section 13. That the Director of Capital Projects is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

Section 14. That the Director of Capital Projects is authorized to enter into one or more Local Project Administration agreements with the Ohio Department of Transportation to fund and construct the Improvement.

Section 15. That the Clerk of Council is authorized and directed to transmit to the State three (3) certified copies of this ordinance immediately on its taking effect, and it shall become the basis for proceeding with the Improvement.

Section 16. That this Council authorizes payment to the State of the City's share of the Improvement from Fund Nos. 20 SF 520, 20 SF 528, 20 SF 534, 20 SF 540, 20 SF 546, 20 SF 554, 20 SF 563, 20 SF 568, 20 SF 574, 20 SF 579, 20 SF 586, and any and all funds approved by the Director of Finance for this purpose, including future bonds if issued for this purpose. (RQS 0103, RLA 2019-33)

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.

Passed June 3, 2019.
Effective June 5, 2019.

Ord. No. 633-2019.
By Council Members McCormack, Johnson and Kelley (by departmental request).

An emergency ordinance giving consent of the City of Cleveland to the County of Cuyahoga for the resurfacing Rockefeller Avenue from Broadway Avenue to Central Furnace Drive; to apply for and accept an allocation of County Motor Vehicle License Tax Funds for the improvement; authorizing the Director of Capital Projects to enter into one or more contracts for the construction, design, and any relative agreements in making the improvement.

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

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

Section 1. Consent. That it is declared to be in the public interest that the consent of the City of Cleveland is given to the County of Cuyahoga (the "County") to participate in the cost of resurfacing Rockefeller Avenue from Broadway Avenue to Central Furnace Drive, County Project ID No. 1259 (the "Improvement").

Section 2. Cooperation

(a) That the City will cooperate with the County in the Improvement.

(b) That the City will arrange for the preparation of construction plans and specifications, including necessary engineering reports for the improvements to conform to generally accepted engineering practices and principles.

(c) That the City will arrange for the supervision and administration of the construction project.

(d) That the County will review the construction plans for conformance with division (b) of this section. County approval of plans and specifications is required prior to the advertisement of the construction contract. The County will make an inspection of the completed project.

(e) That the City shall agree to provide the County with a complete set of as-built plans upon the completion of the project.

Section 3. Funding

(a) That the City agrees to participate with the County in the cost of the Improvement by an allocation from the County Motor Vehicle License Tax Fund to pay the County portion of the project; and by applying to the County to use the License Tax Funds for the Improvement.

(b) That the County shall contribute fifty percent (50%) of the cost of construction which is determined to be eligible by the Cuyahoga County Engineer's policies up to a maximum of \$250,000. The anticipated construction cost for this project is \$728,040. To determine funding eligibility, the County shall be notified immediately of any significant changes to the scope of work and/or construction cost.

(c) That the City agrees to assume and contribute 100% of the cost of any items included in the construction contract at the request of the City, which are determined by the County not eligible or made necessary by the Improvement.

Section 4. Maintenance. That upon completion of the Improvement, the City will keep the highway open to traffic at all times; and

(a) Maintain the improvement in accordance with the provisions of the statutes relating thereto and make ample financial provisions for the maintenance;

(b) Maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the County and hold the right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private

installations within the right-of-way limits;

(c) That the County shall continue to maintain the structural elements of any bridge (defined as a structure with a span of twenty feet or greater) located within the limits of the Improvement under the applicable sections of the Revised Code; and

(d) After construction of the Improvement is complete, the City agrees to follow and maintain post-construction Best Management Practices as outlined in the Municipal Storm Water Permit that is filed with the Ohio Environmental Protection Agency.

Section 5. Traffic. That on completion of the Improvement, the City will keep the highway open to traffic at all times; and

(a) Place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the Improvement in compliance with the provisions of Section 4511.11 of the Revised Code and other related sections of the Revised Code;

(b) That the street or highway within the limits of the Improvement is designated a through highway as provided in division (A)(6) of Section 4511.07 of the Revised Code;

(c) That, if applicable, stop signs affecting the movement of traffic on the street or highway within the Improvement shall be removed, and no stop signs shall be erected on same except at its intersection with another through highway where traffic does not warrant the installation of a traffic control signal but where the warrants for a "Four-Way Stop" as provided in the above-mentioned Manual are met;

(d) That no rule or regulation shall be enacted restricting the use of the Improvement by any class of vehicle or vehicle load permitted by the Revised Code to use a public highway. Any existing rule or regulation so restricting road usage is rescinded; and

(e) The City shall regulate parking in the following manner: Prohibit parking under Section 4511.66 of the Revised Code unless otherwise controlled by local ordinance or resolution.

Section 6. Right-of-Way

(a) That all existing street and public right-of-way within the City which is necessary for the Improvement shall be made available.

(b) That in the event any additional right-of-way is required for the Improvement the City will arrange for the acquisition.

Section 7. Utilities

(a) The City will make arrangements with and obtain agreements from privately owned public utility companies whose lines or structures will be affected by the said improvement, and said companies have agreed to make any and all necessary arrangements in such a manner as to be clear of any construction called for by the plans of said improvement, and said companies have agreed to make such necessary arrangements immediately after notification by said City.

(b) That the County will pay the cost of alterations of governmentally-owned utility facilities which

come within the provisions of Section 8301 (Utility Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual to the same extent that it participates in the other costs of the project, provided, however, that such participation will not extend to any additions or betterments of existing facilities.

(c) The City shall cooperate with the County to, make all arrangements of governmentally-owned utilities and/or appurtenances thereto which do not comply with the Provisions of Section 8301 (Utility Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual, whether inside or outside the corporate limits, as may be necessary to conform to the said improvement.

(d) That the construction, reconstruction, and/or arrangement of all utilities shall be done in such a manner as not to interfere unduly with the operation of the contractor constructing the improvement, and all backfilling of trenches made necessary by such utility rearrangements shall be performed in accordance with the provision of the Ohio Department of Transportation Construction and Material Specifications.

Section 8. Miscellaneous

(a) That if the County is formally requested by ordinance of this Council to include the construction of sanitary sewers, water lines, area sewers (drainage of area surrounding the Improvement), sidewalks, alternate bid items, or other items in the Improvement that are in addition to those now existing and not provided for elsewhere in this ordinance, the City agrees to pay, or make arrangements for the payment of the cost of the construction, the cost of preliminary and design engineering, and construction supervision.

(b) For purposes of this ordinance, the agent for the County and liaison officer shall be the County Engineer of Cuyahoga County, Ohio, and/or such members of his staff as he may designate.

(c) That, under the provisions of Chapters 304 and 1306 of the Revised, code, the City agrees to conduct this transaction by electronic means and agrees that all documents requiring County signatures may be executed by electronic means, and that the electronic signatures affixed by the County to the documents shall have the same legal effect as if that signature was manually affixed to a paper version of the document.

Section 9. That the Director of Capital Projects is authorized to apply to the County for an allocation from the County Motor Vehicle License Tax Fund to pay the County portion of the Improvement.

Section 10. That the Director of Capital Projects is authorized to enter into agreements with the County necessary to complete the Improvement.

Section 11. That this Council requests the County to proceed with the Improvement.

Section 12. That this Council authorizes payment of the City's share of the Improvement which is currently estimated to be \$478,040,

payable from Fund Nos. 20 SF 520, 20 SF 528, 20 SF 534, 20 SF 540, 20 SF 546, 20 SF 554, 20 SF 563, 20 SF 568, 20 SF 574, 20 SF 579, 20 SF 586, from future bonds if issued for this purpose, and from any fund or funds approved by the Director of Finance. (RQS 0103, RLA 2019-32)

Section 13. That the Clerk of Council is directed to transmit to the County three (3) certified copies of this ordinance immediately on its taking effect.

Section 14. 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 June 3, 2019.
Effective June 5, 2019.

Ord. No. 634-2019.

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

An emergency ordinance authorizing the Mayor to apply to the District One Public Works Integrating Committee for state funding for the rehabilitation of portions of West 65th Street; to apply for and accept gifts and grants from various entities for the improvement; authorizing the Director of Capital Projects to enter into contracts and agreements to design and construct the improvement and other agreements; and authorizing the Commissioner of Purchases and Supplies to acquire, accept, and record for right-of-way purposes real property and easements necessary to make the improvement.

Whereas, under Article VIII, Section 2k of the Ohio Constitution, the State of Ohio is authorized to issue bonds and other obligations of the State for the purpose of financing public infrastructure capital improvements of political subdivisions as designated by law; and

Whereas, under Section 164.03 of the Revised Code, the District One Public Works Integrating Committee has been created to evaluate applications for state financing of capital improvement projects of local subdivisions in Cuyahoga County; 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 Mayor is authorized to apply to the District One Public Works Integrating Committee for state funding for the rehabilitation of portions of West 65th Street from Denison Avenue to Herman Avenue (the "Improvement").

Section 2. That the Mayor is authorized to apply to the District One Public Works Integrating Committee for state funding in the form of a loan or grant, or a combination of both, to obtain credit enhancements and loan assistance in support of the city's bonds issued for

bridge and road improvements for the Improvement.

Section 3. That the Mayor is authorized to accept one or more loans or grants from the Ohio Public Works Commission, acting by and through its Director, to finance the Improvement; that the Mayor is authorized to file all papers and execute all documents necessary to receive the funds under the loan or grant; and that the funds are appropriated for the purposes described in this ordinance.

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

Section 5. That, provided the City sells future bonds authorized for the purposes of this ordinance, the City of Cleveland is obligated to provide cash matching funds in the amount of the local share.

Section 6. That, provided the City sells future bonds authorized for the purposes of this ordinance, the Director of Capital Projects is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional design, engineering and construction services necessary for the Improvement.

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

Section 7. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement as described in this ordinance, for the Office of Capital Projects, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement.

Section 8. That, provided the City sells future bonds authorized for the purposes of this ordinance, the Director of Capital Projects is authorized to enter into one or more contracts for the making of the Improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

Section 9. That the Director of Capital Projects is authorized to

accept cash contributions from public or private entities for infrastructure restoration costs associated with relocating, rehabilitating or reconstructing utility infrastructure for the Improvement and costs associated with implementing green infrastructure features to address combined sewer overflows. That the Director of Capital Projects is authorized to enter into agreements with the entities for this purpose.

Section 10. That, when appropriate, the Director of Capital Projects is authorized to enter into one or more contracts with railroads, the Greater Cleveland Regional Transit Authority, the Northeast Ohio Regional Sewer District and other public or private entities to obtain services or to acquire property rights such as easements and licenses, necessary to construct the Improvement described in this ordinance.

Section 11. That the Director of Capital Projects is authorized to accept right-of-entries from private property owners within the Improvement locations where access to private property is necessary to complete the proposed Improvement.

Section 12. That the Director of Capital Projects is authorized to enter into one or more agreements with private utility companies to pay charges for the installation of underground lines in connection with the Improvement.

Section 13. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is authorized to acquire, accept, and record for right-of-way purposes any real property including but not limited to fee simple acquisitions, temporary easements, permanent easements, and work agreements as is necessary to make the improvements described in this ordinance. The consideration to be paid for the property and easements shall not exceed fair market value, as described by the Board of Control.

Section 14. That the Director of Capital Projects is authorized to execute, on behalf of the City, all documents necessary to acquire, accept, and record the property and easements and to employ and pay all fees for title companies, surveys, escrows, appraisers, and all other costs necessary for the acquisition of the property and easements.

Section 15. That the Mayor or Director of Capital Projects is authorized to file all papers and execute all documents necessary to receive the funds under this ordinance; and that the funds are appropriated for the purposes described in the ordinance.

Section 16. That the Director of Capital Projects is authorized to enter into any agreements needed to implement the Improvement, including but not limited to, multi-party agreements between the City and other governmental entities regarding the funding and construction of the Improvement.

Section 17. That the Director of Capital Projects is authorized to accept cash contributions from the public or private entities, including but not limited to, the Greater Cleveland Regional Transit Authority and

the Northeast Ohio Regional Sewer District, for the Improvement. That the Director of Capital Projects is authorized to enter into agreements with the entities for this purpose.

Section 18. That the cost of the contracts, payments, property acquisition, agreements, cash matches, and other expenditures authorized shall be paid from Fund Nos. 20 SF 520, 20 SF 528, 20 SF 534, 20 SF 540, 20 SF 546, 20 SF 554, 20 SF 563, 20 SF 568, 20 SF 574, 20 SF 579, 20 SF 586, from the fund or funds to which are credited any gift, grant, or other funds received under this ordinance, from cash contributions accepted and appropriated under this ordinance, and from any other funds approved by the Director of Finance, including future bond funds if issued for this purpose. (RQS 0103, RLA 2019-29)

Section 19. 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 June 3, 2019.
Effective June 5, 2019.

Ord. No. 635-2019.

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

An emergency ordinance authorizing the Mayor to apply to the District One Public Works Integrating Committee for state funding for the rehabilitation of portions of East 105th Street; to apply for and accept gifts and grants from various entities for the improvement; authorizing the Director of Capital Projects to enter into contracts and agreements to design and construct the improvement and other agreements needed to implement the improvement; and authorizing the Commissioner of Purchases and Supplies to acquire, accept, and record for right-of-way purposes real property and easements necessary to make the improvement.

Whereas, under Article VIII, Section 2k of the Ohio Constitution, the State of Ohio is authorized to issue bonds and other obligations of the State for the purpose of financing public infrastructure capital improvements of political subdivisions as designated by law; and

Whereas, under Section 164.03 of the Revised Code, the District One Public Works Integrating Committee has been created to evaluate applications for state financing of capital improvement projects of local subdivisions in Cuyahoga County; 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 Mayor is authorized to apply to the District One

Public Works Integrating Committee for state funding for the rehabilitation of portions of East 105th Street from Greenlawn Avenue to North City Limits (the "Improvement").

Section 2. That the Mayor is authorized to apply to the District One Public Works Integrating Committee for state funding in the form of a loan or grant, or a combination of both, to obtain credit enhancements and loan assistance in support of the city's bonds issued for bridge and road improvements for the Improvement.

Section 3. That the Mayor is authorized to accept one or more loans or grants from the Ohio Public Works Commission, acting by and through its Director, to finance the Improvement; that the Mayor is authorized to file all papers and execute all documents necessary to receive the funds under the loan or grant; and that the funds are appropriated for the purposes described in this ordinance.

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

Section 5. That, provided the City sells future bonds authorized for the purposes of this ordinance, the City of Cleveland is obligated to provide cash matching funds in the amount of the local share.

Section 6. That, provided the City sells future bonds authorized for the purposes of this ordinance, the Director of Capital Projects is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional design, engineering and construction services necessary for the Improvement.

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

Section 7. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement as described in this ordinance, for the Office of Capital Projects, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement.

Section 8. That, provided the City sells future bonds authorized for the purposes of this ordinance, the

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

Section 9. That the Director of Capital Projects is authorized to accept cash contributions from public or private entities for infrastructure restoration costs associated with relocating, rehabilitating or reconstructing utility infrastructure for the Improvements and costs associated with implementing green infrastructure features to address combined sewer overflows. That the Director of Capital Projects is authorized to enter into agreements with the entities for this purpose.

Section 10. That, when appropriate, the Director of Capital Projects is authorized to enter into one or more contracts with railroads, the Greater Cleveland Regional Transit Authority, the Northeast Ohio Regional Sewer District and other public or private entities to obtain services or to acquire property rights such as easements and licenses, necessary to construct the Improvement described in this ordinance.

Section 11. That the Director of Capital Projects is authorized to accept right-of-entries from private property owners within the Improvement locations where access to private property is necessary to complete the proposed Improvement.

Section 12. That the Director of Capital Projects is authorized to enter into one or more agreements with private utility companies to pay charges for the installation of underground lines in connection with the Improvement.

Section 13. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is authorized to acquire, accept, and record for right-of-way purposes any real property including but not limited to fee simple acquisitions, temporary easements, permanent easements, and work agreements as is necessary to make the Improvement described in this ordinance. The consideration to be paid for the property and easements shall not exceed fair market value, as described by the Board of Control.

Section 14. That the Director of Capital Projects is authorized to execute, on behalf of the City, all documents necessary to acquire, accept, and record the property and easements and to employ and pay all fees for title companies, surveys, escrows, appraisers, and all other costs necessary for the acquisition of the property and easements.

Section 15. That the Mayor or Director of Capital Projects is authorized to file all papers and execute all documents necessary to receive the funds under this ordinance; and that the funds are appropriated for the purposes described in the ordinance.

Section 16. That the Director of Capital Projects is authorized to enter into any agreements needed to implement the Improvement, including but not limited to, multi-party agreements between the City and other governmental entities regarding the funding and construction of the Improvement.

Section 17. That the Director of Capital Projects is authorized to accept cash contributions from the public or private entities, including but not limited to, the Greater Cleveland Regional Transit Authority and the Northeast Ohio Regional Sewer District, for the Improvement. That the Director of Capital Projects is authorized to enter into agreements with the entities for this purpose.

Section 18. That the cost of the contracts, payments, property acquisition, agreements, cash matches, and other expenditures authorized shall be paid from Fund Nos. 20 SF 520, 20 SF 528, 20 SF 534, 20 SF 540, 20 SF 546, 20 SF 554, 20 SF 563, 20 SF 568, 20 SF 574, 20 SF 579, 20 SF 586, from the fund or funds to which are credited any gift, grant, or other funds received under this ordinance, from cash contributions accepted and appropriated under this ordinance, and from any other funds approved by the Director of Finance, including future bond funds if issued for this purpose. (RQS 0103, RLA 2019-30)

Section 19. 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 June 3, 2019.
Effective June 5, 2019.

Ord. No. 636-2019.

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

An emergency ordinance determining the method of making the public improvement of constructing material capital repairs and capital improvements to First Energy Stadium; authorizing one or more public improvement contracts for the making of the improvement; and professional services to design, or in the alternative, to reimburse or accept the gift of design and other services from the Cleveland Browns.

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

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

Section 1. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of constructing the capital repairs and improvements to the Stadium, including but not limited to the following items identified by a current facility assessment: replacing pedestrian ramps, replacing domestic hot water tanks, installing chiller lines to South end of Stadium, replacing

walk-in cooler and freezer compressors, replacing stadium lighting control system, Micro-line, and replacing corroded fire sprinkler lines, for the Department of Public Works or the Office of Capital Projects, as appropriate, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

Section 2. That the Director of Public Works or the Director of Capital Projects, as appropriate, is authorized to enter into contract for the making of the public improvement with the lowest responsible bidder after competitive bidding for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract for a gross price. On request of the director, the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of the improvement.

Section 3. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of constructing the capital repairs and improvements to the Stadium, including but not limited to the following items identified by a current facility assessment: replacing full depth of concrete slab, patching overhead and vertical concrete surfaces, patching and repairing horizontal concrete surfaces, repairing structural cracks, and repairing non-structural cracks, for the Department of Public Works or the Office of Capital Projects, as appropriate, by contract duly let to the lowest responsible bidder after competitive bidding on a unit basis for the improvement.

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

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

Section 6. That the Director of Public Works or the Director of Capital Projects, as appropriate, is authorized to employ by contract or contracts one or more consultants or other professionals or one or more firms of consultants or the professionals necessary for the purpose of supplementing the regularly employed staff of the several departments of the City in order to provide professional services necessary

to prepare plans and specifications to make the capital repairs and improvements. The selection of the professional consultants shall be made by the Board of Control on the nomination of the appropriate director.

Section 7. That, in the alternative to the Section 6, if the Cleveland Browns want to prepare the plans and specifications and be reimbursed for their cost or if they wish to donate the plans and specifications, the Director of Public Works or the Director of Capital Projects, as appropriate, is authorized to enter into an agreement with the Cleveland Browns for that purpose. All plans and specifications shall be approved by the appropriate City official.

Section 8. That, if necessary, the Director of Public Works or the Director of Capital Projects, as appropriate, is authorized to accept one or more of the following: the gift of engineering plans, specifications, cost estimates, and schedules necessary to implement the improvements, including construction project management services, from the Cleveland Browns.

Section 9. That the costs of this ordinance shall be paid from Fund No. 20 SF 111, the Capital Repair Fund, RQS 0103, RL 2019-45.

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

Passed June 3, 2019.
Effective June 5, 2019.

Ord. No. 647-2019.

By Council Member Zone.

An emergency ordinance changing the name of "Lawn-Madison Park" located at West 75th Street and Madison Avenue to "Miriam Ortiz-Rush Park."

