

The City Record

Official Publication of the Council of the City of Cleveland



June the First, Two Thousand and Sixteen

Frank G. Jackson
Mayor

Kevin J. Kelley
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward Name

- 1 Terrell H. Pruitt
- 2 Zachary Reed
- 3 Kerry McCormack
- 4 Kenneth L. Johnson
- 5 Phyllis E. Cleveland
- 6 Mamie J. Mitchell
- 7 TJ Dow
- 8 Michael D. Polensek
- 9 Kevin Conwell
- 10 Jeffrey D. Johnson
- 11 Dona Brady
- 12 Anthony Brancatelli
- 13 Kevin J. Kelley
- 14 Brian J. Cummins
- 15 Matthew Zone
- 16 Brian Kazy
- 17 Martin J. Keane

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Kevin J. Kelley

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

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

MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff

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

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

Martin J. Flask, Executive Assistant to the Mayor of Special Projects

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

Jenita McGowan, 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

Dan Williams, Media Relations Director

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

Architecture and Site Development – _____ Manager

Engineering and Construction – Richard J. Switalski, Manager

Real Estate – James DeRosa, Commissioner

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

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

Richard F. Horvath, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel,

Victor R. Perez, Chief Assistant Prosecutor, Room 106; Robin Wood, Law Librarian,

Room 100

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

Natasha Brandt, Manager, Internal Audit

DIVISIONS:

Accounts – Lonya Moss Walker, Commissioner, Room 19

Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122

City Treasury – James Hartley, Interim Treasurer, Room 115

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

Information Technology and Services – Douglas Divish, Commissioner, 205 W. St. Clair Avenue

Purchases and Supplies – Tiffany White, Commissioner, Room 128

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

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

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

Cleveland Public Power – Ivan Henderson, Commissioner

Utilities Fiscal Control – Frank Badalamenti, Chief Financial Officer

Water – Alex Margevicius, Commissioner

Water Pollution Control – Rachid Zoghaib, Commissioner

DEPT. OF PORT CONTROL – Fred Szabo, Interim Director, Cleveland Hopkins

International Airport, 5300 Riverside Drive

DIVISIONS:

Burke Lakefront Airport – Khalid Bahlur, Commissioner

Cleveland Hopkins International Airport – Fred Szabo, Commissioner

DEPT. OF PUBLIC WORKS – Michael Cox, Director

OFFICES:

Administration – John Laird, Manager

Special Events and Marketing – Tangee Johnson, Manager

DIVISIONS:

Motor Vehicle Maintenance – Jeffrey Brown, Commissioner

Park Maintenance and Properties – Richard L. Silva, Commissioner

Parking Facilities – Antonette Thompson, Interim Commissioner

Property Management – Tom Nagle, Commissioner

Recreation – Samuel Gissentaner, Interim Commissioner

Streets – Frank D. Williams, Interim Commissioner

Traffic Engineering – Robert Mavec, Commissioner

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

DEPT. OF PUBLIC HEALTH – _____, Director, 75 Erieview Plaza

DIVISIONS:

Air Quality – George Baker, Commissioner

Environment – Chantez Williams, Commissioner, 75 Erieview Plaza

Health – _____, Commissioner, 75 Erieview Plaza

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

DIVISIONS:

Animal Control Services – Edward Jamison, Chief Animal Control Officer, 2690 West 7th Street

Correcion – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.

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

Fire – Patrick Kelly, Chief, 1645 Superior Avenue

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

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director

DIVISIONS:

Administrative Services – Jesus Rodriguez, Commissioner

Fair Housing and Consumer Affairs Office – John Mahoney, Manager

Neighborhood Development – Chris Garland, Commissioner

Neighborhood Services – Louise V. Jackson, Commissioner

DEPT. OF BUILDING AND HOUSING – Ronald J.H. O'Leary, Director, Room 500

DIVISIONS:

Code Enforcement – Thomas E. Vanover, Commissioner

Construction Permitting – Narid Hussain, Commissioner

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

DEPT. OF ECONOMIC DEVELOPMENT – Tracey A. Nichols, Director, Room 210

DEPT. OF AGING – Jane Fumich, Director, Room 122

COMMUNITY RELATIONS BOARD – Room 11, Blaine Griffin, Director, Mayor Frank

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

Member Brian Cummins, Eugene R. Miller (Board Lawyer), Roosevelt E. Coats, Jenice

Contreras, Kathryn Hall, Yasir Hamdallah, Evangeline Hardaway, John O. Horton, Gary

Johnson, Sr., Daniel McNea, Stephanie Morrison-Hrbek, Roland Muhammad, Gia Hoa

Ryan, Peter Whitt.

CIVIL SERVICE COMMISSION – Room 119, Robert Bennett, President; Michael L.

Nelson, Sr., Vice-President; Lucille Ambroz, Secretary; Members: Pastor Gregory Jordan,

Michael Flickinger.

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;

Mary Haas McGraw, Joan Shaver Washington, Tim Donovan, Elizabeth Kukla, Secretary.

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS – Room 516,

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

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

Sullivan.

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

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

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

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

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

Utilities Director Paul Bender; Council President Kevin J. Kelley.

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

J. Coyne, Chairman; David H. Bowen, Lillian Kuri, Lawrence A. Lumpkin, Gloria Jean

Pinkney, Norman Krumholz, Council Member Phyllis E. Cleveland.

FAIR HOUSING BOARD – Charles See, Chair; Lisa Camacho, Daniel Conway, Robert L.

Render, Genesis O. Brown.

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

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

David Perkowski, Joan Shaver Washington, Keith Sutton.

CLEVELAND BOXING AND WRESTLING COMMISSION – Robert Jones, Chairman;

Clint Martin, Mark Rivera.

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

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

Kevin Kelley.

POLICE REVIEW BOARD – Thomas Jones, Board Chair Person; Vernon Collier, Vermel

Whalen, Nancy Cronin, Elvin Vauus.

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

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

Member Terrell H. Pruitt, Robert Strickland, Donald Petit, Secretary.

AUDIT COMMITTEE – Yvette M. 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 Ronald B. Adrine – Courtroom 15A

Judge Pinkey S. Carr – Courtroom 15C

Judge Marilyn B. Cassidy – Courtroom 13A

Judge Michelle Denise Earley – Courtroom 14C

Judge Emanuella Groves – Courtroom 14B

Judge Lauren C. Moore – Courtroom 14A

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

Judge Raymond L. Pianka (Housing Court Judge) – Courtroom 13B

Judge Michael R. Sliwinski – Courtroom 12A

Judge Janet Rath Colaluca – Courtroom 12B

Judge Suzan Marie Sweeney – Courtroom 12C

Judge Ed Wade – Courtroom 13C

Judge Joseph J. Zone – Courtroom 14D

Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Robert J. Furda

– Chief Bailiff; Dean Jenkins – Chief Probation Officer, Gregory F. Clifford – Chief

Magistrate.

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WEDNESDAY, JUNE 1, 2016

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CITY COUNCIL

MONDAY, MAY 30, 2016

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

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2015-2017

MONDAY — Alternating

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

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

MONDAY

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

TUESDAY

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

TUESDAY — Alternating

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

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

WEDNESDAY — Alternating

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

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

The following Committees meet at the Call of the Chair:

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

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

May 25, 2016

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, May 25, 2016 at 10:38 a.m. with Director Langhenry presiding.

Present: Directors Langhenry, Dumas, Acting Director Shaw, Interim Director Szabo, Director Cox, Interim Director Walker-Minor, Director McGrath, Acting Director Cosgrove, Interim Director West, Directors Nichols, Fumich, and O'Leary.

Absent: Mayor Jackson.

Others: Tiffany White, Commissioner, Purchases & Supplies.

Melissa Burrows, Director, Office of Equal Opportunity.

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

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

Resolution No. 239-16.

By Director Davis.

Whereas, Ordinance No. 1443-15, passed May 9, 2016 by the Council of the City of Cleveland, authorizes the Commissioner of Purchases and Supplies, by and at the direction of the City Board of Control, to convey certain City-owned property located

at 18670 Pearl Road in the City of Strongsville, found and determined to be not needed for public use and more fully described in the ordinance, to Bear Investment Group, LLC, at a price not less than the appraised value of \$112,500 which amount the Council has determined to be fair market value; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Ordinance No. 1443-15, passed May 9, 2016 by the Cleveland City Council, the Commissioner of Purchases and Supplies is directed to convey the aforementioned City-owned property located at 18670 Pearl Road in the City of Strongsville, as more fully described in the ordinance, to Bear Investment Group, LLC at price of \$117,500, which is not less than the appraised value.

Be it further resolved that the Mayor is requested to execute and deliver the official deed of the City of Cleveland conveying the property, which deed shall contain such additional provisions as the Director of Law determines necessary to protect the City's interests.

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Interim Director Szabo, Director Cox, Interim Director Walker-Minor, Director McGrath, Acting Director Cosgrove, Interim Director West, Directors Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 240-16.

By Director Davis.

Whereas, Board of Control Resolution No. 156-16, adopted April 13, 2016, under the authority of Ordinance No. 147-15, passed by the Council of the City of Cleveland on March 30, 2015, authorized the Director of Public Utilities to enter into a contract with Terrace Construction Company, Inc. for the public improvement of East 75th Street Sewer Project in the amount of \$1,680,272.39 and approved various subcontractors, for the Division of Water Pollution Control, Department of Public Utilities; and

Whereas, in Resolution No. 156-16, Ordinance No. 889-12 and Ordinance No. 1285-15, respectively passed by the Council of the City of Cleveland on August 8, 2012 and November 9, 2015 were omitted from the citation of authority; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 156-16, adopted April 13, 2016, under authority of Ordinance No. 147-15, passed by the Council of the City of Cleveland on March 30, 2015, approving Terrace

Construction Company, Inc. for the public improvement of the East 75th Street Sewer Project, for the Division of Water Pollution Control, Department of Public Utilities, is amended by adding Ordinance No. 889-12, passed by the Council of the City of Cleveland on August 8, 2012 and Ordinance No. 1285-15, passed by the Council of the City of Cleveland on November 9, 2015, as authority for the improvement.

