

The City Record

Official Publication of the Council of the City of Cleveland



May the Twenty-Second, Two Thousand and Nineteen

Frank G. Jackson
Mayor

Kevin J. Kelley
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward Name

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

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www.clevelandcitycouncil.org

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Kevin J. Kelley

Ward	Name	Residence	
1	Joseph T. Jones	4691 East 177th Street	44128
2	Kevin L. Bishop	11729 Miles Avenue, #5	44105
3	Kerry McCormack	1769 West 31st Place	44113
4	Kenneth L. Johnson, Sr.	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44115
6	Blaine A. Griffin	1810 Larchmere Boulevard	44120
7	Basheer S. Jones	1383 East 94th Street	44106
8	Michael D. Polensek	17855 Brian Avenue	44119
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Anthony T. Hairston	423 Arbor Road	44108
11	Dona Brady	1272 West Boulevard	44102
12	Anthony Brancatelli	6924 Ottawa Road	44105
13	Kevin J. Kelley	5904 Parkridge Avenue	44144
14	Jasmin Santana	3535 Marvin Avenue	44109
15	Matt Zone	1228 West 69th Street	44102
16	Brian Kazy	4300 West 143rd Street	44135
17	Martin J. Keane	15907 Colletta Lane	44111

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

MAYOR – Frank G. Jackson

Sharon Dumas, Interim Chief of Staff

Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer

Valarie J. McCall, Executive Assistant to the Mayor, Chief of Communications Government & International Affairs

Monyka S. Price, Executive Assistant to the Mayor, Chief of Education

Matt Gray, Executive Assistant to the Mayor, Chief of Sustainability

Natoya J. Walker Minor, Executive Assistant to the Mayor, Chief of Public Affairs

Edward W. Rybka, Executive Assistant to the Mayor, Chief of Regional Development

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

OFFICE OF CAPITAL PROJECTS – Matthew L. Spronz, Director

DIVISIONS:

Architecture and Site Development – Carter Edman, Manager

Engineering and Construction – Richard J. Switalski, Manager

Real Estate – James DeRosa, Commissioner

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

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

DEPT. OF LAW – Barbara A. Langhenry, Director, Gary D. Singletary, Chief Counsel,

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

Victor R. Perez, Chief Assistant Prosecutor, Room 106: John Skrtic, Law Librarian,

Room 100

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

Natasha Brandt, Manager, Internal Audit

DIVISIONS:

Accounts – Lonya Moss Walker, Commissioner, Room 19

Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122

City Treasury – James Hartley, Treasurer, Room 115

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

Information Technology and Services – Kimberly Roy-Wilson,

Commissioner, 205 W. St. Clair Avenue

Purchases and Supplies – Tiffany White, Commissioner, Room 128

Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue

Taxation – Nassim Lynch, Tax Administrator, 205 W. St. Clair Avenue

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

DIVISIONS:

Cleveland Public Power – Ivan Henderson, Commissioner

Utilities Fiscal Control – Frank Badalamenti, Chief Financial Officer

Water – Alex Margevicius, Commissioner

Water Pollution Control – Rachid Zoghaib, Commissioner

DEPT. OF PORT CONTROL – Robert Kennedy, Director, Cleveland Hopkins International

Airport, 5300 Riverside Drive

DIVISIONS:

Burke Lakefront Airport – Khalid Bahhur, Commissioner

Cleveland Hopkins International Airport & Burke Lakefront Airport – Khalid Bahhur,

Commissioner

DEPT. OF PUBLIC WORKS – Michael Cox, Director

OFFICES:

Administration – John Laird, Manager

Special Events and Marketing – Tangee Johnson, Manager

DIVISIONS:

Motor Vehicle Maintenance – Jeffrey Brown, Commissioner

Park Maintenance and Properties – Richard L. Silva, Commissioner

Parking Facilities – Kim Johnson, Interim Commissioner

Property Management – Tom Nagle, Commissioner

Recreation – Samuel Gissentener, Interim Commissioner

Streets – Frank D. Williams, Interim Commissioner

Traffic Engineering – Robert Mavec, Commissioner

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

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

DIVISIONS:

Air Quality – David Heame, Interim Commissioner

Environment – Brian Kimball, Commissioner, 75 Erieview Plaza

Health – Persis Sosiak, Commissioner, 75 Erieview Plaza

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

DIVISIONS:

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

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

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

Fire – Angelo Calvillo, Chief, 1645 Superior Avenue

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

DEPT. OF COMMUNITY DEVELOPMENT – Tania Menesse, Director

DIVISIONS:

Administrative Services – Joy Anderson, Commissioner

Fair Housing and Consumer Affairs Office – John Mahoney, Manager

Neighborhood Development – James Greene, Commissioner

Neighborhood Services – Louise V. Jackson, Commissioner

DEPT. OF BUILDING AND HOUSING – Ayonna Blie Donald, Director, Room 500

DIVISIONS:

Code Enforcement – Thomas E. Vanover, Commissioner

Construction Permitting – Narid Hussain, Commissioner

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

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

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

COMMUNITY RELATIONS BOARD – Room 11, Grady Stevenson, Director, Mayor Frank

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

Member Kevin L. Bishop, Roosevelt E. Coats, Jenice Contreras, Kathryn Hall, Yasir

Hamdallah, Evangeline Hardaway, John O. Horton, Gary Johnson, Sr., Daniel McNea,

Stephanie Morrison-Hrbek, Roland Muhammad, Gia Hoa Ryan, Council Member Jasmin

Santana, Peter Whitt, Ted Wammes.

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

Flickinger, Vice-President; Michael Spreng, Secretary; Members: Daniel J. Brennan,

India Pierce Lee.

SINKING FUND COMMISSION – Frank G. Jackson, President; Council President Kevin

J. Kelley; Betsy Hruby, Asst. Sec'y.; Sharon Dumas, Director.

BOARD OF ZONING APPEALS – Room 516, Carol A. Johnson, Chairman; Members;

Henry Bailey, Myrlene Barnes, Kelley Britt, Tim Donovan, Elizabeth Kukla, Secretary.

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS – Room 516,

Joseph F. Denk, Chairman; Howard Bradley, Patrick M. Gallagher, Robert Maschke, Halim

M. Saab, P.E., Alternate Members – D. Cox, P. Frank, E. P. O'Brien, Richard Pace, J.F.

Sullivan.

BOARD OF REVISION OF ASSESSMENTS – Law Director Barbara A. Langhenry,

President; Finance Director Sharon Dumas, Secretary; Council President Kevin J. Kelley.

BOARD OF SIDEWALK APPEALS – Capital Projects Director Matthew Spronz, Law

Director Barbara A. Langhenry; Council Member Kenneth L. Johnson.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Barbara A. Langhenry;

Public Utilities Director Robert L. Davis; Council President Kevin J. Kelley.

CITY PLANNING COMMISSION – Room 501 – Freddy L. Collier, Jr., Director; David

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

Diane Downing, August Fluker, Charles Slife.

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

Robert L. Render.

HOUSING ADVISORY BOARD – Room 310 – Keith Brown, Terri Hamilton Brown, Vickie

Eaton-Johnson, Mike Foley, Eric Hodderson, Janet Loehr, Mark McDermott, Marcia Nolan,

David Perkowski, Joan Shaver Washington, Keith Sutton.

CLEVELAND BOXING AND WRESTLING COMMISSION – Robert Jones, Chairman;

Clint Martin, Mark Rivera.

MORAL CLAIMS COMMISSION – Law Director Barbara A. Langhenry; Chairman;

Finance Director Sharon Dumas; Council President Kevin J. Kelley; Councilman

Kevin Kelley.

CLEVELAND LANDMARKS COMMISSION – Room 519 – Julie Trott, Chair; Giancarlo

Calicchia, Vice Chair; Laura M. Bala, Freddy L. Collier, Jr., Allan Dreyer, Robert

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

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

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

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

Langhenry.

CLEVELAND MUNICIPAL COURT

JUSTICE CENTER – 1200 ONTARIO STREET

JUDGE COURTROOM ASSIGNMENTS

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

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

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

Probation Officer, Gregory F. Clifford – Chief Magistrate.

The City Record

71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 106

WEDNESDAY, MAY 22, 2019

No. 5502

CITY COUNCIL

MONDAY, MAY 20, 2019

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

The following Committees meet at the Call of the Chair:

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

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

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

COMMUNICATIONS

File No. 660-2019.

From Council President Kevin J. Kelley appointing, without objection of Cleveland City Council, Deputy Clerk Allan Dreyer as Clerk Pro Tempore on May 15, 2019. Received.

FROM OHIO DIVISION OF LIQUOR CONTROL

File No. 681-2019.

RE: #80238890010. Transfer of License Application, D5. Shake Shack Ohio LLC, 601 Euclid Ave. (Ward 3). Received.

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2018-2021

MONDAY — Alternating

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

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

MONDAY

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

TUESDAY

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

TUESDAY — Alternating

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

1:30 P.M. — **Workforce and Community Benefits Committee:** 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

Cleveland, Ohio
May 20, 2019

The meeting of the Council was called to order at 7:03 p.m. with the President of Council, Kevin J. Kelley, in the Chair.

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

Also present were: Mayor Frank G. Jackson, Interim Chief of Staff/Director Sharon Dumas, Chief Operating Officer Darnell Brown, Chief of Communications, Government & International Affairs Valarie J. McCall, Chief of Regional Development Edward W. Rybka, Chief of Education Monyka S. Price, Media Relations Director Dan Williams, Chief of Sustainability Matt Gray, Chief of Public Affairs Natoya Walker-Minor, Chief of Prevention, Intervention and Opportunity for Youth and Young Adults Tracy Martin-Thompson, and Directors Langhenry, Davis, Kennedy, Spronz, Gordon, McGrath, Menesse, Blue Donald, West, Stevenson, McNamara, Spreng, Burrows and Pierce Scott.

MOTION

Council Members, Administration, Staff, and those in the audience rose for a moment of silent reflection, and the Pledge of Allegiance.

MOTION

On the motion of Council Member B. Jones, the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Council Member Zone.

CONDOLENCE RESOLUTIONS

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

Res. No. 684-2019 — Ardran Mills.

Res. No. 685-2019 — Juanita Bernice (Harris) Upshaw.

Res. No. 691-2019 — Taylor Ceepo.

CONGRATULATIONS RESOLUTIONS

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

Res. No. 686-2019 — Rosie Louise Adams.

Res. No. 687-2019 — Margot James Copeland.

Res. No. 688-2019 — Merrick House - 100th Anniversary.

RECOGNITION RESOLUTION

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

Res. No. 689-2019 — Shanti Das - "Silence the Shame".

FIRST READING EMERGENCY ORDINANCES REFERRED

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.

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

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	19.38
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
21 22.	Risk Associate I.....	42,640.00	56,680.00
22 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
23 24.	Performance Auditor.....	40,000.00	90,000.00
24 25.	Quality Control Inspector.....	25,000.00	65,000.00
25 26.	Senior Systems Analyst.....	20,800.00	87,543.86
26 27.	Shelter Operations Manager	40,000.00	80,000.00
27 28.	Shift Supervisor Operations	20,800.00	64,468.16
29.	Staff Accountant.....	38,500.00	73,250.00
28 29.	Superintendent of Distribution	20,800.00	79,972.99
29 30.	Superintendent of Purchase Power.....	27,325.56	102,352.02
30 31.	Supervising Tax Auditor	20,800.00	67,000.00
31 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
17. 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
18. 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.

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

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.

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

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 Zena 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 Zena 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 Zena 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.

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

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.

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

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.

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

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.

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

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.

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

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.

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

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 in 2003, sixty-five dollars (\$65.00) per hour per staff person required.~~

~~(2) (1) During regular operational hours in 2004, sixty-eight dollars (\$68.00) per hour per staff person required.~~

~~(3) Before or after regular operational hours in 2003, eighty dollars (\$80.00) per hour per staff person required.~~

~~(4) (2) Before or after regular operational hours in 2004, 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)(1), (a)(2), and (a)(3)~~ (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.

~~(1) In 2003, eighty dollars (\$80.00) per hour per staff person required.~~

~~(2) In 2004, Eighty four dollars (\$84.00) per hour per staff person required.~~

(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.

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

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.

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

Ord. No. 679-2019.
By Council Members Cleveland and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into one or more requirement contracts without competitive bidding with Johnson Controls, Inc. for labor and materials needed to maintain, repair, and expand the fire alarm and suppression systems, including any parts, materials, equipment, supplies, services, and installation, for the various divisions of the Department of Port Control, for a period of two years, with two one-year options to renew, the first of which is exercisable with 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 this Council determines that the within commodities are non-competitive and cannot be secured from any source other than Johnson Controls, Inc. Therefore, the Director of Port Control is authorized to make one or more written requirement contracts with Johnson Controls, Inc., on the basis of their proposal dated May 10, 2019, for the requirements for a period of two years, with two one-year options to renew, the first of which is exercisable with additional legislative authority for the necessary items of labor and materials needed to maintain, repair, and expand the fire alarm and suppression systems, including any parts, materials, equipment, supplies, services, and installation, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the various divisions of the Department of Port Control. The first of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew may be exercised at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 3001, RL 2019-16)

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and

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

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

**Ord. No. 680-2019.
By Council Members Cleveland and Kelley (by departmental request).**

An emergency ordinance authorizing the Director of Port Control to enter into one or more requirement contracts without competitive bidding with Wadsworth Solutions for labor and materials needed to maintain, repair, and expand the integrated access control security and CCTV systems, including any parts, materials, equipment, supplies, services, and installation, for the various divisions of the Department of Port Control, for a period of two years, with two one-year options to renew, the first of which is exercisable with 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 this Council determines that the within commodities are non-competitive and cannot be secured from any source other than Wadsworth Solutions. Therefore, the Director of Port Control is authorized to make one or more written requirement contracts with Wadsworth Solutions, on the basis of their proposal dated May 17, 2019, for the requirements for a period not to exceed two years, with two one-year options to renew, the first of which is exercisable with additional legislative authority of the necessary items of labor and materials needed to maintain, repair, and expand the integrated access control security and CCTV systems, including any parts, materials, equipment, supplies, services, and installation, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the various divisions of the Department of Port Control. The first of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew may be exercised at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 3001, RL 2019-17)

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it

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

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

**FIRST READING EMERGENCY
RESOLUTIONS REFERRED**

**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.

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

**Res. No. 669-2019.
By Council Members McCormack, Johnson and Brancatelli (by departmental request).**

An emergency resolution declaring the intent to vacate a portion of West 28th Place.

Whereas, this Council is satisfied that there is good cause to vacate a portion of West 28th Place, 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:

West 28th Place

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a portion of West 28th Place (20.00 feet wide) in the E. Ackley's Allotment of part of Original Brooklyn Township Lot No 68, as shown by the recorded plat

in Volume 39 of Maps, Page 1 of Cuyahoga County Records, further described as follows:

Being all that portion of West 28th Place (20.00 feet wide) extending from the North line of Queen Avenue (33.00 feet wide) Northerly about 182.50 feet to its intersection with the North line of said Original Brooklyn Township Lot No 68 and its terminus.

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

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

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

**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 Clevelander 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.

Referred to Committee on Finance.

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 662-2019.

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

An emergency ordinance authorizing the Director of Public Safety to enter into a Mutual Aid Agreement with the City of Dayton for reciprocal field force services, SWAT unit services, and other police services, and use of police equipment, within all respective areas, including each City's Airports.

Whereas, it is the intent of the Cities of Dayton and Cleveland to provide for, and mutually enhance, their police service protection capabilities in the event of an emergency or large scale events in each other's respective jurisdictions, including their respective airports; and

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

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

Section 1. That the Director of Public Safety is authorized to enter into a Mutual Aid Agreement with the City of Dayton for reciprocal field force services to deal with crowd management, crowd control and riot situations, SWAT unit services, and other police services, and use of police equipment within all

respective areas, including each City's respective Airports.