Whereas, the late Miriam Ortiz-Rush was a longtime resident of the Detroit Shoreway neighborhood who grew up there and continually served her community; and

Whereas, a graduate of West High School, Mrs. Ortiz-Rush served as a fierce and tireless advocate for the Cleveland Hispanic community, and founded the first Spanish community newspaper, El Nuevo Dia Publishing Company, Inc., in Cleveland in July of 1989, where her focus was on promoting Hispanic small businesses, news and events; and

Whereas, Mrs. Ortiz-Rush served as a longtime trustee and former Board Chair of the Detroit Shoreway Community Development Organization, and was involved in many civic and non-profit organizations; and

Whereas, she was the spouse of former City of Cleveland, Department of Community Development Director, the late Daryl Rush, and the proud mother of four wonderful children, Irvin, Angel, Shaun and Leticia; and

Whereas, Mrs. Ortiz-Rush was the longtime personal friend and Personal Bailiff of the late Honorable

Judge Raymond Pianka, beginning her service with Cleveland Municipal Housing Court in June of 1998; Miriam also worked for the Cuyahoga Municipal Housing Association (1990-1999), the Cleveland Metropolitan School District as an Instructional Technician (1980-1998), and as a Registered Nurse at Fairview Hospital (1970-1973); and

Whereas, the citizens of Cleveland want to honor Miriam Ortiz-Rush in recognition of her exceptional devotion and compassion to her family, her heritage and her community; 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 name of "Lawn-Madison Park" located at West 75th Street and Madison Avenue be changed to "Miriam Ortiz-Rush Park", and that the Director of Public Works is authorized and directed to take the necessary action to affect said name change and to post the proper signs at the park.

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

Passed June 3, 2019.

Effective June 5, 2019.

**Ord. No. 664-2019.
By Council Member Kelley (by departmental request).**

An emergency ordinance authorizing the Director of Finance to employ one or more consultants, computer software developers, or vendors or one or more firms of consultants, computer software developers, or vendors necessary to implement various technology projects and upgrades to existing systems under the 2019 ITS Capital Project Plan, other related professional services to implement the Plan; and to enter into various contracts to implement this ordinance.

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

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

Section 1. That, provided this Council sells the bonds authorized by Ordinance No. 509-2019, passed April 29, 2019, the Director of Finance is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants, for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to implement various Technology projects and upgrades to existing systems under the 2019 ITS Capital Project Plan (the "Plan"). Components of the Plan include, but are

not limited to, Website upgrade, fiber optic installation, obsolete desktop personal computer replacement, Data Center Network and Server Upgrades and enhancements migrating physical servers to power efficient, sustainable Blade Chassis and Virtual Servers, upgrade of SharePoint system, Software as a Service, Record Management System, WorkOrder Management, AVL System upgrade, Camera System, Voice over Internet Protocol (VoIP) telephone system, WIFI installation in City-owned and City-leased facilities, and installation of Pen-based devices, Business Intelligence System, all of the forgoing, including all associated hardware and appurtenances. Professional services needed to implement the Plan include, but are not limited to, project management, business analysis, software implementation and configuration, relocation, system design, data conversion, report development, testing, technical administration, turning, upgrades, backup systems and services, system disaster alleviation and remediation, network administration, programming, integration, data exchange, repair, implementation, migration, installation, design, interfacing, upgrades, enhancements, end user and technical staff training, registration, technical support, maintenance, and other support necessary to implement the Plan.

Section 2. That, provided this Council sells the bonds authorized by Ordinance No. 509-2019, passed April 29, 2019, the Director of Finance is authorized to employ by contract or contracts one or more consultants, computer software developers, or vendors or one or more firms of consultants, computer software developers, or vendors for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland to acquire one or more software licenses and city-wide applications, including implementation, training, and technical support related to the software or applications necessary to implement the Plan, which are not obtained under a professional services contract authorized in Section 1 of this ordinance.

Section 3. The selection of the consultants, computer software developers, or vendors for the services described in Sections 1 and 2, shall be made by the Board of Control on the nomination of the Director of Finance from a list of qualified consultants, computer software developers, or vendors available for employment as may be determined after a full and complete canvass by the Director of Finance for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, and approved and certified by the Director of Finance.

Section 4. That, provided this Council sells the bonds authorized by Ordinance No. 509-2019, passed April 29, 2019, the Director of Finance is authorized to make one or more written standard purchase or lease contracts and one or more written requirement purchase of lease contracts under the Charter

and the Codified Ordinances of Cleveland, Ohio, 1976, the period of requirements to be determined by the director, for the necessary items of the purchase, lease, or license of computer and network hardware, replacement parts, software, software licenses, software upgrades, appurtenances, related furniture, Building Equipment and Restoration, and other materials, equipment, supplies, and services necessary to implement the Plan which are not obtained under a professional services contract authorized elsewhere in this ordinance, including labor and materials, training and training materials, maintenance, and installation if necessary, to be purchased or procured by the Commissioner of Purchases and Supplies on a unit basis for the Division of Information Technology and Services, Department of Finance. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines.

Section 5. That the costs of the requirement contract or contracts shall be paid from Fund Nos. 20 SF 566, 20 SF 573, 20 SF 578, 20 SF 585, 20 SF 588, from the fund or funds which are credited the proceeds of the sale of bonds authorized by Ordinance No. 509-2019, passed April 29, 2019, if the City sells the bonds, future bonds if issued for this purpose, and shall also be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase or procurement under the contract or contracts, each of which purchases or 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.

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

Section 7. That the total cost of the contracts and other expenditures authorized in this ordinance shall be paid from Fund Nos. 11 SF 006, 52 SF 001, 54 SF 001, 58 SF 001, 60 SF 661, 81 SF 001, 20 SF 566, 20 SF 573, 20 SF 578, from the fund or funds which are credited the proceeds of the sale of bonds authorized by Ordinance No. 509-2019, passed April 29, 2019, if the City sells the bonds, future bonds if issued for this purpose, and any other funds as approved by the Director of Finance. (RQS 1511, RLA 2019-38)

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 June 3, 2019.

Effective June 5, 2019.

Ord. No. 665-2019.**By Council Member Kelley (by departmental request).****An emergency ordinance to amend Sections 8, 30, 35 and 51 of Ordinance No. 323-15, passed March 30, 2015, as amended, relating to compensation for various classifications.**

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

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

Section 1. That the following sections:

Section 8 of Ordinance No. 323-15, passed March 30, 2015, as amended by Ordinance No. 491-15, passed May 4, 2015, Ordinance No. 707-16, passed July 13, 2016, Ordinance No. 19-17, passed January 23, 2017, Ordinance No. 359-17, passed April 10, 2017, Ordinance No. 822-17, passed July 12, 2017, Ordinance No. 83-18, passed February 12, 2018, Ordinance No. 320-18, passed March 26, 2018, Ordinance No. 730-18, passed June 4, 2018, and Ordinance No. 1324-18, passed November 12, 2018;

Section 30 of Ordinance No. 323-15, passed March 30, 2015, as amended by Ordinance No. 189-17, passed March 20, 2017, Ordinance No. 1214-17, passed October 23, 2017, and Ordinance No. 321-18, passed March 26, 2018;

Section 35 of Ordinance No. 323-15, passed March 30, 2015, as amended by Ordinance No. 1022-16, passed September 26, 2016, Ordinance No. 189-17, passed March 20, 2017, Ordinance No. 644-17, passed June 5, 2017, Ordinance No. 952-17, passed September 18, 2017, Ordinance No. 321-18, passed March 26, 2018, and Ordinance No. 1217-18, passed October 8, 2018; and

Section 51 of Ordinance No. 323-15, passed March 30, 2015, as amended by Ordinance No. 1405-18, passed December 3, 2018, and Ordinance No. 66-2019, passed January 28, 2019, are amended to read as follows:

Section 8. International Local 100, AFSCME Ohio Council 8 AFL-CIO. That salaries in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

| | Minimum | Maximum |
|--|----------------|----------------|
| 1. Accountant I..... | \$15.73 | \$22.08 |
| 2. Accountant II..... | 16.27 | 24.25 |
| 3. Accountant III..... | 16.92 | 26.89 |
| 4. Accountant Clerk I..... | 10.00 | 17.90 |
| 5. Accountant Clerk II..... | 10.00 | 19.33 |
| 6. Activities Therapist..... | 10.00 | 17.01 |
| 7. Airport Information Representative..... | 12.14 | 18.56 |
| 8. Airport Operations Agent I..... | 18.73 | 22.94 |
| 9. Airport Operations Agent II..... | 23.53 | 27.01 |
| 10. Airport Safety Man..... | 18.79 | 25.22 |
| 10a. Apprentice Water Distribution Worker..... | 15.00 | 15.62 |
| 10b. Apprentice Sewer Service Worker..... | 15.50 | 17.00 |
| 11. Architect..... | 10.00 | 33.39 |
| 12. Associate Engineer..... | 24.04 | 45.02 |
| 13. Assistant Plan Examiner..... | 16.29 | 25.49 |
| 14. Assistant Residential Plan Examiner..... | 13.42 | 25.49 |
| 15. Associate Programmer..... | 10.00 | 25.96 |
| 16. Bill Collector..... | 12.14 | 18.55 |
| 17. Billing Clerk..... | 10.00 | 17.81 |
| 18. Building Inspector..... | 14.26 | 24.63 |
| 19. Building Inspector I..... | 14.08 | 26.91 |
| 20. Building Inspector II..... | 14.89 | 28.43 |
| 21. Building Inspector III..... | 15.70 | 29.94 |
| 22. Building Inspector IV..... | 26.35 | 31.50 |
| 23. Caseworker I..... | 13.33 | 20.15 |
| 24. Caseworker II..... | 15.33 | 22.08 |
| 25. Cashier/Starter..... | 10.00 | 22.09 |
| 26. Chemist..... | 18.49 | 29.35 |
| 27. Chief Miscellaneous Investigator..... | 10.00 | 25.49 |
| 28. Citizens Information Representative..... | 10.00 | 21.09 |
| 29. Claims Examiner..... | 10.00 | 25.49 |
| 30. Clinical Laboratory Assistant..... | 10.00 | 21.09 |
| 31. Clinical Laboratory Technician I..... | 10.00 | 24.25 |
| 32. Clinical Laboratory Technician II..... | 16.86 | 25.96 |
| 33. Community Development Planner..... | 10.00 | 32.15 |
| 34. Community Health Aide..... | 10.00 | 17.90 |
| 35. Community Relations Representative I..... | 10.00 | 21.09 |
| 36. Community Relations Representative II..... | 10.00 | 25.49 |
| 37. Community Relations Representative III..... | 10.00 | 31.55 |
| 38. Computer Monitor Assistant..... | 10.00 | 15.32 |
| 39. Computer Operator..... | 10.00 | 25.49 |
| 40. Construction Technician..... | 12.02 | 25.49 |
| 41. Consumer Protection Specialist..... | 10.00 | 20.16 |
| 42. Contract and Monitoring Specialist..... | 10.00 | 26.98 |
| 43. Cook..... | 13.77 | 17.43 |
| 44. Copy Center Operator..... | 10.00 | 20.49 |
| 44a. Customer Account Associate, Billing Services..... | 15.38 | 20.40 |
| 44b. Customer Account Associate, Credit & Collections..... | 15.38 | 20.40 |
| 44c. Customer Service Representative, Call Center..... | 14.29 | 19.45 |

| | | | |
|------|--|-------|-------|
| 45. | Customer Service Representative | 13.03 | 19.32 |
| 46. | Customer Support Associate of Billing Services | 14.58 | 20.40 |
| 47. | Customer Support Associate of Call Center | 14.58 | 19.84 |
| 48. | Customer Support Associate of Cleveland Public Power Meter Service Center | 14.58 | 19.84 |
| 49. | Customer Support Associate of Credit and Collections | 14.58 | 20.40 |
| 50. | Customer Support Associate of Meter Operations | 14.58 | 19.84 |
| 51. | Customer Support Associate of Water Distribution and Maintenance | 14.58 | 19.84 |
| 52. | Customer Support Associate of Water Pollution Control | 14.58 | 19.84 |
| 53. | Data Control Clerk | 10.00 | 18.56 |
| 54. | Data Conversion Operator | 12.02 | 16.82 |
| 55. | Development Officer | 10.00 | 29.94 |
| 56. | Disease Intervention Specialist I | 17.83 | 25.70 |
| 57. | Disease Intervention Specialist II | 19.81 | 28.46 |
| 57a. | Disease Surveillance Specialist | 14.42 | 34.81 |
| 58. | Drug and Alcohol Counselor | 10.00 | 16.42 |
| 59. | Elevator Inspector | 14.23 | 26.91 |
| 60. | Engineer | 22.78 | 38.04 |
| 61. | Environmental Compliance Specialist I | 14.95 | 25.40 |
| 62. | Environmental Compliance Specialist II | 16.35 | 26.59 |
| 63. | Environmental Compliance Specialist III | 17.90 | 34.23 |
| 64. | Environmental Enforcement Specialist I | 14.95 | 26.44 |
| 65. | Environmental Enforcement Specialist II | 16.35 | 27.70 |
| 66. | Environmental Enforcement Specialist III | 17.90 | 29.05 |
| 67. | Environmental Monitoring Specialist I | 13.33 | 26.20 |
| 68. | Environmental Monitoring Specialist II | 14.18 | 27.45 |
| 69. | Environmental Monitoring Specialist III | 15.74 | 28.74 |
| 70. | Financial Analyst | 10.00 | 24.25 |
| 71. | Financial Counselor | 10.00 | 25.49 |
| 72. | First Press Operator | 12.00 | 24.33 |
| 73. | General Storekeeper | 19.25 | 27.29 |
| 74. | Geriatric Outreach Worker | 10.00 | 24.24 |
| 75. | Hazardous Material Specialist | 21.63 | 36.41 |
| 76. | Head Cook | 10.00 | 19.68 |
| 77. | Head Storekeeper | 17.85 | 25.21 |
| 78. | Help Desk Analyst | 12.02 | 28.23 |
| 79. | Home Maintenance Aide | 10.00 | 18.63 |
| 80. | House Connection Inspector | 15.39 | 20.64 |
| 81. | Residential Building Inspector | 17.69 | 22.23 |
| 82. | Income Tax Tracer | 12.60 | 20.62 |
| 83. | Information Control Analyst | 10.00 | 23.12 |
| 84. | Inspector of Permits and Sales | 20.96 | 24.76 |
| 85. | Inspector of Weight and Measures | 14.28 | 20.20 |
| 86. | Instrumentation Technician I | 21.90 | 23.74 |
| 87. | Instrumentation Technician II | 24.45 | 26.14 |
| 88. | Instrument Repairman | 10.00 | 23.37 |
| 89. | Intake Specialist | 10.00 | 17.90 |
| 90. | Interim Building Inspector | 19.00 | 22.26 |
| 91. | Interim Mechanical Inspector | 19.00 | 22.26 |
| 92. | Interim Residential Building Inspector | 15.75 | 18.45 |
| 93. | Interim Residential Plan Examiner | 20.25 | 23.74 |
| 94. | Junior Cashier | 11.94 | 18.55 |
| 95. | Junior Clerk | 12.83 | 15.46 |
| 96. | Lab Coordinator | 16.82 | 29.38 |
| 97. | Laboratory Assistant | 10.00 | 21.09 |
| 98. | Landscape Designer | 10.00 | 31.55 |
| 99. | Life Guard | 10.00 | 17.67 |
| 100. | Life Guard Captain | 10.00 | 21.87 |
| 101. | Mechanical Inspector I | 14.08 | 26.91 |
| 102. | Mechanical Inspector II | 14.89 | 28.43 |
| 103. | Mechanical Inspector III | 15.70 | 29.94 |
| 104. | Mechanical Inspector IV | 27.39 | 31.50 |
| 105. | Medical Billing Reimbursement Specialist | 15.00 | 27.88 |
| 106. | Medical Coder and Billing Analyst | 10.17 | 24.12 |
| 107. | Messenger | 10.00 | 16.66 |
| 108. | Meter Reader | 16.65 | 21.07 |
| 109. | Meter Technician | 18.05 | 21.68 |
| 110. | Miscellaneous Investigator | 15.35 | 20.36 |
| 111. | Monitoring, Auditing and Evaluation Coordinator | 13.65 | 24.60 |
| 112. | Network Analyst I | 14.52 | 38.58 |
| 113. | On The Job Training Specialist | 12.71 | 23.78 |
| 114. | Parking Attendant | 10.00 | 17.90 |
| 115. | Parking Meter Collector | 10.00 | 17.87 |
| 116. | Parking Meter Serviceman | 16.49 | 18.79 |

| | | | |
|------|--|-------|-------|
| 117. | Permit Processing Specialist..... | 10.00 | 14.99 |
| 118. | Pharmacist..... | 10.74 | 35.25 |
| 119. | Photographer..... | 10.00 | 24.25 |
| 120. | Photographic Laboratory Technician..... | 10.00 | 21.09 |
| 121. | Physical Director I..... | 10.00 | 21.79 |
| 122. | Physical Director II..... | 10.00 | 23.51 |
| 123. | Residential Plan Examiner..... | 19.56 | 28.80 |
| 124. | Play Director..... | 10.00 | 15.28 |
| 125. | Pressman..... | 10.00 | 23.79 |
| 126. | Preventive Health Counselor..... | 13.59 | 24.64 |
| 127. | Preventive Health Educator..... | 10.00 | 16.56 |
| 128. | Principal Cashier..... | 14.66 | 25.96 |
| 129. | Principal Clerk..... | 14.88 | 21.97 |
| 130. | Print Shop Helper..... | 12.85 | 16.35 |
| 131. | Private Secretary..... | 10.00 | 23.18 |
| 132. | Program Analyst..... | 16.64 | 33.61 |
| 133. | Programmer..... | 10.00 | 29.95 |
| 134. | Programmer Analyst..... | 10.00 | 33.61 |
| 135. | Property Clerk..... | 11.37 | 37.21 |
| 136. | Psychiatric Social Worker..... | 12.48 | 24.16 |
| 137. | Public Health Nursing Aide..... | 10.63 | 15.59 |
| 138. | Public Health Sanitarian I..... | 15.48 | 23.93 |
| 139. | Public Health Sanitarian II..... | 17.38 | 25.80 |
| 140. | Public Health Sanitarian III..... | 15.49 | 27.08 |
| 141. | Public Health Sanitarian IV..... | 18.77 | 33.28 |
| 142. | Public Information Officer..... | 10.00 | 25.49 |
| 143. | Quality Assurance Analyst..... | 10.00 | 29.94 |
| 144. | Quality Control Coordinator..... | 16.82 | 29.40 |
| 145. | Radio Dispatcher..... | 17.33 | 22.94 |
| 146. | Radio Technician..... | 19.85 | 22.94 |
| 147. | Receptionist..... | 10.00 | 15.85 |
| 148. | Recreation Aide..... | 10.00 | 12.31 |
| 149. | Recreation Instructor..... | 10.00 | 17.90 |
| 150. | Recreation Instructor I..... | 10.00 | 19.08 |
| 151. | Recreation Instructor II..... | 10.00 | 19.80 |
| 152. | Recreation Instructor III..... | 10.00 | 20.94 |
| 153. | Redevelopment Advisor..... | 10.00 | 26.89 |
| 154. | Redevelopment Coordinator..... | 10.00 | 29.90 |
| 155. | Registered Animal Health Technician..... | 10.00 | 17.90 |
| 156. | Rehabilitation Inspector..... | 17.69 | 29.92 |
| 157. | Residential Building Inspector..... | 10.00 | 22.74 |
| 158. | Residential Plan Examiner..... | 10.00 | 28.80 |
| 159. | Second Press Operator..... | 10.00 | 21.76 |
| 160. | Secretary..... | 10.00 | 19.34 |
| 161. | Secretary to Director of Consumer Affairs..... | 10.00 | 31.55 |
| 162. | Senior Assistant City Planner..... | 10.00 | 26.89 |
| 163. | Senior Assistant Designer..... | 10.00 | 26.89 |
| 164. | Senior Assistant Mechanical Engineer..... | 10.00 | 26.89 |
| 165. | Senior Cashier..... | 12.57 | 22.08 |
| 166. | Senior Chemist..... | 17.61 | 25.49 |
| 167. | Senior Clerk..... | 12.47 | 18.14 |
| 168. | Senior Computer Operator..... | 10.00 | 29.95 |
| 169. | Senior Contract and Monitoring Specialist..... | 11.34 | 31.74 |
| 170. | Senior Data Conversion Operator..... | 13.47 | 20.16 |
| 171. | Senior Development Officer..... | 12.63 | 39.29 |
| 172. | Senior Draftsman..... | 11.69 | 21.68 |
| 173. | Senior Laboratory Technician..... | 10.86 | 19.72 |
| 174. | Senior Landscape Architect..... | 10.00 | 33.38 |
| 175. | Sewer Service Man..... | 18.16 | 21.07 |
| 176. | Site Inspector..... | 10.00 | 25.49 |
| 177. | Social Worker for Homeless..... | 13.82 | 25.07 |
| 178. | Starter (Golf)..... | 10.00 | 14.81 |
| 179. | Stenographer III..... | 10.00 | 20.16 |
| 180. | Stock Clerk..... | 13.11 | 19.93 |
| 181. | Storekeeper..... | 16.66 | 22.71 |
| 182. | Surveyor..... | 19.23 | 49.04 |
| 183. | Tax Auditor I..... | 14.39 | 21.60 |
| 184. | Tax Auditor II..... | 15.48 | 23.77 |
| 185. | Technical Specialist..... | 10.00 | 25.49 |
| 186. | Technical Specifications Writer..... | 10.00 | 26.90 |
| 187. | Telecommunications Analyst I..... | 14.53 | 46.40 |
| 188. | Telephone Operator..... | 10.00 | 18.72 |
| 189. | Telephone Supervisor..... | 10.00 | 19.33 |
| 190. | Traffic Sign and Marking Technician..... | 16.57 | 19.34 |
| 191. | Trainee Building Inspector..... | 18.60 | 22.23 |
| 192. | Trainee Residential Plan Examiner..... | 18.25 | 23.10 |

| | | | |
|------|---|-------|-------|
| 193. | Typist | 12.02 | 16.82 |
| 194. | Water Hydraulic Repairman | 18.16 | 23.21 |
| 195. | Water Meter Repairman | 16.18 | 21.07 |
| 196. | Water Pipe Repairman | 16.77 | 22.55 |
| 197. | Water Service Investigator | 19.08 | 21.07 |
| 198. | Water Serviceman | 10.00 | 18.00 |
| 199. | Water System Construction Inspector | 18.97 | 26.34 |
| 200. | Web Content Editor | 10.00 | 32.55 |