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

**SUBCONTRACTOR CSB/MBE/FBE
WORK**

D. Crawford Trucking, LLC	Non-Certified TBD
MJS Trucking, LLC	Non-Certified TBD
Dan Hengst Trucking	Non-Certified TBD
PEB Trucking	Non-Certified TBD
Donelan Trucking	Non-Certified TBD
MTC Horticultural Service	Non-Certified TBD
Sarah Lee Trucking	Non-Certified TBD
Steve's Material & Supply	Non-Certified TBD

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Interim Director Szabo, Director Cox, Interim Director Walker-Minor, Director McGrath, Acting Director Cosgrove, Interim Director West, Directors Nichols, Fumich, and O'Leary.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 241-16.

By Director Davis.

Be it resolved, by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Terrace Construction Company, Inc. under the public improvement by requirement contract to be entered into under the authority of Section 129.292 of the Codified Ordinances of Cleveland, Ohio, 1976, and Board of Control Resolution No. 157-16, adopted April 13, 2016, for rehabilitating and repairing sewer connections at various locations citywide, for the Division of Water Pollution Control, Department of Public Utilities, is approved:

**SUBCONTRACTOR CSB/MBE/FBE
WORK**

D. Crawford Trucking, LLC	Non-Certified TBD
MJS Trucking, LLC	Non-Certified TBD

Dan Hengst Trucking	Non-Certified TBD
PER Trucking	Non-Certified TBD
Donelan Trucking	Non-Certified TBD
MTC Horticultural Service	Non-Certified TBD
Sarah Lee Trucking	Non-Certified TBD
Steve's Material & Supply	Non-Certified TBD

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Interim Director Szabo, Director Cox, Interim Director Walker-Minor, Director McGrath, Acting Director Cosgrove, Interim Director West, Directors Nichols, Fumich, and O'Leary.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 242-16.

By Director Davis.

Be it resolved, by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Terrace Construction Company, Inc. under Contract No. PI2016*10 for the public improvement for Rockwell Avenue Sewer Rehabilitation and Replacement Project, for the Division of Water Pollution Control, Department of Public Utilities, is approved:

**SUBCONTRACTOR CSB/MBE/FBE
WORK**

D. Crawford Trucking, LLC	Non-Certified TBD
MJS Trucking, LLC	Non-Certified TBD
Dan Hengst Trucking	Non-Certified TBD
PEB Trucking	Non-Certified TBD
Donelan Trucking	Non-Certified TBD
MTC Horticultural Service	Non-Certified TBD
Sarah Lee Trucking	Non-Certified TBD
Steve's Material & Supply	Non-Certified TBD

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Interim Director Szabo, Director Cox, Interim Director Walker-Minor, Director McGrath, Acting Director Cosgrove, Interim Director West, Directors Nichols, Fumich, and O'Leary.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 243-16.

By Director Davis.

Whereas, under the authority of Section 181.102 of the Codified Ordinances of Cleveland, Ohio, 1976, and

Board of Control Resolution No. 410-14, adopted August 27, 2014, the City, through its Director of Public Utilities, entered into City Contract No. PS2014*173 with Black & Veatch Corporation for general IT consulting services consisting of software updates, upgrades, enhancements, training, technical support and maintenance necessary for current software on an as-needed basis, for a term of two years with one option to renew, in the amount of \$3,200,000.00, for the Division of Water, Department of Public Utilities; and

Whereas, by its February 29, 2016 letter, Black & Veatch Corporation requested the City's consent to employ one additional subcontractor; and

Whereas, the City desires to increase the amount of Contract No. PS2014*173 by \$1,101,862.00 to continue the current support for General IT Services consisting of software updates, upgrades, enhancements, training, technical support and maintenance necessary for current software on an as-needed basis through November 3, 2016; and

Whereas, the City intends to exercise its option to renew the term of City Contract No. PS2014*173 for an additional year to November 3, 2017, for an amount of \$1,456,004.00, to continue additional support for General IT Services; and

Whereas, Black & Veatch Corporation has proposed by its letters dated February 29, 2016 and March 17, 2016 ("Proposals") to perform the above-described additional services; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Public Utilities is authorized to enter into a first modification to City Contract No. PS2014*173 with Black & Veatch Corporation, on the basis of its Proposals dated February 29, 2016 and March 17, 2016, for performance of the above-mentioned additional services and increasing the fees for all services by \$2,557,866.00 to \$5,757,866.00.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following additional subcontractor by Black & Veatch Corporation for the above-mentioned additional services is approved:

Subcontractor	Work Percentage
Grace A Beaman Consulting, LLC (non-certified)	\$625,000.00 0.00%

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Interim Director Szabo, Director Cox, Interim Director Walker-Minor, Director McGrath, Acting Director Cosgrove, Interim Director West, Directors Nichols, Fumich, and O'Leary.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 244-16.

By Director Davis.

Whereas, under the authority of Ordinance No. 223-15, passed by the Council of the City of Cleveland on March 23, 2015, and Board of Control Resolution No. 99-15, adopted on April 1, 2015, the City, through its

Director of Public Utilities, entered into City Contract No. PS2015*133 (the "Agreement") with Hylant Group for professional insurance brokerage services to assist in procuring fire and extended coverage property insurance for a period of two years with two one-year options to renew, for the Division of Cleveland Public Power, in an amount not to exceed \$585,000.00 for premium and certain loss control services for the 2015-2016 insurance term; and

Whereas, by Board of Control Resolution No. 314-15, adopted August 12, 2015, the Director was authorized to enter into a first modification to the Agreement decreasing the deductible amounts and coordinately increasing the amount for premium and certain loss control services to \$624,910.00; and

Whereas, it is necessary to enter into a second modification to the Agreement to provide for the change in premium for insurance coverage for the 2016-2017 insurance term; and

Whereas, Hylant has proposed by its letter dated May 2, 2016 to procure insurance coverage for the 2016-2017 insurance term for an amount, including premium and loss control services, not to exceed \$670,000.00; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Public Utilities is authorized to enter into a second modification to City Contract No. PS2015*133 with Hylant Group to increase the total cost for the insurance premium and certain loss control services for the 2016-2017 term to an amount not to exceed \$670,000.00, thereby increasing the total compensation under the Agreement, as modified, to not to exceed \$1,294,910.00. The Director of Law shall prepare the second modification authorized above which shall include such additional provisions as that Director deems necessary to benefit and protect the public interest.

Be it further resolved that the employment of the following sub-consultant is approved:

<u>SUB-CONSULTANT</u>	<u>AMOUNT PERCENTAGE</u>
Pinkney-Perry Insurance Agency (MBE/CSB)	\$6,660.00 10.00%

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Interim Director Szabo, Director Cox, Interim Director Walker-Minor, Director McGrath, Acting Director Cosgrove, Interim Director West, Directors Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 245-16.

By Director Davis.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Professional Electric Products Company dba PEPCO for the following: Purchase of Transformers and Accessories, Group A, Items 1 and 3, Group B, Items 1, 4, and 6, Group D, Items 5, 6, 8-10, Group E, Items 3 and 5, and Group G, Item 1, for the Division of Cleveland Public Power, Department of Public Utilities, received on February 3, 2016, under the authority of

Section 129.26, Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the order quantities would amount to \$412,884.00, is approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into contract for the items.

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Interim Director Szabo, Director Cox, Interim Director Walker-Minor, Director McGrath, Acting Director Cosgrove, Interim Director West, Directors Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 246-16.

By Director Davis.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Wesco Distribution, Inc. for the following: Purchase of Transformers and Accessories, Group A, Item 8, Group B, Item 9, and Group 1, Item 2, for the Division of Cleveland Public Power, Department of Public Utilities, received on February 3, 2016, under the authority of Section 129.26, Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the order quantities would amount to \$126,048.00, is approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into contract for the items.

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Interim Director Szabo, Director Cox, Interim Director Walker-Minor, Director McGrath, Acting Director Cosgrove, Interim Director West, Directors Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 247-16.

By Director Davis.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Shihlin Electric USA Company Ltd. for the following: Purchase of Transformers and Accessories, Group D, Item 11, and Group E, Item 4, for the Division of Cleveland Public Power, Department of Public Utilities, received on February 3, 2016, under the authority of Section 129.26, Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the order quantities would amount to \$346,400.00, is approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into contract for the items.

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Interim Director Szabo, Director Cox, Interim Director Walker-Minor, Director McGrath, Acting Director Cosgrove, Interim Director West, Directors Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 248-16.

By Interim Director Szabo.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Bay Mechanical & Electrical Corporation, for the public improvement of the Emergency Electrical Upgrades and Power Feeds to Main Substation #1 and #2 - Phase 2, base bid, including 5% Contingency plus

Add Alternates E3, E4, and E5A, for the Department of Port Control, received on March 18, 2016 under the authority of Ordinance No. 874-10, passed by the Council of the City of Cleveland on October 4, 2010, upon a unit basis for the improvement, in the aggregate amount of \$4,149,735 is affirmed and approved as the lowest responsible bid, and the Director of Port Control is authorized to enter into a contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that employment of the following subcontractors by Bay Mechanical & Electrical Corporation for the above-mentioned public improvement is approved:

<u>Subcontractor</u>	<u>DBE% Amount</u>
Safeguard Associates, Inc.	Non-Certified \$571,000.00
Eclipse Co., LLC	Non-Certified \$130,560.00

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Interim Director Szabo, Director Cox, Interim Director Walker-Minor, Director McGrath, Acting Director Cosgrove, Interim Director West, Directors Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 249-16.