Section 2. That any member of a participating police department acting outside the limits of their municipal corporation in which they are employed under this agreement, may participate in any pension or indemnity fund established by their employer at the same extent as while acting within the employing municipal corporation, and are entitled to all the rights and benefits of the applicable sections of Chapter 4123 of the Revised Code, to the same extent as while they are employed. The pension or indemnity fund of the municipal corporation calling for assistance shall not be liable for any benefits of the responding municipal corporation.

Section 3. That in any such mutual aid agreement or agreements, the Director of Public Safety shall retain authority to determine the extent of aid committed and to decline to respond to a request for mutual aid if the aid requested interferes with the Department of Public Safety's ability to provide the proper level of services to its own constituency. The Director of Law shall review all agreements to determine that the terms and conditions are appropriate and consistent with the City's interests.

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

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

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

Ord. No. 676-2019.

By Council Member Keane.

An emergency ordinance authorizing the Director of City Planning to enter into agreement with Kamm's Corner Development Corporation for the Old Lorain Road: West Park and Cleveland Metroparks Study through the use of Ward 17 Casino Revenue Funds.

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

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

Section 1. That the Director of City Planning is hereby authorized to enter into agreement with Kamm's Corner Development Corporation for the Old Lorain Road: West Park & Cleveland Metroparks Study for the public purpose of doing a planning study to examine the reconstruction of Old Lorain Road to improve the access between West Park and Cleveland Metroparks for city residents through the use of Ward 17 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$50,000 and shall be paid from Fund No. 10 SF 188.

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

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

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

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

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

Ord. No. 677-2019.

By Council Member B. Jones.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with MidTown Cleveland, Inc. for the 2019 Cleveland Asian Expo through the use of Ward 7 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 May 18, 2019 with MidTown Cleveland, Inc. for the 2019 Cleveland Asian Expo for the public purpose of educational programming on the Asian American culture to city of Cleveland residents through the use of Ward 7 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.

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

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

Ord. No. 678-2019.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to make one or more purchase orders with Rush Refuse Systems and authorizing the Director of Public Works to enter into one or more agreements with Rush Refuse Systems for the lease of ten waste collection packers for a six-month period.

Whereas, the Division of Waste Collection is experiencing a shortage of fleet availability due to excessive wear on the vehicles and their age, both requiring repairs; and

Whereas, while the vehicles are being repaired, they are out of service requiring some division staff to work well beyond normal hours of operations to complete daily collection routes; and

Whereas, it is necessary to provide emergency procurement procedures; and

Whereas, based on the considerations of cost, quality, safety, security and delivery date, the City should issue purchase orders to Rush Refuse Systems to immediately provide ten waste collection packers for a six month period to prevent endangering the public health and welfare of the citizens of the City of Cleveland; and

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

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

Section 1. That this Council determines the urgency of the shortage of waste collection packers and that immediate action is required. Therefore, the Commissioner of Purchases and Supplies is authorized to make one or more purchase orders with Rush Refuse Systems, in the estimated amount of \$318,000, based on their proposal dated May 13, 2019, for the lease of ten waste collection packers for a six month period.

Section 2. That the Director of Public Works is authorized to make one or more written contracts with Rush Refuse Systems for the lease of ten waste collection packers, to be procured by the Commissioner of Purchases and Supplies, for the Division of Waste Collection and Disposal, Department of Public Works.

Section 3. That the purchase orders shall be payable from funds approved by the Director of Finance.

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.

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

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Passed. Yeas 14. Nays 1.

Those voting yea: Council Members Brady, Brancatelli, Cleveland, Conwell, Griffin, Hairston, B. Jones, J. Jones, Johnson, Keane, Kelley, McCormack, Polensek, and Zone.

Those voting nay: Council Member Kazy.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 661-2019.

By Council Member Kelley.

An emergency resolution fixing the 2019 summer schedule of meetings of the Council of the City of Cleveland.

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

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

Section 1. That the schedule of meetings during the 2019 summer months of the Council of the City of Cleveland is hereby fixed as follows:

July 24, 2019
August 21, 2019

A notice identifying the time of the meeting as well as a schedule of committee meetings, if any, to be held prior to the meeting shall be prepared by the Clerk prior to each of the above meeting dates. The Council will resume regular session at 7:00 p.m. on Monday, September 9, 2019.

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

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

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

Res. No. 683-2019.

By Council Member Brancatelli. An emergency resolution objecting to a New C2 Liquor Permit at 8003 Broadway Avenue.

Whereas, Council has been notified by the Division of Liquor Control of an application for a New C2 Liquor Permit at Family Dollar Stores of Ohio, Inc, DBA Family Dollar, #10417, 8003 Broadway Avenue, Cleveland, Ohio 44105, Permit No. 26312750340; and

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

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

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

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

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

Whereas, this objection is based on other legal grounds as set forth

in Revised Code Section 4303.292; and

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

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

Section 1. That Council does hereby record its objection to a New C2 Liquor Permit at Family Dollar Stores of Ohio, Inc, DBA Family Dollar, #10417, 8003 Broadway Avenue, Cleveland, Ohio 44105, Permit No. 26312750340; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 690-2019.

By Council Member J. Jones.

An emergency resolution urging the Ohio General Assembly not to pass House Bill 178, which would put Ohio citizens at risk by allowing people to carry concealed handguns in public without a required license or the necessary safety training.

Whereas, gun violence is considered to be one of the major threats to public health and safety in communities across the country; according to the Centers for Disease Control and Prevention, in 2017 there were 39,773 deaths during that year, which was up by more than 1,000 the year before; and

Whereas, there are an estimated 279 million firearms in the United States, which amounts to approximately 90 guns for every 100 people in the United States, and in 2014, for every gun death considered justified for self-defense, there were 34 criminal homicides; and

Whereas, most homicides in the United States are committed with firearms, especially handguns; gang related homicide is most prevalent among gangs and during the commission of felony crimes, in 1993, nearly all gang-related homicides (95%) involved guns, which reached a major high point, and is still a problem in urban cities across the country as gang violence remains a significant public safety threat; and

Whereas, according to the Centers for Disease Control and Prevention, the rate for firearm deaths in the State of Ohio was 13.7 in 2017, which exceeded the U.S. rate of 12.0; and

Whereas, under the current Ohio law, carrying a concealed handgun in public without a legal permit is against the law, and is widely supported by 90 percent of Ohio voters, according to a 2016 survey; and

Whereas, proposed House Bill 178, introduced on March 29, 2019, would allow people to carry concealed handguns in public without a license or firearm safety training, thus enabling individuals with no prior firearm training to carry a concealed handgun in public, putting potentially many people at risk for unintentional or intentional harm; and

Whereas, House Bill 178 would allow individuals with prior violent misdemeanor offenses to carry a concealed handgun, thus allowing them to enter into a public place carrying a concealed loaded handgun; and

Whereas, House Bill 178 would allow persons convicted of crimes involving the possession, use, or sale of illegal narcotics to carry concealed handguns throughout residential communities; and

Whereas, after the state of Missouri enacted a permitless carry gun law in January 2017, the city of St. Louis experienced nearly a 25 percent increase in the rate of aggravated assaults with a gun in 2017 compared to 2016, which represents a 484 increase in gun related aggravated assaults; and

Whereas, after the state of Arizona enacted permitless carry legislation in 2010, by 2017 the rate of aggravated assaults with a firearm increased by 39 percent, which represents 1,797 more gun-related aggravated assaults committed in 2017 compared to 2010; and

Whereas, after the state of Alaska became the first state to enact permitless gun carry legislation in 2003, aggravated assaults committed by a firearm increased significantly by 82 percent by 2017, which accounts for 526 more gun-related aggravated assaults committed in 2017 compared to 2003; and

Whereas, there are sixteen states currently employing some type of permitless gun carry system, but most states recognize the importance of regulating concealed gun carry; and

Whereas, the passage of House Bill 178 will put the health and safety of Ohio residents at greater risk by allowing persons with dangerous histories to carry loaded handguns into public places; and

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

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

Section 1. That this Council urges the Ohio General Assembly not to pass House Bill 178, which would put Ohio citizens at risk by allowing people to carry concealed handguns in public without a required license or the necessary safety training.

Section 2. That this Council directs the Clerk of Council to transmit copies of this Resolution to the Ohio General Assembly, members of the Northeast Ohio Legislative Delegation and City of Cleveland Mayor Frank G. Jackson.

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

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

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

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 321-2019.

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

An emergency ordinance authorizing the Director of Port Control to enter into one or more contracts without competitive bidding with Rosenbauer Minnesota, LLC for the purchase, installation, and integration of up to four EMEREC Drivers Enhanced Vision Systems, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

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

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

Ord. No. 378-2019.

By Council Member Polensek.

An emergency ordinance designating East Glenville Methodist Episcopal Church as a Cleveland Landmark.

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

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

Ord. No. 479-2019.

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

An emergency ordinance to authorize the Director of Capital Projects to issue a modification to the permit previously issued to One UC Partners, LLC to encroach into and above the public rights-of-way of University Circle, Euclid Avenue, Stearns Road and Deering Avenue as part of its One University Circle Luxury Apartment project to authorize the Permittee to encroach into the aforementioned public rights-of-way further by also installing, using, and maintaining parking entrance gates, bollards, an island, parking signs and a ticket machine.

Approved by Directors of Capital Projects, City Planning Commission,

Finance, Law; Passage recommended by Committees on Municipal Services and Properties, Development Planning and Sustainability.

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

Ord. No. 537-2019.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with Arts Cleveland, or its designee, to provide economic development assistance to partially finance eligible costs associated with bringing the DANCE/USA Conference to the City of Cleveland.

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

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

Ord. No. 538-2019.

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

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. PI 2017-034 with West Roofing Systems, Inc. for repairing or replacing roofs or roof systems at Cleveland Hopkins International Airport and Burke Lakefront Airport.

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

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

Ord. No. 539-2019.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of FAA-approved deicing chemicals, for the various divisions of the Department of Port Control, for a period of two years, with two one-year options to renew, the first of which shall require additional legislative authority.

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

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

Ord. No. 555-2019.

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

An emergency ordinance to amend the title and Section 1 of Ordinance No. 645-17, passed June 5, 2017, relating to professional services to provide general planning, engineering, and design services, for the Department of Port Control.

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

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

Ord. No. 556-2019.

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

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to design and implement an Asset Management Program, for a period of one year, with three one-year options to renew, the second of which shall require additional legislative authority.

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

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

Ord. No. 559-2019.

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

An emergency ordinance authorizing the Director of Economic Development to enter into contract with Kiva Microfunds, or its designee, to implement a loan service portal city-wide for early stage businesses, for a period not to exceed three years.

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

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

Ord. No. 562-2019.

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

An emergency ordinance authorizing the Directors of Finance and Economic Development to transfer \$3,000,000 from the General Fund to Fund Nos. 17 SF 008 and 17 SF 652 for the purpose of making loan and grant agreements for economic development financial assistance and forgivable and non-forgivable loan agreements under the Vacant Property Initiative, both in amounts not to exceed \$250,000, authorized under Ordinance No. 90-10, passed February 8, 2010.

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

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

Ord. No. 624-2019.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Director of Finance, on behalf of the Clerk of the Cleveland Municipal Court, to enter into contract with Iron Mountain/National Underground Storage, a division of Iron Mountain Information Management, Inc. for the lease of space for the storage of records and for professional services relating to the storage of records, for a period of one year, with four one-year options

to renew, exercisable by the Director of Finance.

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

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

MOTION

On the motion of Council Member B. Jones, the absences of Council Members Kevin L. Bishop and Jamin Santana are hereby authorized. Seconded by Council Member Zone.

MOTION

The Council Meeting adjourned at 7:45 p.m. to meet on Monday, June 3, 2019, at 7:00 p.m. in the Council Chamber.

Patricia J. Britt
City Clerk, Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

May 15, 2019

The meeting of the Board of Control convened in the Mayor's office on Wednesday, May 15, 2019 at 10:39 a.m. with Acting Director Curtis presiding.

Present: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Acting Director Barga, Directors McNamara, and Donald.

Absent: Mayor Jackson.

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

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

Melissa Burrows, Director, Office of Equal Opportunity.

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

Resolution No. 192-19.

By Director Dumas.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Stark Metal Sales, Inc. for an estimated quantity of miscellaneous sized steel, all items, for the various divisions of City government, Department of Finance, for a period of one year beginning with the date of execution of a contract, with an option to renew for one additional year exercisable by the Director of Finance for the goods

and/or services, received on May 2, 2019, under the authority of Ordinance No. 1358-18, passed by Cleveland City Council on November 19, 2018, which on the basis of the estimated quantity would amount to \$278,662.00, is affirmed and approved as the lowest and best bid, and the Director of Finance is requested to enter into a requirement contract for the specified goods and/or services.

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: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Acting Director Barga, Directors McNamara, and Donald.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 193-19.

By Director Davis.
Be it resolved, by the Board of Control of the City of Cleveland that the bid of Sona Construction, LLC for the public improvement of WPC Pavement and Drainage Improvement Project - Phase II (Base Bid All Items including the 10% contingency allowance) for the Division of Water Pollution Control, Department of Public Utilities, received on February 15, 2019, under the authority of Ordinance Nos. 1276-16 and 202-2019, passed by the Council of the City of Cleveland on November 28, 2016 and March 18, 2019 respectively, upon a unit basis for the improvement, in the aggregate amount of \$737,559.46, is affirmed and approved as the lowest responsible bid, and the Director of Public Utilities is authorized to enter into contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Sona Construction, LLC for the above-mentioned public improvements is approved:

<u>SUBCONTRACTOR</u>	<u>CSB/MBE/FBE</u>	<u>WORK</u>
Tech Ready Mix	MBE	
	\$111,000.00(15.00%)	
Construction Management Team	FBE	
	\$ 52,000.00(07.10%)	
East West Construction Co.	CSB	
	\$ 60,000.00(08.10%)	
United Hardscapes	Non-certified	
	\$ 52,000.00(00.00%)	
King Excavating	Non-certified	
	\$115,000.00(00.00%)	
TAT Construction, Inc.	Non-certified	
	\$ 88,000.00(00.00%)	

Yeas: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Acting Director Barga, Directors McNamara, and Donald.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 194-19.

By Director Davis.
Be it resolved, by the Board of Control of the City of Cleveland that all bids received on April 5, 2019 for the public improvement of Secondary Sites Improvements - Cycle I for the Division of Water, Department of Public Utilities, under the authority of Ordinance No. 1276-16, passed November 28, 2016, are rejected.

Yeas: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Acting Director Barga, Directors McNamara, and Donald.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 195-19.

By Director Davis.
Be it resolved, by the Board of Control of the City of Cleveland that all bids received on April 10, 2019 for a standard contract Work Boat for the Division of Water, Department of Public Utilities, under the authority of Ordinance No. 1365-18, passed November 26, 2018, are rejected.

Yeas: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Acting Director Barga, Directors McNamara, and Donald.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 196-19.

By Director Davis.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Lorain County Landfill, LLC for an estimated quantity of disposal of catch basin debris, for the Division of Water Pollution Control, Department of Public Utilities, for a period of one (1) year starting upon the later of execution of a contract or the day following expiration of the currently effective contract for the goods and/or services, received on March 20, 2019, under the authority of Section 129.29 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$355,125.00, 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 specified goods and/or services.

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.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor to Lorain County Landfill, LLC for the above-mentioned requirement is approved:

<u>SUBCONTRACTOR</u>	<u>CSB/MBE/FBE</u>	<u>WORK</u>
Midland Concrete & Sand Transportation	CSB	
	TBD	

Yeas: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Acting Director Barga, Directors McNamara, and Donald.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 197-19.