Section 30. That the salaries and the compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

| | Minimum | Maximum |
|--|----------------|----------------|
| 1. Animal Adoption/Volunteer Coordinator | \$20,800.00 | \$48,231.90 |
| 2. Assessments Analyst | 20,800.00 | 56,638.27 |
| 3. Assistant Buyer | 28,722.00 | 47,300.00 |
| 4. Budget Analyst | 20,800.00 | 58,534.37 |
| 5. Buyer | 20,800.00 | 53,516.01 |
| 6. Canine Enrichment Specialist | 31,000.00 | 37,440.00 |
| 7. Civil Service Examiner II | 20,800.00 | 67,626.00 |
| 8. Civil Service Examiner III | 20,800.00 | 66,723.40 |
| 9. Civil Service Examiner IV | 20,800.00 | 68,738.45 |
| 10. Docket Clerk | 20,800.00 | 40,109.95 |
| 11. Health Outreach Specialist | 34,008.00 | 54,308.80 |
| 12. Indoor Air Quality Specialist | 34,008.00 | 54,308.80 |
| 13. Junior Personnel Assistant | 20,800.00 | 43,469.45 |
| 14. Legal Secretary | 20,800.00 | 50,700.42 |
| 15. Mailing Specialist | 20,800.00 | 55,734.65 |
| 16. Misdemeanor Investigator | 20,800.00 | 52,489.70 |
| 17. Office Manager | 20,800.00 | 54,845.04 |
| 18. Paralegal | 20,800.00 | 48,254.00 |
| 19. Personnel Assistant | 20,800.00 | 52,381.41 |
| 20. Private Secretary to Director | 20,800.00 | 54,625.58 |
| 21. Revenue Analyst | 20,800.00 | 64,480.00 |
| 22. Risk Associate I | 42,640.00 | 56,680.00 |
| 23. Senior Personnel Assistant | 20,800.00 | 55,388.98 |

Section 35. That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

| | Minimum | Maximum |
|---|----------------|----------------|
| 1. Aging Services Administrator | \$27,325.56 | \$96,798.67 |
| 2. Air Pollution Control, Engineer IV | 20,800.00 | 69,713.09 |
| 3. Airport Operations Superintendent | 53,682.00 | 114,986.00 |
| 4. Airport Safety Shift Commander | 20,800.00 | 79,225.56 |
| 5. Animal Control Supervisor I | 40,000.00 | 60,000.00 |
| 6. Animal Control Supervisor II | 45,000.00 | 70,000.00 |
| 7. Assistant Administrator | 20,800.00 | 73,868.59 |
| 8. Assistant Aging Services Administrator | 20,800.00 | 68,738.75 |
| 9. Assistant Manager of Marketing | 20,800.00 | 64,468.16 |
| 10. Assistant Security Manager | 20,800.00 | 68,175.93 |
| 11. Central Payroll Supervisor | 20,800.00 | 92,276.53 |
| 12. Chief Building Inspector | 20,800.00 | 75,084.85 |
| 13. Chief Electrical Inspector | 20,800.00 | 75,084.85 |
| 14. Chief Elevator Inspector | 20,800.00 | 75,084.85 |
| 15. Chief Heating Inspector | 20,800.00 | 75,084.85 |
| 16. Chief Rehabilitation Supervisor | 20,800.00 | 79,225.56 |
| 17. Chore Services Coordinator | 20,800.00 | 57,417.83 |
| 18. Contract Supervisor - Division of Purchases and Supplies | 20,800.00 | 69,383.29 |
| 19. Data Processing Supervisor | 20,800.00 | 64,468.16 |
| 20. Deputy Central Payroll Supervisor | 20,800.00 | 69,668.31 |
| 21. Manager of Public Utilities - Building Maintenance | 20,800.00 | 86,124.77 |
| 22. Payroll Specialist | 20,800.00 | 65,000.00 |
| 23. Performance Assessment Specialist | 40,000.00 | 80,000.00 |
| 24. Performance Auditor | 40,000.00 | 90,000.00 |
| 25. Quality Control Inspector | 25,000.00 | 65,000.00 |
| 26. Senior Systems Analyst | 20,800.00 | 87,543.86 |
| 27. Shelter Operations Manager | 40,000.00 | 80,000.00 |
| 28. Shift Supervisor Operations | 20,800.00 | 64,468.16 |
| 29. Staff Accountant | 38,500.00 | 73,250.00 |
| 29. Superintendent of Distribution | 20,800.00 | 79,972.99 |
| 30. Superintendent of Purchase Power | 27,325.56 | 102,352.02 |
| 31. Supervising Tax Auditor | 20,800.00 | 67,000.00 |
| 32. Supervisor of Civil Service Records | 20,800.00 | 64,468.16 |

Section 51. Municipal Court Employees

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

| | Minimum | Maximum |
|---|----------------|----------------|
| 1. Deputy Bailiff | \$27,491.00 | \$62,641.52 |
| 2. Deputy Bailiff Administrative Assistant I..... | 34,167.00 | 54,858.71 |
| 3. Deputy Bailiff Administrative Assistant II..... | 39,167.00 | 72,690.12 |
| 4. Deputy Bailiff Alcohol & Drug Treatment Coordinator/Drug Court Case Manager | 48,750.00 | 78,274.01 |
| 5. Deputy Bailiff Assistant Chief of Security..... | 48,750.00 | 78,274.01 |
| 6. Deputy Bailiff Assistant Jury Commissioner..... | 44,167.00 | 70,245.91 |
| 7. Deputy Bailiff Central Scheduler..... | 27,492.00 | 58,277.35 |
| 8. Deputy Bailiff Chief Bailiff | 42,000.00 | 103,027.32 |
| 9. Deputy Bailiff Chief Court Reporter..... | 52,500.00 | 84,295.10 |
| 10. Deputy Bailiff Chief Deputy Bailiff | 58,333.00 | 93,661.20 |
| 11. Deputy Bailiff Chief Magistrate..... | 71,667.00 | 115,069.48 |
| 12. Deputy Bailiff Chief of Security..... | 48,750.00 | 84,773.96 |
| 13. Deputy Bailiff Chief Probation Officer..... | 58,333.00 | 103,027.32 |
| 14. Deputy Bailiff Chief Social Worker..... | 48,750.00 | 84,295.10 |
| 15. Deputy Bailiff Clerical Staff..... | 27,492.00 | 58,277.35 |
| 16. Deputy Bailiff Clerk Typist..... | 24,525.00 | 55,039.33 |
| 17. Deputy Bailiff Clerk Typist Supervisor | 39,167.00 | 62,886.81 |
| 18. Deputy Bailiff Court Administrator | 79,167.00 | 127,111.64 |
| 18a. Deputy Bailiff Court Interpreter II..... | 45,493.00 | 54,590.00 |
| 18b. Deputy Bailiff Court Interpreter Coordinator | 50,213.00 | 60,255.00 |
| 19. Deputy Bailiff Court Reporter..... | 36,509.00 | 67,072.58 |
| 20. Deputy Bailiff Database Administrator II | 52,500.00 | 96,043.55 |
| 21. Deputy Bailiff Data Processor I..... | 27,083.00 | 43,485.56 |
| 22. Deputy Bailiff Deputy Chief Court Reporter | 48,750.00 | 78,274.01 |
| 23. Deputy Bailiff Deputy Court Administrator | 71,667.00 | 115,069.48 |
| 24. Deputy Bailiff Deputy Director Central Scheduling..... | 48,750.00 | 78,274.01 |
| 25. Deputy Bailiff Deputy Director Information Technology | 64,167.00 | 103,027.32 |
| 26. Deputy Bailiff Director Central Scheduling..... | 52,500.00 | 102,604.78 |
| 27. Deputy Bailiff Director Information Technology | 71,667.00 | 115,069.48 |
| 28. Deputy Bailiff Drug Court Coordinator..... | 52,500.00 | 84,295.10 |
| 29. Deputy Bailiff Finance Director..... | 52,500.00 | 84,295.10 |
| 30. Deputy Bailiff HR/Personnel Director..... | 58,333.00 | 93,661.20 |
| 31. Deputy Bailiff Intake Coordinator..... | 34,167.00 | 54,858.71 |
| 32. Deputy Bailiff Jury Commissioner | 48,750.00 | 78,274.01 |
| 33. Deputy Bailiff Law Clerk | 41,600.00 | 52,000.00 |
| 34. Deputy Bailiff Magistrate | 58,333.00 | 102,604.78 |
| 35. Deputy Bailiff Magistrate Project Coordinator | 39,167.00 | 70,245.91 |
| 36. Deputy Bailiff Network Engineer I..... | 39,167.00 | 62,886.81 |
| 37. Deputy Bailiff Network Engineer II..... | 44,167.00 | 77,549.25 |
| 38. Deputy Bailiff Network Engineer III..... | 52,500.00 | 84,295.10 |
| 39. Deputy Bailiff Office Manager..... | 48,750.00 | 78,274.01 |
| 40. Deputy Bailiff Pretrial Services Intake Officer..... | 31,220.00 | 62,886.81 |
| 41. Deputy Bailiff Pretrial Services Release Officer..... | 34,035.00 | 67,097.11 |
| 42. Deputy Bailiff Pretrial Services Supervision Officer... | 34,035.00 | 67,097.11 |
| 43. Deputy Bailiff Pretrial Services Coordinator | 48,750.00 | 78,274.01 |
| 44. Deputy Bailiff Pretrial Services Director | 58,333.00 | 93,661.20 |
| 45. Deputy Bailiff Private Secretary..... | 33,554.00 | 45,453.57 |
| 46. Deputy Bailiff Probation Officer Supervisor | 48,750.00 | 78,274.01 |
| 47. Deputy Bailiff Probation Systems Administrator/Trainer..... | 48,750.00 | 78,274.01 |
| 48. Deputy Bailiff Probation Training Coordinator..... | 44,167.00 | 70,245.91 |
| 49. Deputy Bailiff Program Analyst I..... | 39,167.00 | 62,886.81 |
| 50. Deputy Bailiff Program Analyst II..... | 52,500.00 | 84,295.10 |
| 51. Deputy Bailiff Project Manager II..... | 64,167.00 | 103,027.32 |
| 52. Deputy Bailiff Psychiatric Social Worker..... | 34,167.00 | 54,858.71 |
| 53. Deputy Bailiff Psychology Assistant..... | 27,083.00 | 43,485.56 |
| 54. Deputy Bailiff Public Information Officer | 48,750.00 | 84,776.96 |
| 55. Deputy Bailiff Special Projects Officer | 48,750.00 | 78,274.01 |
| 56. Deputy Bailiff Supervisor..... | 44,167.00 | 70,245.91 |
| 57. Deputy Bailiff System Analyst II..... | 52,500.00 | 84,295.10 |
| 58. Deputy Bailiff Technical Support Specialist I..... | 27,083.00 | 49,749.57 |
| 59. Deputy Bailiff Technical Support Specialist II | 39,167.00 | 62,886.81 |
| 60. Deputy Bailiff Technical Support Specialist III | 44,167.00 | 70,245.91 |
| 61. Deputy Bailiff Warrant Officer | 27,492.00 | 62,886.81 |
| 62. Probation Officer General..... | 34,035.00 | 67,097.11 |
| 63. Personal Bailiff | 63,969.00 | 85,591.85 |

Section 2. That the following existing sections:

Section 8 of Ordinance No. 323-15, passed March 30, 2015, as amended by Ordinance No. 491-15, passed May 4, 2015, Ordinance No. 707-16, passed July 13, 2016, Ordinance No. 19-17, passed January 23, 2017, Ordinance No. 359-17, passed April

10, 2017, Ordinance No. 822-17, passed July 12, 2017, Ordinance No. 83-18, passed February 12, 2018, Ordinance No. 320-18, passed March 26, 2018, Ordinance No. 730-18, passed June 4, 2018, and Ordinance No. 1324-18, passed November 12, 2018;

Section 30 of Ordinance No. 323-15, passed March 30, 2015, as amended by Ordinance No. 189-17, passed March 20, 2017, Ordinance No. 1214-17, passed October 23, 2017, and Ordinance No. 321-18, passed March 26, 2018;

Section 35 of Ordinance No. 323-15, passed March 30, 2015, as amended by Ordinance No. 1022-16, passed September 26, 2016, Ordinance No. 189-17, passed March 20, 2017, Ordinance No. 644-17, passed June 5, 2017, Ordinance No. 952-17, passed September 18, 2017, Ordinance No. 321-18, passed March 26, 2018, and Ordinance No. 1217-18, passed October 8, 2018; and

Section 51 of Ordinance No. 323-15, passed March 30, 2015, as amended by Ordinance No. 1405-18, passed December 3, 2018, and Ordinance No. 66-2019, passed January 28, 2019, are repealed.

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

Passed June 3, 2019.

Effective June 5, 2019.

Ord. No. 666-2019.

By Council Member McCormack.
An emergency ordinance authorizing the Director of Capital Projects to issue a permit to Cavaliers Operating Company, LLC to encroach into the public rights-of-way of Huron Road, Ontario Street and East 6th Street by installing, using, and maintaining protective bollards/concrete planter benches around the perimeter of the Rocket Mortgage Fieldhouse (fka Q Arena).

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 Cavaliers Operating Company, LLC, 1 Center Court, Cleveland, Ohio 44115 ("Permittee"), to encroach into the public right-of-way of Huron Road, Ontario Street and East 6th Street by installing, using, and maintaining protective bollards/concrete planter benches around the perimeter of the Rocket Mortgage Fieldhouse (fka Q Arena) at the specific locations identified in one or more plans first reviewed and approved in writing by the Director of Capital Projects.

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 permits shall reserve to the City reasonable right of entry to the encroachment location(s).

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

Passed June 3, 2019.

Effective June 5, 2019.

Ord. No. 667-2019.

By Council Members McCormack, Johnson, 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 near the northwest corner of Starkweather Avenue and West 15th Street to Larry Zukerman for purposes of redevelopment.

Whereas, the Director of Capital Projects has requested the sale of the City-owned property to Larry Zukerman (the "Redeveloper") no longer needed for the City's public use and known as Permanent Parcel No. 004-11-029 located near the northwest corner of Starkweather Avenue and West 15th Street for purposes of redevelopment; 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 known as Permanent Parcel No. 004-11-029 located near the northwest corner of Starkweather Avenue and West 15th Street is no longer needed for the City's public use:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Sublot No. 158 in John G. Jennings's University Heights Allotment of part of Original Brooklyn Township Lots Nos. 87, 86 and 71 as shown by the recorded plat in Volume 1 of Maps, Page 15 of Cuyahoga County Records and bounded and described as follows:

Beginning in the northerly line of Starkweather Avenue S. W., (100 feet wide) on the southwesterly corner of Sublot No. 158; thence easterly along the said northerly line of Starkweather Avenue S.W. 16.5 feet to its intersection with the easterly limited access line of Interstate Route 90, and the principal place of beginning of the parcel herein intended to be described; thence continuing easterly along said northerly line of Starkweather Avenue S.W. about 16.5 feet to the southeasterly corner of land conveyed to Rousangelos G. and Zona Cosmas by deed dated July 11, 1963 and recorded in Volume 10935, Page 213 of Cuyahoga County Records; thence northerly along the easterly line of said land so conveyed to Rousangelos G. and Zona Cosmas as aforesaid, about 100 feet to the northeasterly corner thereof; thence westerly along the northerly line of land so conveyed to Rousangelos G. and Zona Cosmas as aforesaid, about 16.5 feet to its intersection with the said easterly limited access line of Interstate Route 90; thence southerly, in a direct line along said easterly limited access line of Interstate Route 90 to the principal place of beginning and containing within said bounds 1,650 square feet of land, as appears by said plat, be the same more or less but subject to all legal highways.

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 to the Redeveloper at a price not less than the appraised value of \$1,000, 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 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 Director of Capital Projects is authorized to execute any documents as may be necessary to effectuate the purposes 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.

Passed June 3, 2019.
Effective June 5, 2019.

Ord. No. 668-2019.

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

An emergency ordinance giving consent of the City of Cleveland to the County of Cuyahoga for the improvement of East 116th Street from Miles Avenue to Union Avenue in the City of Cleveland; authorizing the Director of Capital Projects to enter into agreements; to apply for and accept an allocation of County Motor Vehicle License Tax Funds; authorizing the acquisition of any real property and easements; apply for and accept gifts and grants; and to cause payment to the County for the City's share of the improvement.

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

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

Section 1. Consent. That it is declared to be in the public interest that the consent of the City of Cleveland is given to the County of Cuyahoga (the "County") to construct the following improvement under plans, specifications, and estimates approved by the County: improvement of East 116th Street from Miles Avenue to Union Avenue in the City of Cleveland (County ID No. 1170) (the "Improvement").

Section 2. Cooperation

(a) That the City will cooperate with the County in the Improvement.

(b) That the County will arrange for the preparation of construction plans and specifications, including necessary engineering reports for the Improvement, under Current Cuyahoga County standards for construction of County roads and bridges.

(c) That the County will arrange for the supervision and administration of the construction project.

(d) That the City agrees to assume and contribute 100% of the cost of any items included in the construction contract at the request of the City, which are determined by the County to be not eligible or made necessary by the Improvement.

Section 3. Funding

(a) That the City agrees to cooperate with the County in the cost of the Improvement by an allocation from the County Motor Vehicle License Tax Fund to pay the County portion of the project.

(b) That if funds administered by the Ohio Public Works Commission are used for this project, the amount of such funds will be deducted from designated project cost prior to the application of the participatory percentages specified in this ordinance.

(c) That the County shall contribute one hundred percent (100%) of the cost to prepare the construction plans and specifications and

fifty percent (50%) of the non-Issue I share of the cost of construction, construction supervision, right-of-way, and incidentals.

(d) That the City shall contribute fifty percent (50%) of the non-Issue I share of the cost of construction, construction supervision, right-of-way, and incidentals.

Section 4. Maintenance. That upon completion of the Improvement, the City will keep the highway open to traffic at all times; and

(a) Maintain the Improvement in accordance with the provisions of the statutes relating thereto and make ample financial provisions for the maintenance;

(b) Maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the County and hold the right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the right-of-way limits;

(c) That the County shall continue to maintain the structural elements of any bridge (defined as a structure with a span of twenty feet or greater) located within the limits of the Improvement under the applicable sections of the Revised Code; and

(d) After construction of the Improvement is complete, the City agrees to follow and maintain post-construction Best Management Practices as outlined in the Municipal Storm Water Permit that is filed with the Ohio Environmental Protection Agency.

Section 5. Traffic. That on completion of the Improvement, the City will keep the highway open to traffic at all times; and

(a) Place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the Improvement in compliance with the provisions of Section 4511.11 of the Revised Code and other related sections of the Revised Code;

(b) That the street or highway within the limits of the Improvement is designated a through highway as provided in division (A)(6) of Section 4511.07 of the Revised Code;

(c) That stop signs affecting the movement of traffic on the street or highway within the Improvement shall be removed, and no stop signs shall be erected on same except at its intersection with another through highway where traffic does not warrant the installation of a traffic control signal but where the warrants for a "Four-Way Stop" as provided in the above-mentioned Manual are met;

(d) That no rule or regulation shall be enacted restricting the use of the Improvement by any class of vehicle or vehicle load permitted by the Revised Code to use a public highway. Any existing rule or regulation so restricting road usage is rescinded; and

(e) The City shall regulate parking in the following manner: Prohibit parking under Section 4511.66 of the Revised Code unless otherwise controlled by local ordinance or resolution.

Section 6. Right-of-Way

(a) That all existing street and public right-of-way within the City

which is necessary for the Improvement shall be made available.

(b) That in the event any additional right-of-way is required, the City will arrange for the acquisition.

Section 7. Utilities

(a) That the City will make arrangements with and obtain arrangements from all privately-owned public utility companies whose lines or structures will be affected by the Improvement, and the companies have agreed to make any and all necessary arrangements in such a manner as to be clear of any construction called for by the plans for the Improvement, and the companies have agreed to make necessary rearrangements immediately after notification by the City.