By Director Spronz.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following sub-contractor by Platform Cement, Inc., under City Contract No. PI2016*003 for the public improvement of the West Side Market Parking Lot Improvements, Division of Architecture and Site Development, Office of Capital Projects, under authority of Ordinance No. 246-15 passed by the Council of the City of Cleveland on April 13, 2015, and Board of Control Resolution No. 500-15, adopted December 16, 2015, is approved:

<u>Sub Consultant Percentage</u>	<u>MBE/FBE/CSB Amount</u>
Newcomer Concrete Services, Inc.	Non Certified 0.00% \$99,065.00

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Interim Director Szabo, Director Cox, Interim Director Walker-Minor, Director McGrath, Acting Director Cosgrove, Interim Director West, Directors Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 250-16.

By Director McGrath.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Volcanic Manufacturing, LLC for an estimated quantity of personal protection equipment, Groups 3 and 4, for the Division of Police, Department of Public Safety, for a period of six (6) months beginning on the date of execution of a contract for the goods and/or services, received on May 18, 2016,

under the authority of Ordinance No. 880-14, passed by the Cleveland City Council July 16, 2014, which on the basis of the estimated quantity would amount to \$96,728.10, is affirmed and approved as the lowest and best bid, and the Director of Public Safety 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 by Volcanic Manufacturing, LLC for the above-mentioned requirement is approved:

**SUBCONTRACTOR CSB/MBE/FBE
WORK**

Novak Supply, LLC Non-certified
\$1,575.00 (0.016%)

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Interim Director Szabo, Director Cox, Interim Director Walker-Minor, Director McGrath, Acting Director Cosgrove, Interim Director West, Directors Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 251-16.

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Valley Ford Truck, Inc., for an estimated quantity of light & medium duty trucks and vans, and related equipment, 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, received on May 11, 2016 under the authority of Ordinance No. 880-14, passed by Cleveland City Council on July 16, 2014, which on the basis of the estimated quantity would amount to \$1,897,443.00 (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 that the employment of the following subcontractors by Valley Ford Truck, Inc. is approved:

<u>Subcontractor</u>	<u>Percentage Amount</u>
Statewide Emergency Products	0.000% \$400,000.00
Bob Barker Company	0.000% \$175,000.00

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Inter-

im Director Szabo, Director Cox, Interim Director Walker-Minor, Director McGrath, Acting Director Cosgrove, Interim Director West, Directors Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 252-16.

By Directors Cox and McGrath.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 880-14, passed by the Cleveland City Council July 16, 2014, the following rules and regulations promulgated by the Directors of Public Safety and Public Works for issuance of parade and park use permits, the use of the official speakers platform, and identification of prohibited items and obstruction objects in connection with the 2016 Republican National Convention ("RNC" or "Convention"), which are hereby determined to promote and protect the general safety and welfare of the residents of and visitors to the City during the Convention while also allowing persons and organizations to exercise their First Amendment rights to peacefully assemble and parade, are approved:

Whereas, the City of Cleveland has been selected to host the 2016 Republican National Convention which is scheduled to take place from July 18, 2016 to July 21, 2016; and

Whereas, the Convention is expected to attract approximately 50,000 visitors to the City; and

Whereas, the size and significance of the Convention creates unique challenges for the City that require additional regulations to assist in promoting and protecting the general health, safety, and welfare of the residents and visitors of the City during the Convention; and

Whereas, persons and groups have a First Amendment right to organize and participate in peaceful assemblies and parades on the sidewalks and rights-of-way and in the parks of the City, and to engage in peaceful assemblies and parades near the Convention so they may be seen and heard, subject to reasonable restrictions designed to protect public safety, persons and property, and to accommodate the interest of persons not participating in the assemblies and parades to use the sidewalks and rights-of-way to travel to their intended destinations and use the parks for recreational purposes; and

Whereas, the City recognizes the compelling need to facilitate safe and orderly movement of vehicular and pedestrian traffic during the Convention; and

Whereas, under Ordinance No. 880-14, passed July 16, 2014, the Board of Control is authorized to approve reasonable time, place and manner regulations promulgated by the appropriate director regarding the issuance of public gathering permits, demonstration permits, temporary use permits, parade permits, and business access and operations permits during the period starting one month before the first day of the Convention until one week after the completion of the Convention; and

Whereas, the Board of Control has determined that the following regulations, including but not limited to,

time, place, and manner restrictions, promulgated by the Directors of Public Safety and Public Works will promote and protect the general safety and welfare of the residents of and visitors to of the City during the Convention while also allowing persons and organizations to exercise their First Amendment rights to peacefully assemble and parade; NOW, THEREFORE,

**TEMPORARY PARADE AND
PARK PERMITS, SPEAKERS
PLATFORM AND USE
REGULATIONS**

Section I. General Provisions

(a) *Incorporation.* The recitals set forth above are hereby incorporated as if fully set forth herein.

(b) *Purpose.* These Regulations are intended to provide guidance for the issuance of permits for and use of City streets and public property during the 2016 Republican National Convention, to both ensure the efficient processing of all conforming applications for permits, and to protect the public interest and safety.

(c) *General Requirement.* Permits for the use of public streets and public property during the 2016 Republican National Convention may be granted only in accordance with these Regulations.

(d) *Effective Date.* These regulations shall go into effect immediately, and terminate at 12:01 a.m. Eastern Daylight Time on July 24, 2016. In the event that the 2016 Republican National Convention is delayed, the effectiveness of these regulations shall automatically extend to 12:01 a.m. Eastern Daylight Time on the day after the conclusion of the Convention or on July 25, 2016, whichever date is later.

Section II. Parade and Park Use Permits and Speakers Platform Use During the Convention Period

(a) *Definitions.* As used in this section:

(1) "Camping" means to set up or to remain on Public Grounds for the purpose of establishing or maintaining a temporary place to live;

(2) "Chief" means the Chief of Police or the Chief's designee;

(3) "City" means the City of Cleveland, Ohio;

(4) "Codified Ordinances" mean the Codified Ordinances of Cleveland, Ohio, 1976;

(5) "Convention" means the 2016 Presidential Nomination Convention of the Republican National Party scheduled to be held on July 18, 2016 through July 21, 2016;

(6) "Convention Period" means the time period commencing at 6:00 a.m. on Monday, July 18, 2016 and extending until 12:01 a.m. on Saturday, July 23, 2016;

(7) "Crosswalk" means:

A. That part of a roadway at intersections ordinarily included within the real or projected prolongation of property lines and curb lines or, in the absence of curbs, the edges of the traversable roadway;

B. Any portion of a roadway at an intersection or elsewhere, distinctly indicated for pedestrian crossing by lines or other markings on the surface;

C. Notwithstanding subsections (a) and (b) hereof, there shall not be a crosswalk where local authorities have placed signs indicating no crossing;

(8) "Director" shall mean the Director of Public Safety or the Director's designee;

(9) "Event Zone" shall mean the portion of the City within the boundaries on the map attached hereto, excluding spaces designated as the Secure Zone;

(10) "Official Parade Route" means a route commencing on the Lorain Carnegie Bridge at a point 500 feet east of the intersection with West 20th Street, proceeding in a northeasterly direction on the Lorain Carnegie Bridge to the intersection with Ontario Avenue, turning right and proceeding on Ontario Avenue in an easterly direction and ending at the intersection of Orange Avenue and East 9th Street. Parade participants may egress on the sidewalk out of the Official Parade Route on either East 9th Street or East 14th Street;

(11) "Official Speakers Platform" means the speakers area designated by the City on Public Square in front of the statue of Moses Cleaveland;

(12) "Parade" means any formation, march, procession of any kind, or motorcade consisting of persons, animals, or Vehicles or combination thereof traveling in unison for a common purpose upon the streets, excluding sidewalks, within the City that interferes with the normal flow or regulation of vehicular or pedestrian traffic upon the streets within the City;

(13) "Park Use" means the use of Public Grounds for Public Art or a Public Installation;

(14) "Pedestrian" means any natural person afoot;

(15) "Person" means any natural person, firm, co-partnership, association or corporation;

(16) "Public Grounds" means property under the control of the City in the Event Zone to which the general public has access, including all public lands and any paved areas on such property, but excluding streets, public buildings, and sidewalks adjoining streets;

(17) "Public Installation" means the placement of any structure or physical object which hinders the free use and passage of pedestrians on Public Grounds, including tables, chairs, temporary structures and canopies;

(18) "Public Art" means the placement of art or other object containing public messaging on any Public Grounds with the intention to leave it for a period of time to be viewed by the public;

(19) "Secure Zone" means the area or areas in the Event Zone to which access is restricted by the United States Secret Service or the Department of Public Safety;

(20) "Severe Weather" means the forecasting or occurrence of weather phenomena affecting the City that requires the National Weather Service to issue a severe weather watch or warning for weather phenomena including, but not limited to severe thunderstorms, tornados and floods;

(21) "Sound Amplification Equipment" means any system or piece of equipment used for the production of amplified sound, excluding megaphones, bullhorns and portable battery-operated sound amplification devices;

(22) "Speakers Platform" means the placement and use of a podium,

platform, pedestal, stand or similar object to make a public speech, other than the Official Speakers Platform;

(23) "Street" means any place or way set aside or open to the general public for purposes of vehicular traffic, including any berm or shoulder parkway, right-of-way, or median strip thereof, excluding Sidewalks;

(24) "Sidewalk" means the portion of a street adjacent to the curb lines or the lateral lines of a roadway and the adjacent property lines, intended for use of pedestrians; and

(25) "Vehicle" means every device, including a motorized bicycle, in, upon, or by which any person or property may be transported or drawn upon a highway, except that "vehicle" does not include any motorized wheelchair, electric personal assistive mobility devices, any device that is moved by power collected from overhead electric trolley wires or that is used exclusively upon stationary rails or tracts, or any device, other than a bicycle, that is moved by human power. A bicycle is a "vehicle".