By Director Spronz.
Whereas, under the authority of Ordinance No. 523-15, passed by the Council of the City of Cleveland on June 1, 2015, and Board of Control Resolution No. 316-15, adopted August 12, 2015, the City, through its Director of Capital Projects, entered into Contract No. PS2015-210 with Michael Baker International, Inc. ("Engineer") for professional engineering consulting services necessary for the Pavement Management Program (the "Project") for an amount of \$599,763.00; and

Whereas, under the authority of Board of Control Resolution No. 493-17, adopted on September 27, 2017, the City entered into a first modification to Contract No. PS2015-210 with Michael Baker International, Inc. for additional engineering services necessary to obtain the first one-third (1/3) of pavement condition surveys for determining resurfacing cycles and capital improvements and integrating the pavement management data into the City's GIS and CityWorks program, for an amount of \$196,336, thereby increasing the total compensation under the contract to \$796,099; and

Whereas, under the authority of Board of Control Resolution No. 227-18, adopted on June 6, 2018, the City entered into a second modification to Contract No. PS2015-210 with Michael Baker International, Inc. for additional engineering services necessary to obtain the second one-third (1/3) of pavement condition surveys for determining resurfacing cycles and capital improvements and integrating the pavement management data into the City's GIS and CityWorks program, for an amount of \$214,234, thereby increasing the total compensation under the contract to \$1,010,333.00; and

Whereas, under the authority of Board of Control Resolution No. 110-19, adopted on March 27, 2019, the City entered into a third modification to Contract No. PS2015-210 with Michael Baker International, Inc. for additional engineering services necessary to obtain a degradation model that the City could use with its new GIS platform and CityWorks for determining resurfacing cycles and capital improvements, for an amount of \$40,000.00, thereby increasing the total compensation under the contract to \$1,050,333.00; and

Whereas, the City requires additional engineering services necessary to obtain the third one-third (1/3) of pavement condition surveys for determining resurfacing cycles and capital improvements; and

Whereas, the Engineer has proposed by its September 6, 2017 letter to perform the above-mentioned additional services for an amount not to exceed \$234,392.00; 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 fourth modification to Contract No. PS2015-210 with Michael Baker International, Inc., in accordance with its proposal dated September 6, 2017, for the aforementioned additional engineering services necessary to provide the third one-third (1/3) of pavement condition surveys necessary for determining resurfacing cycles and capital improvements and integrating the pavement management data into the City's GIS and CityWorks program, and to survey previously omitted street segments and color coded maps for City wards, for additional compensation of not to exceed \$234,392.00, thereby increasing the total compensation under the contract not to exceed \$1,284,725.00.

Yeas: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Acting Director Barga, Directors McNamara, and Donald.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 198-19.

By Director Cox.
Be it resolved, by the Board of Control of the City of Cleveland that, under Ordinance No. 256-2019, passed by the Council of the City of Cleveland March 18, 2019, R-CAP Security, LLC, is selected upon nomination of the Director of Public Works from a list of companies determined after a full and complete canvass by the Director of Public Works as the company to provide armed security services at the West Side Market parking lots, for the West Side Market, Department of Public Works, for the period one year with two (2) one-year options to renew.

Be it further resolved that the Director of Public Works is authorized to enter into a written contract with R-CAP Security, LLC., based on its March 13, 2019 proposal, to supply armed, uniformed, commissioned officers at the parking lots for the period of one year with two (2) one-year options to renew, which contract shall be prepared by the Director of Law and shall include such additional provisions as the Director considers necessary to benefit and protect the public interest. The fees for services to be performed under the contract, as stated in R-CAP's proposal, shall be at the rate of \$35.34 per hour, not to exceed \$89,000.00.

Be it further resolved that the employment of the following subcontractor is approved:

<u>NAME</u>	<u>CERT STATUS</u>
<u>DOLLAR AMOUNT</u>	<u>PERCENTAGE</u>
Safe Choice, LLC	CSB
\$44,000.00	49.4%

Yeas: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Acting Director Barga, Directors McNamara, and Donald.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 199-19.

By Director Cox.
Be it resolved, by the Board of Control of the City of Cleveland that the bid of Cleveland Freightliner, Inc., for an estimated quantity of Various Heavy Duty Truck Engine parts and labor, all items, for the Division of Motor Vehicle Maintenance, Department of Public Works, for a period of one year beginning with the date of execution of a contract, with two one-year options to renew, received on February 27, 2019 under the authority of Section No. 131.64 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$322,250.00 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a requirement contract for the goods and/or services specified.

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

Yeas: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Acting Director Barga, Directors McNamara, and Donald.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 200-19.

By Director Cox.
Be it resolved, by the Board of Control of the City of Cleveland that the bid of Stoneco Inc. dba Allied Corporation, for an estimated quantity of recycled or virgin asphalt concrete, all items, for the Division of Streets, Department of Public Works, for a period of two years beginning with the date of execution of a contract, received on April 17, 2019, under the authority of Ordinance No. 1108-18, passed by Cleveland City Council on October 1, 2018, which on the basis of the estimated quantity would amount to \$11,912,000.00 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a requirement contract for the goods and/or services specified.

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

Be it further resolved by the Board of Control the employment of the following subcontractors by Stoneco, Inc., dba Allied Corporation is approved:

<u>Subcontractor</u>	<u>Subcontract Amount</u>	<u>Percentage</u>
Cook Paving Construction Co., Inc.	\$2,025,040.00	17%
Midland Concrete & Sand Transportation	\$ 357,360.00	3%

Yeas: Acting Director Curtis, Directors Dumas, Davis, Acting

Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Acting Director Barga, Directors McNamara, and Donald.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 201-19.

By Director Cox.
Be it resolved, by the Board of Control of the City of Cleveland that the bid of Cleveland Freightliner, Inc., for an estimated quantity of Various Cummins Engine parts and labor, all items, for the Division of Motor Vehicle Maintenance, Department of Public Works, for a period of three years, beginning with the date of execution of a contract, received on March 14, 2019 under the authority of Section No. 131.64 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$207,900.00 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a requirement contract for the goods and/or services specified.

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

Yeas: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Acting Director Barga, Directors McNamara, and Donald.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 202-19.

By Director Cox.
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 City wide stump removal and site restoration initiative, all items for the Division of Park Maintenance, Department of Public Works, for a period of one year beginning with the date of execution of a contract, with one one-year renewal option received on April 24, 2019, under the authority of Ordinance No. 1223-18, passed by Cleveland City Council on December 3, 2018, which on the basis of the estimated quantity would amount to \$552,750 is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a requirement contract for the specified goods and/or services.

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.

Be it further resolved by the Board of Control that the employment of the following subcontractors by VanCuren Services, Inc. is approved:

<u>Subcontractor</u>	<u>Percentage</u>	<u>Amount</u>
Danzev Landscaping, Inc.	38%	\$210,045

Ullman Oil Company, LLC 5.9%
\$ 32,725

Yeas: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Acting Director Barga, Directors McNamara, and Donald.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 203-19.

By Director Cox.
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 2019 Emergency Tree Removal & Ground Restoration Initiative, all items for the Division of Park Maintenance, Department of Public Works, for a period of one year beginning with the date of execution of a contract, with one one-year renewal option received on May 2, 2019, under the authority of Ordinance No. 1223-18, passed by Cleveland City Council on December 3, 2018, which on the basis of the estimated quantity would amount to \$1,832,891 is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a requirement contract for the specified goods and/or services.

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.

Be it further resolved by the Board of Control that the employment of the following subcontractors by VanCuren Services, Inc. is approved:

<u>Subcontractor</u>	<u>Percentage Amount</u>
Danze Landscaping	14.0% \$256,000
Woodland Tree Service	20.0% \$366,496
Ullman Oil Company, LLC	6.2% \$112,941
Eco Tree Services, LLC	10% \$183,248

Yeas: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Acting Director Barga, Directors McNamara, and Donald.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 204-19.

By Director McGrath.
Be it resolved, by the Board of Control of the City of Cleveland that the bid of Doron Precision Systems, Inc. for the purchase of a driving simulator, all items, for the Division of Fire, Department of Public Safety, received on March 29, 2019, under the authority of Ordinance No. 1325-18, passed by the Cleveland City Council November 26, 2018, which on the basis of order quantity would amount to \$242,595.00, is affirmed and approved as the lowest and best

bid, and the Director of Public Safety is requested to enter into contract for the item with the bidder.

Yeas: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Acting Director Barga, Directors McNamara, and Donald.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 205-19.

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. 132-07-021 and 132-07-022 located on East 71st Street; and

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

Whereas, Cuyahoga Soil and Water Conservation District has proposed to the City to lease the parcels for a landscaped green space; and

Whereas, the following conditions exist:

1. The member of Council from Ward 12 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 five years, on behalf of the City of Cleveland with Cuyahoga Soil and Water Conservation District for the purpose of maintaining a landscaped green space on Permanent Parcel Nos. 132-07-021 and 132-07-022, 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: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Acting Director Barga, Directors McNamara, and Donald.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 206-19.

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. 006-22-030 and 006-22-144 located at Fenwick Ave. and Walworth Road; 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, Community Rebuilders, LLC has proposed to the City to purchase and develop the parcels for new single family home construction; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Community Rebuilders, LLC for the sale and development of Permanent Parcel Nos. 006-22-030 and 006-22-144, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Acting Director Barga, Directors McNamara, and Donald.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 207-19.

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. 007-23-060 located at 2616 West 28th Place; 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, Scott Eversole has proposed to the City to purchase and develop the parcel for a side yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 3 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 Scott Eversole for the sale and development of Permanent Parcel No. 007-23-060, 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: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Acting Director Barga, Directors McNamara, and Donald.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 208-19.

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. 009-03-036 located at 3987 West 23rd Street; and

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

Whereas, Victoria A. Green has proposed to the City to purchase and develop the parcel for side yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 12 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 Victoria A. Green for the sale and development of Permanent Parcel No. 009-03-036, 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: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Acting Director Barga, Directors McNamara, and Donald.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 209-19.

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. 119-28-064 located at 2201 E. 82nd Street; and

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

Whereas, Sonya T. Shakir has proposed to the City to purchase and develop the parcel for side 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 Sonya T. Shakir for the sale and development of Permanent Parcel No. 119-28-064, 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: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath,

Menesse, West, Acting Director Barga, Directors McNamara, and Donald.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 210-19.

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. 137-08-007 located at 3669 East 116th Street; and

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

Whereas, David Sims has proposed to the City to purchase the parcel for side yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 2 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 David Sims for the sale of Permanent Parcel No. 137-08-007, 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: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Acting Director Barga, Directors McNamara, and Donald.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 211-19.

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. 005-31-014 located at 9205 Madison 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, John Wesley Nyerghes has proposed to the City to purchase the parcel for greenspace; and

Whereas, the following conditions exist:

1. The member of Council from Ward 15 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 John Wesley Nyerghes for the sale of Permanent Parcel No. 005-31-014, 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: Acting Director Curtis, Directors Dumas, Davis, Acting Director Shaw, Director Cox, Acting Director Hearne, Directors McGrath, Menesse, West, Acting Director Barga, Directors 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 3, 2019

9:30 A.M.

Calendar No. 19-78: 1814 Brainard Avenue (Ward 14)

B.R. Knez, owner, proposes to erect a 25' x 36' two story frame single family residence with a 20' x 20' detached garage in a C1 Multi-Family Residential District. The owner appeals for relief from the strict application of Section 357.09 (2) (C) which states that the required interior side yard is 8 feet and the appellant is proposing 5 feet. (Filed April 25, 2019)

Calendar No. 19-79: 1830 Brainard Avenue (Ward 14)

B.R. Knez, owner, proposes to erect a 25' x 36' two story frame single family residence with a 20' x 20' detached garage in a C1 Multi-Family Residential District. The owner appeals for relief from the strict application of Section 357.09 (2) (C) which states that the required interior side yard is 8 feet and the appellant is proposing 5 feet. (Filed April 25, 2019)

Calendar No. 19-84: 12027 Wade Park Avenue (Ward 9)

B.R. Knez, owner, proposes to erect a 16' x 44' two story frame single family residence with a 20' x 20' detached garage. The owner appeals for relief from the strict application from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 (b) which states that the maximum gross floor area shall not exceed 50 percent of the lot size or in this case 1,350 square feet; the appellant is proposing 1,368 square feet. This section also states that 4,800 square feet are required and 2,700 square feet are proposed. Minimum lot width is 40' and the appellant is proposing 27'.

2. Section 357.06(a) which states that the required front yard setback is 17.6 feet; the appellant is proposing 16 feet.

3. Section 357.09(2)(A) which states that no building shall be less than 10 feet from the building on an adjacent lot and the appellant is proposing 6 feet.

4. Section 357.09(b)(2)(B) which states that the required interior side yard is 6 feet and the appellant is proposing 3 feet for the cantilever wall.

5. Section 341.02(b) which states that City Planning approval is required prior to the issuance of a building permit. (Filed April 25, 2019)

Calendar No. 19-85: 12101 Wade Park Avenue (Ward 9)

B.R. Knez, owner, proposes to erect a 16' x 44' two story frame

single family residence with a 20' by 20' detached garage. The owner appeals for relief from the strict application from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 (b) which states that the maximum gross floor area shall not exceed 50 percent of the lot size or in this case 1,350 square feet; the appellant is proposing 1,368 square feet. This section also states that 4,800 square feet are required and 2,700 square feet are proposed. Minimum lot width is 40' and the appellant is proposing 27'.

2. Section 357.06(a) which states that the required front yard setback is 17.6 feet; the appellant is proposing 16 feet.

3. Section 357.09(b)(2)(B) which states that the required interior side yard is 6 feet and the appellant is proposing 3 feet for the cantilever wall.

4. Section 341.02(b) which states that City Planning approval is required prior to the issuance of a building permit. (Filed April 25, 2019)

Calendar No. 19-87: 12635 Larchmere Boulevard (Ward 6)

Kirt Montlack LTD., owner, proposes to change use of studio to tattoo shop in a C2 Local Retail Business District and a Pedestrian Retail Overlay District. The owner appeals for relief from the strict application from the following sections of the Cleveland Codified Ordinances:

1. Section 343.01 which states that tattoo shop is not permitted in a Local Retail Business District.

2. Section 347.12(1) which states that tattoo and piercing service shop shall be 500 feet from a residential district and church; proposed shop is within 500 feet of a Residential District. (Filed April 29, 2019)

Calendar No. 19-92: 6615 Lansing Avenue (Ward 12)

Dwayne Bailey, owner, proposes to install approximately 57 linear feet of 4 feet tall chain link fence within 2 feet 6 inches of the adjacent building. The owner appeals for relief from the strict application of Section 358.04(a) of the Cleveland Codified Ordinances which states that no fence shall be higher than its distance from a residence building on an adjoining lot or from the permitted placement of a future residence on such lot, if such fence will be generally parallel to and adjacent to the closest wall of the residence. Residence building on adjoining lot is within 2 feet 6 inches to the proposed 4 feet tall fence. (Filed April 29, 2019)

Calendar No. 19-93: 3807 East 93rd Street (Ward 2)

Andrico Marshall, owner, proposes to establish uses as a motor vehicle service garage in a C2 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 343.01 which states that motor vehicle service garage is not permitted in a Local Retail Business District but first permitted in a

General Retail Business District per Section 343.11(b)(2)(I)(3).

2. Section 352.08 through 352.12 which states that a 10 foot wide landscaped transition strip providing 75% year round opacity is required in rear of property where it adjoins residential district. A six foot wide landscaped frontage strip is required where property abut street. (Filed May 1, 2019)

Calendar No. 19-94: 5010 Lorain Avenue (Ward 15)

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. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 348.04(d)(4) which states that 5 parking spaces are required and none are shown on the plan.