(b) That the County will pay the costs of alterations of governmentally-owned utility facilities which come within the provisions of Section 8301 (Utility Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual to the same extent that it participates in the other costs of the Improvement, provided, however, that such participation will not extend to any additions or betterments of existing facilities.

(c) That it is agreed that the City shall cooperate with the County to make all arrangements of governmentally-owned utilities and/or appurtenances that do not comply with the provisions of Section 8204 (Utility Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual, whether inside or outside the corporate limits, as may be necessary to conform to the Improvement.

(d) That the construction, reconstruction, and/or arrangement of all utilities shall be done in a manner as not to interfere unduly with the operation of the contractor constructing the Improvement, and all backfilling of trenches made necessary by utility rearrangements shall be performed under the provisions of the ODOT Construction and Material Specifications.

Section 8. Miscellaneous

(a) That if the County is formally requested by ordinance of this Council to include the construction of sanitary sewers, water lines, area sewers (drainage of area surrounding the Improvement), sidewalks, alternate bid items, or other items in the Improvement that are in addition to those now existing and not provided for elsewhere in this ordinance, the County will do so, provided that the construction meets with the approval of the County and the City involved in this Improvement; and that the City agrees to pay, or make arrangements for the payment of the cost of the construction, cost of preliminary and design engineering, and construction supervision.

(b) For purposes of this ordinance, the agent for the County and liaison officer shall be the County Engineer of Cuyahoga County, Ohio, and/or such members of his staff as he may designate.

(c) That the City agrees to conduct this transaction by electronic means and agrees that all documents requiring County signatures

may be executed by electronic means, and that the electronic signatures affixed by the County to the documents shall have the same legal effect as if that signature was manually affixed to a paper version of the document. The City also agrees on behalf of the aforementioned entities and persons to be bound by the provisions of Chapters 304 and 1306 of the Revised Code as they pertain to electronic transactions, and to comply with the electronic signature policy of the County.

Section 9. That the Director of Capital Projects is authorized to enter into agreements necessary to complete the Improvement.

Section 10. That the Director of Capital Projects is authorized to apply to the County for approval to use County Motor Vehicle License Tax funds to pay for the Improvement, to accept the funds and to file all papers and execute all documents necessary to receive the funds; and that the funds are appropriated for the purposes set forth above.

Section 11. That the Director of Capital Projects is authorized to apply for and accept any gifts or grants for this purpose from any public or private entity; and that the Director is authorized to file all papers and execute all documents necessary to receive the funds under this ordinance; and that the funds are appropriated for the purposes described in this ordinance.

Section 12. That the Director of Capital Projects is authorized to accept a cash contribution from public or private entities, for infrastructure restoration costs associated with relocating, rehabilitating or reconstructing utility infrastructure for the Improvement. The Director of Capital Projects is authorized to enter into agreements with the entities for this purpose.

Section 13. That, notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is authorized to acquire, accept, and record for right-of-way purposes any real property including but not limited to fee simple acquisitions, temporary easements, permanent easements, and work agreements as is necessary to make the improvements described in this ordinance. The consideration to be paid for the property and easements shall not exceed fair market value, as determined by the Board of Control.

Section 14. That the Director of Capital Projects is authorized to execute on behalf of the City all documents necessary to acquire, accept, and record the property and easements and to employ and pay all fees for title companies, surveys, escrows, appraisers, and all other costs necessary for the acquisition of the property and easements.

Section 15. That this Council requests the County to proceed with the Improvement.

Section 16. That this Council authorizes payment to the County for the City's share of the Improvement, payable from Fund Nos. 20 SF 520, 20 SF 528, 20 SF 534, 20 SF 540, 20 SF 546, 20 SF 554, 20 SF 563, 20 SF 568, 20 SF 574, 20 SF 579, 20 SF 586, from the fund or funds to which are credited the proceeds from the

sale future bonds, if issued for this purpose, and from any funds approved by the Director of Finance. (RQS 0103, RLA 2019-36)

Section 17. That the Clerk of Council is directed to transmit to the County three (3) certified copies of this ordinance immediately on its taking effect.

Section 18. 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 June 3, 2019.
Effective June 5, 2019.

Ord. No. 670-2019.
By Council Members Griffin and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Health to enter into an amendment to Contract No. CT 5005 SG 2017-111 with Emily Frantz, owner, Administrative & Logistical Support for Public Health Accreditation, LLC to assist the Department of Health to attain accreditation status by the Public Health Accreditation Board.

Whereas, the Department of Public Health entered into Contract No. CT 5005 SG 2017-111, with Emily Frantz, owner, Administrative & Logistical Support for Public Health Accreditation, LLC ("ALPHA"), for the purpose of assisting the Department of Public Health to attain accreditation status by the Public Health Accreditation Board; and

Whereas, additional services are necessary until December 31, 2019; and

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

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

Section 1. That the Director of Public Health is authorized to enter into an amendment to Contract No. CT 5005 SG2017-111 with ALPHA to provide additional services until December 31, 2019 needed to assist the City in attaining accreditation status by the Public Health Accreditation Board. All other terms and conditions contained in the contract shall remain the same.

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

Section 3. That the costs of the contract amendment shall not exceed \$25,000 and shall be paid from Fund No. 01-5001-6320, RQS 5001, RL 2019-50.

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

Passed June 3, 2019.
Effective June 5, 2019.

Ord. No. 671-2019.
By Council Members Griffin and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Health to accept a grant from the Ohio Environmental Protection Agency for 2019-20 financial assistance for the operation of the Division of Air Quality; authorizing the director to enter into one or more contracts for various services, equipment and supplies, and contracts with various agencies or entities necessary to operate the Division of Air Quality; determining the method of constructing, rehabilitating, renovating, replacing, or otherwise improving air monitoring sites and other similar structures on city-owned and city-leased property; and authorizing the director to enter into one or more contracts to construct the improvement and to design it.

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

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

Section 1. That the Director of Public Health is authorized to accept a grant in the approximate amount of \$2,488,915, and any other funds that become available during the grant term, from the Ohio Environmental Protection Agency for 2019-20 financial assistance for the operation of the Division of Air Quality in accordance with the purposes set forth in the summary; that the Director of Public Health is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes in the summary for the grant.

Section 2. That the summary for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 671-2019-A, is made a part of this ordinance as if fully rewritten, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$276,100, payable from funds appropriated in 2019 and 2020 for this purpose, in order to receive the grant from the Ohio Environmental Protection Agency, as a pass-through from the U.S. Environmental Protection Agency, is approved in all respects, and shall not be changed without additional legislative authority. (RQS 5007, RLA 2019-39)

Section 3. That the Director of Public Health is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the grant period of the necessary items of materials, equipment, services, and supplies needed as described in the file, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Air Quality, Department of Public Health. 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 grant term may be taken if deemed

desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 4. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance.

Section 5. That the Director of Public Health is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items during the term of the grant: various types of monitoring equipment, OEPA-required equipment and their associated parts, and other materials, equipment, supplies, and services needed to implement the grant, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Division of Air Quality, Department of Public Health.

Section 6. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of constructing, rehabilitating, renovating, replacing, or otherwise improving air monitoring sites and other similar structures on City-owned and City-leased property (the "Improvement"), for the Division of Air Quality, Department of Public Health, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement.

Section 7. That the Director of Public Health is authorized to enter into one or more contracts for the making of the Improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

Section 8. That the Director of Public Health is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to implement the grant.

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

Section 9. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements with other governmental agencies. The Director of Public Health may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 10. That the Director of Public Health is authorized to enter into one or more contracts with and make payments to one or more various entities or agencies to implement the grant as described in the file.

Section 11. That the Director of Public Health shall have the authority to extend the term of the grant during the grant term.

Section 12. That the Director of Public Health shall deposit the grant accepted under this ordinance into a fund or funds designated by the Director of Finance to implement the program as described in the file and appropriated for that purpose.

Section 13. That the payments and cost of the contracts authorized in this ordinance shall be paid from the fund or funds which are credited the grant proceeds accepted under this ordinance and from the cash match.

Section 14. 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 June 3, 2019.

Effective June 5, 2019.

Ord. No. 672-2019.

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

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

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

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

Section 1. That the Director of Public Health is authorized to enter into contract with the Ohio Department of Health, under which the City will perform environmental lead investigations for lead hazards in residences occupied by Medicaid-eligible and non-Medicaid-eligible children from July 1, 2019 to June 30, 2021. The Director of Finance is authorized to receive and accept the compensation on behalf of the City and the Director of Public Health is authorized to sign the documents necessary to enter into the contract.

Section 2. That the Director of Public Health is authorized to enter

into one or more contracts with JA Consultants, Environmental Health Watch, Ashtabula County Health Department, Family Health Services - Green, Family Health Services - Versailles, and other various agencies, entities, or individuals to conduct lead investigations, risk assessments, case management, community outreach, and other services necessary to implement this ordinance.

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

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

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

Passed June 3, 2019.

Effective June 5, 2019.

Ord. No. 673-2019.

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

An emergency ordinance authorizing the Director of Public Health to enter into contract with the Ohio Department of Health to perform investigations of violations regarding smoking in workplaces and other public places.

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

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

Section 1. That the Director of Public Health is authorized to enter into contract with the Ohio Department of Health, under which the City will perform investigations of violations regarding smoking in workplaces and other public places from July 1, 2019 to June 30, 2021. The contract shall provide that the City will receive compensation for performing the investigations in the amount of \$125.00 per investigation to be deposited into Fund No. 10 SF 804. The Director of Finance is authorized to receive and accept the compensation on behalf of the City and the Director of Public Health is authorized to sign the documents necessary to enter into the contract.

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

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

Passed June 3, 2019.

Effective June 5, 2019.

Ord. No. 674-2019.
By Council Members Johnson and Kelley (by departmental request).

An emergency ordinance to amend Section 131.34 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1330-A-10, passed December 6, 2010, relating to rental fees for recreation center use.

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 131.34 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1330-A-10, passed December 6, 2010, is amended to read as follows:

Section 131.34 Rental for Recreation Center and Facility Use; Fee

(a) The Commissioner of Recreation may allow private parties to rent recreation center community or meeting rooms or outdoor pools during regular operational hours provided that the parties pay the fees specified in division (c) of this section. The Commissioner of Recreation may allow the following private groups to rent at no cost recreation center community or meeting rooms or outdoor pools during regular operational hours provided that the room will not be used to raise money for political campaigns or political issues:

(1) Branches, departments or offices of the City of Cleveland if the event furthers the functions or goals of that branch, department or office;

(2) Non-profit organizations and neighborhood organizations, such as block clubs, street clubs and ward clubs, located within the City of Cleveland if the purpose of the event is to address providing or supporting direct health and welfare services to individuals or to address safety, building or housing issues;

(3) Schools located within the City of Cleveland if the event furthers an educational or recreational purpose.

(b) The Commissioner of Recreation may allow private parties to rent recreation center community or meeting rooms or outdoor pools before or after regular operational hours provided that the parties pay the fees specified in division (c) of this section.

(c) The Director of Public Works shall assess and collect the following fees for rental of recreation center community or meeting rooms or outdoor pools:

(1) During regular operational hours, sixty-eight dollars (\$68.00) per hour per staff person required.

(2) Before or after regular operational hours, in eighty-four dollars (\$84.00) per hour per staff person required.

(d) The Commissioner of Recreation may allow private parties to rent portions of the recreation centers for recreation uses before or after regular operational hours provided that the parties pay the fees specified in division (f) of this section.

(e) The Commissioner of Recreation may allow the groups identified in division (a) of this section to rent portions of the recreation

centers for recreation uses before or after regular operational hours provided that the parties pay one-half (1/2) of the fees specified in division (f) of this section.

(f) The Director of Public Works shall assess and collect a fee of eighty-four dollars \$84.00 per hour per staff person required for the rental of portions of the recreation centers for recreation uses.

(g) The Commissioner of Recreation may allow the Cuyahoga County Board of Elections to rent at no cost recreation center community or meeting rooms or any portions of the recreation centers before, during or after regular operational hours for voting purposes.

(h) Any party renting a portion of a recreation center or outdoor pool under this section shall also secure a permit from the Director under Section 131.07 and shall pay any fee required for that permit.

(i) Net proceeds from fees collected under this section shall be deposited into a fund or funds which are designated for use by the Division of Recreation for its goods, services, activities, and programs.

Section 2. That existing Section 131.34 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1330-A-10, passed December 6, 2010, is repealed.

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

Passed June 3, 2019.
 Effective June 5, 2019.

Ord. No. 675-2019.
By Council Members McCormack, Johnson and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Works to enter into an amendment to Contract No. 38823 with Hertz Cleveland North Point, LLC for lease of the North Point Garage to extend the term of the lease and to make certain modifications to other terms of the lease.

Whereas, the Hertz Investment Group, through Hertz Cleveland North Point, LLC ("Hertz"), owns the North Point Office Complex and ground leases the North Point Garage property from the City of Cleveland under a 50-year lease that is expiring in 2037; and

Whereas, the North Point Garage is located on Permanent Parcel No. 102-01-013; and

Whereas, Hertz and the City desire to make mutually beneficial modifications to the current lease in order for Hertz to refinance debt, to secure new long term tenants and retain existing ones in their North Point Office Complex and anticipating that additional tenants will increase parking revenues in the North Point Garage; and

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

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

Section 1. That the Director of Public Works is authorized to enter into an amendment to Contract No. 38823 with Hertz Cleveland North Point, LLC, for lease of the North Point Garage to extend the term of the lease for an additional twenty-two years to expire in 2059. The amendment shall also provide for the following modifications to the original contract:

(a) To change the current base rent from a flat \$120,000 per year to adjust the base rent based on the United States Department of Labor, Consumer Price Index: "All Urban Consumers" Cleveland and Akron;

(b) To lower the additional rent threshold from \$1,700,000 and above to \$1,600,000 and above; and

(c) To increase the percent of additional rent to the following:

| | |
|--------|--------------------------------|
| 7.5% | at \$1,600,000 to \$1,999,999 |
| 11.25% | at \$2,000,000 to \$2,499,999; |
| 16.25% | at \$2,500,000 to \$2,999,999; |
| 21.25% | at \$3,000,000 to \$3,999,999; |
| and | |
| 26.25% | at \$4,000,000 and higher. |

All other terms and conditions contained in Contract No. 38823 shall remain the same.

Section 2. That the amendment to Contract No. 38823 shall be prepared by the Director of Law.

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

Passed June 3, 2019.
 Effective June 5, 2019.

Ord. No. 729-2019.
By Council Members Johnson and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Works to employ one or more professional consultants to provide parking meter consultant services, for a one-year period; and to enter into various written standard purchase and requirement contracts for the purchase of parking meters and related equipment and services, including installation.

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

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

Section 1. That the Director of Public Works is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide parking meter consulting services, including but not limited to, strategic, operational and logistical planning for parking meter placement, maintenance, and administration; selection

of parking meter hardware mix aligned to the Strategic Plan; integration of related software applications; development of the roadmap to integrate related parking meter financial information; and assistance with the creation of a Request for Proposals to install parking meter hardware and software.

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

Section 2. That the Director of Public Works is authorized to make one or more written standard purchase contracts and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of requirements to be determined by the director, for the necessary items of parking meters and related equipment and services, including installation, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Public Works. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines.

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

Section 4. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Works may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 5. That the cost of the professional services and standard contracts and other expenditures authorized shall be paid from Fund Nos. 20 SF 566, 20 SF 573, 20 SF 578, and 20 SF 585, RQS 7008, RL 2019-60.

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 June 3, 2019.
Effective June 5, 2019.

Ord. No. 730-2019.
By Council Members Cleveland and Kelley (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to make one or more purchase orders with Black Box Network Services for professional services necessary to continue to maintain, support, and further enhance the Unified Computing Services Infrastructure in order to ensure a safe and secure IT network, including but not limited to, upgrading, installation and integration, for the Department of Port Control.

Whereas, under Ordinance No. 568-2019, passed April 29, 2019, this Council determined the urgency of the malware infection at the Department of Port Control required immediate action and retained Black Box Network Services ("Black Box") to perform the needed remedial work and security enhancements; and

Whereas, through Black Box's work, the Department of Port Control now has a new Unified Computing Services Infrastructure ("UCS") and the Department desires to continue to maintain, support, and further enhance the UCS in order to ensure a safe and secure IT network, including but not limited to, upgrading, installation and integration; 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 Commissioner of Purchases and Supplies is authorized to make one or more purchase orders with Black Box, based on its proposal dated May 30, 2019, in the estimated amount of \$112,004.75, for professional services necessary to continue to maintain, support, and further enhance the UCS in order to ensure a safe and secure IT network, including but not limited to, upgrading, installation and integration.

Section 2. That the purchase orders shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 115, 60 SF 116, 60 SF 126, 60 SF 128, 60 SF 130, 60 SF 141, 60 SF 160, from the fund to which are credited passenger facility charges if authorized for this purpose, and from the fund or funds to which are credited the proceeds of any grant received, RQS 3001, RL 2019-66.

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 June 3, 2019.
Effective June 5, 2019.

Ord. No. 732-2019.
By Council Members J. Jones, Bishop, McCormack, Johnson, Cleveland, Griffin, B. Jones, Polensek, Conwell, Hairston, Brancatelli, Kelley, Santana, Zone, Kazy and Keane.
An emergency ordinance authorizing the Director of the Department

of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into agreement effective June 5, 2019, with the United Way of Greater Cleveland for the Lead Safe Summit Expo for the public purpose of providing educational programming on lead poisoning prevention to city of Cleveland residents through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$14,500 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 June 3, 2019.
Effective June 5, 2019.

Ord. No. 733-2019.
By Council Members Bishop, Johnson and Griffin.

An emergency ordinance amending the Title and Section 1 of Ordinance No. 563-2019 passed April 29, 2019, as it pertains to authorizing the Director of the Department of Community Development to enter into agreement with the Beauty & Barber Empowerment Center, LLC for the Beauty and Empowerment Center Program through the use of Wards 2, 4 and 6 Casino Revenue Funds.

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

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

Section 1. That the Title and Section 1 of Ordinance No. 563-2019 passed April 29 are hereby amended to read as follows:

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with the Beauty & Barber Empowerment Center, LLC for the Beauty and Empowerment Center Program through the use of Wards 2, 4 and 6 Casino Revenue Funds.

Section 1. That the Director of the Department of Community Development is hereby authorized to enter

into agreement effective February 1, 2019 with the Beauty & Barber Empowerment Center, LLC for the Beauty and Empowerment Center Program for the public purpose of providing a cosmetology training program for city of Cleveland residents through the use of Wards 2, 4, and 6 Casino Revenue Funds.

Section 2. That the Title and Section 1 of Ordinance No. 563-2019 passed April 29 are hereby repealed.

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

Passed June 3, 2019.
Effective June 5, 2019.

Ord. No. 734-2019.

By Council Member Johnson.

An emergency ordinance amending the Title and Sections 1 and 2 of Ordinance No. 600-2019, passed May 6, 2019 as it pertains to Senior Lawn Care and Snow Removal Program through the use of Wards 1, 2 and 4 Casino Revenue Funds.

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

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

Section 1. That the Title and Sections 1 and 2 of Ordinance No. 600-2019 passed May 6, 2019 are hereby amended to read as follows:

An emergency ordinance authorizing the Director of the Department of Aging to enter into an agreement with Mt. Pleasant NOW Development Corporation for the Senior Lawn Care and Snow Removal Program through the use of Wards 1, 2 and 4 Casino Revenue Funds.

Section 1. That the Director of the Department of Aging be authorized to enter into an agreement effective June 1, 2019 with Mt Pleasant NOW Development Corporation for the Senior Lawn Care and Snow Removal Program for the public purpose of assisting senior citizens residing in the city of Cleveland with grass cutting and lawn maintenance care through the use of Wards 1, 2 and 4 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$70,000 and shall be paid from Fund No. 10 SF 188.

Section 2. That the Title and Sections 1 and 2 of Ordinance No. 600-2019 passed May 6, 2019 are hereby repealed.

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

Passed June 3, 2019.
Effective June 5, 2019.

Ord. No. 735-2019.

By Council Member McCormack.

An emergency ordinance authorizing the Director of the Department of Public Works to enter into agreement with the Tremont West Development Corporation for the Arts in August Expo through the use of Ward 3 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 July 1, 2019 with the Tremont West Development Corporation for the Arts in August Expo for the public purpose of providing performing arts education to city of Cleveland residents through the use of Ward 3 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$5,000 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 June 3, 2019.
Effective June 5, 2019.

Ord. No. 736-2019.

By Council Members McCormack, Cleveland, Griffin, Brancatelli, Zone and Keane.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Cleveland Public Theatre for the Student Theatre Enrichment Program (STEP) through the use of Wards 3, 5, 6, 12, 15 and 17 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into agreement effective June 1, 2019 with Cleveland Public Theatre for the Student Theatre Enrichment Program (STEP) for the public purpose of providing theatre education and training on live arts to city of Cleveland youth through the use of Wards 3, 5, 6, 12, 15 and 17 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$40,000 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 June 3, 2019.
Effective June 5, 2019.