(b) *Persons Prohibited in the Secure Zone.* No person shall be inside the Secure Zone during the time periods designated by the United States Secret Service or the Department of Public Safety with authorization.

(c) *Permit and Registration Required.* No person shall engage in or conduct a Parade or place Public Art or a Public Installation in the Event Zone without first obtaining a permit issued as provided in these Regulations. No person shall use the Official Speakers Platform without first registering as provided in these Regulations. No person shall use a Speakers Platform during the period inside the Event Zone except for the Official Speakers Platform.

(d) *Types of Permits in the Event Zone.* The following permits can be obtained from the City for the Event Zone during the Convention Period:

(1) *Official Parade Route Permit.* An Official Parade Route Permit is required to parade in the Event Zone during the Convention Period; and

(2) *Park Use Permit.* A Park Use Permit is required to place Public Art or a Public Installation in the Event Zone during the Convention Period.

(e) *Time Restrictions Applicable to All Permits in the Event Zone.* The following time restrictions apply to issuance of the following permits:

(1) Official Parade Route Permits may be obtained for Monday, July 18, 2016 thru Thursday, July 21, 2016: On Monday between 2:00 p.m. and 4:00 p.m.; On Tuesday through Thursday between 9:00 a.m. and 1:00 p.m. each day.

A. Each Official Parade Route Permit will cover a one-hour time period beginning on the hour. The final parade each day must clear the entire parade route and be dispersed by 5:00 p.m. on Monday and by 2:00 p.m. on Tuesday through Thursday. Only a single permit will be issued for each one-hour period within the designated time periods set forth above.

B. Groups must gather in the designated staging area as marked on the attached map for the Official

Parade Route one-half hour before the time that the parade starts. Official Parade Route staging shall occur at the western end of the Lorain Carnegie Bridge near West 20th Street.

(2) Park Use Permits may be obtained for Monday, July 18, 2016 through Thursday, July 21, 2016: Between 9:30 a.m. and 9:00 p.m. each day.

(3) No permit issued under these Regulations shall be transferable.

(f) *Official Parade Route Regulations.* The following regulations apply to persons while participating in a Parade at the Official Parade Route:

(1) Permit holders must be present during their assigned time slots;

(2) Permit holders must show proof of permit and a photo ID at the time of check-in;

(3) Parade participants must be fully assembled by the assigned step-off time. Failure to step-off within ten (10) minutes of an assigned start time may result in a forfeiture of the time slot for the Parade.

(4) Vehicles may not be used in the Parade;

(5) Parade participants will have 50 minutes to complete their procession to the end of the Official Parade Route;

(6) Upon completion of the procession or at the end of the designated time slot for the Parade, whichever is sooner, the participants in the Parade must clear the Official Parade Route; and

(7) Sound Amplification Equipment may not be used by Parade participants;

(g) *Park Use Regulations.* The following regulations apply to persons while using or participating in a Park Use:

(1) Public Art and Public Installation may only be placed in the Event Zone on Perk Plaza and Willard Park;

(2) Permit holders must be present during their assigned time;

(3) Permit holders must show proof of permit and a photo ID at the time of check-in;

(4) All Public Art and Public Installations must be placed temporarily, not secured to the ground, and be fully removable upon expiration of the permit;

(5) Advertising utilized solely for the opportunity to gain commercial or corporate exposure, or as a means to generate commercial sales, or increase corporate or commercial activity is prohibited;

(6) Permit holders shall make certain that participants do not distribute materials for private pecuniary gain;

(7) Fires of any kind are strictly prohibited;

(8) No person shall damage, mark, deface or cause any injury to any existing trees, plants, monuments, art or objects located in Public Grounds;

(9) Vehicles are prohibited from being parked on any Public Grounds without the written permission of the Director;

(10) Camping is prohibited; and

(11) The use of Sound Amplification Equipment is prohibited.

(h) *Official Speakers Platform Regulations.* The following regulations apply to persons while using the Official Speakers Platform:

(1) Persons may use the Official Speakers Platform from Monday, July 18, 2016 through Thursday, July 21, 2016, between 9:30 a.m. and 6:00 p.m. each day. The final use of the Official Speakers Platform will end at 6:30 p.m. each day;

(2) Use of the Official Speakers Platform is on a strictly first-come first-served basis;

(3) Use of the Official Speakers Platform shall be limited to thirty-minute increments. Registered persons must check in no later than fifteen (15) minutes prior to their assigned time;

(4) All microphones and Sound Amplification Equipment will be provided by the City. No speaker may use his or her own microphone and/or Sound Amplification Equipment.

(i) *Application and Registration Filing.* A person seeking an Official Parade Route Permit or a Park Use Permit within the Event Zone shall file an application with the Division of Assessments and Licenses on the forms and in the manner provided and the application form shall be signed by the applicant. Any person or group seeking to use the Official Speakers Platform must register with the Division of Assessments and Licenses on the forms and in the manner provided.

(j) *Filing Periods.* The City will accept an application for an Official Parade Route Permit, a Park Use Permit, or registration for use of the Official Speakers Platform at any time up until the Convention Period. It is anticipated, however, that there may be a large volume of requests for the available space for permitted uses and multiple requests may be received for use of the same space at the same time. For this reason, all applicants are strongly encouraged to file applications for Official Parade Route Permits or Park Use Permits by 5:00 p.m. Eastern Daylight Time on Friday, July 8, 2016. Similarly, users of the Official Speakers Platform are strongly encouraged to register by 5:00 p.m. Eastern Standard Time on Friday, July 8, 2016. A separate application is required for each day, time slot, and location for which a permit is requested. Applications will be considered on a first-come, first-served basis only.

(k) *Application Contents.* The application for an Official Parade Route Permit or a Park Use Permit shall contain the following information:

(1) The name, address, day-time telephone number, and email, if available, of the applicant;

(2) The name, address, and telephone number of the headquarters of the organization for which the Parade is to be conducted;

(3) The name and telephone number of the on-site coordinator or person in charge of the Parade or the Park Use, if different from the applicant;

(4) The date, time and estimated duration of the placement of Public Art or Public Installation, including time for set-up or take-down and any alternative dates and time;

(5) A description of the proposed location on Public Grounds for the Public Art or Public Installation;

(6) The date and time requested for the Parade or the Park Use and any possible alternative dates and times;

(7) The approximate number of persons who will constitute the Parade; and

(8) The name and contact information for any private security service to be provided by the organizer, if applicable.

(l) *Registration Contents; Registration.* The registration for use of the Official Speaker's Platform shall contain the following information:

(1) The name), address, day-time telephone number, and email address, if available, of the registrant;

(2) The proposed date and time of the use of the Official Speakers Platform.

(m) *Application Review.* Applications for an Official Parade Route Permit or a Park Use Permit shall be reviewed by the Division of Assessments and Licenses, the Office of Special Events and Marketing, the Division of Police, the Division of Fire and the Division of EMS, and approved by the Chief and the Directors of Public Safety and Public Works, or the Directors' designees, before a permit is issued. In determining whether to issue a permit, the following factors shall be considered:

(1) Whether the information contained in the permit application is found to be false, misleading, or incomplete in any material detail;

(2) Whether the time, place, or size of the Parade or Park Use including any staging areas, will unreasonably interfere with the safe and expeditious movement of pedestrian and vehicular traffic, ingress or egress to or use of adjoining private property, or unreasonably disrupt the use of a street when it is usually subject to significant traffic congestion;

(3) Whether the Parade or Park Use will present an unreasonable danger to the health or safety of participants or other members of the public, or cause damage to public or private property;

(4) Whether a permit for a Parade, Park Use, or other special event has been granted or an application has previously been received and will be granted, for the same time and approximate location, or would unreasonably interfere with another Parade, Park Use, or other special event for which a permit has been issued; or

(5) Whether the applicant, the organization, or persons represented by the applicant or organization have previously violated the provisions of a similar permit or have violated any City ordinances or state or federal laws in connection with a previous Parade or other public assembly in the City.

(n) *Exception.* A person or group is not required to obtain a permit for a Parade in the Event Zone before conducting the event where the Parade will take place on Sidewalks and Crosswalks and will not prevent pedestrian traffic from using the Sidewalks or Crosswalks or interfere with vehicular traffic on the Streets at the Crosswalks, and will not occur on Streets;

(o) *Exception for Large Groups.* No Parade of more than two hundred (200) individuals shall be held within five hundred (500) feet of any other Parade involving more than two hundred (200) individuals whether on a Sidewalk or on the

Official Parade Route in the Event Zone.

(p) *Permit or Registration Fee.* There shall be no fee charged for an Official Parade Route Permit, a Park Use Permit, or for the use of the Official Speakers Platform in the Event Zone during the Convention Period.

(q) *Permit Revocation.* The Director may revoke or suspend any permit granted under this section because of any false statement made in the application for the permit or a violation of these Regulations.

(r) *Severe Weather.* Any permit issued under these Regulations or use of the Official Speakers Platform may be suspended or terminated effective immediately in the event of Severe Weather. The Director of Public Safety in consultation with the Director of Public Works will determine whether Severe Weather impacts the general welfare and safety of the community and will make the final determination to terminate or suspend any permits. Notice of the termination or suspension will be sent to the applicant, and a public notice will issued to the media.