2. Section 348 which states that approval of Landmarks Commission is required. (Filed May 6, 2019)

Calendar No. 19-100: 1850 East 85th Street (Ward 7)

Hough at Home LLC., owner, proposes to erect a two story frame single family residence with attached garage on a City of Cleveland Land Bank Lot in an E2 Multi-Family District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 357.09 (2)(C) the required interior side yard is 8 feet and the appellant is proposing 3 feet for dwelling and 1 feet 6 inches for window well and roof eaves.

2. Section 357.08(b)(1) which states that the required rear yard is 23 feet and the appellant is proposing 14.02 feet.

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 9 feet.

4. Section 341.02 which states that City Planning Approval is required prior to issuance of building permit. (Filed May 7, 2019)

Calendar No. 19-101: 1856 East 85th Street (Ward 7)

Hough at Home LLC., owner, proposes to erect a two story frame single family residence with attached garage on a City of Cleveland Land Bank Lot in an E2 Multi-Family District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 357.09 (2)(C) the required interior side yard is 8 feet and the appellant is proposing 5.11 feet.

2. Section 357.08(b)(1) which states that the required rear yard is 27 feet 8 inches and the appellant is proposing 22.41 feet.

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 9 feet.

4. Section 341.02 which states that City Planning Approval is required prior to issuance of building permit. (Filed May 7, 2019)

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, MAY 20, 2019

At the meeting of the Board of Zoning Appeals on Monday, May 20, 2019 the following appeals were scheduled for hearing before the Board and;

The following appeals were **APPROVED:**

Calendar No. 19-80: 1523 East 122nd Street

B.R. Knez, owner, proposes to erect a two story frame single family residence with 20' x 20' detached garage in a B1 Two-Family.

Calendar No. 19-81: 1510 East 123rd Street

B.R. Knez, owner, proposes to erect a two story frame single family residence with 20' x 20' detached garage in a B1 Two-Family.

Calendar No. 19-82: 1514 East 123rd Street

B.R. Knez, owner, proposes to erect a two story frame single family residence with 20' x 20' detached garage in a B1 Two-Family.

Calendar No. 19-83: 1518 East 123rd Street

B.R. Knez, owner, proposes to erect a two story frame single family residence with 20' x 20' detached garage in a B1 Two-Family.

Calendar No. 19-86: 601 Erieside Avenue

City of Cleveland, owner, and Great Lakes Science Center, lessee, propose to use unpaved lawn area as a parking lot for events at First Energy Stadium in a B3 General Industry District.

Calendar No. 19-88: 1017 Starkweather Avenue

Sutton 5th Street LLC., owner, proposes to erect a two story single family residence with an attached garage in a B1 Two-Family.

Calendar No. 19-89: 1019 Starkweather Avenue

Sutton 5th Street LLC., owner, proposes to erect a two story single family residence with an attached garage in a B1 Two-Family.

Calendar No. 19-90: 1021 Starkweather Avenue

Sutton 5th Street LLC., owner, proposes to erect a three story single family residence with an attached garage in a B1 Two-Family.

Calendar No. 19-91: 1023 Starkweather Avenue

Sutton 5th Street LLC., owner, proposes to erect a three story single family residence with an attached garage in a B1 Two-Family.

The following appeals were **DENIED:**

None.

The following appeals were **WITHDRAWN:**

None.

The following appeals were **DISMISSED:**

None.

The following cases were **POSTPONED:**

Calendar No. 19-68: Number Two Grace LLC.

10429 Meech Avenue. Postponed to June 24, 2019.

Calendar No. 19-69: Number Two Grace LLC.

10429 Meech Avenue. Postponed to June 24, 2019.

The following cases were heard by the Board of Zoning Appeals on Monday, May 13, 2019 and the decisions were adopted and approved on Monday, May 20, 2019:

The following appeal was **APPROVED:**

Calendar No. 19-77: 4001 John Avenue

Patrick Walsh, owner, proposes to erect a 20' x 20' two story accessory garage with single family residence on second floor in a B1 Two-Family Residential District.

The following appeal was **DENIED:**

Department of Public Works
Calendar No. 19-70: 0000 Seymour Avenue (PPN 007-19-042)

Carmen Davilla, owner, appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland 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.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of May 15, 2019

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

* * *

Docket A-306-18.

RE: Appeal of Jeffery Weaver, Owner of the One Story Garage-Detached; Wood Frame Property, located on the premises known as 13607 Leroy Avenue appeals from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated November 15, 2018 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY the appellant request for additional

time; to find that the violation notice was properly issued; noting that the violation is unsightly to the neighbors; the property is REMANDED to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

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

* * *

Docket A-7-19.

RE: Appeal of George Polansky, Owner appeals from an ADJUDICATION ORDER issued December 20, 2018 of OBC 903.2.8: GROUP R: An automatic sprinkler system in accordance with Section 903.2.8 shall be provided throughout all buildings with a Group R Fire Area. The appellant contends that it would be a hardship to add an automatic sprinkler system.

BE IT RESOLVED, a motion is in order at this time to DENY and UPHOLD the ADJUDICATION ORDER issued December 20, 2018. The board finds that the proposed reconstruction of the building will require a fire sprinkler system compliant with the Ohio Building Code for commercial residential structures; the property is REMANDED to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Bradley.

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

* * *

Docket A-48-19.

RE: Appeal of Isreal Spain, Owner of the R-2 Residential Non-Transient; Apartments (Shared Egress) Two Story Frame Property located on the premises known as 3594 East 55th Street appeals from a NOTICE OF VIOLATION — CONDEMNATION-MAIN-STRUCTURE, dated August 27, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY the Appellant request for additional time; the property is condemnable based upon testimony and pictures' noting the appellant was not present; the property is REMANDED to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

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

* * *

Docket A-49-19.

RE: Appeal of Margaret Gregory, Owner of the One Dwelling Unit Single Family Residence One and Half Story Frame Property, located on the premises known as 12230 Revere Avenue appeals from a NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE, dated February 13, 2019 of the Director of the Department of Building and Housing, requiring compliance with the

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

Docket A-49-19 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-51-19.

RE: Appeal of Lorraine Abston, Owner of the Two Dwelling Units Two-family Residence Two Story Frame Property, located on the premises know as 12312 Benwood Avenue appeals from NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE, dated January 25, 2019 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

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

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

* * *

Docket A-52-19.

RE: Appeal of Rayford Wells, Owner of the Two Dwelling Units Two-Family Residence Two and Half Story Wood Frame/Siding/Masonry Veneer Property, located on the premises known as 12213 Buckingham Avenue appeals from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated February 21, 2019 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

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

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

* * *

Docket A-53-19.

RE: Appeal of Tyrone M. Daniels, Owner of the Two Dwelling Units Two-Family Residence Two and Half Story Frame Property, located on the premises known as 1845 West 48th Street appeals from a NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE, dated February 19, 2019 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to GRANT the Appellant until June 1, 2019 to complete installation of smoke and Co2

detectors and until October 1, 2019 complete abatement of all violations; a provision is also in order that all tenant space remains unoccupied until all abatements has been gratified; the property is REMANDED to the Department of Building & Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

* * *

Docket A-56-19.

RE: Appeal Rita W. Hart c/o Paul Hart, Owner of the One Dwelling Unit Single-Family Residence One and Half Story Frame Property, located on the premises known as 17605 Flamingo Avenue appeals from a NOTICE OF VIOLATION — FIRE DAMAGE, dated February 14, 2019 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY the Appellant request for additional time; the board finds that the violation notice was properly issued based upon testimony; noting the appellant was not present; the property is REMANDED to the Department of Building & Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

* * *

Docket A-57-19.

RE: Appeal Nadir Hassan, Owner of the One Story Garage-Detached; Wood Frame Property, located on the premises known as 15819 Trafalgar Avenue appeals from a NOTICE OF VIOLATION — CONDEMNATION-GARAGE, dated February 20, 2019 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY the Appellant request for additional time and UPHOLD the violation notice was properly issued based upon testimony and present circumstances; the Appellant Representative is to return on May 29, 2019 with Power of Attorney and a proposal to abate all violations; the property is REMANDED to the Department of Building & Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Maschke.

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

* * *

AMENDED RESOLUTION

Docket A-30-19.

Barry Sullivan — 4246 East 133rd Street:

FROM: ..a motion is in order at this time to find that the violation notice was properly issued, noting that there are safety issues in the building, the building is open to the elements and the appellant was not present; the property is REMANDED ..

TO: ..to UPHOLD the condemnation and vacate orders until May 15, 2019 until the Department of Building and Housing re-inspect the property to determine if the vacate has been abated; the property is REMANDED to the Department of Building & Housing for supervision and any required further action..

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

* * *

APPROVAL OF RESOLUTIONS

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

- A-20-19 — Deleva Gregory Kain Sr
A-30-19 — Barry Sullivan (Amended)
A-35-19 — Craig Roberson Sr.
A-37-19 — Desiree Reid
A-41-19 — Shaker Real Estate Properties LLC
A-43-19 — Cleveland Bricks LLC
A-44-19 — Tomorrow Homes LLC
A-75-19 — Andre & Christine Dimatteo

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

* * *

APPROVAL OF MINUTES

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

May 1, 2019

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

* * *

JOSEPH F. DENK
Chairman

PUBLIC NOTICE

NOTICE OF PUBLIC MEETING OF THE CITY RECORDS COMMISSION OF THE CITY OF CLEVELAND

Notice is hereby given, in accordance with Ohio Revised Code Section 121.22(F) and Cleveland Codified Ordinances Section 167.01(a), that the City Records Commission of the City of Cleveland

will hold a public meeting on Tuesday, June 11, 2019, at 9:30 a.m., in the City Council Committee Room located at Room 217 on the Second Floor of Cleveland City Hall, 601 Lakeside Avenue, Cleveland, Ohio, for the purpose of reviewing proposed records retention schedules, requests for one-time disposal of records and any other business with respect to records retention and disposal requests and questions.

May 22, 2019, May 29, 2019 and June 5, 2019

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

Scaled 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."

FRIDAY, MAY 31, 2019

File No. 54-19 — Labor and Materials Necessary to Maintain Uninterrupted Power Supplies UPS Systems, for the various Divisions, Department of Finance, as authorized by Section 181.102 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING,

THURSDAY, MAY 23, 2019 AT 10:00 A.M. CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, ROOM 22.

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

May 15, 2019 and May 22, 2019

WEDNESDAY, JUNE 12, 2019

File No. 55-19 — Neutralization Chemicals, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, MAY 24, 2019 AT 9:30 A.M. CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, 2ND FLOOR ATRIUM CONFERENCE ROOM.

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

May 15, 2019 and May 22, 2019

FRIDAY, JUNE 14, 2019

File No. 56-19 — Purchase of Labor and Materials to Refurbish and Repair of Water Pumps Including Controls and Appurtenances, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 696-18, passed by the Council of the City of Cleveland, September 17, 2018.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, THURSDAY, MAY 30, 2019 AT 10:00 A.M. CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, 2ND FLOOR ATRIUM CONFERENCE ROOM.

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

May 22, 2019 and May 29, 2019

WEDNESDAY, JUNE 19, 2019

File No. 57-19 — Contractual Repair of Water Mains, Fire Hydrants, Valves, Service Connections, and Appurtenances Area "A", for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1296-18, passed by the Council of the City of Cleveland, September 26, 2018.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, MAY 30, 2019 AT 11:00A.M. CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, 2ND FLOOR ATRIUM CONFERENCE ROOM.
NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

File No. 58-19 — Contractual Repair of Water Mains, Fire Hydrants, Valves, Service Connections, and Appurtenances Area "B", for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1296-18, passed by the Council of the City of Cleveland, September 26, 2018.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, MAY 30, 2019 AT 11:00A.M. CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, 2ND FLOOR ATRIUM CONFERENCE ROOM.
NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

May 22, 2019 and May 29, 2019

THURSDAY, JUNE 20, 2019

File No. 59-19 — Contractual Repair of Water Mains, Fire Hydrants, Valves, Service Connections, and Appurtenances Area "C", for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1296-18, passed by the Council of the City of Cleveland, September 26, 2018.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, MAY 30, 2019 AT 11:00A.M. CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, 2ND FLOOR ATRIUM CONFERENCE ROOM.
NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

File No. 60-19 — Contractual Repair of Water Mains, Fire Hydrants, Valves, Service Connections, and Appurtenances Area "D", for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1296-18, passed by the Council of the City of Cleveland, September 26, 2018.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, MAY 30, 2019 AT

11:00A.M. CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, 2ND FLOOR ATRIUM CONFERENCE ROOM.
NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

May 22, 2019 and May 29, 2019

FRIDAY, JUNE 21, 2019

File No. 61-19 — Labor and Materials for On-Site Electrical Work, Repair and Maintenance Re-Bid, for the Division of Airports, Department of Port Control, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.
THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, JUNE 7, 2019 AT 10:00 A.M. CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135, CENTRAL RECEIVING.

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

File No. 62-19 — Labor and Materials to Repair and Replace Floors and Floor Coverings, for the Division of Airports, Department of Port Control, as authorized by Ordinance No. 942-17, passed by the Council of the City of Cleveland, October 9, 2017.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, WEDNESDAY, JUNE 5, 2019 AT 10:00 A.M. CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135, CENTRAL RECEIVING BUILDING.

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

May 22, 2019 and May 29, 2019

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 644-2019.
By Council Member Zone.
An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 1337 West 117th Street.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Cleveland

Finance Company, LLC, 1337 West 117th Street, Cleveland, Ohio 44107, Permit Number 1544382 to West 117th Beverage, LLC, 1337 West 117th Street, Cleveland, Ohio 44107, Permit No. 9555774; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from Cleveland Finance Company, LLC, 1337 West 117th Street, Cleveland, Ohio 44107, Permit Number 1544382 to West 117th Beverage, LLC, 1337 West 117th Street, Cleveland, Ohio 44107, Permit No. 9555774; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted May 13, 2019.
Effective May 15, 2019.

Res. No. 645-2019.

By Council Member Johnson.

An emergency resolution withdrawing objection to the transfer of stock of a C2 and C2X Liquor Permit at 2886 Woodhill Road, 1st floor and basement and repealing Resolution No. 1324-17, objecting to said transfer.

Whereas, this Council objected to the transfer of stock of a C2 and C2X Liquor Permit at YA Corp., Inc., DBA Nikki's Market, 2886 Woodhill Road, 1st floor and basement, Cleveland, Ohio 44104, Permit No. 98044092 by Resolution No. 1324-17 adopted by the Council on October 30, 2017; and

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

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

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

Section 1. That objection to a C2 and C2X Liquor Permit at YA Corp., Inc., DBA Nikki's Market, 2886 Woodhill Road, 1st floor and basement, Cleveland, Ohio 44104, Permit No. 98044092, be and the same is hereby withdrawn and Resolution No. 1324-17, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted May 13, 2019.
Effective May 15, 2019.

Res. No. 646-2019.

By Council Member Kelley.

An emergency resolution withdrawing objection to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit at 4374-76 Pearl Road and repealing Resolution No. 447-2019 objecting to said permit.

Whereas, this Council objected to a transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit to PRT Management, Inc., DBA Pearl Road Tavern & 4370 Pearl Road, 1st floor and basement, 4374-76 Pearl Road, patio only, Cleveland, Ohio 44109, Permit No. 6617633 by Resolution No. 447-2019 adopted by the Council on April 8, 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 D1, D2, D3, D3A and D6 Liquor Permit to PRT Management, Inc., DBA Pearl

Road Tavern & 4370 Pearl Road, 1st floor and basement, 4374-76 Pearl Road, patio only, Cleveland, Ohio 44109, Permit No. 6617633, be and the same is hereby withdrawn and Resolution No. 447-2019, 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 May 13, 2019.
Effective May 15, 2019.