Ord. No. 737-2019.

By Council Member Kelley.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Constellation Schools Old Brooklyn Community Elementary for the Kaboom School Playground Installation Project through the use of Ward 13 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 June 3, 2019 with Constellation Schools Old Brooklyn Community Elementary for the Kaboom School Playground Installation Project for the public purpose of providing a new community playground for youth residing in the city of Cleveland through the use of Ward 13 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$8,000 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 June 3, 2019.
Effective June 5, 2019.

Ord. No. 738-2019.

By Council Members J. Jones and Bishop.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Mt. Pleasant NOW Development Corporation for the Family Unity Day Expo through the use of Wards 1 and 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 June 1, 2019 with Mt. Pleasant NOW Development Corporation for the Family Unity Day Expo for the public purpose of providing information and education on the social support programs and services that are available for low to moderate income families residing in the city of Cleveland through the use of Wards 1 and 2 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.

Passed June 3, 2019.
Effective June 5, 2019.

Ord. No. 739-2019.

By Council Members Johnson and Griffin.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with the Greater Cleveland Urban Film Foundation for the GCUFF Healing Art Community Fair through the use of Wards 4 and 6 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 July 1, 2019 with the Greater Cleveland Urban Film Foundation for the GCUFF Healing Art Community Fair for the public purpose of providing educational health wellness sessions and health screenings for hypertension, diabetes, and other pre-existing health issues to city of Cleveland residents through the use of Wards 4 and 6 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$17,000 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 June 3, 2019.
Effective June 5, 2019.

Ord. No. 740-2019.

By Council Member Bishop.

An emergency ordinance authorizing the Director of the Department of Public Works to enter into agreement with the Jarvis Gibson Foundation for the Mt. Pleasant Rebels Educational & Sports 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 Public Works is hereby authorized to enter into an agreement with the Jarvis Gibson Foundation for the Mt. Pleasant Rebels Educational & Sports Program for the public purpose of providing after-school educational and organized sports activities for youth residing in the city of Cleveland 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 \$7,000 and shall be paid from Fund No. 10 SF 188.

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

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

Passed June 3, 2019.
Effective June 5, 2019.

Ord. No. 741-2019.

By Council Member McCormack.

An emergency ordinance authorizing the Director of the Department of Public Works to enter into agreement with Ukrainian Museum Archives for the Ukrainian and Cleveland History Expo through the use of Ward 3 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 June 1, 2019 with Ukrainian Museum Archives for the Ukrainian and Cleveland History Expo through the use of Ward 3 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$5,000 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 June 3, 2019.
Effective June 5, 2019.

Ord. No. 742-2019.

By Council Member B. Jones.

An emergency ordinance authorizing the Director of the Department of Economic Development to enter into agreement with Lexington Bell Community Center for the acquisition and renovation of the Superior Beverage Building through the use of Ward 7 Casino Revenue Funds and Neighborhood Capital 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 Economic Development is hereby authorized to enter into agreement with Lexington Bell Community Center for the acquisition and renovation of the Superior beverage Building located at 6203 Superior Avenue, Cleveland, Ohio for the public purpose of promoting economic development and new job creation through the use of Ward 7 Casino Revenue Funds and Neighborhood Capital Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$225,000 and shall be paid from Fund No. 10 SF 177, and 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 June 3, 2019.
Effective June 5, 2019.

Ord. No. 743-2019.

By Council Members McCormack, Brancatelli and Santana.

An emergency ordinance authorizing the Director of the Department of Public Works to enter into an agreement with Merrick House for the Tremont Arts & Cultural Expo through the use of Wards 3, 12 and 14 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 an agreement effective August 1, 2019 with Merrick House for the Tremont Arts & Cultural Expo for the public purpose of providing educational activities on cultural diversity and ethnic customs to residents residing in the city of Cleveland through the use of Wards 3, 12 and 14 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 June 3, 2019. Effective June 5, 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 the Department of Community Development is hereby authorized to enter into agreement with Union Miles Development Corporation for the Feasibility Study for a Veteran Service Center and Housing Project for the public purpose of providing new neighborhood and residential development for 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 \$5,000 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 June 3, 2019. Effective June 5, 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 the Department of Public Safety is hereby authorized to enter into agreement effective May 23, 2018 with the Bellaire-Puritas Development Corporation for the Summer Safety Education Film Series for the public purpose of providing safety education programming on drug use, violence and crime prevention to city of Cleveland residents through the use of Ward 16 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$30,000 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 June 3, 2019. Effective June 5, 2019.

COUNCIL COMMITTEE MEETINGS

Monday June 3, 2019 9:00 a.m.

Committee of the Whole: Present: Kelley, Chair; Bishop, Brady, Brancatelli, Cleveland, Conwell, Griffin, Johnson, B. Jones, J. Jones, Kazy, Keane, McCormack, Polensek, Santana, Zone. Authorized Absence: Hairston.

Ord. No. 744-2019. By Council Member Bishop. An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Union Miles Development Corporation for the Feasibility Study for a Veteran Service Center and Housing Project for Homeless Veterans through the use of Ward 2 Casino Revenue Funds.

Ord. No. 745-2019. By Council Member Kazy. An emergency ordinance authorizing the Director of the Department of Public Safety to enter into an agreement with Bellaire-Puritas Development Corporation for the Summer Safety Education Film Series through the use of Ward 16 Casino Revenue Funds.

Index

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

Aging Department

Amending the Title and Sections 1 and 2 of Ordinance No. 600-2019, passed May 6, 2019 as it pertains to Senior Lawn Care and Snow Removal Program through the use of Wards 1, 2 and 4 Casino Revenue Funds. (O 734-2019)1051

Agreements

Amending the Title and Section 1 of Ordinance No. 563-2019 passed April 29, 2019, as it pertains to authorizing the Director of the Department of Community Development to enter into agreement with the Beauty & Barber Empowerment Center, LLC for the Beauty and Empowerment Center Program through the use of Wards 2, 4 and 6 Casino Revenue Funds. (O 733-2019)1050

Amending the Title and Sections 1 and 2 of Ordinance No. 600-2019, passed May 6, 2019 as it pertains to Senior Lawn Care and Snow Removal Program through the use of Wards 1, 2 and 4 Casino Revenue Funds. (O 734-2019)1051

Authorizing the Director of Public Health to enter into one or more agreements with the Ohio Department of Health to reimburse the City of Cleveland for monitoring, collecting, and analyzing radiation levels in the vicinity of the Burke Lakefront Airport, for a period of two years. (O 627-2019)1031

| | |
|--|------|
| Authorizing the Director of Public Safety to donate grow lights, ballasts, and two Werner brand ladders seized as the result of a criminal conviction to the Cleveland Metropolitan School District and to Benedictine High School; and to enter into an agreement to make the donation. (O 623-2019) | 1030 |
| Authorizing the Director of Public Safety to enter into one or more mutual aid agreements with other political subdivisions in the State of Ohio for additional police protection, fire, and emergency medical services for aid and assistance in connection with the Major League Baseball Association 2019 All Star Game being held in Cleveland on July 9, 2019, along with associated events and activities on days before and after the day of the Game. (O 511-2019) | 1020 |
| Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019) | 1050 |
| Authorizing the Director of the Department of Economic Development to enter into agreement with Lexington Bell Community Center for the acquisition and renovation of the Superior Beverage Building through the use of Ward 7 Casino Revenue Funds and Neighborhood Capital Funds. (O 742-2019) | 1052 |
| Authorizing the Director of the Department of Public Works to enter into agreement with the Tremont West Development Corporation for the Arts in August Expo through the use of Ward 3 Casino Revenue Funds. (O 735-2019) | 1051 |
| Authorizing the Director of the Department of Public Works to enter into an agreement with Merrick House for the Tremont Arts & Cultural Expo through the use of Wards 3, 12 and 14 Casino Revenue Funds. (O 743-2019) | 1052 |
| Authorizing the Director of the Department of the Department of Public Safety to enter into an agreement with Bellaire-Puritas Development Corporation for the Summer Safety Education Film Series through the use of Ward 16 Casino Revenue Funds. (O 745-2019) | 1053 |
| Giving consent of the City of Cleveland to the County of Cuyahoga for the improvement of East 116th Street from Miles Avenue to Union Avenue in the City of Cleveland; authorizing the Director of Capital Projects to enter into agreements; to apply for and accept an allocation of County Motor Vehicle License Tax Funds; authorizing the acquisition of any real property and easements; apply for and accept gifts and grants; and to cause payment to the County for the City's share of the improvement. (O 668-2019) | 1046 |
| Giving consent of the City of Cleveland to the County of Cuyahoga for the resurfacing of Ridge Road from Memphis Avenue to Denison Avenue; authorizing the Director of Capital Projects to enter into agreements; to apply for and accept an allocation of County Motor Vehicle License Tax Funds; and to cause payment to the County for the City's share of the improvement. (O 552-2019) | 1026 |
| Giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio for improving Miles Avenue from Warrensville Corporation Line to Broadway Avenue; to apply for and accept any gifts or grants from any public or private entity; authorizing a Local Project agreement and any other relative agreements; and causing payment of the City's share to the State for the cost of the improvement. (O 632-2019) | 1034 |

Bellaire-Puritas Development Corporation

| | |
|--|------|
| Authorizing the Director of the Department of the Department of Public Safety to enter into an agreement with Bellaire-Puritas Development Corporation for the Summer Safety Education Film Series through the use of Ward 16 Casino Revenue Funds. (O 745-2019) | 1053 |
|--|------|

Board of Control — Capital Projects Office

| | |
|--|-----|
| Engineering services for Voinovich Park Pedestrian Bridge — fifth modify Contract #68816 per BOC Res. 387-08 — Dept. of Public Service (BOC Res. 251-19) | 997 |
| JFK Recreation Center Roof Repairs — per Ord. 648-18 — all bids rejected (BOC Res. 253-19) | 997 |
| Public Improvement Project Supplementary Services — second modify Contract #CT0103-PS2017-241 per BOC Res. 455-17 — Dept. of Law (BOC Res. 252-19) | 997 |
| Vega Avenue Retaining Wall — per Ord. 1374-18 — all bids rejected — Division of Engineering & Construction (BOC Res. 254-19) | 997 |

Board of Control — Cleveland Public Power Division

| | |
|--|-----|
| Tree Trimming Services — per Ord. 1177-18 to VanCuren Services, Inc. — Dept. of Public Utilities (BOC Res. 250-19) | 996 |
|--|-----|

Board of Control — Community Development Department

| | |
|--|-----|
| B.R. Knez Construction, Inc. — various parcels on scattered sites (Ward 9) (BOC Res. 258-19) | 998 |
| Dibble Avenue, 5713 (Ward 7) — PPN 104-14-027 — 5810 Dibble LLC (BOC Res. 257-19) | 998 |
| Dibble Avenue, 5910 (Ward 7) — PPN 104-17-001 — Marshall Dos-Reis (BOC Res. 262-19) | 999 |
| East 126th Street, 3054 (Ward 4) — PPN 129-24-034 — Marlon Graves (BOC Res. 261-19) | 999 |
| Helena Avenue (Ward 9) — PPN 108-29-073 — Cornelius Ray Love (BOC Res. 260-19) | 999 |
| Methyl Avenue, 11505 (Ward 6) — PPN 128-090-030 — Constance M. Mason (BOC Res. 259-19) | 998 |
| North Boulevard, 10016 (Ward 9) — PPN 109-08-102 — lease — Erika Ervin-Acy (BOC Res. 255-19) | 997 |
| Woodland Avenue (Ward 6) — PPNs 121-34-041/042/043 & 121-33-123/124/126 — lease — Cleveland Botanical Garden (BOC Res. 256-19) | 998 |

Board of Control — Engineering and Construction Division

Vega Avenue Retaining Wall — per Ord. 1374-18 — all bids rejected — Office of Capital Projects (BOC Res. 254-19) 997

Board of Control — Finance Department

Safe Smart CLE Bridges and Docks Video Surveillance — per Ord. 565-18 to Motorola Solutions, Inc. — Dept. of Law (BOC Res. 244-19) 995
Workforce TeleStaff v6 software upgrades — per C.O. Sec. 181.102(e) to Kronos, Inc. (BOC Res. 264-19) 1000

Board of Control — Human Resources Department

Pre-employment background and criminal records checks — per Ord. 247-2019 to OPENonline, LLC — Dept. of Law (BOC Res. 263-19) 999

Board of Control — Land Reutilization Program

B.R. Knez Construction, Inc. — various parcels on scattered sites (Ward 9) (BOC Res. 258-19) 998
Dibble Avenue, 5713 (Ward 7) — PPN 104-14-027 — 5810 Dibble LLC (BOC Res. 257-19)..... 998
Dibble Avenue, 5910 (Ward 7) — PPN 104-17-001 — Marshall Dos-Reis (BOC Res. 262-19)..... 999
East 126th Street, 3054 (Ward 4) — PPN 129-24-034 — Marlon Graves (BOC Res. 261-19) 999
Helena Avenue (Ward 9) — PPN 108-29-073 — Cornelius Ray Love (BOC Res. 260-19)..... 999
Methyl Avenue, 11505 (Ward 6) — PPN 128-090-030 — Constance M. Mason (BOC Res. 259-19) 998
North Boulevard, 10016 (Ward 9) — PPN 109-08-102 — lease — Erika Ervin-Acy (BOC Res. 255-19) 997
Woodland Avenue (Ward 6) — PPNs 121-34-041/042/043 & 121-33-123/124/126 — lease - Cleveland Botanical Garden (BOC Res. 256-19) 998

Board of Control — Land Reutilization Program (Ward 4)

East 126th Street, 3054 (Ward 4) — PPN 129-24-034 — Marlon Graves (BOC Res. 261-19) 999

Board of Control — Land Reutilization Program (Ward 6)

Methyl Avenue, 11505 (Ward 6) — PPN 128-090-030 — Constance M. Mason (BOC Res. 259-19) 998
Woodland Avenue (Ward 6) — PPNs 121-34-041/042/043 & 121-33-123/124/126 — lease - Cleveland Botanical Garden (BOC Res. 256-19) 998

Board of Control — Land Reutilization Program (Ward 7)

Dibble Avenue, 5713 (Ward 7) — PPN 104-14-027 — 5810 Dibble LLC (BOC Res. 257-19)..... 998
Dibble Avenue, 5910 (Ward 7) — PPN 104-17-001 — Marshall Dos-Reis (BOC Res. 262-19)..... 999

Board of Control — Land Reutilization Program (Ward 9)

B.R. Knez Construction, Inc. — various parcels on scattered sites (Ward 9) (BOC Res. 258-19) 998
Helena Avenue (Ward 9) — PPN 108-29-073 — Cornelius Ray Love (BOC Res. 260-19)..... 999
North Boulevard, 10016 (Ward 9) — PPN 109-08-102 — lease — Erika Ervin-Acy (BOC Res. 255-19) 997

Board of Control — Law Department

Pre-employment background and criminal records checks — per Ord. 247-2019 to OPENonline, LLC — Dept. of Human Resources (BOC Res. 263-19) 999
Public Improvement Project Supplementary Services — second modify Contract # CT0103-PS2017-241 per BOC Res. 455-17 — Office of Capital Projects (BOC Res. 252-19) 997
Safe Smart CLE Bridges and Docks Video Surveillance — per Ord. 565-18 to Motorola Solutions, Inc. — Dept. of Finance (BOC Res. 244-19) 995
Video Surveillance at Zelma George Watson Recreation Center, Luke Easter Park, and Michael J. Zone Recreation Center and Park — second modify Contract #CT 1511 PS2018*0149 per BOC Res. 234-18 — Dept. of Public Safety (BOC Res. 245-19) 995

Board of Control — Professional Service Contracts

Engineering services for Voinovich Park Pedestrian Bridge — fifth modify Contract #68816 per BOC Res. 387-08 — Office of Capital Projects, Dept. of Public Service (BOC Res. 251-19) 997
Pre-employment background and criminal records checks — per Ord. 247-2019 to OPENonline, LLC — Depts. of Human Resources, Law (BOC Res. 263-19) 999
Public Improvement Project Supplementary Services — second modify Contract # CT0103-PS2017-241 per BOC Res. 455-17 — Office of Capital Projects, Dept. of Law (BOC Res. 252-19) 997
Safe Smart CLE Bridges and Docks Video Surveillance — per Ord. 565-18 to Motorola Solutions, Inc. — Depts. of Law, Finance (BOC Res. 244-19) 995

| | |
|--|------|
| Video Surveillance at Zelma George Watson Recreation Center, Luke Easter Park, and Michael J. Zone Recreation Center and Park — second modify Contract #CT 1511 PS2018*0149 per BOC Res. 234-18 — Depts. of Law, Public Safety (BOC Res. 245-19) | 995 |
| Workforce TeleStaff v6 software upgrades — per C.O. Sec. 181.102(e) to Kronos, Inc. — Dept. of Finance (BOC Res. 264-19)..... | 1000 |

Board of Control — Public Improvement Contracts

| | |
|--|-----|
| JFK Recreation Center Roof Repairs — per Ord. 648-18 — all bids rejected — Office of Capital Projects (BOC Res. 253-19)..... | 997 |
| Vega Avenue Retaining Wall — per Ord. 1374-18 — all bids rejected — Division of Engineering & Construction, Office of Capital Projects (BOC Res. 254-19) | 997 |

Board of Control — Public Safety Department

| | |
|--|-----|
| Video Surveillance at Zelma George Watson Recreation Center, Luke Easter Park, and Michael J. Zone Recreation Center and Park — second modify Contract #CT 1511 PS2018*0149 per BOC Res. 234-18 — Dept. of Law (BOC Res. 245-19) | 995 |
|--|-----|

Board of Control — Public Service Department

| | |
|---|-----|
| Engineering services for Voinovich Park Pedestrian Bridge — fifth modify Contract #68816 per BOC Res. 387-08 — Office of Capital Projects (BOC Res. 251-19) | 997 |
|---|-----|

Board of Control — Public Utilities Department

| | |
|--|-----|
| Promotional items — per C.O. Sec. 181.101 to Blink Marketing LLC dba Blink Swag (BOC Res. 248-19) | 996 |
| Promotional items — per C.O. Sec. 181.101 to Joy Products, Inc. (BOC Res. 247-19) | 996 |
| Promotional items — per C.O. Sec. 181.101 to Koppel Advertising (BOC Res. 249-19) | 996 |
| Promotional items — per C.O. Sec. 181.101 to W.B. Mason Co. Inc. (BOC Res. 246-19) | 996 |
| Tree Trimming Services — per Ord. 1177-18 to VanCuren Services, Inc. — Division of Cleveland Public Power (BOC Res. 250-19)..... | 996 |

Board of Control — Requirement Contracts

| | |
|---|-----|
| Promotional items — per C.O. Sec. 181.101 to Blink Marketing LLC dba Blink Swag — Dept. of Public Utilities (BOC Res. 248-19) | 996 |
| Promotional items — per C.O. Sec. 181.101 to Joy Products, Inc. — Dept. of Public Utilities (BOC Res. 247-19) | 996 |
| Promotional items — per C.O. Sec. 181.101 to Koppel Advertising — Dept. of Public Utilities (BOC Res. 249-19) | 996 |
| Promotional items — per C.O. Sec. 181.101 to W.B. Mason Co. Inc. — Dept. of Public Utilities (BOC Res. 246-19) | 996 |
| Tree Trimming Services — per Ord. 1177-18 to VanCuren Services, Inc. — Division of Cleveland Public Power, Dept. of Public Utilities (BOC Res. 250-19)..... | 996 |

Board of Zoning Appeals — Report

| | |
|---|------|
| Brainard Avenue, 1814 (Ward 14) — B.R. Knez, owner — appeal granted and adopted on 6/10/19 (Cal. 19-78)..... | 1002 |
| Brainard Avenue, 1830 (Ward 14) — B.R. Knez, owner — appeal granted and adopted on 6/10/19 (Cal. 19-79)..... | 1002 |
| Brayton Avenue, 805 (Ward 3) — IRA Plan Partners, owner — appeal heard on 6/10/19 (Cal. 19-97)..... | 1001 |
| Brookpark Road, 1400 (Ward 13) — Blue Stone 1400 LLC, owner — appeal heard on 6/10/19 (Cal. 19-102)..... | 1001 |
| Canterbury Road, 17906 (Ward 8) — James P. Muhic, owner — appeal heard on 6/10/19 (Cal. 19-96)..... | 1001 |
| East 85th Street, 1850 (Ward 7) — Hough at Home LLC, owner — appeal granted and adopted on 6/10/19 (Cal. 19-100) | 1002 |
| East 85th Street, 1856 (Ward 7) — Hough at Home LLC, owner — appeal granted and adopted on 6/10/19 (Cal. 19-101) | 1002 |
| Ellen Avenue, 6007 (Ward 15) — Petru Stinea, owner — appeal postponed to 8/12/19 on 6/10/19 (Cal. 19-47) | 1002 |
| Franklin Boulevard, 2905 (Ward 3) — BZSAM 111, LLC, owner — appeal postponed to 7/15/19 on 6/10/19 (Cal. 19-71) | 1002 |
| Korman Avenue, 8217 (Ward 9) — Darcia Lumpkin, owner — appeal heard on 6/10/19 (Cal. 19-67)..... | 1001 |
| Lausche Avenue, 6214 (Ward 7) — St. Martin de Porres High School, owner — appeal heard on 6/10/19 (Cal. 19-99) | 1001 |
| Lorain Avenue, 5010 (Ward 15) — MUNU Properties, owner — appeal granted and adopted on 6/10/19 (Cal. 19-94)..... | 1002 |
| Mt. Carmel Road, 11127 (Ward 6) — Greeners Inc. — appeal dismissed on 6/10/19 (Cal. 19-104) | 1001 |
| Rocky River, 3365 (Ward 17) — Laura and Wilbur Janosko, owners — appeal postponed to 6/24/19 on 6/10/19 (Cal. 19-98)..... | 1002 |