(s) *Appeals.* If an application for a permit is denied or revoked, the applicant or permittee shall be notified in writing by email, if available, or by telephone and regular mail to the address on the application with the reason for the denial or revocation. An applicant or permittee shall have the right to appeal the denial or revocation of a permit within three (3) business days of receipt of the notice of denial to the Director. The Director shall hold a hearing on the denial or revocation within three (3) business days of receipt of the notice of appeal. If the Director determines that the denied or revoked permit should be granted, the applicant shall be notified in writing and obtain the permit. If the Director determines that a denied or revoked permit should be reinstated, the permittee shall be notified in writing and proceed as if the permit was not denied or revoked. If the Director affirms the denial or revocation of the permit, the applicant shall be immediately notified of the decision and shall have the right to appeal the denial within the same time and in the same manner provided in Section 403.09 of the Codified Ordinances.

(t) *Other Parades and Special Events.* Because of the large crowds and vehicular traffic, including buses, anticipated in the Event Zone during the Convention, the City cannot accommodate parades on City streets in the Event Zone except for Parades on the Official Parade Route. Groups seeking to conduct a Parade on a City street or to hold a special event on a City park located outside of the Event Zone during the Convention Period may apply for a parade permit under Codified Ordinance Section 411.05 or a special event permit under Codified Ordinance Section 131.07.

Section III. Prohibited Items

(a) *Definitions.* As used in this section:

(1) The terms "Convention Period," "Event Zone," "Public Grounds," "Secure Zone," "Sidewalk," and

"Street" shall have the same meaning as Section II of these Regulations; and

(2) "Public Access Areas" shall mean any space in the Event Zone, excluding spaces designated as the Secure Zone, that is open to access by the general public, including Streets, Sidewalks and Public Grounds.

(b) Within all Public Access Areas, the following items are prohibited during the Convention Period:

(1) Lumber larger than 2" in width and 1/4" thick, including supports for signs;

(2) Metal, plastic, or other hard material larger than 3/4" thick and 1/8" in wall thickness including pipe and tubing;

(3) Any air rifle, air pistol, paintball gun, blasting caps, switchblade or automatic knife, knife having a blade two and one-half (2-1/2) inches in length or longer, cestus, billy, blackjack, sword, saber, hatchet, axe, slingshot, BB gun, pellet gun, wrist shot, blackjack, metal knuckles, nun chucks, mace, iron buckle, axe handle, shovel, or other instrumentality used to cause property or personal damage;

(4) Any dangerous ordinance, weapon, or firearm that is prohibited by the laws of the State of Ohio;

(5) Any explosives, explosive device, or incendiary device;

(6) Fireworks and rockets;

(7) Sound Amplification Equipment;

(8) Drones and other unmanned aircraft systems;

(9) Containers of bodily fluids;

(10) Aerosol cans;

(11) Mace, Pepper Spray or other chemical irritant;

(12) Umbrellas with metal tips;

(13) Any projectile launchers, such as water guns and water cannons;

(14) Rope, chain, cable, strapping, wire, string, line, tape, or any similar material, in lengths greater than 6';

(15) Glass bottles, ornaments, light bulbs, ceramic vessels, and any other frangible container, regardless of whether the container holds any substance;

(16) Locks including, without limitation, padlocks, bicycle locking devices, chain locks or similar devices, but not including: (i) an integral component of a conveyance or structure; (ii) locks when utilized by the owner of private real property to secure permanent or temporary fencing; or (iii) locks attached to a bicycle;

(17) Any gas mask or similar device designed to filter all air breathed by the wearer in an attempt to protect the respiratory tract and/or face against irritating or noxious gasses or other materials. This prohibition on gas masks shall not apply to any person wearing a medical oxygen mask that fits over the nose and mouth of the person and provides oxygen from an oxygen tank to the person;

(18) Tents and other shelters, sleeping bags, sleeping pads, mattresses, cots, hammocks, bivy sacks, or stoves;

(19) Coolers or ice chests;

(20) Backpacks and bags exceeding the size of 18" x 13" x 7";

(21) Lasers;

(22) Non-plastic containers, bottles, cans, or thermoses;

(23) Ladders;

(24) Grappling hooks, sledgehammers, hammers, and crowbars;

(25) Canned goods;

(26) Tennis balls; and

(27) Any other item determined by the Chief or Director to be a clear and present danger to the safety of others.

(C) The prohibitions of this section shall not be applicable to:

(1) Persons possessing an item listed above when (i) the person or his/her employer maintains a place of employment within the Event Zone; and (ii) the possession of said item is in the normal course of the person's licensed business or employment and to be used within place of employment; and

(2) Persons possessing an item listed above when (i) the person resides within the Event Zone; and (ii) the possession of said item kept and used within the person's residence;

(3) Law enforcement personnel or other local, state, or federal government employees possessing a prohibited item in the course of their authorized duties; and

(4) Any licensed medical professional in the performance of their medical duties.

Section V. Possession of Obstruction Devices Prohibited Placing Objects in the Rights-of-Way Sidewalks and Roadways

(a) It is unlawful for any person, with the intent to obstruct the public's ability to freely move about on rights-of-way, sidewalks and other areas to which the public has access, to possess or place any tool, object, instrument, or any combination thereof, that is adapted, designed, or intended to be used for obstructing the public's ability to freely move about on rights-of-way, sidewalks or any other area to which the public has access.

This shall include, but is not limited to, the maneuver commonly referred to as the "Sleeping Dragon," tripods, bipod, pole, any sections of pipe or containers filled with or wrapped in weighted material such as concrete and/or containing handcuffs, chains, carabiners, padlocks, road stars, or other locking devices.

(b) It is unlawful for any person to inhibit, for any reason, the movement of emergency equipment on streets, rights-of-way or sidewalks.

(c) It is unlawful for any person to place any instrument, tripod, bipod or other pole or object with the intent to obstruct the public's ability to freely move about on rights-of-way, sidewalks, entrance and exit to private property or any other area to which the public has access.

(d) It is unlawful for any person to attach themselves to another person, building, Vehicle, or fixture with the intent to obstruct the public's ability to freely move about on rights-of-way, sidewalks, entrances and exits to private property, or any other area to which the public has access.

(e) Government employees in the performance of their official duties shall be exempt from this section.

Section VI. Conflict Provision

In the event of a conflict between these regulations and the Codified Ordinances of Cleveland, Ohio, 1976,

or any other City ordinance or regulation, these Regulations shall control.

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Interim Director Szabo, Director Cox, Interim Director Walker-Minor, Director McGrath, Acting Director Cosgrove, Interim Director West, Directors Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 253-16.

By Director Rush.

Whereas, Board of Control Resolution No. 187-16, adopted April 20, 2016, authorized the sale and development of Permanent Parcel Nos. 126-31-062, 126-31-063, 126-31-064, 126-31-065, 125-31-066, 126-31-067, 126-31-068 and 126-31-071 to Rid-All Foundation Inc. for facility expansion, as part of the City Land Reutilization Program established under Ordinance No. 2076-76, passed by the Cleveland City Council on October 25, 1976; and

Whereas, in the second paragraph, Resolution No. 187-16 incorrectly identified the Permanent Parcel Nos. as "126-31-062, 126-31-063, 126-31-064, 126-31-065, 125-31-066, 126-31-067, 126-31-068 and 126-31-071"; and

Whereas, in the seventh paragraph, Resolution No. 187-16 incorrectly identified the purchase price as "\$1,600.00"; now therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 187-16, adopted by this Board April 20, 2016, authorizing the sale and development of Permanent Parcel Nos. 126-31-062, 126-31-063, 126-31-064, 126-31-065, 125-31-066, 126-31-067, 126-31-068 and 126-31-071 to Rid-All Foundation, Inc. for facility expansion, is amended by substituting "126-31-062, 126-31-063, 126-31-064, 126-31-065, 125-31-066, 126-31-067, 126-31-068, 126-31-069 and 126-31-071" for "126-31-062, 126-31-063, 126-31-064, 126-31-065, 125-31-066, 126-31-067, 126-31-068 and 126-31-071", where appearing in the resolution; and substituting the purchase price of "\$1,800.00" for "\$1,600.00, where appearing in the resolution.

Be it further resolved that all other provisions of Resolution No. 187-16 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Interim Director Szabo, Director Cox, Interim Director Walker-Minor, Director McGrath, Acting Director Cosgrove, Interim Director West, Directors Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 254-16.

By Director Rush.

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. 142-27-032 located at 4656 East 153rd Street; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland,

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

Whereas, Winifred Henderson and Vernon Henderson have proposed to the City to purchase and develop the northern portion of the parcel for yard expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Winifred Henderson and Vernon Henderson for the sale and development of the northern portion of Permanent Parcel No. 142-27-032 (Northern Portion) located at 4656 East 153rd Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Interim Director Szabo, Director Cox, Interim Director Walker-Minor, Director McGrath, Acting Director Cosgrove, Interim Director West, Directors Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 255-16.

By Director Rush.

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. 142-27-032 located at 4656 East 153rd Street; and

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

Whereas, Ebenezer Assembly of Christ Inc. has proposed to the City to purchase and develop the southern portion of the parcel as open space; and

Whereas, the following conditions exist:

1. The member of Council from Ward 1 has either approved the pro-

posed 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 Ebenezer Assembly of Christ Inc. for the sale and development of the southern portion of Permanent Parcel No. 142-27-032 (Southern Portion) located at 4656 East 153rd Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Interim Director Szabo, Director Cox, Interim Director Walker-Minor, Director McGrath, Acting Director Cosgrove, Interim Director West, Directors Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 256-16.

By Director Rush.