Res. No. 649-2019.

By Council Member B. Jones.

An emergency resolution withdrawing objection to the transfer of ownership of a D5A Liquor Permit at 1914 East 101st Street and repealing Resolution No. 52-19 objecting to said permit.

Whereas, this Council objected to a transfer of ownership of a D5A Liquor Permit to Chester Avenue Hotel, LLC, 1914 East 101st Street, Cleveland, Ohio 44106, Permit Number 1421349 by Resolution No. 52-19 adopted by the Council on January 7, 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 D5A Liquor Permit to Chester Avenue Hotel, LLC, 1914 East 101st Street, Cleveland, Ohio 44106, Permit Number 1421349, be and the same is hereby withdrawn and Resolution No. 52-19, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted May 13, 2019.
Effective May 15, 2019.

Ord. No. 445-2019.

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

An emergency ordinance authorizing the Director of Public Utilities to enter into one or more contracts with MCM Technology, LLC for professional services to acquire one or more licenses for the Office of Radio

Communication Service Center to give them the ability to manage the radio system as well as the service center in one centralized location, and other services to implement the software, including training, maintenance and support for a period of two years.

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

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

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

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

Passed May 13, 2019.
Effective May 15, 2019.

Ord. No. 513-2019.

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

An emergency ordinance determining the method of making the public improvement of rehabilitating several offices and one area in City Hall caused by water damage; and authorizing the Directors of Capital Projects and/or Public Works to enter into one or more public improvement contracts for the making of the improvement; authorizing the Director of Finance to lease office space to temporarily locate employees while renovations are being made to their offices, for a period up to one year; authorizing the acceptance of gifts and grants; and authorizing the purchase and rental by one or more requirement contracts of furniture, furniture systems, equipment, comprehensive moving and storage services.

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

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

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

Whereas, 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 rehabilitating the Departments of Law, Community Relations, and Economic Development, and to an area in the Custodian's Office, for the Department of Capital Projects and/or Public Works by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding for a gross price for the improvement.

Section 2. That the Directors of Capital Projects and/or Public Works is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder or bidders after competitive bidding for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract for a gross price. On request of the Director of Capital Projects and/or Public Works, 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 the Director of Capital Projects and/or Public Works is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

Section 4. That the Director of Capital Projects and/or Public Works is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements to be determined by the Director of Capital Projects and/or Public Works of the necessary items of furniture and furniture systems, including installation, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Departments of Law, Community Relations, Economic Development and to an area affected in the Custodian's Office. 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 5. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Finance is authorized to lease office space to temporarily locate employees while renovations are being made to their offices under Section 1 of this ordinance.

Section 6. That the term of the lease or leases shall not exceed one year.

Section 7. That the rent for lease or leases shall be fair market value, exclusive of utilities, as determined by the Board of Control.

Section 8. That the lease or leases may authorize the City to make improvements to the leased premises under terms to be determined by the parties to be consistent with the public purpose or purposes of providing office space while the emergency repairs are being done.

Section 9. That the lease or leases may provide for the City's payment of appropriate utility and other operating costs of the leased premises.

Section 10. That the lease or leases shall be prepared by the Director of Law and shall contain any terms and conditions as are required to protect the interests of the City.

Section 11. That the Director of Finance is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period to be determined by the director of the necessary items for the rental of office furniture and equipment, and the purchase of comprehensive moving and storage services if the Director of Finance enters into a lease agreement for temporary office space under this ordinance, to be procured and purchased by the Commissioner of Purchases and Supplies on a unit basis for the 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. 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 12. That under Section 108(b) of the Charter, the procurements and purchases authorized in Sections 4 and 11 may be made through cooperative arrangements with other governmental agencies. The Director of Capital Projects, Public Works and/or Finance may sign all documents that are necessary to make the procurements and purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 13. That the Director of Capital Projects, Public Works and/or Finance, and other appropriate City officials are authorized to

execute any other documents and certificates, and take any other actions which may be necessary or appropriate to effectuate this ordinance.

Section 14. That the Director of Capital Projects, Public Works, Finance, and/or Law is authorized to apply for and accept any grants or gifts from any public or private entity, including but not limited to the gift of furniture, to implement this ordinance. The Director of Capital Projects, Public Works, Finance, and/or Law is authorized to file all papers and execute all documents necessary to receive any funds; and that the funds are appropriated for the purpose of implementing this ordinance.

Section 15. That the cost of the improvement and expenditures for the rehabilitation of the offices of the Departments of Law, Community Relations, and Economic Development, and to an area in the Custodian's Office, shall be paid from Fund Nos. 01-1001-6930, 20 SF 566, 20 SF 573, 20 SF 578, 20 SF 585, 20 SF 588, from the fund or funds to which are credited the proceeds from the sale of future bonds if issued for this purpose, and other funds approved by the Director of Finance.

Section 16. That the costs of any lease of temporary office space needed for any affected department while the rehabilitation to their office is being done shall be paid from Fund No. 01-1001-6930 and from funds approved by the Director of Finance.

Section 17. That the costs of the requirement contract or contracts for the purchase of furniture and furniture systems, including installation, shall be paid from Fund Nos. 20 SF 566, 20 SF 573, 20 SF 578, 20 SF 585, 20 SF 588, and from the fund or funds to which are credited the proceeds from the sale of future bonds if issued for this purpose; and the costs of the requirement contract or contracts for the rental of office furniture and equipment and the purchase of moving services and storage for an affected department if entering into a lease agreement for temporary office space under this ordinance, shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any 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. (RQS 0103, RLA 2019-24)

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 May 13, 2019.

Effective May 15, 2019.

Ord. No. 553-2019.

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

An emergency ordinance authorizing the Director of Capital Projects to make alterations and modifications in Contract No. PI 2018-29 with Vandra Brothers Construction, Inc. for the rehabilitation of Industrial Parkway/West 160th Street and Enterprise/Briar/West 139th Street.

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 make the following alterations and modifications in Contract No. PI 2018-29 with Vandra Brothers Construction, Inc. for the rehabilitation of Industrial Parkway/West 160th Street and Enterprise/Briar/West 139th Street:

Subsidiary Additions – New Items

Additional pavement repairs of pavement base	\$250,000
Total Additions – New Items	\$ 250,000.00
TOTAL SUBSIDIARY ADDITIONS	\$ 250,000.00
Original Contract Amount	\$2,742,877.20
Total Subsidiary Additions	<u>250,000.00</u>
New Contract Amount	\$2,992,877.20

which alteration has been recommended in writing by the Director of Capital Projects, countersigned by the Mayor, and consented to by the surety on the contract. The price to be paid for the alterations and modifications to the contract has been agreed upon in writing and signed by the Director of Capital Projects and the contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$250,000 to 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, and any and all funds approved by the Director of Finance. (RQS 0103, RL 2019-24)

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 May 13, 2019.

Effective May 15, 2019.

Ord. No. 554-2019.

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

An emergency ordinance authorizing the Director of Public Works to enter into an amendment to the June 30, 2016 Property Operations and Programming Agreement with the Group Plan Commission for Public Square to provide a restricted contribution to support the Commission's maintenance obligations on Public Square.

Whereas, under Ordinance No. 1061-14, passed September 15, 2014, this Council, among other things, authorized the Director of Public Works to enter into a Property Operations and Programming Agreement with the Group Plan Commission relating to operating, preserving, maintaining, and providing ongoing

programming and supplemental maintenance at Public Square; 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 the June 30, 2016 Property Operations and Programming Agreement with the Group Plan Commission for Public Square, authorized by Ordinance No. 1061-14, passed September 15, 2014, to provide a restricted contribution to support the Commission's maintenance obligations on Public Square. All other terms and conditions contained in the agreement 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 \$400,000 and shall be paid from Fund No. 01-9998-6320, Request No. RQS 7001, RL 2019-28.

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

Passed May 13, 2019.

Effective May 15, 2019.

Ord. No. 558-2019.

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

An emergency ordinance notifying Council of the final budget allocations received from HUD for the 2019 Community Development Block Grant, Home Investment Partnerships Act Grant, Emergency Solutions Grant, and the Housing Opportunities for Persons with Aids Grant; and to amend Sections 2 through 15 of Ordinance No. 142-2019, passed February 11, 2019 relating to the grants.

Whereas, under Ordinance No. 142-2019, passed February 11, 2019, this Council authorized the Director of Community Development to apply for and accept the 2019 Community Development Block Grant, Home Investment Partnerships Act Grant, Emergency Solutions Grant, and the Housing Opportunities for Persons with Aids Grants; and

Whereas, Ordinance No. 142-2019 contained estimated amounts of the grant funds to be received and estimated amounts allocated to recipient programs; and

Whereas, Ordinance No. 142-2019 required that once the City receives the final budget allocations that additional legislation would be submitted to Council with the final numbers received for the grants and recipient programs; and

Whereas, the City has received the final budget allocations; 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, as required by Ordinance No. 142-2019, the estimated and final budget allocations for the following grants are as follows:

	2019 Estimated Amounts	2019 Final HUD Allocations
Community Development Block Grant ("CDBG")	\$20,116,532	\$21,154,188
Home Investment Partnerships ("HOME")	\$3,458,438	\$4,512,419
Emergency Solutions Grant ("ESG")	\$1,739,682	\$1,796,770
Housing Opportunities For Persons With Aids ("HOPWA")	\$1,096,050	\$1,402,636

Section 2. That Sections 2 through 15 of Ordinance No. 142-2019, passed February 11, 2019, are amended to read as follows:

Section 2. Project Clean Program.

(a) That Community Development Block Grant funds in the amount of \$1,210,999 are appropriated from Fund No. 14 SF 045 for costs of the Department of Public Works incurred from Fund 19 following the appropriate federal regulations and associated with conducting the Project Clean Program in conjunction with the Community Development Block Grant Program.

(b) That the Director of Public Works is authorized to enter into one or more contracts with various non-profit and for-profit agencies to provide services necessary to implement the Project Clean Program payable from Fund No. 14 SF 045 and prior years balances. (RQS 8006, RLA 2019-0004)

(c) That prior to expending funds under this ordinance, the Director of Public Works and the Director of Community Development shall enter into a memorandum of understanding for this program.

Section 3. AIDS Prevention - CDBG funded.

(a) That, as a Subrecipient Grantee of CDBG funds for the Department of Community Development, the Director of Public Health is authorized to enter into one or more contracts with various agencies or entities to provide HIV/AIDS prevention and education activities and in addition, the amount of \$56,393 is appropriated to the Department of Public Health for administrative costs of implementing the contracts authorized by this ordinance.

(b) 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 provide evaluation services.

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.

(c) That the Director of Public Health is authorized to enter into one or more contracts with agencies, entities, or individuals to implement this ordinance.

(d) That any agency or entity that receives funds under this ordinance shall be required to comply with the evaluation services provided by the consultant.

(e) That prior to expending funds under this ordinance, the Directors of Public Health and Community Development must enter into a memorandum of understanding for this program in accordance with the terms authorized by this legislation.

(f) That the cost of the contracts of \$228,000 and the administrative cost of \$56,393 for a total amount of \$284,393 are appropriated for costs of the Department of Public Health incurred from Fund 19 following the appropriate federal regulations, payable from Fund No. 14 SF 045, and any other prior years balances. (RQS 8006, RLA 2019-0010)

Section 4. AIDS Related Services - HOPWA funded.

(a) That, as a Subrecipient Grantee of HOPWA funds for the Department of Community Development, the Director of Public Health is authorized to enter into one or more contracts with various agencies or entities to provide AIDS-related services in conjunction with the Housing Opportunities for People With AIDS (HOPWA) Grant Program. The amount of \$37,248 is appropriated to the Department of Public Health for administrative costs of implementing the HOPWA program.

(b) 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 provide evaluation services.

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.

(c) That any agency or entity that receives funds under this ordinance shall be required to comply with the evaluation services provided by the consultant.

(d) That prior to expending funds under this ordinance, the Director of Public Health and the Director of Community Development must enter into a memorandum of understanding for this program under the terms authorized by this legislation.

(e) That the cost of the contracts of \$1,365,388 and the amount of administrative cost of \$37,248 for a total amount of \$1,402,636, are appropriated for costs of the Department of Public Health incurred from Fund 19 following the appropriate federal regulations payable from Fund No. 19 SF 667, and any other prior years balances. (RQS 8006, RLA 2019-0011)

Section 5. Anti-Predatory Lending Program.

(a) That Community Development Block Grant funds in the amount of \$85,950 are appropriated from Fund No. 14 SF 045 for anti-predatory lending and foreclosure prevention assistance, financial literacy programs, fair housing, and administrative costs to implement the programs.

(b) That the Director of Community Development is authorized to enter into one or more contracts with various organizations to provide counseling, training, marketing, program evaluation and other services required for anti-predatory lending and foreclosure prevention assistance, financial literacy, fair housing activities and to expend funds for administrative costs to implement the programs.

(c) That the cost of the contracts and administrative costs is \$85,950, payable from Fund No. 14 SF 045, and any other prior years balances and program income. (RQS 8006, RLA 2019-0005)

Section 6. Demolition and Board-Up Program.

(a) That Community Development Block Grant funds in the amount of \$535,889 are appropriated from Fund No. 14 SF 045 for costs of the Department of Building and Housing associated with conducting the Demolition and Board-up Programs incurred in Fund 19 following the appropriate federal regulations in conjunction with the Community Development Block Grant Program.

(b) That the Director of Building and Housing is authorized to enter into one or more contracts with various non-profit and for-profit agencies and entities for services necessary to implement the Demolition Program and emergency contracts under the Board-up Program.

(c) That the Director of Building and Housing 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 one or two year period for the items of labor and materials necessary to implement the Board-up Program, 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 Department of Building and Housing. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The Director of Building and Housing is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Building and Housing by comparing the bids received for both terms.

(d) 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 under a delivery order against the contract or contracts certified by the Director of Finance. (RQS 8006, RLA 2019-0003)

(e) That prior to expending funds under this ordinance, the Director of Building and Housing and the Director of Community Development shall enter into a memorandum of understanding for this program.

(f) That the Director of Building and Housing is authorized to accept monies in repayment under the program and to utilize CDBG program income and any other prior years balances for making additional expenditures under this program, and the funds are appropriated for that purpose.

(g) That the Director of Building and Housing is authorized to collect from persons or entities from whom the City is collecting demolition costs an amount equal to any amount spent for services related to collection of demolition cost, such as title searches, credit bureau reports, and document filing fees. Any funds collected shall be deposited into Fund No. 14.

Section 7. Social Service Activities.

(a) That the Director of Community Development is authorized to enter into or amend contracts with various agencies to provide social service programs, including the senior transportation program.

(b) That the Director of Community Development is authorized to use other program income to finance additional social service activities and the program income, and any prior years balances are appropriated for those purposes.

(c) That the cost of the contracts is \$1,713,016 payable from Fund No. 14 SF 045 and program income and any other prior years balances. (RQS 8006, RLA 2019-0014)

Section 8. CDC/Citywide Support.

(a) That the Director of Community Development is authorized to enter into or amend contracts with various agencies to provide housing, commercial, industrial and real estate development activities.

(b) That the cost of the contracts is \$1,383,487 payable from Fund No. 14 SF 045 and any other prior years balances. (RQS 8006, RLA 2019-0013)

(c) That the Director of Community Development is authorized to accept program income and use this and other program income to finance additional housing, commercial, industrial, real estate development and other CDBG eligible activities, and the program income is appropriated for those purposes.