Rocky River, 3381 (Ward 17) — Koussa Properties, LTD., owners — appeal postponed to 6/24/19 on 6/10/19 (Cal. 19-55) 1002

Wade Park Avenue, 12027 (Ward 9) — B.R. Knez, owner — appeal granted and adopted on 6/10/19 (Cal. 19-84) 1002

Wade Park Avenue, 12101 (Ward 9) — B.R. Knez, owner — appeal granted and adopted on 6/10/19 (Cal. 19-85) 1002

Bridges

Giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio to rehabilitate the Center Swing Bridge over the Cuyahoga River; to cause payment to ODOT for the City’s share; to authorize the Mayor to apply to the District One Public Works Integrating Committee for state funding; authorizing one or more contracts for the design and other relative agreements; accepting gifts and grants from any public or private entity; to apply and accept funds from Ohio Public Works Commission; to authorize the Division of Purchasing and Supplies to acquire, accept, and record all land necessary to make the improvement. (O 631-2019)1032

Burke Lakefront Airport

Authorizing the Director of Public Health to enter into one or more agreements with the Ohio Department of Health to reimburse the City of Cleveland for monitoring, collecting, and analyzing radiation levels in the vicinity of the Burke Lakefront Airport, for a period of two years. (O 627-2019)1031

Capital Projects

Authorizing the acquisition and recording of certain easement interests from Uptown Three L.P. for use of a public sidewalk to be used as a drop off area for students and residents, for the Office of Capital Projects. (O 516-2019)1022

Authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located near the northwest corner of Starkweather Avenue and West 15th Street to Larry Zukerman for purposes of redevelopment. (O 667-2019)1045

Authorizing the Director of Capital Projects to employ one or more professional consultants to provide various engineering, testing, and related services needed for various capital improvement projects, for the Division of Engineering and Construction, Office of Capital Projects, on an as needed basis, for a period up to two years. (O 629-2019)1031

Authorizing the Director of Capital Projects to issue a permit to Cavaliers Operating Company, LLC to encroach into the public rights of way of Huron Road, Ontario Street and East 6th Street by installing, using, and maintaining protective bollards/concrete planter benches around the perimeter of the Rocket Mortgage Fieldhouse (fka Q Arena). (O 666-2019)1045

Authorizing the Director of Capital Projects to issue a permit to Flats Forward, Inc. to encroach into the public rights of way at four locations in the Flats by installing, using and maintaining four wayfinding signs. (O 410-2019)1013

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)1013

Authorizing the Director of Capital Projects to issue a permit to The Centers for Families and Children to encroach into the public right-of-way of Euclid Avenue by installing, using, and maintaining an ADA compliant entrance ramp and railing. (O 551-2019)1026

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)1013

Authorizing the Director of Capital Projects to issue one or more permits to MCImetro Access Transmission Services Corp. d/b/a Verizon Access Transmission Services to encroach into the public right-of-way at various locations in the City of Cleveland by installing, using, and maintaining a wireline fiber optic communications network to include fiber optic cable, to be attached to utility poles (by separate permission of pole owner), duct banks and vaults. (O 409-2019)1012

Authorizing the Mayor to apply to the District One Public Works Integrating Committee for state funding for the rehabilitation of portions of West 65th Street; to apply for and accept gifts and grants from various entities for the improvement; authorizing the Director of Capital Projects to enter into contracts and agreements to design and construct the improvement and other agreements; and authorizing the Commissioner of Purchases and Supplies to acquire, accept, and record for right-of-way purposes real property and easements necessary to make the improvement. (O 634-2019)1036

Declaring the intent to vacate a portion of Barber Court S.W. (R 463-2019)1003

Declaring the intent to vacate a portion of Gehring Avenue. (R 407-2019)1003

Declaring the intent to vacate a portion of the 1st Un-named Alley North of Trent Avenue and East of West 40th Street. (R 477-2019)1003

Declaring the intent to vacate a portion of West 4th Street and Mahoning Avenue. (R 478-2019)1004

Determining the method of making the public improvement of constructing material capital repairs and capital improvements to First Energy Stadium; authorizing one or more public improvement contracts for the making of the improvement; and professional services to design, or in the alternative, to reimburse or accept the gift of design and other services from the Cleveland Browns. (O 636-2019)1038

Giving consent of the City of Cleveland to the County of Cuyahoga for the improvement of East 116th Street from Miles Avenue to Union Avenue in the City of Cleveland; authorizing the Director of Capital Projects to enter into agreements; to apply for and accept an allocation of County Motor Vehicle License Tax Funds; authorizing the acquisition of any real property and easements; apply for and accept gifts and grants; and to cause payment to the County for the City's share of the improvement. (O 668-2019)1046

Giving consent of the City of Cleveland to the County of Cuyahoga for the resurfacing of Ridge Road from Memphis Avenue to Denison Avenue; authorizing the Director of Capital Projects to enter into agreements; to apply for and accept an allocation of County Motor Vehicle License Tax Funds; and to cause payment to the County for the City's share of the improvement. (O 552-2019)1026

Giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio to rehabilitate the Center Swing Bridge over the Cuyahoga River; to cause payment to ODOT for the City's share; to authorize the Mayor to apply to the District One Public Works Integrating Committee for state funding; authorizing one or more contracts for the design and other relative agreements; accepting gifts and grants from any public or private entity; to apply and accept funds from Ohio Public Works Commission; to authorize the Division of Purchasing and Supplies to acquire, accept, and record all land necessary to make the improvement. (O 631-2019)1032

Giving consent of the City of Cleveland to the Ohio Department of Transportation to upgrade and interconnect a traffic signal located at the intersection of East 116th Street and Harvard Avenue in the City of Cleveland. (O 630-2019)1032

To supplement the Codified Ordinances of Cleveland, Ohio, 1976 by enacting new Sections 401.152, 401.153, 401.231, 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, 431.03, and 431.15, as amended by various ordinances, regulating the vendors and use of shared mobility devices. (O 464-2019)1016

Case Western Reserve University

Authorizing the Director of Public Health to enter into one or more contracts with The Center on Urban Poverty and Community Development at Case Western Reserve University to provide evaluation services for the MomsFirst Program, for a period of one year. (O 535-2019)1022

Casino Revenue Funds

Amending the Title and Section 1 of Ordinance No. 563-2019 passed April 29, 2019, as it pertains to authorizing the Director of the Department of Community Development to enter into agreement with the Beauty & Barber Empowerment Center, LLC for the Beauty and Empowerment Center Program through the use of Wards 2, 4 and 6 Casino Revenue Funds. (O 733-2019)1050

Amending the Title and Sections 1 and 2 of Ordinance No. 600-2019, passed May 6, 2019 as it pertains to Senior Lawn Care and Snow Removal Program through the use of Wards 1, 2 and 4 Casino Revenue Funds. (O 734-2019)1051

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)1050

Authorizing the Director of the Department of Economic Development to enter into agreement with Lexington Bell Community Center for the acquisition and renovation of the Superior Beverage Building through the use of Ward 7 Casino Revenue Funds and Neighborhood Capital Funds. (O 742-2019)1052

Authorizing the Director of the Department of Public Works to enter into agreement with the Tremont West Development Corporation for the Arts in August Expo through the use of Ward 3 Casino Revenue Funds. (O 735-2019)1051

Authorizing the Director of the Department of Public Works to enter into an agreement with Merrick House for the Tremont Arts & Cultural Expo through the use of Wards 3, 12 and 14 Casino Revenue Funds. (O 743-2019)1052

Authorizing the Director of the Department of the Department of Public Safety to enter into an agreement with Bellaire-Puritas Development Corporation for the Summer Safety Education Film Series through the use of Ward 16 Casino Revenue Funds. (O 745-2019)1053

City of Cleveland Bids

Criminal and Civil filing supplies — Department of Finance — behalf of Cleveland Municipal Court — per C.O. Sec. 181.101 — bid due June 28, 2019 (advertised 6/5/2019 and 6/12/2019)..... 1002

Hazardous Tree Maintenance (2019) — Department of Public Works — Division of Park Maintenance and Properties — per Ord. 1223-18 — bid due July 20, 2019 (advertised 6/12/2019 and 6/19/2019)..... 1002

HVAC/R supplies, items, materials and parts — Department of Public Works — Division of Property Management — per C.O. Sec. 181.101 — bid due June 27, 2019 (advertised 6/5/2019 and 6/12/2019)..... 1002

New and rebuilt Motors and related repairs — Department of Public Works — Division of Property Management — per C.O. Sec. 181.101 — bid due June 27, 2019 (advertised 6/5/2019 and 6/12/2019)..... 1002

City Planning Commission

Changing the name of “Lawn Madison Park” located at West 75th Street and Madison Avenue to “Miriam Ortiz Rush Park.” (O 647-2019)1038

Declaring the intent to vacate a portion of Barber Court S.W. (R 463-2019)1003

Declaring the intent to vacate a portion of Gehring Avenue. (R 407-2019)1003

Declaring the intent to vacate a portion of the 1st Un-named Alley North of Trent Avenue and East of West 40th Street. (R 477-2019)1003

Declaring the intent to vacate a portion of West 4th Street and Mahoning Avenue. (R 478-2019)1004

Establishing a zero foot Mapped Building Setback from the property line along the southern side of Carter Road between Riverbed Street and the eastern property line of Permanent Parcel No. 004-26-040 (Map Change 2600). (O 514-2019)1021

To amend Sections 325.03, 337.23, 343.23, 357.09, and 357.13 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, relating to side yard setbacks, parking spaces sizes, residential garage placement and size, and conditional uses in the Pedestrian Retail Overlay; and to supplement the codified ordinances by enacting new Section 325.431 relating to the definition of Lot Interior. (O 887-18)1006

Clean Water Act

Recognizing Cuyahoga50, a community wide celebration of 50 years of progress since the last Cuyahoga River fire, and the need for continued vigilance and partnership with regional, state, and federal entities to ensure every Clevelander has access to clean water. (R 682-2019)1004

Cleveland Hopkins International Airport

Authorizing the Director of Port Control to enter into a Lease Agreement with PrimeFlight Aviation Services, Inc. for the lease of space located in the passenger terminal building at Cleveland Hopkins International Airport to support its ground handling, skycap, and other airline support service operations for JetBlue Airways and other airlines, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority. (O 544-2019)1024

Authorizing the Director of Port Control to enter into a Lease Agreement with Swissport USA, Inc. for the lease of space located in the passenger terminal building at Cleveland Hopkins International Airport to support its ground handling and other airline support service operations for multiple airlines, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority. (O 540-2019)1023

Authorizing the Director of Port Control to enter into a lease agreement with the United Service Organization, Inc. for the use of a lounge and office space located in the Main Terminal Building at Cleveland Hopkins International Airport, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority. (O 622-2019)1030

Authorizing the Director of Port Control to enter into a Lease Agreement with United Airlines Inc. for the lease of certain office and warehouse space located in the South Cargo Facility Building at Cleveland Hopkins International Airport, Department of Port Control, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority. (O 541-2019)1023

Authorizing the Director of Port Control to enter into a Lease with KeyBank National Association to maintain and operate an aviation hangar facility for the storage and maintenance for aircraft owned by KeyBank at Cleveland Hopkins International Airport, for a period of ten years, with two five-year options to renew, the first of which requires additional legislative authority. (O 542-2019)1023

Authorizing the Director of Port Control to enter into a Lease with the United States Postal Service to maintain and operate a warehouse, sorting facility, and post office retail store at Cleveland Hopkins International Airport, for a period of five years, with one five-year option to renew, which requires additional legislative authority. (O 543-2019)1023

Cleveland Metropolitan School District

Authorizing the Director of Public Safety to donate grow lights, ballasts, and two Werner brand ladders seized as the result of a criminal conviction to the Cleveland Metropolitan School District and to Benedictine High School; and to enter into an agreement to make the donation. (O 623-2019)1030

Cleveland Public Power

Authorizing the procurement by one or more requirement contracts for the rental of various types of heavy duty equipment, on an as needed basis, for the Office of Radio Communications, Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years. (O 597-2019)1029

Authorizing the purchase by one or more requirement contracts of disposal of debris at landfills, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years. (O 536-2019)1022

Cleveland Public Theatre

- Authorizing the Director of the Department of Community Development to enter into agreement with Cleveland Public Theatre for the Student Theatre Enrichment Program (STEP) through the use of Wards 3, 5, 6, 12, 15 and 17 Casino Revenue Funds. (O 736-2019)1051

Codified Ordinances

- To amend Section 131.34 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1330-A-10, passed December 6, 2010, relating to rental fees for recreation center use. (O 674-2019)1049
- To amend Section 241.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1333-18, passed November 26, 2018, relating to food shop licenses and fees. (O 376-2019)1011
- To amend Section 551.22 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 773-A-80, passed December 14, 1981, relating to the waste collection hours in and near a residential district. (O 257-2019)1011
- To amend Sections 325.03, 337.23, 343.23, 357.09, and 357.13 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, relating to side yard setbacks, parking spaces sizes, residential garage placement and size, and conditional uses in the Pedestrian Retail Overlay; and to supplement the codified ordinances by enacting new Section 325.431 relating to the definition of Lot Interior. (O 887-18)1006
- To supplement the Codified Ordinances of Cleveland, Ohio, 1976 by enacting new Sections 401.152, 401.153, 401.231, 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, 431.03, and 431.15, as amended by various ordinances, regulating the vendors and use of shared mobility devices. (O 464-2019)1016

Community Development

- Amending the Title and Section 1 of Ordinance No. 563-2019 passed April 29, 2019, as it pertains to authorizing the Director of the Department of Community Development to enter into agreement with the Beauty & Barber Empowerment Center, LLC for the Beauty and Empowerment Center Program through the use of Wards 2, 4 and 6 Casino Revenue Funds. (O 733-2019)1050
- Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)1050

Contracts

- Approving that the Cleveland Citywide Development Corporation, or its designee, may enter into up to eleven partially forgivable separate loan contracts with Famicos Foundation, Inc., or its designee, to rehabilitate up to eleven vacant single family homes on scattered sites within the Circle North area of the Glenville neighborhood, and other associated costs necessary to redevelop the property, under the authority of Ordinance No. 563-17, passed August 16, 2017. (O 621-2019)1029
- Authorizing the Director of Public Health to apply for and accept a grant from the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County for the "This is (Not) About Drugs" Program; and authorizing the Director to enter into one or more contracts with Overdose Lifeline, Inc. and Preventure to implement the grant. (O 626-2019)1031
- Authorizing the Director of Public Health to enter into an amendment to Contract No. CT 5005 SG 2017-111 with Emily Frantz, owner, Administrative & Logistical Support for Public Health Accreditation, LLC to assist the Department of Health to attain accreditation status by the Public Health Accreditation Board. (O 670-2019)1047
- Authorizing the Director of Public Health to enter into contract with the Ohio Department of Health to perform environmental lead investigations of residences of Medicaid eligible and non-Medicaid eligible children; and to enter into one or more contracts with various agencies, entities, or individuals to provide services necessary to implement this ordinance. (O 672-2019)1048
- Authorizing the Director of Public Health to enter into one or more contracts with The Center on Urban Poverty and Community Development at Case Western Reserve University to provide evaluation services for the MomsFirst Program, for a period of one year. (O 535-2019)1022
- Authorizing the Director of Public Utilities to employ one or more computer software vendors to acquire or renew Cisco maintenance and support, including Cisco Smartnet, for networking and telecommunication software and equipment; and authorizing the purchase by one or more requirement contracts of Cisco hardware and software products, including those used for networking and telecommunication and for the phone system, and maintenance and technical support, for the various divisions of the Department of Public Utilities, for a period of one year, with a one-year option to renew, exercisable by the Director of Public Utilities. (O 595-2019)1028
- Authorizing the Director of Public Utilities to exercise the option to renew Contract No. RCD 2017-6 with Hach Co. to maintain, service, calibrate, refurbish, and test various scientific and in line process analytical instruments manufactured by Hach Co. used to monitor the drinking water purification process. (O 593-2019)1028

Authorizing the Director of Public Utilities to exercise the options to renew various contracts for the requirements of various types of machines and equipment, and labor and materials to repair and/or replace parts or equipment to maintain various types of machines and equipment, for the Department of Public Utilities. (O 594-2019)1028

Authorizing the Director of Public Works to enter into an amendment to Contract No. 38823 with Hertz Cleveland North Point, LLC for lease of the North Point Garage to extend the term of the lease and to make certain modifications to other terms of the lease. (O 675-2019)1049

Authorizing the procurement by one or more requirement contracts for the rental of various types of heavy duty equipment, on an as needed basis, for the Office of Radio Communications, Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years. (O 597-2019)1029

Authorizing the purchase by one or more requirement contracts of disposal of debris at landfills, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years. (O 536-2019)1022

Convention and Visitor's Bureau

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)1013

County Budget Commission

To adopt and declare a Tax Budget for the City of Cleveland for the year 2020 and submit it to the County Budget Commission as required by State Law, Chapter 5705 of the Revised Code. (R 663-2019)1004

Cuyahoga County

Authorizing the Director of Public Health to apply for and accept a grant from the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County for the "This is (Not) About Drugs" Program; and authorizing the Director to enter into one or more contracts with Overdose Lifeline, Inc. and Preventure to implement the grant. (O 626-2019)1031

Giving consent of the City of Cleveland to the County of Cuyahoga for the improvement of East 116th Street from Miles Avenue to Union Avenue in the City of Cleveland; authorizing the Director of Capital Projects to enter into agreements; to apply for and accept an allocation of County Motor Vehicle License Tax Funds; authorizing the acquisition of any real property and easements; apply for and accept gifts and grants; and to cause payment to the County for the City's share of the improvement. (O 668-2019)1046

Giving consent of the City of Cleveland to the County of Cuyahoga for the resurfacing of Ridge Road from Memphis Avenue to Denison Avenue; authorizing the Director of Capital Projects to enter into agreements; to apply for and accept an allocation of County Motor Vehicle License Tax Funds; and to cause payment to the County for the City's share of the improvement. (O 552-2019)1026

Dominion Energy Ohio

Authorizing the Director of Public Works to execute a deed of easement granting to The East Ohio Gas Company dba Dominion Energy Ohio certain easement rights in property located along Woodhill Road at the Ozell A. Dobbins, Sr. Maintenance Center, and declaring that the easement rights granted are not needed for the City's public use. (O 546-2019)1024

Easements

Authorizing the acquisition and recording of certain easement interests from Uptown Three L.P. for use of a public sidewalk to be used as a drop off area for students and residents, for the Office of Capital Projects. (O 516-2019)1022

Authorizing the Director of Port Control to execute a deed of easement granting to Cargill, Incorporated and its successors and assigns, certain easement rights located above a city-owned portion of 5300 Whiskey Island Drive, and declaring that the easement rights granted are not needed for the City's public use. (O 545-2019)1024

Authorizing the Director of Public Works to execute a deed of easement granting to The East Ohio Gas Company dba Dominion Energy Ohio certain easement rights in property located along Woodhill Road at the Ozell A. Dobbins, Sr. Maintenance Center, and declaring that the easement rights granted are not needed for the City's public use. (O 546-2019)1024

Economic Development Department

Approving that the Cleveland Citywide Development Corporation, or its designee, may enter into up to eleven partially forgivable separate loan contracts with Famicos Foundation, Inc., or its designee, to rehabilitate up to eleven vacant single family homes on scattered sites within the Circle North area of the Glenville neighborhood, and other associated costs necessary to redevelop the property, under the authority of Ordinance No. 563-17, passed August 16, 2017. (O 621-2019)1029

Authorizing the Director of the Department of Economic Development to enter into agreement with Lexington Bell Community Center for the acquisition and renovation of the Superior Beverage Building through the use of Ward 7 Casino Revenue Funds and Neighborhood Capital Funds. (O 742-2019)1052

Encroachments

Authorizing the Director of Capital Projects to issue a permit to Cavaliers Operating Company, LLC to encroach into the public rights of way of Huron Road, Ontario Street and East 6th Street by installing, using, and maintaining protective bollards/concrete planter benches around the perimeter of the Rocket Mortgage Fieldhouse (fka Q Arena). (O 666-2019)1045