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. 006-04-138 located at 7703 Eve Avenue; and

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

Whereas, Kathryn Cole and Wayne Cole have proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 15 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

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

Deed for and on behalf of the City of Cleveland, with Kathryn Cole and Wayne Cole for the sale and development of Permanent Parcel No. 006-04-138 located at 7703 Eve Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Interim Director Szabo, Director Cox, Interim Director Walker-Minor, Director McGrath, Acting Director Cosgrove, Interim Director West, Directors Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 257-16.

By Director Rush.

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. 134-13-099 located at 8009 Goodman Avenue; and

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

Whereas, Kristina Boyd has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 2 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Kristina Boyd for the sale and development of Permanent Parcel No. 134-13-099 located at 8009 Goodman Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Interim Director Szabo, Director Cox, Interim Director Walker-Minor, Director McGrath, Acting Director

Cosgrove, Interim Director West, Directors Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 258-16.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 107-10-044 located at 1231 East 85th Street; and

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

Whereas, Carolyn Watley and Donald Watley have proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Carolyn Watley and Donald Watley for the sale and development of Permanent Parcel No. 107-10-044 located at 1231 East 85th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Interim Director Szabo, Director Cox, Interim Director Walker-Minor, Director McGrath, Acting Director Cosgrove, Interim Director West, Directors Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 259-16.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel

No. 104-15-122 located at 1255 East 61st Street; and

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

Whereas, Karl W. Gest has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Karl W. Gest for the sale and development of Permanent Parcel No. 104-15-122 located at 1255 East 61st Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Interim Director Szabo, Director Cox, Interim Director Walker-Minor, Director McGrath, Acting Director Cosgrove, Interim Director West, Directors Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 260-16.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 129-20-037 located at 12405 Forest Avenue; and

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

Whereas, Willie E. Russell has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 4 has either approved the proposed sale or has not disapproved or

requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Willie E. Russell for the sale and development of Permanent Parcel No. 129-20-037 located at 12405 Forest Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Interim Director Szabo, Director Cox, Interim Director Walker-Minor, Director McGrath, Acting Director Cosgrove, Interim Director West, Directors Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 261-16.

By Director Nichols.

Whereas, under the authority of Ordinance No. 477-16, passed by the Council of the City of Cleveland on May 2, 2016, by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey certain City-owned property located at 6975 Euclid Avenue (the "Property"), which has been found and determined to be no longer needed for the City's public use, to Health Tech Hospitality, LLC, or its designee ("HTH"), for remediation and development; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Commissioner of Purchases and Supplies is directed to convey the Property to HTH by official deed under the Purchase Agreement and/or the Option to Purchase Agreement at a price of \$1.00 and other valuable consideration which has been determined to be fair market value, for environmental remediation and development.

Be it further resolved that the Director of Economic Development is requested to execute and deliver the official deed(s) of the City of Cleveland conveying the Property, which document(s) shall contain such additional terms and provisions as the Director of Law shall determine is necessary to protect the City's interests.

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Interim Director Szabo, Director Cox, Interim Director Walker-Minor, Director McGrath, Acting Director Cosgrove, Interim Director West, Directors Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 262-16.

By Director Spronz.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 880-14, passed by the Cleveland City Council July 16, 2014, the following vendor rules and regulations promulgated by the Director of Capital Projects to be effective during the week of the 2016 Republican National Convention ("RNC" or "Convention"), which are hereby determined to promote and protect the general safety and welfare of the residents of and visitors to the City during the Convention, are approved:

Whereas, the City of Cleveland has been selected to host the 2016 Republican National Convention which is scheduled to take place from July 18, 2016 to July 21, 2016; and

Whereas, the Convention is expected to attract approximately 50,000 visitors to the City; and

Whereas, the size and significance of the Convention creates unique challenges for the City that require additional regulations to assist in promoting and protecting the general health, safety, and welfare of the residents and visitors of the City during the Convention; and

Whereas, the City recognizes the compelling need to facilitate safe and orderly movement of vehicular and pedestrian traffic during the Convention; and

Whereas, due to restricted access to certain areas of the City and an expected increase in pedestrian and vehicular traffic during the Republican National Convention, the following Rules and Regulations shall apply to all vendors in the central business district during the effective period.

Whereas, under Ordinance No. 880-14, passed July 16, 2014, the Board of Control is authorized to approve reasonable time, place and manner regulations promulgated by the appropriate director regarding the issuance of public gathering permits, demonstration permits, temporary use permits, parade permits, and business access and operations permits during the period starting one month before the first day of the Convention until one week after the completion of the Convention; and
NOW, THEREFORE,

**VENDOR RULES AND
REGULATIONS**

I. STREET VENDORS (applies to vendors permitted to vend in zones under Codified Ordinance Section 675.06)

A. No person shall engage in vending upon or from a fixed location on a sidewalk within the Central Business District without a permit issued under Codified Ordinance Section 675.06.

B. In addition to the above permit requirements, in order to engage in vending, a vendor must also obtain a vendor's license under Codified Ordinance Sections 675.03 from the Commissioner of Assessments and Licenses.

C. During the effective period the established zones are those described on the attached map.

Zone A Vendors with a current permit to operate in Zone 1 shall be permitted to operate in Zone A on the attached map.

Zone B New designated Zone area please see attached map for limits.

Zone C Vendors with a current permit to operate in Zone 3 shall be permitted to operate in Zone C on the attached map.

D. Vending is permitted only on sidewalks within the zone boundaries. Vending is not permitted on private property or on any property owned or controlled by the City of Cleveland, except for streets, without a permit issued by the City.

E. To avoid undue pedestrian and vehicular congestion, the City will issue permits to no more than 100 vendors in Zone A, 25 vendors in Zone B, and 100 vendors in Zone C. Permits will be issued for Zones A, B and C between July 17, 2016 and July 24, 2016. This limitation does not apply to the issuance of sidewalk occupancy permits under C.O. Chapter 508.

II. MOBILE VENDING IN CENTRAL BUSINESS DISTRICT (applies to mobile merchandise vendors permitted under Codified Ordinance Section 675.061)

A. No person shall engage in vending while moving continuously from place to place on the highways, streets or sidewalks of the Central Business District without a permit issued under Codified Ordinance Section 675.061.

B. No mobile vendor should operate from any restricted area shown in the attached map;

C. A mobile vending operation must be completely mobile. No mobile vendor shall operate upon or from a fixed location on a sidewalk without a permit issued under Section 675.06 or Chapter 508;

D. Vendors shall comply with posted time limits for parking and loading zones

E. No mobile vendor shall vend within any bus stop or taxi stand, or within ten feet of any driveway or any corner. For purposes of these Rules, ten feet from any corner shall be measured from a point where the property line on the nearest intersecting block face, when extended, meets the curb;

F. Mobile units are not permitted to use electrical connections. Generators are acceptable, provided they are attached to the mobile unit.

III. Regulations:

A. Street vendors and mobile vendors shall comply with the following regulations:

1. No vendor should operate from any private property or on any property owned or controlled by the City of Cleveland, except for streets, without first obtaining a permit under Section 675.05;

2. No merchandise shall be displayed or sold to the occupants of vehicles stopped in traffic or displayed or sold from a vehicle stopped in traffic;

3. No merchandise shall be displayed or sold in a manner that blocks, obstructs or restricts the free passage of pedestrians or vehicles in the lawful use of the sidewalks or highways or ingress or egress to the abutting property.

4. No vendor shall sell or display merchandise:

a. At any location where the sidewalk is less than ten (10) feet in width;

b. Within ten (10) feet of a crosswalk;

c. Within twenty (20) feet of another location including vendors with multiple locations;

d. Within ten (10) feet of any doorway or the prolongation of any doorway width to the curb line.

5. No vending vehicle, pushcart, stand, goods or any other item related to the operation of a vending business shall touch, lean against or be affixed permanently or temporarily to any building or structure including, but not

limited to street planters, street furniture, mail boxes, traffic signal stanchions, fountains, trash receptacles, trees, lamp posts, light poles, or any other city-owned property or dug into the grass.

6. No vending pushcart, stand or goods shall be located against display windows of fixed location businesses, nor shall they be within twenty feet from an entranceway to any building, store, theatre, movie house, sports arena or other place of public assembly.

7. No tents are allowed on the city's right-of-way, but umbrellas or canopies are permitted as long as they don't overhang the vending device by more than one (1) foot.

8. No vendor shall vend: 1. within twenty feet from sidewalk cafes; and 2. within five feet from (a) bus shelters, or (b) disabled access ramps.

9. Each vendor shall carry his or her license on his or her person and it shall be exhibited upon demand to any police officer, authorized officer or employee of the City of Cleveland.

10. No vendor shall leave any conveyance unattended at any time or store, park, or leave same overnight on any city sidewalk, nor park, store or leave any vehicle other than in a lawful parking place;

11. Vendors are expected to be cordial to other vendors and pedestrians.

12. Vendors with additional employees shall be responsible for their employees' violations of this chapter and the rules and regulations.

13. No vendor shall use any conveyance, device or thing whatsoever which, when fully loaded with merchandise, cannot be easily moved and maintained under control by the licensee, his employee or attendant

14. Vendor's display stand, cart or container shall not be larger than 12 feet in length and 3 feet in width, must be on wheels and capable of being moved by one person.

15. No vendor shall use a sound amplification device or make any loud or unreasonable noise for the purpose of advertising or drawing attention to merchandise or for any other purpose.

16. No license granted may be sold, leased, transferred or reassigned in any fashion.

17. No vendor shall allow any items relating to the operation of the vending business to be placed anywhere other than in, on, or under the cart from which the business is operated.

18. Vendors shall comply with all requirements of applicable federal, state, and local laws, including without limitation, the City's Fire Prevention Code and State of Ohio Fire Code.