(d) That the Director of Community Development is authorized to enter into or amend contracts with the agencies administering the housing, commercial, industrial and real estate activities that generated program income in an amount not to exceed that generated program income and to be paid from the revolving fund in Fund 14.

(e) That the Director of Community Development is authorized to enter into or amend contracts with for-profit or non-profit organizations serving as the fiscal agent for the various agencies to provide housing, commercial, industrial, and real estate development activities.

Section 9. Storefront Renovation Program.

(a) That the Director of Community Development is authorized to enter into rebate, grant, and/or loan agreements with Storefront Renovation Program applicants, and contracts for eligible administrative costs, and expenses to community development corporations for implementation of the Commercial Revitalization and Storefront Renovation Programs. The Director is also authorized to provide compensating balance deposits to designated lenders via approved non-profit corporations in return for below market interest rate commercial loans to be used in the Storefront Renovation Program.

(b) That the Director of Community Development 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 Storefront Renovation Program.

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 Community Development from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Community Development 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 Community Development, and certified by the Director of Finance.

(c) That the Director of Community Development is authorized to enter into contracts with Commercial Revitalization Program applicants.

(d) That the Director of Community Development is authorized to accept program income monies in repayment from community development corporations under the Storefront Renovation Program and to utilize this program income, other Community Development Block Grant program income, and kiosk program income in a revolving fund, for Commercial Revitalization and Storefront Renovation program expenditures.

(e) That the City is authorized to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of loans, costs, and fees under the City's Storefront Renovation Program and Commercial Revitalization Program.

(f) That the Director of Community Development is authorized to enter into forbearance agreements with any recipient of a validly existing loan, administered by the City for Commercial Revitalization or Storefront Renovation.

(g) That the Director of Community Development is authorized to collect from persons or entities with whom the City is entering into loan agreements or forbearance agreements an amount equal to any amount spent for services related to such agreements, such as title searches, credit bureau reports and document filing fees. Such fees shall be deposited into Fund No. 14.

(h) That the total of the contracts, grant agreements, loan agreements, and rebate agreements authorized is \$192,000 payable from Fund Nos. 14 SF 045, 13 SF 872, program income, amounts deposited in the revolving fund established in this ordinance, and any other prior years balances. (RQS 8006, RLA 2019-0012)

Section 10. SHAP and CHORE Program.

(a) That Community Development Block Grant funds in the amount of \$280,000 are appropriated from Fund No. 14 SF 045, and any prior year balances and program income, for costs of the Department of Aging incurred in Fund 19 associated with conducting the Senior Homeowners Assistance Program ("SHAP"), and CHORE in conjunction with the Community Development Block Grant Program.

(b) That Emergency Solutions Grant funds in the amount of \$60,000 are appropriated from Fund No. 19 SF 668 for costs of the Department of Aging incurred in Fund 19 associated with conducting the Homeless Services Program. (RQS 8006, RLA 2019-0007)

(c) That prior to expending funds under this ordinance, the Director of Aging and the Director of Community Development shall enter into a memorandum of understanding for this program.

Section 11. Emergency Solutions Program.

(a) That the Director of Community Development is authorized to enter into one or more contracts with Cuyahoga County and various non-profit agencies for the implementation of homeless assistance activities.

(b) The cost of the contracts is \$2,360,224 payable from Fund Nos. 14 SF 045, 19 SF 668, and any other prior years balances. (RQS 8006, RLA 2019-0015)

Section 12. Housing Trust Fund Program.

(a) That the Director of Community Development is authorized to enter into one or more contracts with various housing development entities, or their designees, for the purpose of implementing the Housing Trust Fund Program.

(b) That eligible activities under the Housing Trust Fund Program include new construction, rehabilitation, site preparation, site acquisition, predevelopment activities and financial assistance to home buyers.

(c) That the cost of the contracts is \$3,241,995 payable from Fund Nos. 14 SF 045, 19 SF 688, and any other prior years balances. (RQS 8006, RLA 2019-0016)

(d) That the Director of Community Development is authorized to accept monies in repayment of loans authorized in this ordinance and to deposit those monies in Fund Nos. 14 and 19, as appropriate, and utilize said repayments and other program income in a revolving fund for making additional expenditures under this program, and such funds are hereby appropriated for that purpose.

(e) That the City is authorized to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of loans made under this program.

(f) That the Director of Community Development is authorized to enter into forbearance agreements with any recipient of a validly existing loan administered by the City, and to charge and accept fees to cover costs incurred in the preparation of loan documents, closing, and servicing costs. Such fees shall be deposited into Fund No. 14 or 19, as appropriate. The revenues generated as a result of charging fees are appropriated for additional program and operating expenses for Housing Trust Fund activities.

Section 13. Home Repair Program.

(a) That the Director of Community Development is authorized to expend funds from CDBG Fund No. 14 SF 045 in the amount of \$1,875,000, and Federal HOME Program Fund No. 19 SF 667 in the amount of \$784,303, and any other prior years balances for the operation of Low Interest Loan and Grant Home Repair Programs, including all related services. Programs include: Senior Home Owners Assistance Program (SHAP), Afford-A-Home (AAH), Repair-A-Home (RAH), Furnace Repair and Replacement, Home Maintenance Assistance Program (HMAP), Lead Hazard Abatement, Tree Removals, and Gutter Cleaning Program. (RQS 8006, RLA 2019-0008)

(b) That the Director of Community Development is authorized to enter into one or more contracts with various non-profit agencies, rehabilitation service providers, tenants, homeowners, and entities providing services necessary to process loans and grants to implement the Low Interest Loan and Grant Programs in the City of Cleveland.

(c) That the Director of Community Development is authorized to accept monies in repayment under the programs and to utilize the repayments, and other program income in a revolving fund for additional expenditures under these programs and administrative expenses, which repayments and program income are appropriated for those purposes.

(d) That the City is authorized to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of loans made under this program.

(e) That the Director of Community Development is authorized to enter into forbearance agreements with any recipient of a validly existing loan administered by the City, and to charge and accept fees to cover costs incurred in the preparation of loan documents, closing, and servicing costs. Such fees shall be deposited into Fund No. 14 or 19, as appropriate, and are appropriated for the purposes of the Low Interest Loan and Grant Program.

Section 14. General Administration.

(a) That Community Development Block Grant funds in the amount of \$5,570,000 are appropriated from Fund No. 14 SF 045 and Federal HOME grant funds in the amount of \$486,121 are appropriated from Fund No. 19 SF 667, and any other prior year balances that may become available, for the administrative expenses of the Department of Community Development under the following schedule:

Personnel:	\$5,541,121
Other:	\$ 515,000

(b) That the Director of Community Development is authorized to expend funds and enter into contracts for reimbursements of non-profit, government and for-profit agencies and sub-recipients for the costs of audit and other professional services.

(c) That the costs of the contracts are payable from Fund Nos. 14 SF 045 and 19 SF 667.

Section 15. Neighborhood Development Activities.

(a) That the Director of Community Development, after receiving the approval stated below, is authorized to enter into or amend contracts with various social service agencies, community development or local development corporations, non-profit corporations, private for-profit entities, State of Ohio, Cuyahoga County, Cuyahoga Metropolitan Housing Authority, Cleveland Municipal School District, Regional Transit Authority, Northeast Ohio Regional Sewer District, Cleveland Metroparks, and such other governmental entities as defined under the Ohio Revised Code to implement activities and programs that are eligible under the Community Development Block Grant CDBG Program and are consistent with the City's Community Development objectives and policies.

(b) That the Director of Community Development, after receiving the approval stated below, is authorized to enter into or amend memorandums of understanding with various City departments to implement activities and programs that are eligible under the CDBG Program and are consistent with the City's Community Development objectives and policies.

(c) That the Director of Community Development, after receiving the approval stated below, is authorized to expend NDA funds for any CDBG eligible Programs administered by the Department of Community Development including entering into contract with rehabilitation service providers, tenants, homeowners, and entities providing services necessary to process loans and grants to implement the Low Interest Loan and Grant Programs, Paint Program and other programs administered by the Department of Community Development.

(d) That prior to entering into or amending those contracts or memorandums of understanding, or expending any funds, the Director of Community Development shall receive written approval from the Council member whose ward line item is to fund the activity or program, provided that the amount for such activity or program does not exceed the amount allocated for the Council member's ward pursuant to the relevant Community Development Block Grant plan.

(e) That the cost of the contracts, memorandums of understanding and expenditures for the programs administered by the Department of Community Development is \$7,400,000 payable from Fund No. 14 SF 045 and any other prior years NDA balances.

(f) That the Director of the Department of Community Development is authorized to enter into or amend contracts with the entities administering the NDA program that generated program income in an amount not to exceed that generated program income and to expend funds for the programs administered by the Department of Community Development that generated program income in an amount not to exceed that generated program income all to be paid from the revolving fund in Fund 14.

(g) That the City is authorized to accept promissory notes naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of loans made under this program.

(h) That the Director of Community Development is authorized to enter into forbearance agreements with any recipient of a validly existing loan administered by the City, and to charge and accept fees and to expend such fees to cover costs incurred in the preparation of loan documents, closing, and servicing costs. Such fees shall be deposited to and expended from Fund No. 14.

Section 3. That existing Sections 2 through 15 of Ordinance No. 142-2019, passed February 11, 2019, are repealed.

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

Passed May 13, 2019.

Effective May 15, 2019.

Ord. No. 586-2019.
By Council Member Kelley (by
departmental request).
An emergency ordinance authorizing the Director of Finance, on behalf of the Clerk of the Cleveland Municipal Court, to enter into one or more contracts with NashWest, LLC for professional services necessary

to provide project management services for the new case management system, for a period up to one year, with a one-year option to renew exercisable by the Director of Finance, on behalf of the Clerk of the Cleveland Municipal Court.
 Whereas, this ordinance constitutes an emergency measure providing for

the usual daily operation of a municipal department; now, therefore, Be it ordained by the Council of the City of Cleveland:
Section 1. That the Director of Finance, on behalf of the Clerk of the Cleveland Municipal Court, is authorized to enter into one or more contracts with NashWest, LLC for

professional services necessary to provide project management services for the new case management system, for a period up to one year, with a one year option to renew, exercisable by the Director of Finance, on behalf of the Clerk of the Cleveland Municipal Court, on the basis of its proposal dated April 23, 2019, for the Clerk of the Cleveland Municipal Court. The contract or contracts shall be paid from Fund Nos. 01-0116-1620 and 10 SF 089, Request No. RQS 0116, RL 2019-44.

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 May 13, 2019.
Effective May 15, 2019.

Ord. No. 591-2019.
By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter into one or more amendments to Contract No. PS 2017-205 with Youth Opportunity Unlimited for the continuation of services and expansion of the Cleveland Youth Summer Employment Program to include youth diversion employment; and to change the contracting director from Community Relations to Finance.

Whereas, under Ordinance No. 558-17, passed June 5, 2017, the Director of Community Relations entered into Contract No. PS 2017-205 with Youth Opportunities Unlimited for the administration, implementation and management of the Cleveland Youth Summer Employment Program and authorized contracts with various agencies to implement the program; and

Whereas, the City desires to expand the Youth Summer Employment Program to include youth diversion employment, to extend the term, and to change the contracting director from Community Relations to Finance; 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 Finance is authorized to enter into one or more amendments to Contract No. PS 2017-205 with Youth Opportunity Unlimited to continue services and to expand the Cleveland Youth Summer Employment Program to include youth diversion employment for an additional one year period, with one option to renew for an additional one-year period, exercisable by the Director of Finance, and to change the contracting director from the Director of Community Relations to the Director of Finance. All other terms of the contract shall remain the same.

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

Section 3. That the contract amendment shall be paid from funds approved by the Director of Finance.

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

Passed May 13, 2019.
Effective May 15, 2019.

Ord. No. 604-2019.
By Council Member Kelley (by departmental request).

An emergency ordinance to amend Section 171.40 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1069-17, passed September 25, 2017, relating to the use of City credit cards.

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

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

Section 1. That Section 171.40, as amended by Ordinance No. 1069-17, passed September 25, 2017, is amended to read as follows:

Section 171.40 Use of City Credit Cards

(a) *Authorization.*

(1) A credit card held by the Clerk of Council may be used to pay the following work-related expenses of the Clerk, member of Council, and Council staff:

- A. Transportation expenses while traveling on City business;
- B. Lodging expenses while traveling on City business;
- C. Food expenses while traveling on City business;
- D. Food expenses as authorized by ordinance of Council; and
- E. Registration, tuition or enrollment expenses for meetings, seminars, conferences, or retreats.
- F. Office supplies; and
- G. Other ordinary and necessary expenses of the City in which a credit card is the only method of payment acceptable to the vendor.

(2) A credit card held by the Law Department Docket Clerk or any Law Department attorney may be used to pay the following work-related expenses:

- A. Filing fees required by any court, board or tribunal;
- B. Any other cost assessed by a court, government office in the United States, board or tribunal other than judgments or settlements. ;
- C. Any cost of obtaining records, transcripts and other documents from a court reporter, or a government office related to a legal matter; and
- D. Other ordinary and necessary expenses of the City in which a credit card is the only method of payment acceptable to the vendor.

(3) A credit card held by the Port Control Director, or his or her designee, may be used to pay the following work-related expenses:

- A. Emergency commodity purchases in which a credit card is the

only method of payment acceptable to the vendor;

- B. Food expenses as authorized by ordinance of Council;
- C. Registration, professional licenses, tuition or enrollment expenses for meetings, seminars, conferences, or retreats;
- D. Advertising and public notice expenses;
- E. Computer software maintenance including web-page renew expenses; and
- F. Filing fees for land property splits.

(4) A credit card held by the Finance Director's designee, may be used to pay the following work-related expenses:

- A. Transportation expenses while traveling on City business;
- B. Lodging expenses while traveling on City business;
- C. Food expenses while traveling on City business;
- D. Food expenses as authorized by ordinance of Council; and
- E. Registration, professional licenses, tuition or enrollment expenses for meetings, seminars, conferences, retreats or other similar events; and
- F. Other ordinary and necessary expenses of the City in which a credit card is the only method of payment acceptable to the vendor.

(5) A credit card held by the Commissioner of Purchases and Supplies, or his or her designee, may be used to pay the following work-related expenses:

- A. Business licenses, registrations, and subscriptions;
- B. Tuition and/or enrollment expenses for meetings, seminars, or conferences;
- C. Transportation expenses while traveling on City business;
- D. Lodging expenses while traveling on City business; and
- E. Other ordinary and necessary expenses of the City in which a credit card is the only method of payment acceptable to the vendor.

(6) A credit card held by the Chief Financial Officer of the Department of Public Utilities, or his or her designee, may be used to pay the following work-related expenses:

- A. Business licenses, registrations, and other professional dues and subscriptions;
- B. Tuition and/or enrollment expenses for meetings, seminars, or conferences;
- C. Training expenses and training supplies;
- D. Professional services, program promotions, and participation fees;
- E. Equipment, supplies, software and maintenance;
- F. Memberships;
- G. Advertising and public notices;
- H. Parking in City facilities, taxes, and food; and
- I. Other ordinary and necessary expenses of the City in which a credit card is the only method of payment acceptable to the vendor.

(7) A credit card held by the Judge of the Cleveland Housing Court, or his or her designee, may be used to pay the following work-related expenses:

- A. Transportation expenses while traveling on Court business;
- B. Lodging expenses while traveling on Court business;
- C. Food expenses while traveling on Court business;

D. Food expenses as authorized by the Judge of the Cleveland Housing Court;

E. Registration, tuition or enrollment expenses for meetings, seminars, conferences, or retreats;

F. Supplies and equipment; and

G. Other ordinary and necessary expenses of the City in which a credit card is the only method of payment acceptable to the vendor.