Authorizing the Director of Capital Projects to issue a permit to Flats Forward, Inc. to encroach into the public rights of way at four locations in the Flats by installing, using and maintaining four wayfinding signs. (O 410-2019)1013

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)1013

Authorizing the Director of Capital Projects to issue a permit to The Centers for Families and Children to encroach into the public right-of-way of Euclid Avenue by installing, using, and maintaining an ADA compliant entrance ramp and railing. (O 551-2019)1026

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)1013

Authorizing the Director of Capital Projects to issue one or more permits to MCImetro Access Transmission Services Corp. d/b/a Verizon Access Transmission Services to encroach into the public right-of-way at various locations in the City of Cleveland by installing, using, and maintaining a wireline fiber optic communications network to include fiber optic cable, to be attached to utility poles (by separate permission of pole owner), duct banks and vaults. (O 409-2019)1012

Engineering and Construction Division

Authorizing the Director of Capital Projects to employ one or more professional consultants to provide various engineering, testing, and related services needed for various capital improvement projects, for the Division of Engineering and Construction, Office of Capital Projects, on an as needed basis, for a period up to two years. (O 629-2019)1031

Famicos Foundation

Approving that the Cleveland Citywide Development Corporation, or its designee, may enter into up to eleven partially forgivable separate loan contracts with Famicos Foundation, Inc., or its designee, to rehabilitate up to eleven vacant single family homes on scattered sites within the Circle North area of the Glenville neighborhood, and other associated costs necessary to redevelop the property, under the authority of Ordinance No. 563-17, passed August 16, 2017. (O 621-2019)1029

Fees

To amend Section 131.34 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1330-A-10, passed December 6, 2010, relating to rental fees for recreation center use. (O 674-2019)1049

To amend Section 241.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1333-18, passed November 26, 2018, relating to food shop licenses and fees. (O 376-2019)1011

Finance Department

Authorizing the Director of Finance to employ one or more consultants, computer software developers, or vendors or one or more firms of consultants, computer software developers, or vendors necessary to implement various technology projects and upgrades to existing systems under the 2019 ITS Capital Project Plan, other related professional services to implement the Plan; and to enter into various contracts to implement this ordinance. (O 664-2019)1039

To adopt and declare a Tax Budget for the City of Cleveland for the year 2020 and submit it to the County Budget Commission as required by State Law, Chapter 5705 of the Revised Code. (R 663-2019)1004

To amend Sections 8, 30, 35 and 51 of Ordinance No. 323-15, passed March 30, 2015, as amended, relating to compensation for various classifications. (O 665-2019)1040

To supplement the Codified Ordinances of Cleveland, Ohio, 1976 by enacting new Sections 401.152, 401.153, 401.231, 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, 431.03, and 431.15, as amended by various ordinances, regulating the vendors and use of shared mobility devices. (O 464-2019)1016

FirstEnergy Stadium

Determining the method of making the public improvement of constructing material capital repairs and capital improvements to First Energy Stadium; authorizing one or more public improvement contracts for the making of the improvement; and professional services to design, or in the alternative, to reimburse or accept the gift of design and other services from the Cleveland Browns. (O 636-2019)1038

Flats District

Authorizing the Director of Capital Projects to issue a permit to Flats Forward, Inc. to encroach into the public rights of way at four locations in the Flats by installing, using and maintaining four wayfinding signs. (O 410-2019)1013

Gifts

Authorizing the Director of Public Safety to donate grow lights, ballasts, and two Werner brand ladders seized as the result of a criminal conviction to the Cleveland Metropolitan School District and to Benedictine High School; and to enter into an agreement to make the donation. (O 623-2019)1030

Grants

Authorizing the Director of Public Health to accept a grant from the Ohio Environmental Protection Agency for 2019-20 financial assistance for the operation of the Division of Air Quality; authorizing the director to enter into one or more contracts for various services, equipment and supplies, and contracts with various agencies or entities necessary to operate the Division of Air Quality; determining the method of constructing, rehabilitating, renovating, replacing, or otherwise improving air monitoring sites and other similar structures on city-owned and city leased property; and authorizing the director to enter into one or more contracts to construct the improvement and to design it. (O 671-2019)1047

Authorizing the Director of Public Health to apply for and accept a grant from the United States Department of Homeland Security for 2019-20 Biowatch Program. (O 625-2019)1030

Authorizing the Mayor to apply to the District One Public Works Integrating Committee for state funding for the rehabilitation of portions of West 65th Street; to apply for and accept gifts and grants from various entities for the improvement; authorizing the Director of Capital Projects to enter into contracts and agreements to design and construct the improvement and other agreements; and authorizing the Commissioner of Purchases and Supplies to acquire, accept, and record for right-of-way purposes real property and easements necessary to make the improvement. (O 634-2019)1036

Health Department

Authorizing the Director of Public Health to accept a grant from the Ohio Environmental Protection Agency for 2019-20 financial assistance for the operation of the Division of Air Quality; authorizing the director to enter into one or more contracts for various services, equipment and supplies, and contracts with various agencies or entities necessary to operate the Division of Air Quality; determining the method of constructing, rehabilitating, renovating, replacing, or otherwise improving air monitoring sites and other similar structures on city-owned and city leased property; and authorizing the director to enter into one or more contracts to construct the improvement and to design it. (O 671-2019)1047

Authorizing the Director of Public Health to apply for and accept a grant from the United States Department of Homeland Security for 2019-20 Biowatch Program. (O 625-2019)1030

Authorizing the Director of Public Health to enter into an amendment to Contract No. CT 5005 SG 2017-111 with Emily Frantz, owner, Administrative & Logistical Support for Public Health Accreditation, LLC to assist the Department of Health to attain accreditation status by the Public Health Accreditation Board. (O 670-2019)1047

Authorizing the Director of Public Health to enter into contract with the Ohio Department of Health to perform environmental lead investigations of residences of Medicaid eligible and non-Medicaid eligible children; and to enter into one or more contracts with various agencies, entities, or individuals to provide services necessary to implement this ordinance. (O 672-2019)1048

Authorizing the Director of Public Health to enter into one or more agreements with the Ohio Department of Health to reimburse the City of Cleveland for monitoring, collecting, and analyzing radiation levels in the vicinity of the Burke Lakefront Airport, for a period of two years. (O 627-2019)1031

Authorizing the Director of Public Health to enter into one or more contracts with The Center on Urban Poverty and Community Development at Case Western Reserve University to provide evaluation services for the MomsFirst Program, for a period of one year. (O 535-2019)1022

To amend Section 241.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1333-18, passed November 26, 2018, relating to food shop licenses and fees. (O 376-2019)1011

Human Resources Department

To amend Sections 8, 30, 35 and 51 of Ordinance No. 323-15, passed March 30, 2015, as amended, relating to compensation for various classifications. (O 665-2019)1040

Lease Agreement

Authorizing the Director of Port Control to enter into a Lease Agreement with PrimeFlight Aviation Services, Inc. for the lease of space located in the passenger terminal building at Cleveland Hopkins International Airport to support its ground handling, skycap, and other airline support service operations for JetBlue Airways and other airlines, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority. (O 544-2019)1024

Authorizing the Director of Port Control to enter into a Lease Agreement with Swissport USA, Inc. for the lease of space located in the passenger terminal building at Cleveland Hopkins International Airport to support its ground handling and other airline support service operations for multiple airlines, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority. (O 540-2019)1023

Authorizing the Director of Port Control to enter into a lease agreement with the United Service Organization, Inc. for the use of a lounge and office space located in the Main Terminal Building at Cleveland Hopkins International Airport, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority. (O 622-2019)1030

Authorizing the Director of Port Control to enter into a Lease Agreement with United Airlines Inc. for the lease of certain office and warehouse space located in the South Cargo Facility Building at Cleveland Hopkins International Airport, Department of Port Control, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority. (O 541-2019)1023

Leases

Authorizing the Director of Port Control to enter into a Lease with KeyBank National Association to maintain and operate an aviation hangar facility for the storage and maintenance for aircraft owned by KeyBank at Cleveland Hopkins International Airport, for a period of ten years, with two five-year options to renew, the first of which requires additional legislative authority. (O 542-2019)1023

Authorizing the Director of Port Control to enter into a Lease with the United States Postal Service to maintain and operate a warehouse, sorting facility, and post office retail store at Cleveland Hopkins International Airport, for a period of five years, with one five-year option to renew, which requires additional legislative authority. (O 543-2019)1023

Authorizing the Director of Public Works to enter into an amendment to Contract No. 38823 with Hertz Cleveland North Point, LLC for lease of the North Point Garage to extend the term of the lease and to make certain modifications to other terms of the lease. (O 675-2019)1049

Licenses

Authorizing the Director of Public Utilities to employ one or more professional consultants or vendors to acquire licenses for data storage expansion or to develop data storage expansion solutions, and other related services and equipment, including but not limited to, hardware, servers, chassis, ancillary components, and maintenance, for the Division of Water, Department of Public Utilities; for a period of one year, with two one-year options to renew, the second of which requires additional legislative authority. (O 596-2019)1029

To amend Section 241.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1333-18, passed November 26, 2018, relating to food shop licenses and fees. (O 376-2019)1011

Liquor Permits

Withdrawing objection to the Liquor Agency Contract located at 4071 Lee Road, Unit 290, 1st floor and repealing Resolution No. 333-2019. (R 754-2019)1006

Withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 1337 West 117th Street and repealing Resolution No. 644-2019 objecting to said permit. (R 750-2019)1005

Withdrawing objection to the transfer of ownership of a C1 Liquor Permit at 3137 East 65th Street, 1st floor and basement and repealing Resolution No. 1129-18 objecting to said permit. (R 755-2019)1006

Withdrawing objection to the transfer of ownership of a C1, C2 and D6 Liquor Permit at 3778 West 117th Street and repealing Resolution No. 1060-18 objecting to said permit. (R 751-2019)1005

Withdrawing objection to the transfer of ownership of a D5 and D6 Liquor Permit at 12210 Lorain Avenue and repealing Resolution No. 883-18 objecting to said permit. (R 753-2019)1006

Loan Agreement

Approving that the Cleveland Citywide Development Corporation, or its designee, may enter into up to eleven partially forgivable separate loan contracts with Famicos Foundation, Inc., or its designee, to rehabilitate up to eleven vacant single family homes on scattered sites within the Circle North area of the Glenville neighborhood, and other associated costs necessary to redevelop the property, under the authority of Ordinance No. 563-17, passed August 16, 2017. (O 621-2019)1029

Merrick House

Authorizing the Director of the Department of Public Works to enter into an agreement with Merrick House for the Tremont Arts & Cultural Expo through the use of Wards 3, 12 and 14 Casino Revenue Funds. (O 743-2019)1052

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)1013

Mt. Pleasant Now Development Corporation

Amending the Title and Sections 1 and 2 of Ordinance No. 600-2019, passed May 6, 2019 as it pertains to Senior Lawn Care and Snow Removal Program through the use of Wards 1, 2 and 4 Casino Revenue Funds. (O 734-2019)1051

Authorizing the Director of the Department of Community Development to enter into agreement with Mt. Pleasant NOW Development Corporation for the Family Unity Day Expo through the use of Wards 1 and 2 Casino Revenue Funds. (O 738-2019)1051

Name Change

Changing the name of "Lawn Madison Park" located at West 75th Street and Madison Avenue to "Miriam Ortiz Rush Park." (O 647-2019)1038

Neighborhood Capital Funds

Authorizing the Director of the Department of Economic Development to enter into agreement with Lexington Bell Community Center for the acquisition and renovation of the Superior Beverage Building through the use of Ward 7 Casino Revenue Funds and Neighborhood Capital Funds. (O 742-2019)1052

Ohio Department of Public Health

Authorizing the Director of Public Health to enter into contract with the Ohio Department of Health to perform environmental lead investigations of residences of Medicaid eligible and non-Medicaid eligible children; and to enter into one or more contracts with various agencies, entities, or individuals to provide services necessary to implement this ordinance. (O 672-2019)1048

Authorizing the Director of Public Health to enter into one or more agreements with the Ohio Department of Health to reimburse the City of Cleveland for monitoring, collecting, and analyzing radiation levels in the vicinity of the Burke Lakefront Airport, for a period of two years. (O 627-2019)1031

Ohio Department of Transportation (ODOT)

Giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio to rehabilitate the Center Swing Bridge over the Cuyahoga River; to cause payment to ODOT for the City's share; to authorize the Mayor to apply to the District One Public Works Integrating Committee for state funding; authorizing one or more contracts for the design and other relative agreements; accepting gifts and grants from any public or private entity; to apply and accept funds from Ohio Public Works Commission; to authorize the Division of Purchasing and Supplies to acquire, accept, and record all land necessary to make the improvement. (O 631-2019)1032

Giving consent of the City of Cleveland to the Ohio Department of Transportation to upgrade and interconnect a traffic signal located at the intersection of East 116th Street and Harvard Avenue in the City of Cleveland. (O 630-2019)1032

Ohio Environmental Protection Agency

Authorizing the Director of Public Health to accept a grant from the Ohio Environmental Protection Agency for 2019-20 financial assistance for the operation of the Division of Air Quality; authorizing the director to enter into one or more contracts for various services, equipment and supplies, and contracts with various agencies or entities necessary to operate the Division of Air Quality; determining the method of constructing, rehabilitating, renovating, replacing, or otherwise improving air monitoring sites and other similar structures on city-owned and city leased property; and authorizing the director to enter into one or more contracts to construct the improvement and to design it. (O 671-2019)1047

Recognizing Cuyahoga50, a community wide celebration of 50 years of progress since the last Cuyahoga River fire, and the need for continued vigilance and partnership with regional, state, and federal entities to ensure every Clevelander has access to clean water. (R 682-2019)1004

Ohio General Assembly

Strongly urging the Ohio Governor and Members of the Ohio General Assembly to restore the Local Government Fund to pre-recession levels. (R 731-2019)1005

Ohio Public Works Commission

Authorizing the Mayor to apply to the District One Public Works Integrating Committee for state funding for the rehabilitation of portions of West 65th Street; to apply for and accept gifts and grants from various entities for the improvement; authorizing the Director of Capital Projects to enter into contracts and agreements to design and construct the improvement and other agreements; and authorizing the Commissioner of Purchases and Supplies to acquire, accept, and record for right-of-way purposes real property and easements necessary to make the improvement. (O 634-2019)1036

Giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio to rehabilitate the Center Swing Bridge over the Cuyahoga River; to cause payment to ODOT for the City's share; to authorize the Mayor to apply to the District One Public Works Integrating Committee for state funding; authorizing one or more contracts for the design and other relative agreements; accepting gifts and grants from any public or private entity; to apply and accept funds from Ohio Public Works Commission; to authorize the Division of Purchasing and Supplies to acquire, accept, and record all land necessary to make the improvement. (O 631-2019)1032

Permits

Authorizing the Director of Capital Projects to issue a permit to Cavaliers Operating Company, LLC to encroach into the public rights of way of Huron Road, Ontario Street and East 6th Street by installing, using, and maintaining protective bollards/concrete planter benches around the perimeter of the Rocket Mortgage Fieldhouse (fka Q Arena). (O 666-2019)1045

Authorizing the Director of Capital Projects to issue a permit to Flats Forward, Inc. to encroach into the public rights of way at four locations in the Flats by installing, using and maintaining four wayfinding signs. (O 410-2019)1013

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)1013

Authorizing the Director of Capital Projects to issue a permit to The Centers for Families and Children to encroach into the public right-of-way of Euclid Avenue by installing, using, and maintaining an ADA compliant entrance ramp and railing. (O 551-2019)1026

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)1013

Authorizing the Director of Capital Projects to issue one or more permits to MCImetro Access Transmission Services Corp. d/b/a Verizon Access Transmission Services to encroach into the public right-of-way at various locations in the City of Cleveland by installing, using, and maintaining a wireline fiber optic communications network to include fiber optic cable, to be attached to utility poles (by separate permission of pole owner), duct banks and vaults. (O 409-2019)1012

To supplement the Codified Ordinances of Cleveland, Ohio, 1976 by enacting new Sections 401.152, 401.153, 401.231, 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, 431.03, and 431.15, as amended by various ordinances, regulating the vendors and use of shared mobility devices. (O 464-2019)1016

Port Control Department

Authorizing the Commissioner of Purchases and Supplies to make one or more purchase orders with Black Box Network Services for professional services necessary to continue to maintain, support, and further enhance the Unified Computing Services Infrastructure in order to ensure a safe and secure IT network, including but not limited to, upgrading, installation and integration, for the Department of Port Control. (O 730-2019)1050

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)1015

Authorizing the Director of Port Control to enter into a Lease Agreement with PrimeFlight Aviation Services, Inc. for the lease of space located in the passenger terminal building at Cleveland Hopkins International Airport to support its ground handling, skycap, and other airline support service operations for JetBlue Airways and other airlines, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority. (O 544-2019)1024

Authorizing the Director of Port Control to enter into a Lease Agreement with Swissport USA, Inc. for the lease of space located in the passenger terminal building at Cleveland Hopkins International Airport to support its ground handling and other airline support service operations for multiple airlines, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority. (O 540-2019)1023

Authorizing the Director of Port Control to enter into a lease agreement with the United Service Organization, Inc. for the use of a lounge and office space located in the Main Terminal Building at Cleveland Hopkins International Airport, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority. (O 622-2019)1030

Authorizing the Director of Port Control to enter into a Lease Agreement with United Airlines Inc. for the lease of certain office and warehouse space located in the South Cargo Facility Building at Cleveland Hopkins International Airport, Department of Port Control, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority. (O 541-2019)1023

Authorizing the Director of Port Control to enter into a Lease with KeyBank National Association to maintain and operate an aviation hangar facility for the storage and maintenance for aircraft owned by KeyBank at Cleveland Hopkins International Airport, for a period of ten years, with two five-year options to renew, the first of which requires additional legislative authority. (O 542-2019)1023

Authorizing the Director of Port Control to enter into a Lease with the United States Postal Service to maintain and operate a warehouse, sorting facility, and post office retail store at Cleveland Hopkins International Airport, for a period of five years, with one five-year option to renew, which requires additional legislative authority. (O 543-2019)1023

Authorizing the Director of Port Control to execute a deed of easement granting to Cargill, Incorporated and its successors and assigns, certain easement rights located above a city-owned portion of 5300 Whiskey Island Drive, and declaring that the easement rights granted are not needed for the City’s public use. (O 545-2019)1024

Professional Services

Authorizing the Commissioner of Purchases and Supplies to make one or more purchase orders with Black Box Network Services for professional services necessary to continue to maintain, support, and further enhance the Unified Computing Services Infrastructure in order to ensure a safe and secure IT network, including but not limited to, upgrading, installation and integration, for the Department of Port Control. (O 730-2019)1050

Professional Services Contracts

Authorizing the Director of Capital Projects to employ one or more professional consultants to provide various engineering, testing, and related services needed for various capital improvement projects, for the Division of Engineering and Construction, Office of Capital Projects, on an as needed basis, for a period up to two years. (O 629-2019)1031

Authorizing the Director of Finance to employ one or more consultants, computer software developers, or vendors or one or more firms of consultants, computer software developers, or vendors necessary to implement various technology projects and upgrades to existing systems under the 2019 ITS Capital Project Plan, other related professional services to implement the Plan; and to enter into various contracts to implement this ordinance. (O 664-2019)1039

Authorizing the Director of Public Utilities to employ one or more professional consultants or vendors to acquire licenses for data storage expansion or to develop data storage expansion solutions, and other related services and equipment, including but not limited to, hardware, servers, chassis, ancillary components, and maintenance, for the Division of Water, Department of Public Utilities; for a period of one year, with two one-year options to renew, the second of which requires additional legislative authority. (O 596-2019)1029

Authorizing the Director of Public Works to employ one or more professional consultants to provide parking meter consultant services, for a one year period; and to enter into various written standard purchase and requirement contracts for the purchase of parking meters and related equipment and services, including installation. (O 729-2019)1049

Public Improvement Contracts

Authorizing the Director of Public Utilities to exercise the first option to renew Contract No. PIRC 2018-3 with Terrace Construction Company, Inc. for the public improvement of installing automated meter reading units on remaining residential and commercial accounts, including Cleveland Heights accounts and master meter vaults not yet converted. (O 592-2019)1027

Authorizing the Mayor to apply to the District One Public Works Integrating Committee for state funding for the rehabilitation of portions of West 65th Street; to apply for and accept gifts and grants from various entities for the improvement; authorizing the Director of Capital Projects to enter into contracts and agreements to design and construct the improvement and other agreements; and authorizing the Commissioner of Purchases and Supplies to acquire, accept, and record for right-of-way purposes real property and easements necessary to make the improvement. (O 634-2019)1036

Determining the method of making the public improvement of constructing material capital repairs and capital improvements to First Energy Stadium; authorizing one or more public improvement contracts for the making of the improvement; and professional services to design, or in the alternative, to reimburse or accept the gift of design and other services from the Cleveland Browns. (O 636-2019)1038