19. A vendor who has received a permit pursuant to Sections 675.06 and 675.061 shall obey any lawful order of a police officer, authorized officer or employee of the City of Cleveland authorized to enforce Chapter 675 to remove himself or herself and his or her vending device entirely from the sidewalk to avoid congestion or obstruction during an emergency and/or any other lawful request pertaining to the compliance of Chapter 675 and the Vendor Rules and Regulations.

20. Each vendor shall remove all merchandise, packaging, paper, containers, display stands or tables, or other materials brought to the location at the termination of sales each day. No permanent stands or displays will be permitted, and are on a first come first serve day by day basis.

21. Each vendor during the period of selling shall keep the area they are selling in free from all litter and debris arising from their operation and insure that the area is cleaned on departure from the peddling area.

22. Each vending device must be aesthetically appropriate (clean and free from damage, rust, and corrosion) for vending.

IV. VENDING DEVICES (applies to hotdog cart vendors permitted under Section 508.05)

A. No person shall engage in vending upon or from a fixed location on a sidewalk within the Central Business District without a permit issued under Chapters 508 and 675.

B. Under the authority of Codified Ordinance Section 508.08, the following permitted locations are suspended during the effective period:

Spot No.	Location Address
2	Justice Center (1281 West 3rd Street)
5	210 West St. Clair Ave
16	TEMP moved to West Roadway, WS of Road, sidewalk abutting 1427 West 3rd Street (Parking Lot)
29	Lakeside & East 6th Street
31	East exit of Federal Bldg. (1240 East 9th Street)
34	602 St. Clair Avenue
37	1360 East 9th & St. Clair
39	1351 East 9th Street
59	East 9th and Euclid Avenue
75	850 Euclid Avenue
91	2103 East 9th Street
93	2131 East 9th Street
106	East 9th & Lakeside, SE (Ohio Bell)
108	East 9th & Euclid, NE Huntington Bank Building
109	Ontario & St. Clair Ave, SW

C. Under the authority of Codified Ordinance Section 508.05, the permitted locations for vending is modified to include the following locations during the effective period:

1701 East 12th Street (Alpha Graphics # 1)
 1701 East 12th Street (Alpha Graphics # 2)
 1701 East 12th Street (12 Street Florist)
 1701 East 12th Street (Chester field bldg SE of Chester & E.12)
 1701 E 12 (Embassy Suite SE of East 12th Street and Superior)
 Perk Plaza East 12th Street Frontage # 1
 Perk Plaza East 12th Street Frontage # 2
 Perk Plaza East 12th Street Frontage # 3
 Walnut Frontage # 1

V. MOBILE FOOD SHOPS (applies to food trucks permitted under CO 241.36)

A. No vendor shall sell, offer for sale, or display food items from a vending device without first obtaining a permit under Codified Ordinance Section 241.36.

B. Under the authority of Cleveland Codified Ordinance Section 241.37(e), holders of a permit issued under Section 241.36 may only operate in the organized vending zones described on the attached map during the effective period:

C. All vendors must comply with the mobile food shop regulations under Cleveland Codified Ordinance Section 241.38.

D. A vendor who has received a permit under Sections 241.36 shall obey any lawful order of a police officer, authorized officer or employee of the City of Cleveland authorized to enforce Chapter 241 to remove himself or herself and his or her mobile food shop to avoid congestion or obstruction during an emergency and/or any other lawful request pertaining to the compliance of Chapter 241 and the Mobile Food Shop Rules and Regulations.

VI. Effective Period.

These regulations shall be effective from 12:01 a.m. Eastern Daylight Time on July 16, 2016 through 12:01 a.m. on July 24, 2016. In the event that the 2016 Republican National Convention is delayed, the effectiveness of these regulations shall automatically extend to 12:01 a.m. Eastern Daylight Time on the day after the conclusion of the Convention or on July 25, 2016, whichever date is later.

VII. Conflict Provision

In the event of a conflict between these regulations and the Codified Ordinances of Cleveland, Ohio, 1976, or any other City ordinance or regulation, these Regulations shall control.

Vending Zones



Mobile Vending Zones



Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Interim Director Szabo, Director Cox, Interim Director Walker-Minor, Director McGrath, Acting Director Cosgrove, Interim Director West, Directors Nichols, Fumich, and O'Leary.

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. There-after, eligible lists will be

established which will consist of the names of those candidates who have been successful in all parts of the examination.

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

ROBERT BENNETT,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, JUNE 13, 2016

9:30 A.M.

Calendar No. 16-084: Appeal from Violation Notice at 589 East 185th Street (Ward 8)

Curtis A. Hart, owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from a Notice of Violation Number V16013046 issued on April 15, 2016 by the Cleveland Department of Building and Housing for failure to comply with Section 327.02(C) of the Cleveland Codified Ordinances which states that there shall be no change or substitution of use until a Certificate of Occupancy has been issued. The citation states that the owner is using the facility for auto repair which is contrary to the Certificate of Occupancy (CO13033055) which states that the permitted use is car washing and detailing. (Filed May 5, 2016)

Calendar No. 16-097: 4508 Clinton Avenue (Unit A) (Ward 3)

Clinton Ct. Townhome, owner, proposes to construct a fee simple townhouse (Unit A out of seven units) in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the minimum lot area per house required is 4,800 square feet and 2,233 square feet are proposed.

2. Section 355.04 which states that the minimum lot width allowed is 40 feet and 33 feet are proposed.

3. Section 357.08(b)(1) which states that the rear yard shall not be less than the height of building which is 40 feet and 0 feet are proposed.

4. Section 357.09(b)(2)(B) which states that in Two-Family the interior side yard shall be equal to 1/4 height of main building in this case is 10 feet and per 357.09(b)(2)(1) no building shall be erected less than 20' from a main building on an adjoining lot within such district. The appellant is proposing 4.5' interior yard.

5. Section 353.02 which states that a 1" Height District permits 35' maximum height and in this case 40' are proposed.

6. Section 355.04 which states that the maximum gross floor area of building cannot exceed 1/2 lot area or in this case 1,106 square feet and the appellant is proposing 2,335 square feet.

7. Section 358.04 which states that a fence in the actual front yard shall not exceed 4' in height and shall be at least 50% open, shall be ornamental and finished side shall face adjacent property.

8. Section 337.17 which states that an unobstructed driveway width of at least 30' is required to provide accessibility to each parking garage; a common access to the garages shown, no separate access to each garage provided.

9. Section 357.15 which states that in any use district a rear residential

building may be erected if required front, rear and side yards are provided and the distance between such buildings is not less than 40' and if free and unobstructed entranceway is provided for access from the street to the rear building; another house is proposed within 40' rear of this house. (Filed May 12, 2016)

Calendar No. 16-098: 4506 Clinton Avenue (Unit B) (Ward 3)

Clinton Ct. Townhome, owner, proposes to construct a fee simple townhouse (Unit B out of seven units) in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the minimum lot area per house required is 4,800 square feet and 2,167 square feet are proposed.

2. Section 355.04 which states that the minimum lot width allowed is 40 feet and 32 feet are proposed.

3. Section 357.08(b)(1) which states that the rear yard shall not be less than the height of building which is 37 feet and 0 feet are proposed.

4. Section 357.09(b)(2)(B) which states that in Two-Family the interior side yard shall be equal to 1/4 height of main building in this case is 10 feet and per 357.09(b)(2)(1) no building shall be erected less than 20' from a main building on an adjoining lot within such district. The appellant is proposing 9.5' aggregate interior yard.

5. Section 353.02 which states that a 1" Height District permits 35' maximum height and in this case 37' are proposed.

6. Section 355.04 which states that the maximum gross floor area of building cannot exceed 1/2 lot area or in this case 1,056 square feet and the appellant is proposing 2,335 square feet.

7. Section 337.17 which states that an unobstructed driveway width of at least 30' is required to provide accessibility to each parking garage; a common access to the garages shown, no separate access to each garage provided.

8. Section 357.15 which states that in any use district a rear residential building may be erected if required front, rear and side yards are provided and the distance between such buildings is not less than 40' and if free and unobstructed entranceway is provided for access from the street to the rear building; another house is proposed within 40' rear of this house. (Filed May 12, 2016)

Calendar No. 16-099: 4504 Clinton Avenue (Unit C) (Ward 3)

Clinton Ct. Townhome, owner, proposes to construct a fee simple townhouse (Unit C out of seven units) in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the minimum lot area per house required is 4,800 square feet and 2,200 square feet are proposed.

2. Section 355.04 which states that the minimum lot width allowed is 40 feet and 33.33 feet are proposed.

3. Section 357.08(b)(1) which states that the rear yard shall not be less than the height of building which is 39 feet and 0' is proposed.

4. Section 357.09(b)(2)(B) which states that in Two-Family the interior side yard shall be equal to 1/4 height of main building in this case is 10 feet and per 357.09(b)(2)(1) no building shall be erected less than 20' from a main building on an adjoining lot within such district. The appellant is proposing 4' interior yard.

5. Section 353.02 which states that a 1" Height District permits 35' maximum height and in this case 39' -3" are proposed.

6. Section 357.13(a)(4) which states that open porches shall not project more than 6' and 7 feet are proposed.

7. Section 355.04 which states that the maximum gross floor area of building cannot exceed 1/2 lot area or in this case 1,100 square feet and the appellant is proposing 2,335 square feet.

8. Section 358.04 which states that a fence in the actual front yard shall not exceed 4' in height and shall be at least 50% open, shall be ornamental and finished side shall face adjacent property.

9. Section 337.17 which states that an unobstructed driveway width of at least 30' is required to provide accessibility to each parking garage; a common access to the garages shown, no separate access to each garage provided.