(8) A credit card held by the Finance Department project coordinator (travel coordinator), or his or her designee, may be used to pay the following work-related expenses:

A. Transportation expenses while traveling on City business;

B. Lodging expenses while traveling on City business;

C. Food expenses while traveling on City business;

D. Food expenses as authorized by ordinance of Council;

E. Registration, professional licenses, tuition or enrollment expenses for meetings, seminars, conferences, or retreats; and

F. Other ordinary and necessary expenses of the City in which a credit card is the only method of payment acceptable to the vendor.

Use of a City credit card for uses other than those listed in division (a) of this section shall be considered an unauthorized use. Any items not on these lists may be approved at the Finance Director's discretion.

Use of a City credit card in a manner inconsistent with any restriction or control placed on the card by the Director of Finance shall be considered an unauthorized use.

(b) No late charges or finance charges shall be allowed as an allowable expense on a City credit card unless authorized by the Director of Finance.

(c) Any debt incurred as a result of the use of a credit card under this section shall be paid from moneys appropriated in the budget to specific appropriation line items of the appointing authority for work-related expenses listed in division (a) of this section.

(d) Use of any credit card under division (a) of this section shall be limited to the amount appropriated in a specific appropriation line item for the permitted use or uses designated in division (a) and not otherwise encumbered.

(e) If the card is issued in the name of a specific officer or employee, that officer or employee is liable in person and upon any official bond of the officer or employee to reimburse the City Treasury for the amount charged to the City beyond the authorized amount or the amount of unauthorized use. If the card is issued to the office of an appointing authority, the appointing authority is liable in person and upon any official bond of the appointing authority for the amount charged to the City beyond the authorized amount or for the amount of unauthorized use.

(f) Any time a City credit card authorized for use under this section is used for more than the amount appropriated and not otherwise unencumbered or is used for an unauthorized use, the City Treasury shall be reimbursed for any amount spent beyond the appropriated, otherwise unencumbered amount, or for

the amount of unauthorized use, in the following manner:

(1) If the card is issued in the name of a specific officer or employee, that officer or employee is liable in person and upon any official bond of the officer or employee for reimbursing the City Treasury for any amount charged on the card beyond the appropriated, otherwise unencumbered amount or for the amount of the unauthorized use.

(2) If the card is issued in the name of the office of the appointing authority, the appointing authority is liable in person and upon any official bond of the appointing authority for reimbursement for any amount charged on the card beyond the appropriated, otherwise unencumbered amount or for the amount of the unauthorized use.

(g) Whenever any officer or employee who is authorized to use a City credit card or the office of any other county appointing authority suspects the loss, theft, or possibility of unauthorized use of the card, the officer or employee shall notify the Director of Finance, Division of Treasury, Division of Internal Audit, Division of Financial Reporting and Control and either the officer's or employee's appointing authority immediately and in writing.

(h) If the Director of Finance determines there has been a credit card expenditure beyond the appropriated, otherwise unencumbered or the authorized amount or if the Director of Finance determines that there has been unauthorized use of a credit card, and if the Director of Finance determines that the City Treasury should be reimbursed for credit card expenditures beyond the appropriated, otherwise unencumbered or the authorized amount, or for the amount of the unauthorized use, the Director of Finance shall give written notice to the officer or employee or appointing authority of liability to the City Treasury in accordance with this section. If, within thirty (30) days after issuance of the written notice, the City Treasury is not reimbursed for the amount shown on the written notice, the Director of Law shall recover that amount from the officer or employee or appointing authority who is liable under this section by civil action in any court of appropriate jurisdiction.

(i) Use of a City credit card for any use other than those permitted under division (a) of this section is a violation of RC 2913.21.

(j) The Director of Finance may revoke credit card privileges and reclaim the credit cards as the Director deems necessary.

Section 2. That existing Section 171.40, as amended by Ordinance No. 1069-17, passed September 25, 2017, 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 May 13, 2019.
Effective May 15, 2019.

Ord. No. 639-2019.

By Council Member Zone.

An emergency ordinance authorizing the Director of the Department of Public Works to enter into an agreement with Cudell Improvement, Inc., for the Cudell and Edgewater Arts and Recreation Expo through the use of Ward 15 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Public Works is hereby authorized to enter into an agreement with Cudell Improvement, Inc., for the Cudell and Edgewater Arts and Recreation Expo for the public purpose of providing art educational activities and programming to residents residing in the city of Cleveland through the use of Ward 15 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 May 13, 2019.
Effective May 15, 2019.

Ord. No. 640-2019.

By Council Members Bishop, Cleveland and Brancatelli.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with University Settlement for the Hunger Center Program through the use of Wards 2, 5 and 12 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into agreement effective July 1, 2019 with University Settlement for the Hunger Center Program for the public purpose of providing food distribution services to low income residents in the city of Cleveland through the use of Wards 2, 5 and 12 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$12,000 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 May 13, 2019.
Effective May 15, 2019.

Ord. No. 641-2019.
By Council Member J. Jones.
An emergency ordinance authorizing the issuance of a Mobile Permit to Steven Yeager/IGS Energy to engage in mobile vending in Ward 1.

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council expressed by ordinance is a prerequisite to peddling upon public rights of way outside of the Central Business District; and

Whereas, This Council has considered the request of Steven Yeager/IGS Energy to engage in mobile vending outside of the Central Business district, and has determined that it is in the public interest to allow Steven Yeager/IGS Energy to engage in mobile vending in Ward 1; 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 this Council consents, as required by, Section 675.08 of the Codified Ordinances to allow to Steven Yeager/IGS Energy to engage in mobile vending in the public rights of way in Ward 1.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

Section 3. That the privilege granted may be revoked at any time by this Council.

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

Passed May 13, 2019.
Effective May 15, 2019.

Ord. No. 642-2019.
By Council Members J. Jones, Cleveland, Griffin, Hairston and Brancatelli.

An emergency ordinance authorizing the issuance of a Mobile Permit to Carmen Jones/The Ice Cream Stork to engage in mobile vending in Wards 1, 5, 6, 10 and 12.

Whereas, pursuant to Section 675.07 of the Codified Ordinances of

Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council expressed by ordinance is a prerequisite to peddling upon public rights of way outside of the Central Business District; and

Whereas, This Council has considered the request of Carmen Jones/The Ice Cream Stork to engage in mobile vending outside of the Central Business district, and has determined that it is in the public interest to allow Carmen Jones/The Ice Cream Stork to engage in mobile vending in Wards 1, 5, 6, 10 and 12; 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 this Council consents, as required by, Section 675.08 of the Codified Ordinances to allow to Carmen Jones/The Ice Cream Stork to engage in mobile vending in the public rights of way in Wards 1, 5, 6, 10 and 12.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

Section 3. That the privilege granted may be revoked at any time by this Council.

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

Passed May 13, 2019.
Effective May 15, 2019.

Ord. No. 643-2019.
By Council Member B. Jones.
An emergency ordinance authorizing the issuance of a Mobile Permit to Yusef Fergany/Vivint Smarthome to engage in mobile vending in Ward 7.

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council expressed by ordinance is a prerequisite to peddling upon public rights of way outside of the Central Business District; and

Whereas, This Council has considered the request of Yusef Fergany/Vivint Smarthome to engage in mobile vending outside of the Central Business district, and has determined that it is in the public interest to allow Yusef Fergany/Vivint Smarthome to engage in mobile vending in Ward 7; 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 this Council consents, as required by, Section 675.08

of the Codified Ordinances to allow to Yusef Fergany/Vivint Smarthome to engage in mobile vending in the public rights of way in Ward 7.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

Section 3. That the privilege granted may be revoked at any time by this Council.

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

Passed May 13, 2019.
Effective May 15, 2019.

COUNCIL COMMITTEE MEETINGS

Monday, May 20, 2019
9:30 a.m.

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

2:00 p.m.

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

3:10 p.m.

Committee of the Whole: Present: Kelley, Chair; Bishop, Brady, Brancatelli, Cleveland, Conwell, Griffin, J. Jones, Kazy, Keane, McCormack, Polensek, Zone. *Authorized Absence:* Hairston, Johnson, B. Jones, Santana.

Tuesday, May 21, 2019
8:30 a.m.

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

9:30 a.m.

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

1:30 p.m.

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

Wednesday, May 22, 2019
10:00 a.m.

Safety Committee: Present: Zone, Chair; Polensek, Vice Chair; Griffin, Kazy, J. Jones. *Authorized Absence:* B. Jones, Santana. *Pro tempore:* McCormack.

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 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)841
 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)842
 Authorizing the purchase by one or more requirement contracts of FAA approved deicing chemicals, for the various divisions of the Department of Port Control, for a period of two years, with two one-year options to renew, the first of which shall require additional legislative authority. (O 539-2019)847

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)843

Cudell Improvement

Authorizing the Director of the Department of Public Works to enter into an agreement with Cudell Improvement, Inc., for the Cudell and Edgewater Arts and Recreation Expo through the use of Ward 15 Casino Revenue Funds. (O 639-2019)865

Cuyahoga County

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)838

Economic Development Department

Authorizing the Director of Economic Development to enter into a grant agreement with Arts Cleveland, or its designee, to provide economic development assistance to partially finance eligible costs associated with bringing the DANCE/USA Conference to the City of Cleveland. (O 537-2019)847

Authorizing the Director of Economic Development to enter into contract with Kiva Microfunds, or its designee, to implement a loan service portal citywide for early stage businesses, for a period not to exceed three years. (O 559-2019)847

Authorizing the Directors of Finance and Economic Development to transfer \$3,000,000 from the General Fund to Fund Nos. 17 SF 008 and 17 SF 652 for the purpose of making loan and grant agreements for economic development financial assistance and forgivable and non-forgivable loan agreements under the Vacant Property Initiative, both in amounts not to exceed \$250,000, authorized under Ordinance No. 90-10, passed February 8, 2010. (O 562-2019)847

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)838

To authorize the Director of Capital Projects to issue a modification to the permit previously issued to One UC Partners, LLC to encroach into and above the public rights of way of University Circle, Euclid Avenue, Stearns Road and Deering Avenue as part of its One University Circle Luxury Apartment project to authorize the Permittee to encroach into the aforementioned public rights of way further by also installing, using, and maintaining parking entrance gates, bollards, an island, parking signs and a ticket machine. (O 479-2019)846

Environmental Protection Agency (EPA)

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)843

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)841

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)831

Authorizing the Director of Finance to enter into one or more amendments to Contract No. PS 2017-205 with Youth Opportunity Unlimited for the continuation of services and expansion of the Cleveland Youth Summer Employment Program to include youth diversion employment; and to change the contracting director from Community Relations to Finance. (O 591-2019)864

Authorizing the Director of Finance, on behalf of the Clerk of the Cleveland Municipal Court, to enter into one or more contracts with NashWest, LLC for professional services necessary to provide project management services for the new case management system, for a period up to one year, with a one-year option to renew exercisable by the Director of Finance, on behalf of the Clerk of the Cleveland Municipal Court. (O 586-2019)863

Authorizing the Directors of Finance and Economic Development to transfer \$3,000,000 from the General Fund to Fund Nos. 17 SF 008 and 17 SF 652 for the purpose of making loan and grant agreements for economic development financial assistance and forgivable and non-forgivable loan agreements under the Vacant Property Initiative, both in amounts not to exceed \$250,000, authorized under Ordinance No. 90-10, passed February 8, 2010. (O 562-2019)847

Determining the method of making the public improvement of rehabilitating several offices and one area in City Hall caused by water damage; and authorizing the Directors of Capital Projects and/or Public Works to enter into one or more public improvement contracts for the making of the improvement; authorizing the Director of Finance to lease office space to temporarily locate employees while renovations are being made to their offices, for a period up to one year; authorizing the acceptance of gifts and grants; and authorizing the purchase and rental by one or more requirement contracts of furniture, furniture systems, equipment, comprehensive moving and storage services. (O 513-2019)857

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)843

To amend Section 171.40 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1069-17, passed September 25, 2017, relating to the use of City credit cards. (O 604-2019)864

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)832

General Fund

Authorizing the Directors of Finance and Economic Development to transfer \$3,000,000 from the General Fund to Fund Nos. 17 SF 008 and 17 SF 652 for the purpose of making loan and grant agreements for economic development financial assistance and forgivable and non-forgivable loan agreements under the Vacant Property Initiative, both in amounts not to exceed \$250,000, authorized under Ordinance No. 90-10, passed February 8, 2010. (O 562-2019)847

Grant Agreement

Authorizing the Director of Economic Development to enter into a grant agreement with Arts Cleveland, or its designee, to provide economic development assistance to partially finance eligible costs associated with bringing the DANCE/USA Conference to the City of Cleveland. (O 537-2019)847

Authorizing the Directors of Finance and Economic Development to transfer \$3,000,000 from the General Fund to Fund Nos. 17 SF 008 and 17 SF 652 for the purpose of making loan and grant agreements for economic development financial assistance and forgivable and non-forgivable loan agreements under the Vacant Property Initiative, both in amounts not to exceed \$250,000, authorized under Ordinance No. 90-10, passed February 8, 2010. (O 562-2019)847

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)840

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)840

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)840

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)841

House Bill

Urging the Ohio General Assembly not to pass House Bill 178, which would put Ohio citizens at risk by allowing people to carry concealed handguns in public without a required license or the necessary safety training. (R 690-2019)846

Housing and Urban Development (HUD)

Notifying Council of the final budget allocations received from HUD for the 2019 Community Development Block Grant, Home Investment Partnerships Act Grant, Emergency Solutions Grant, and the Housing Opportunities for Persons with Aids Grant; and to amend Sections 2 through 15 of Ordinance No. 142-2019, passed February 11, 2019 relating to the grants. (O 558-2019)859

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)832

Kamm's Corners Development Corporation

Authorizing the Director of City Planning to enter into agreement with Kamm's Corner Development Corporation for the Old Lorain Road: West Park and Cleveland Metroparks Study through the use of Ward 17 Casino Revenue Funds. (O 676-2019)844
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Landmark Commission

Designating East Glenville Methodist Episcopal Church as a Cleveland Landmark. (O 378-2019)846
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Leases

Authorizing the Commissioner of Purchases and Supplies to make one or more purchase orders with Rush Refuse Systems and authorizing the Director of Public Works to enter into one or more agreements with Rush Refuse Systems for the lease of ten waste collection packers for a six month period. (O 678-2019)845
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)842
Determining the method of making the public improvement of rehabilitating several offices and one area in City Hall caused by water damage; and authorizing the Directors of Capital Projects and/or Public Works to enter into one or more public improvement contracts for the making of the improvement; authorizing the Director of Finance to lease office space to temporarily locate employees while renovations are being made to their offices, for a period up to one year; authorizing the acceptance of gifts and grants; and authorizing the purchase and rental by one or more requirement contracts of furniture, furniture systems, equipment, comprehensive moving and storage services. (O 513-2019)857

Liquor Permits

#80238890010. Transfer of License Application, D5. Shake Shack Ohio LLC, 601 Euclid Ave. (Ward 3). (F 681-2019)831
Objecting to a New C2 Liquor Permit at 8003 Broadway Avenue. (R 683-2019)845
Objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 1337 West 117th Street. (R 644-2019)856
Withdrawing objection to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit at 4374-76 Pearl Road and repealing Resolution No. 447-2019 objecting to said permit. (R 646-2019)857
Withdrawing objection to the transfer of ownership of a D5A Liquor Permit at 1914 East 101st Street and repealing Resolution No. 52-19 objecting to said permit. (R 649-2019)857
Withdrawing objection to the transfer of stock of a C2 and C2X Liquor Permit at 2886 Woodhill Road, 1st floor and basement and repealing Resolution No. 1324-17, objecting to said transfer. (R 645-2019)857

Loan Agreement

Authorizing the Directors of Finance and Economic Development to transfer \$3,000,000 from the General Fund to Fund Nos. 17 SF 008 and 17 SF 652 for the purpose of making loan and grant agreements for economic development financial assistance and forgivable and non-forgivable loan agreements under the Vacant Property Initiative, both in amounts not to exceed \$250,000, authorized under Ordinance No. 90-10, passed February 8, 2010. (O 562-2019)847
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Midtown Cleveland, Inc.