Giving consent of the City of Cleveland to the County of Cuyahoga for the resurfacing Rockefeller Avenue from Broadway Avenue to Central Furnace Drive; to apply for and accept an allocation of County Motor Vehicle License Tax Funds for the improvement; authorizing the Director of Capital Projects to enter into one or more contracts for the construction, design, and any relative agreements in making the improvement. (O 633-2019)1034

Public Improvements

Giving consent of the City of Cleveland to the County of Cuyahoga for the improvement of East 116th Street from Miles Avenue to Union Avenue in the City of Cleveland; authorizing the Director of Capital Projects to enter into agreements; to apply for and accept an allocation of County Motor Vehicle License Tax Funds; authorizing the acquisition of any real property and easements; apply for and accept gifts and grants; and to cause payment to the County for the City's share of the improvement. (O 668-2019)1046

Giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio for improving Miles Avenue from Warrensville Corporation Line to Broadway Avenue; to apply for and accept any gifts or grants from any public or private entity; authorizing a Local Project agreement and any other relative agreements; and causing payment of the City's share to the State for the cost of the improvement. (O 632-2019)1034

Giving consent of the City of Cleveland to the Ohio Department of Transportation to upgrade and interconnect a traffic signal located at the intersection of East 116th Street and Harvard Avenue in the City of Cleveland. (O 630-2019)1032

Public Works

Authorizing the Director of Public Works to employ one or more professional consultants to provide parking meter consultant services, for a one year period; and to enter into various written standard purchase and requirement contracts for the purchase of parking meters and related equipment and services, including installation. (O 729-2019)1049

Authorizing the Director of Public Works to enter into an amendment to Contract No. 38823 with Hertz Cleveland North Point, LLC for lease of the North Point Garage to extend the term of the lease and to make certain modifications to other terms of the lease. (O 675-2019)1049

Authorizing the Director of Public Works to execute a deed of easement granting to The East Ohio Gas Company dba Dominion Energy Ohio certain easement rights in property located along Woodhill Road at the Ozell A. Dobbins, Sr. Maintenance Center, and declaring that the easement rights granted are not needed for the City's public use. (O 546-2019)1024

Authorizing the Director of the Department of Public Works to enter into agreement with the Tremont West Development Corporation for the Arts in August Expo through the use of Ward 3 Casino Revenue Funds. (O 735-2019)1051

Authorizing the Director of the Department of Public Works to enter into an agreement with Merrick House for the Tremont Arts & Cultural Expo through the use of Wards 3, 12 and 14 Casino Revenue Funds. (O 743-2019)1052

Changing the name of "Lawn Madison Park" located at West 75th Street and Madison Avenue to "Miriam Ortiz Rush Park." (O 647-2019)1038

Determining the method of making the public improvement of constructing material capital repairs and capital improvements to First Energy Stadium; authorizing one or more public improvement contracts for the making of the improvement; and professional services to design, or in the alternative, to reimburse or accept the gift of design and other services from the Cleveland Browns. (O 636-2019)1038

To amend Section 131.34 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1330-A-10, passed December 6, 2010, relating to rental fees for recreation center use. (O 674-2019)1049

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)1015

Purchases and Supplies Division

Authorizing the acquisition and recording of certain easement interests from Uptown Three L.P. for use of a public sidewalk to be used as a drop off area for students and residents, for the Office of Capital Projects. (O 516-2019)1022

Authorizing the Commissioner of Purchases and Supplies to make one or more purchase orders with Black Box Network Services for professional services necessary to continue to maintain, support, and further enhance the Unified Computing Services Infrastructure in order to ensure a safe and secure IT network, including but not limited to, upgrading, installation and integration, for the Department of Port Control. (O 730-2019)1050

Authorizing the Commissioner of Purchases and Supplies to sell a portion of City-owned property no longer needed for public use located at 4601 Chester Avenue to Richard and Kathy Lehmann, for the purpose of access to their business. (O 547-2019)1025

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)1015

Recreation Centers

To amend Section 131.34 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1330-A-10, passed December 6, 2010, relating to rental fees for recreation center use. (O 674-2019)1049

Resolution of Support

Recognizing Cuyahoga50, a community wide celebration of 50 years of progress since the last Cuyahoga River fire, and the need for continued vigilance and partnership with regional, state, and federal entities to ensure every Clevelander has access to clean water. (R 682-2019)1004

Strongly urging the Ohio Governor and Members of the Ohio General Assembly to restore the Local Government Fund to pre-recession levels. (R 731-2019)1005

Safety Department

Authorizing the Commissioner of Purchases and Supplies to sell a portion of City-owned property no longer needed for public use located at 4601 Chester Avenue to Richard and Kathy Lehmann, for the purpose of access to their business. (O 547-2019)1025

Authorizing the Director of Public Safety to donate grow lights, ballasts, and two Werner brand ladders seized as the result of a criminal conviction to the Cleveland Metropolitan School District and to Benedictine High School; and to enter into an agreement to make the donation. (O 623-2019)1030

Authorizing the Director of Public Safety to enter into one or more mutual aid agreements with other political subdivisions in the State of Ohio for additional police protection, fire, and emergency medical services for aid and assistance in connection with the Major League Baseball Association 2019 All Star Game being held in Cleveland on July 9, 2019, along with associated events and activities on days before and after the day of the Game. (O 511-2019)1020

Authorizing the Director of the Department of the Department of Public Safety to enter into an agreement with Bellaire-Puritas Development Corporation for the Summer Safety Education Film Series through the use of Ward 16 Casino Revenue Funds. (O 745-2019)1053

Salaries

To amend Sections 8, 30, 35 and 51 of Ordinance No. 323-15, passed March 30, 2015, as amended, relating to compensation for various classifications. (O 665-2019)1040

State of Ohio

Authorizing the Director of Public Safety to enter into one or more mutual aid agreements with other political subdivisions in the State of Ohio for additional police protection, fire, and emergency medical services for aid and assistance in connection with the Major League Baseball Association 2019 All Star Game being held in Cleveland on July 9, 2019, along with associated events and activities on days before and after the day of the Game. (O 511-2019)1020

Giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio for improving Miles Avenue from Warrensville Corporation Line to Broadway Avenue; to apply for and accept any gifts or grants from any public or private entity; authorizing a Local Project agreement and any other relative agreements; and causing payment of the City's share to the State for the cost of the improvement. (O 632-2019)1034

Street Vacation

Declaring the intent to vacate a portion of Barber Court S.W. (R 463-2019)1003

Declaring the intent to vacate a portion of Gehring Avenue. (R 407-2019)1003

Declaring the intent to vacate a portion of the 1st Un-named Alley North of Trent Avenue and East of West 40th Street. (R 477-2019)1003

Declaring the intent to vacate a portion of West 4th Street and Mahoning Avenue. (R 478-2019)1004

Tax Budget

To adopt and declare a Tax Budget for the City of Cleveland for the year 2020 and submit it to the County Budget Commission as required by State Law, Chapter 5705 of the Revised Code. (R 663-2019)1004

Tremont West Development Corporation

Authorizing the Director of the Department of Public Works to enter into agreement with the Tremont West Development Corporation for the Arts in August Expo through the use of Ward 3 Casino Revenue Funds. (O 735-2019)1051

Union Miles Development Corporation

Authorizing the Director of the Department of Community Development to enter into agreement with Union Miles Development Corporation for the Feasibility Study for a Veteran Service Center and Housing Project for Homeless Veterans through the use of Ward 2 Casino Revenue Funds. (O 744-2019)1053

United Airlines

Authorizing the Director of Port Control to enter into a Lease Agreement with United Airlines Inc. for the lease of certain office and warehouse space located in the South Cargo Facility Building at Cleveland Hopkins International Airport, Department of Port Control, for a period of two years, with three one-year options to renew, the first of which requires additional legislative authority. (O 541-2019)1023

United States Postal Services

Authorizing the Director of Port Control to enter into a Lease with the United States Postal Service to maintain and operate a warehouse, sorting facility, and post office retail store at Cleveland Hopkins International Airport, for a period of five years, with one five-year option to renew, which requires additional legislative authority. (O 543-2019)1023

United Way of Greater Cleveland

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)1050

U.S. Department of Homeland Security

Authorizing the Director of Public Health to apply for and accept a grant from the United States Department of Homeland Security for 2019-20 Biowatch Program. (O 625-2019)1030

Utilities Department

Authorizing the Director of Public Utilities to employ one or more computer software vendors to acquire or renew Cisco maintenance and support, including Cisco Smartnet, for networking and telecommunication software and equipment; and authorizing the purchase by one or more requirement contracts of Cisco hardware and software products, including those used for networking and telecommunication and for the phone system, and maintenance and technical support, for the various divisions of the Department of Public Utilities, for a period of one year, with a one-year option to renew, exercisable by the Director of Public Utilities. (O 595-2019)1028

Authorizing the Director of Public Utilities to employ one or more professional consultants or vendors to acquire licenses for data storage expansion or to develop data storage expansion solutions, and other related services and equipment, including but not limited to, hardware, servers, chassis, ancillary components, and maintenance, for the Division of Water, Department of Public Utilities; for a period of one year, with two one-year options to renew, the second of which requires additional legislative authority. (O 596-2019)1029

Authorizing the Director of Public Utilities to exercise the first option to renew Contract No. PIRC 2018-3 with Terrace Construction Company, Inc. for the public improvement of installing automated meter reading units on remaining residential and commercial accounts, including Cleveland Heights accounts and master meter vaults not yet converted. (O 592-2019)1027

Authorizing the Director of Public Utilities to exercise the option to renew Contract No. RCD 2017-6 with Hach Co. to maintain, service, calibrate, refurbish, and test various scientific and in line process analytical instruments manufactured by Hach Co. used to monitor the drinking water purification process. (O 593-2019)1028

Authorizing the Director of Public Utilities to exercise the options to renew various contracts for the requirements of various types of machines and equipment, and labor and materials to repair and/or replace parts or equipment to maintain various types of machines and equipment, for the Department of Public Utilities. (O 594-2019)1028

Authorizing the procurement by one or more requirement contracts for the rental of various types of heavy duty equipment, on an as needed basis, for the Office of Radio Communications, Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years. (O 597-2019)1029

Authorizing the purchase by one or more requirement contracts of disposal of debris at landfills, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years. (O 536-2019)1022

Ward 01

Amending the Title and Sections 1 and 2 of Ordinance No. 600-2019, passed May 6, 2019 as it pertains to Senior Lawn Care and Snow Removal Program through the use of Wards 1, 2 and 4 Casino Revenue Funds. (O 734-2019)1051

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)1050

Withdrawing objection to the Liquor Agency Contract located at 4071 Lee Road, Unit 290, 1st floor and repealing Resolution No. 333-2019. (R 754-2019)1006

Ward 02

Amending the Title and Section 1 of Ordinance No. 563-2019 passed April 29, 2019, as it pertains to authorizing the Director of the Department of Community Development to enter into agreement with the Beauty & Barber Empowerment Center, LLC for the Beauty and Empowerment Center Program through the use of Wards 2, 4 and 6 Casino Revenue Funds. (O 733-2019)1050

Amending the Title and Sections 1 and 2 of Ordinance No. 600-2019, passed May 6, 2019 as it pertains to Senior Lawn Care and Snow Removal Program through the use of Wards 1, 2 and 4 Casino Revenue Funds. (O 734-2019)1051

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)1050

Authorizing the Director of the Department of Public Works to enter into agreement with the Jarvis Gibson Foundation for the Mt. Pleasant Rebels Educational & Sports Program through the use of Ward 2 Casino Revenue Funds. (O 740-2019)1052

Giving consent of the City of Cleveland to the County of Cuyahoga for the improvement of East 116th Street from Miles Avenue to Union Avenue in the City of Cleveland; authorizing the Director of Capital Projects to enter into agreements; to apply for and accept an allocation of County Motor Vehicle License Tax Funds; authorizing the acquisition of any real property and easements; apply for and accept gifts and grants; and to cause payment to the County for the City's share of the improvement. (O 668-2019)1046

Giving consent of the City of Cleveland to the Ohio Department of Transportation to upgrade and interconnect a traffic signal located at the intersection of East 116th Street and Harvard Avenue in the City of Cleveland. (O 630-2019)1032

Ward 03

Authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located near the northwest corner of Starkweather Avenue and West 15th Street to Larry Zukerman for purposes of redevelopment. (O 667-2019)1045

Authorizing the Director of Capital Projects to issue a permit to Cavaliers Operating Company, LLC to encroach into the public rights of way of Huron Road, Ontario Street and East 6th Street by installing, using, and maintaining protective bollards/concrete planter benches around the perimeter of the Rocket Mortgage Fieldhouse (fka Q Arena). (O 666-2019)1045

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)1013

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)1050

Authorizing the Director of the Department of Public Works to enter into agreement with the Tremont West Development Corporation for the Arts in August Expo through the use of Ward 3 Casino Revenue Funds. (O 735-2019)1051

Authorizing the Director of the Department of Public Works to enter into an agreement with Merrick House for the Tremont Arts & Cultural Expo through the use of Wards 3, 12 and 14 Casino Revenue Funds. (O 743-2019)1052

Declaring the intent to vacate a portion of Barber Court S.W. (R 463-2019)1003

Declaring the intent to vacate a portion of Gehring Avenue. (R 407-2019)1003

Declaring the intent to vacate a portion of West 4th Street and Mahoning Avenue. (R 478-2019)1004

Establishing a zero foot Mapped Building Setback from the property line along the southern side of Carter Road between Riverbed Street and the eastern property line of Permanent Parcel No. 004-26-040 (Map Change 2600). (O 514-2019)1021

Giving consent of the City of Cleveland to the County of Cuyahoga for the resurfacing Rockefeller Avenue from Broadway Avenue to Central Furnace Drive; to apply for and accept an allocation of County Motor Vehicle License Tax Funds for the improvement; authorizing the Director of Capital Projects to enter into one or more contracts for the construction, design, and any relative agreements in making the improvement. (O 633-2019)1034

Ward 04

Amending the Title and Section 1 of Ordinance No. 563-2019 passed April 29, 2019, as it pertains to authorizing the Director of the Department of Community Development to enter into agreement with the Beauty & Barber Empowerment Center, LLC for the Beauty and Empowerment Center Program through the use of Wards 2, 4 and 6 Casino Revenue Funds. (O 733-2019)1050

Amending the Title and Sections 1 and 2 of Ordinance No. 600-2019, passed May 6, 2019 as it pertains to Senior Lawn Care and Snow Removal Program through the use of Wards 1, 2 and 4 Casino Revenue Funds. (O 734-2019)1051

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)1050

Ward 05

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)1050

Withdrawing objection to the transfer of ownership of a C1 Liquor Permit at 3137 East 65th Street, 1st floor and basement and repealing Resolution No. 1129-18 objecting to said permit. (R 755-2019)1066

Ward 06

Amending the Title and Section 1 of Ordinance No. 563-2019 passed April 29, 2019, as it pertains to authorizing the Director of the Department of Community Development to enter into agreement with the Beauty & Barber Empowerment Center, LLC for the Beauty and Empowerment Center Program through the use of Wards 2, 4 and 6 Casino Revenue Funds. (O 733-2019)1050

Authorizing the acquisition and recording of certain easement interests from Uptown Three L.P. for use of a public sidewalk to be used as a drop off area for students and residents, for the Office of Capital Projects. (O 516-2019)1022

Authorizing the Director of Public Works to execute a deed of easement granting to The East Ohio Gas Company dba Dominion Energy Ohio certain easement rights in property located along Woodhill Road at the Ozell A. Dobbins, Sr. Maintenance Center, and declaring that the easement rights granted are not needed for the City's public use. (O 546-2019)1024

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)1050

Ward 07

Authorizing the Commissioner of Purchases and Supplies to sell a portion of City-owned property no longer needed for public use located at 4601 Chester Avenue to Richard and Kathy Lehmann, for the purpose of access to their business. (O 547-2019)1025

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)1013

Authorizing the Director of Capital Projects to issue a permit to The Centers for Families and Children to encroach into the public right-of-way of Euclid Avenue by installing, using, and maintaining an ADA compliant entrance ramp and railing. (O 551-2019)1026

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)1050

Authorizing the Director of the Department of Economic Development to enter into agreement with Lexington Bell Community Center for the acquisition and renovation of the Superior Beverage Building through the use of Ward 7 Casino Revenue Funds and Neighborhood Capital Funds. (O 742-2019)1052

Ward 08

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)1050

Ward 09

Approving that the Cleveland Citywide Development Corporation, or its designee, may enter into up to eleven partially forgivable separate loan contracts with Famicos Foundation, Inc., or its designee, to rehabilitate up to eleven vacant single family homes on scattered sites within the Circle North area of the Glenville neighborhood, and other associated costs necessary to redevelop the property, under the authority of Ordinance No. 563-17, passed August 16, 2017. (O 621-2019)1029

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)1050

Ward 10

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)1050

Ward 11

Withdrawing objection to the transfer of ownership of a C1, C2 and D6 Liquor Permit at 3778 West 117th Street and repealing Resolution No. 1060-18 objecting to said permit. (R 751-2019)1005

Ward 12

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)1050

Authorizing the Director of the Department of Public Works to enter into an agreement with Merrick House for the Tremont Arts & Cultural Expo through the use of Wards 3, 12 and 14 Casino Revenue Funds. (O 743-2019)1052

Ward 13

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)1050

Ward 14

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)1050

Authorizing the Director of the Department of Public Works to enter into an agreement with Merrick House for the Tremont Arts & Cultural Expo through the use of Wards 3, 12 and 14 Casino Revenue Funds. (O 743-2019)1052

Declaring the intent to vacate a portion of the 1st Un-named Alley North of Trent Avenue and East of West 40th Street. (R 477-2019)1003

Ward 15

Authorizing the Director of Port Control to execute a deed of easement granting to Cargill, Incorporated and its successors and assigns, certain easement rights located above a city-owned portion of 5300 Whiskey Island Drive, and declaring that the easement rights granted are not needed for the City's public use. (O 545-2019)1024

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)1050

Changing the name of "Lawn Madison Park" located at West 75th Street and Madison Avenue to "Miriam Ortiz Rush Park." (O 647-2019)1038

Withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 1337 West 117th Street and repealing Resolution No. 644-2019 objecting to said permit. (R 750-2019)1005

Withdrawing objection to the transfer of ownership of a C1, C2 and D6 Liquor Permit at 7201 Lorain Avenue and repealing Resolution No. 299-2019 objecting to said permit. (R 752-2019)1005

Ward 16

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)1050

Authorizing the Director of the Department of the Department of Public Safety to enter into an agreement with Bellaire-Puritas Development Corporation for the Summer Safety Education Film Series through the use of Ward 16 Casino Revenue Funds. (O 745-2019)1053

Withdrawing objection to the transfer of ownership of a D5 and D6 Liquor Permit at 12210 Lorain Avenue and repealing Resolution No. 883-18 objecting to said permit. (R 753-2019)1006

Ward 17

Authorizing the Director of the Department of Community Development to enter into agreement with United Way of Greater Cleveland for the Lead Safe Summit Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds. (O 732-2019)1050

Waste Collection and Disposal Division

To amend Section 551.22 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 773-A-80, passed December 14, 1981, relating to the waste collection hours in and near a residential district. (O 257-2019)1011

Water Division

Authorizing the Director of Public Utilities to employ one or more professional consultants or vendors to acquire licenses for data storage expansion or to develop data storage expansion solutions, and other related services and equipment, including but not limited to, hardware, servers, chassis, ancillary components, and maintenance, for the Division of Water, Department of Public Utilities; for a period of one year, with two one-year options to renew, the second of which requires additional legislative authority. (O 596-2019)1029

| | |
|---|-------------|
| Authorizing the procurement by one or more requirement contracts for the rental of various types of heavy duty equipment, on an as needed basis, for the Office of Radio Communications, Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years. (O 597-2019) | 1029 |
| Authorizing the purchase by one or more requirement contracts of disposal of debris at landfills, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years. (O 536-2019) | 1022 |

Water Pollution Control Division

| | |
|---|-------------|
| Authorizing the procurement by one or more requirement contracts for the rental of various types of heavy duty equipment, on an as needed basis, for the Office of Radio Communications, Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years. (O 597-2019) | 1029 |
| Authorizing the purchase by one or more requirement contracts of disposal of debris at landfills, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years. (O 536-2019) | 1022 |

Zoning

| | |
|--|-------------|
| Establishing a zero foot Mapped Building Setback from the property line along the southern side of Carter Road between Riverbed Street and the eastern property line of Permanent Parcel No. 004-26-040 (Map Change 2600). (O 514-2019) | 1021 |
| To amend Sections 325.03, 337.23, 343.23, 357.09, and 357.13 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, relating to side yard setbacks, parking spaces sizes, residential garage placement and size, and conditional uses in the Pedestrian Retail Overlay; and to supplement the codified ordinances by enacting new Section 325.431 relating to the definition of Lot Interior. (O 887-18) | 1006 |