Authorizing the Director of the Department of Community Development to enter into agreement with MidTown Cleveland, Inc. for the 2019 Cleveland Asian Expo through the use of Ward 7 Casino Revenue Funds. (O 677-2019)845
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Ohio Department of Public Health

Authorizing the Director of Public Health to enter into contract with the Ohio Department of Health to perform environmental lead investigations of residences of Medicaid eligible and non-Medicaid eligible children; and to enter into one or more contracts with various agencies, entities, or individuals to provide services necessary to implement this ordinance. (O 672-2019)841
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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)840
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Ohio General Assembly

Urging the Ohio General Assembly not to pass House Bill 178, which would put Ohio citizens at risk by allowing people to carry concealed handguns in public without a required license or the necessary safety training. (R 690-2019)846

Peddlers

Authorizing the issuance of a Mobile Permit to Carmen Jones/The Ice Cream Stork to engage in mobile vending in Wards 1, 5, 6, 10 and 12. (O 642-2019)866
 Authorizing the issuance of a Mobile Permit to Steven Yeager/IGS Energy to engage in mobile vending in Ward 1. (O 641-2019)866
 Authorizing the issuance of a Mobile Permit to Yusef Fergany/Vivint Smarthome to engage in mobile vending in Ward 7. (O 643-2019)866

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)838
 Authorizing the issuance of a Mobile Permit to Carmen Jones/The Ice Cream Stork to engage in mobile vending in Wards 1, 5, 6, 10 and 12. (O 642-2019)866
 Authorizing the issuance of a Mobile Permit to Steven Yeager/IGS Energy to engage in mobile vending in Ward 1. (O 641-2019)866
 Authorizing the issuance of a Mobile Permit to Yusef Fergany/Vivint Smarthome to engage in mobile vending in Ward 7. (O 643-2019)866
 To authorize the Director of Capital Projects to issue a modification to the permit previously issued to One UC Partners, LLC to encroach into and above the public rights of way of University Circle, Euclid Avenue, Stearns Road and Deering Avenue as part of its One University Circle Luxury Apartment project to authorize the Permittee to encroach into the aforementioned public rights of way further by also installing, using, and maintaining parking entrance gates, bollards, an island, parking signs and a ticket machine. (O 479-2019)846

Police Division

Authorizing the Director of Public Safety to enter into a Mutual Aid Agreement with the City of Dayton for reciprocal field force services, SWAT unit services, and other police services, and use of police equipment, within all respective areas, including each City’s Airports. (O 662-2019)844

Port Control Department

Authorizing the Director of Port Control to employ one or more professional consultants to design and implement an Asset Management Program, for a period of one year, with three one-year options to renew, the second of which shall require additional legislative authority. (O 556-2019)847
 Authorizing the Director of Port Control to enter into one or more contracts without competitive bidding with Rosenbauer Minnesota, LLC for the purchase, installation, and integration of up to four EMEREC Drivers Enhanced Vision Systems, for the Division of Cleveland Hopkins International Airport, Department of Port Control. (O 321-2019)846
 Authorizing the Director of Port Control to enter into one or more requirement contracts without competitive bidding with Johnson Controls, Inc. for labor and materials needed to maintain, repair, and expand the fire alarm and suppression systems, including any parts, materials, equipment, supplies, services, and installation, for the various divisions of the Department of Port Control, for a period of two years, with two one-year options to renew, the first of which is exercisable with additional legislative authority. (O 679-2019)842
 Authorizing the Director of Port Control to exercise the first option to renew Contract No. PI 2017-034 with West Roofing Systems, Inc. for repairing or replacing roofs or roof systems at Cleveland Hopkins International Airport and Burke Lakefront Airport. (O 538-2019)847
 Authorizing the purchase by one or more requirement contracts of FAA approved deicing chemicals, for the various divisions of the Department of Port Control, for a period of two years, with two one-year options to renew, the first of which shall require additional legislative authority. (O 539-2019)847
 To amend the title and Section 1 of Ordinance No. 645-17, passed June 5, 2017, relating to professional services to provide general planning, engineering, and design services, for the Department of Port Control. (O 555-2019)847

Professional Services

Authorizing the Director of Finance, on behalf of the Clerk of the Cleveland Municipal Court, to enter into one or more contracts with NashWest, LLC for professional services necessary to provide project management services for the new case management system, for a period up to one year, with a one-year option to renew exercisable by the Director of Finance, on behalf of the Clerk of the Cleveland Municipal Court. (O 586-2019)863

Professional Services Contracts

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)**.831**

Authorizing the Director of Finance, on behalf of the Clerk of the Cleveland Municipal Court, to enter into contract with Iron Mountain/National Underground Storage, a division of Iron Mountain Information Management, Inc. for the lease of space for the storage of records and for professional services relating to the storage of records, for a period of one year, with four one-year options to renew, exercisable by the Director of Finance. (O 624-2019)**.847**

Authorizing the Director of Port Control to employ one or more professional consultants to design and implement an Asset Management Program, for a period of one year, with three one-year options to renew, the second of which shall require additional legislative authority. (O 556-2019)**.847**

Authorizing the Director of Public Utilities to enter into one or more contracts with MCM Technology, LLC for professional services to acquire one or more licenses for the Office of Radio Service Center to give them the ability to manage the radio system as well as the service center in one centralized location, and other services to implement the software, including training, maintenance and support for a period of two years. (O 445-2019)**.857**

To amend the title and Section 1 of Ordinance No. 645-17, passed June 5, 2017, relating to professional services to provide general planning, engineering, and design services, for the Department of Port Control. (O 555-2019)**.847**

Public Improvement Contracts

Determining the method of making the public improvement of rehabilitating several offices and one area in City Hall caused by water damage; and authorizing the Directors of Capital Projects and/or Public Works to enter into one or more public improvement contracts for the making of the improvement; authorizing the Director of Finance to lease office space to temporarily locate employees while renovations are being made to their offices, for a period up to one year; authorizing the acceptance of gifts and grants; and authorizing the purchase and rental by one or more requirement contracts of furniture, furniture systems, equipment, comprehensive moving and storage services. (O 513-2019)**.857**

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)**.838**

Public Square

Authorizing the Director of Public Works to enter into an amendment to the June 30, 2016 Property Operations and Programming Agreement with the Group Plan Commission for Public Square to provide a restricted contribution to support the Commission's maintenance obligations on Public Square. (O 554-2019)**.859**

Public Works

Authorizing the Commissioner of Purchases and Supplies to make one or more purchase orders with Rush Refuse Systems and authorizing the Director of Public Works to enter into one or more agreements with Rush Refuse Systems for the lease of ten waste collection packers for a six month period. (O 678-2019)**.845**

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)**.842**

Authorizing the Director of Public Works to enter into an amendment to the June 30, 2016 Property Operations and Programming Agreement with the Group Plan Commission for Public Square to provide a restricted contribution to support the Commission's maintenance obligations on Public Square. (O 554-2019)**.859**

Authorizing the Director of the Department of Public Works to enter into an agreement with Cudell Improvement, Inc., for the Cudell and Edgewater Arts and Recreation Expo through the use of Ward 15 Casino Revenue Funds. (O 639-2019)**.865**

Determining the method of making the public improvement of rehabilitating several offices and one area in City Hall caused by water damage; and authorizing the Directors of Capital Projects and/or Public Works to enter into one or more public improvement contracts for the making of the improvement; authorizing the Director of Finance to lease office space to temporarily locate employees while renovations are being made to their offices, for a period up to one year; authorizing the acceptance of gifts and grants; and authorizing the purchase and rental by one or more requirement contracts of furniture, furniture systems, equipment, comprehensive moving and storage services. (O 513-2019)**.857**

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)841

Purchases and Supplies Division

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)838

Recognition

Recognition Resolution for Shanti Das "Silence the Shame". (R 689-2019)831

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)841

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)843

Resolutions - Miscellaneous

Fixing the 2019 summer schedule of meetings of the Council of the City of Cleveland. (R 661-2019)845
 Urging the Ohio General Assembly not to pass House Bill 178, which would put Ohio citizens at risk by allowing people to carry concealed handguns in public without a required license or the necessary safety training. (R 690-2019)846

Safety Department

Authorizing the Director of Public Safety to enter into a Mutual Aid Agreement with the City of Dayton for reciprocal field force services, SWAT unit services, and other police services, and use of police equipment, within all respective areas, including each City's Airports. (O 662-2019)844

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)832

Street Vacation

Declaring the intent to vacate a portion of West 28th Place. (R 669-2019)843

Summer Employment Program

Authorizing the Director of Finance to enter into one or more amendments to Contract No. PS 2017-205 with Youth Opportunity Unlimited for the continuation of services and expansion of the Cleveland Youth Summer Employment Program to include youth diversion employment; and to change the contracting director from Community Relations to Finance. (O 591-2019)864

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)843

University Circle

To authorize the Director of Capital Projects to issue a modification to the permit previously issued to One UC Partners, LLC to encroach into and above the public rights of way of University Circle, Euclid Avenue, Stearns Road and Deering Avenue as part of its One University Circle Luxury Apartment project to authorize the Permittee to encroach into the aforementioned public rights of way further by also installing, using, and maintaining parking entrance gates, bollards, an island, parking signs and a ticket machine. (O 479-2019)846

University Settlement

Authorizing the Director of the Department of Community Development to enter into agreement with University Settlement for the Hunger Center Program through the use of Wards 2, 5 and 12 Casino Revenue Funds. (O 640-2019)**.865**

Utilities Department

Authorizing the Director of Public Utilities to enter into one or more contracts with MCM Technology, LLC for professional services to acquire one or more licenses for the Office of Radio Service Center to give them the ability to manage the radio system as well as the service center in one centralized location, and other services to implement the software, including training, maintenance and support for a period of two years. (O 445-2019)**.857**

Ward 01

Authorizing the issuance of a Mobile Permit to Carmen Jones/The Ice Cream Stork to engage in mobile vending in Wards 1, 5, 6, 10 and 12. (O 642-2019)**.866**
 Authorizing the issuance of a Mobile Permit to Steven Yeager/IGS Energy to engage in mobile vending in Ward 1. (O 641-2019)**.866**

Ward 02

Authorizing the Director of the Department of Community Development to enter into agreement with University Settlement for the Hunger Center Program through the use of Wards 2, 5 and 12 Casino Revenue Funds. (O 640-2019)**.865**
 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)**.838**

Ward 03

#80238890010. Transfer of License Application, D5. Shake Shack Ohio LLC, 601 Euclid Ave. (Ward 3). (F 681-2019)**.831**
 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)**.838**
 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)**.838**
 Condolence Resolution for Taylor Ceepo. (R 691-2019)**.831**
 Congratulations Resolution for Merrick House 100th Anniversary. (R 688-2019)**.831**
 Declaring the intent to vacate a portion of West 28th Place. (R 669-2019)**.843**

Ward 04

Condolence Resolution for Junita Bernice (Harris) Upshaw. (R 685-2019)**.831**
 Withdrawing objection to the transfer of stock of a C2 and C2X Liquor Permit at 2886 Woodhill Road, 1st floor and basement and repealing Resolution No. 1324-17, objecting to said transfer. (R 645-2019)**.857**

Ward 05

Authorizing the Director of the Department of Community Development to enter into agreement with University Settlement for the Hunger Center Program through the use of Wards 2, 5 and 12 Casino Revenue Funds. (O 640-2019)**.865**
 Authorizing the issuance of a Mobile Permit to Carmen Jones/The Ice Cream Stork to engage in mobile vending in Wards 1, 5, 6, 10 and 12. (O 642-2019)**.866**
 Congratulations Resolution for Rosie Louise Adams. (R 686-2019)**.831**
 Recognition Resolution for Shanti Das "Silence the Shame". (R 689-2019)**.831**

Ward 06

Authorizing the issuance of a Mobile Permit to Carmen Jones/The Ice Cream Stork to engage in mobile vending in Wards 1, 5, 6, 10 and 12. (O 642-2019)**.866**
 Congratulations Resolution for Margot James Copeland. (R 687-2019)**.831**
 To authorize the Director of Capital Projects to issue a modification to the permit previously issued to One UC Partners, LLC to encroach into and above the public rights of way of University Circle, Euclid Avenue, Stearns Road and Deering Avenue as part of its One University Circle Luxury Apartment project to authorize the Permittee to encroach into the aforementioned public rights of way further by also installing, using, and maintaining parking entrance gates, bollards, an island, parking signs and a ticket machine. (O 479-2019)**.846**

Ward 07

Authorizing the Director of the Department of Community Development to enter into agreement with MidTown Cleveland, Inc. for the 2019 Cleveland Asian Expo through the use of Ward 7 Casino Revenue Funds. (O 677-2019)845

Authorizing the issuance of a Mobile Permit to Yusef Fergany/Vivint Smarthome to engage in mobile vending in Ward 7. (O 643-2019)866

Congratulations Resolution for Rosie Louise Adams. (R 686-2019)831

Withdrawing objection to the transfer of ownership of a D5A Liquor Permit at 1914 East 101st Street and repealing Resolution No. 52-19 objecting to said permit. (R 649-2019)857

Ward 08

Designating East Glenville Methodist Episcopal Church as a Cleveland Landmark. (O 378-2019)846

Ward 10

Authorizing the issuance of a Mobile Permit to Carmen Jones/The Ice Cream Stork to engage in mobile vending in Wards 1, 5, 6, 10 and 12. (O 642-2019)866

Condolence Resolution for Ardran Mills. (R 684-2019)831

Ward 12

Authorizing the Director of the Department of Community Development to enter into agreement with University Settlement for the Hunger Center Program through the use of Wards 2, 5 and 12 Casino Revenue Funds. (O 640-2019)865

Authorizing the issuance of a Mobile Permit to Carmen Jones/The Ice Cream Stork to engage in mobile vending in Wards 1, 5, 6, 10 and 12. (O 642-2019)866

Objecting to a New C2 Liquor Permit at 8003 Broadway Avenue. (R 683-2019)845

Ward 13

Withdrawing objection to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit at 4374-76 Pearl Road and repealing Resolution No. 447-2019 objecting to said permit. (R 646-2019)857

Ward 15

Authorizing the Director of the Department of Public Works to enter into an agreement with Cudell Improvement, Inc., for the Cudell and Edgewater Arts and Recreation Expo through the use of Ward 15 Casino Revenue Funds. (O 639-2019)865

Objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 1337 West 117th Street. (R 644-2019)856

Ward 16

Authorizing the Director of Capital Projects to make alterations and modifications in Contract No. PI 2018-29 with Vandra Brothers Construction, Inc. for the rehabilitation of Industrial Parkway/West 160th Street and Enterprise/Briar/West 139th Street. (O 553-2019)859

Ward 17

Authorizing the Director of City Planning to enter into agreement with Kamm's Corner Development Corporation for the Old Lorain Road: West Park and Cleveland Metroparks Study through the use of Ward 17 Casino Revenue Funds. (O 676-2019)844

Waste Collection and Disposal Division

Authorizing the Commissioner of Purchases and Supplies to make one or more purchase orders with Rush Refuse Systems and authorizing the Director of Public Works to enter into one or more agreements with Rush Refuse Systems for the lease of ten waste collection packers for a six month period. (O 678-2019)845