10. Section 357.15 which states that in any use district a rear residential building may be erected if required front, rear and side yards are provided and the distance between such buildings is not less than 40' and if free and unobstructed entranceway is provided for access from the street to the rear building; another house is proposed within 40' rear of this house. (Filed May 12, 2016)

Calendar No. 16-100: 4509 Wheat Court (Unit D) (Ward 3)

Clinton Ct. Townhome, owner, proposes to construct a fee simple townhouse (Unit D out of seven units) in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the minimum lot area per house required is 4,800 square feet and 1,119 square feet are proposed.

2. Section 355.04 which states that the minimum lot width allowed is 40 feet and 26.33 feet are proposed.

3. Section 357.08(b)(1) which states that the rear yard shall not be less than the height of building which is 40 feet and 0 feet are proposed.

4. Section 357.09(b)(2)(B) which states that in Two-Family the interior side yard shall be equal to 1/4 height of main building in this case is 10 feet and per 357.09(b)(2)(1) no building shall be erected less than 20' from a main building on an adjoining lot within such district. The appellant is proposing no interior side yard.

5. Section 353.02 which states that a 1" Height District permits 35' maximum height and in this case 40' are proposed.

6. Section 355.04 which states that the maximum gross floor area of building cannot exceed 1/2 lot area or in this case 560 square feet and the appellant is proposing 1,700 square feet.

7. Section 358.04 which state that a fence in the actual front yard shall not exceed 4' in height and shall be at least 50% open, shall be ornamental and finished side shall face adjacent property.

8. Section 337.17 which states that an unobstructed driveway width of at least 30' is required to provide accessibility to each parking garage; a common access to the garages shown, no separate access to each garage provided.

9. Section 357.15 which states that in any use district a rear residential building may be erected if required front, rear and side yards are provided and the distance between such buildings is not less than 40' and if free and unobstructed entranceway is provided for access from the street to the rear building; another house is proposed within 40' rear of this house. (Filed May 12, 2016)

Calendar No. 16-101: 4507 Wheat Court (Unit E) (Ward 3)

Clinton Ct. Townhome, owner, proposes to construct a fee simple townhouse (Unit E out of seven units) in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the minimum lot area per house required is 4,800 square feet and 765 square feet are proposed.

2. Section 355.04 which states that the minimum lot width allowed is 40 feet and 18 feet are proposed.

3. Section 357.08(b)(1) which states that the rear yard shall not be less than the height of building which is 40 feet and 0 feet are proposed.

4. Section 357.09(b)(2)(B) which states that in Two-Family the interior side yard shall be equal to 1/4 height of main building in this case is 10 feet and per 357.09(b)(2)(1) no building shall be erected less than 20' from a main building on an adjoining lot within such district. The appellant is proposing no interior side yard.

5. Section 353.02 which states that a 1" Height District permits 35' maximum height and in this case 40' are proposed.

6. Section 355.04 which states that the maximum gross floor area of building cannot exceed 1/2 lot area or in this case 383 square feet and the appellant is proposing 1,300 square feet.

7. Section 337.17 which states that an unobstructed driveway width of at least 30' is required to provide accessibility to each parking garage; a common access to the garages shown, no separate access to each garage provided.

8. Section 357.15 which states that in any use district a rear residential building may be erected if required front, rear and side yards are provided and the distance between such buildings is not less than 40' and if free and unobstructed entranceway is provided for access from the street to the rear building; another house is proposed within 40' rear of this house. (Filed May 12, 2016)

Calendar No. 16-102: 4505 Wheat Court (Unit F) (Ward 3)

Clinton Ct. Townhome, owner, proposes to construct a fee simple townhouse (Unit F out of seven units) in

a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the minimum lot area per house required is 4,800 square feet and 1,757 square feet are proposed.

2. Section 355.04 which states that the minimum lot width allowed is 40 feet and 30 feet are proposed.

3. Section 357.08(b)(1) which states that the rear yard shall not be less than the height of building which is 40 feet and 0 feet are proposed.

4. Section 357.09(b)(2)(B) which states that in Two-Family the interior side yard shall be equal to 1/4 height of main building in this case is 10 feet and per 357.09(b)(2)(1) no building shall be erected less than 20' from a main building on an adjoining lot within such district. The appellant is proposing no interior side yard.

5. Section 353.02 which states that a 1" Height District permits 35' maximum height and in this case 44' are proposed.

6. Section 355.04 which states that the maximum gross floor area of building cannot exceed 1/2 lot area or in this case 873 square feet and the appellant is proposing 1,757 square feet.

7. Section 337.17 which states that an unobstructed driveway width of at least 30' is required to provide accessibility to each parking garage; a common access to the garages shown, no separate access to each garage provided.

8. Section 357.15 which states that in any use district a rear residential building may be erected if required front, rear and side yards are provided and the distance between such buildings is not less than 40' and if free and unobstructed entranceway is provided for access from the street to the rear building; another house is proposed within 40' rear of this house. (Filed May 12, 2016)

Calendar No. 16-103: 4503 Wheat Court (Unit G) (Ward 3)

Clinton Ct. Townhome, owner, proposes to construct a fee simple townhouse (Unit G out of seven units) in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the minimum lot area per house required is 4,800 square feet and 1,119 square feet are proposed.

2. Section 355.04 which states that the minimum lot width allowed is 40 feet and 26.33 feet are proposed.

3. Section 357.08(b)(1) which states that the rear yard shall not be less than the height of building which is 40 feet and 0 feet are proposed.

4. Section 357.09(b)(2)(B) which states that in Two-Family the interior side yard shall be equal to 1/4 height of main building in this case is 10 feet and per 357.09(b)(2)(1) no building shall be erected less than 20' from a main building on an adjoining lot within such district. The appellant is proposing no interior side yard.

5. Section 353.02 which states that a 1" Height District permits 35'

maximum height and in this case 40' are proposed.

6. Section 355.04 which states that the maximum gross floor area of building cannot exceed 1/2 lot area or in this case 560 square feet and the appellant is proposing 1,700 square feet.

7. Section 358.04 which state that a fence in the actual front yard shall not exceed 4' in height and shall be at least 50% open, shall be ornamental and finished side shall face adjacent property.

8. Section 337.17 which states that an unobstructed driveway width of at least 30' is required to provide accessibility to each parking garage; a common access to the garages shown, no separate access to each garage provided.

9. Section 357.15 which states that in any use district a rear residential building may be erected if required front, rear and side yards are provided and the distance between such buildings is not less than 40' and if free and unobstructed entranceway is provided for access from the street to the rear building; another house is proposed within 40' rear of this house. (Filed May 12, 2016)

Calendar No. 16-104: 4511 Wheat Court (Common Drive - Lot H) (Ward 3)

Clinton Ct. Townhome, owner, proposes to construct a common drive for seven townhouse development (units numbers A through G) on Clinton Avenue and Wheat Court in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 349.07(a) which states that Accessory off street driveways and maneuvering area shall be properly graded for drainage so that all water is drained within the lot providing such area surfaced with concrete, asphaltic concrete, asphalt or other similar surfacing materials approved by the Director of Building and Housing, maintained in good condition and free of debris and trash.

2. 337.03 Primary and sole use of property in a Two Family District as an access driveway is not permitted. (Filed May 12, 2016)

Calendar No. 16-105: 4801 Bridge Avenue (Unit A) (Ward 3)

4201 Bridge LLC., owner, proposes to construct a fee simple townhouse (Unit A out of six units) in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the minimum lot area per house required is 4,800 square feet and 1,250 square feet are proposed.

2. Section 355.04 which states minimum lot width allowed is 40' and 25' are proposed.

3. Section 357.08(b)(1) which states that the rear yard shall not be less than height of building or in this case 44' are required and 5' are proposed.

4. 357.09(b)(2)(B) In two family interior side yard shall be 1/4 height of main building (11') and per 357.09(b)(2)(1) no building shall be erected less than 20' from a main building on an adjoining lot within

such district. A 5' side street yard is proposed.

5. Section 353.02 which states that the Height District "1" permits a 35 foot maximum height and a 44' - 8" high house is proposed.

6. Section 355.04 which states that the Maximum gross floor area of building cannot exceed 1/2 lot area or in this case 625 square feet and 780 square feet are proposed.

7. Section 337.17 which states that an unobstructed driveway width of at least 30' is required to provide accessibility to each parking garage; a common access to the garages shown, no separate access to each garage provided. (Filed May 12, 2016)

Calendar No. 16-106: 1914 West 48th Street (Unit C) (Ward 3)

4201 Bridge LLC., owner, proposes to construct a fee simple townhouse (Unit C out of six units) in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the minimum lot area per house required is 4,800 square feet and 900 square feet are proposed.

2. Section 355.04 which states minimum lot width allowed is 40' and 30' are proposed.

3. Section 357.08(b)(1) which states that the rear yard shall not be less than height of building or in this case 44' are required and 0' are proposed.

4. 357.09(b)(2)(B) In two family interior side yard shall be 1/4 height of main building (11') and per 357.09(b)(2)(1) no building shall be erected less than 20' from a main building on an adjoining lot within such district. No interior side yard is proposed.

5. Section 353.02 which states that the Height District "1" permits a 35 foot maximum height and a 44' - 8" high house is proposed.

6. Section 355.04 which states that the Maximum gross floor area of building cannot exceed 1/2 lot area or in this case 442.5 square feet and 900 square feet are proposed.

7. Section 337.17 which states that an unobstructed driveway width of at least 30' is required to provide accessibility to each parking garage; a common access to the garages shown, no separate access to each garage provided. (Filed May 12, 2016)

Calendar No. 16-107: 1912 West 48th Street (Unit B) (Ward 3)

4201 Bridge LLC., owner, proposes to construct a fee simple townhouse (Unit C out of six units) in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the minimum lot area per house required is 4,800 square feet and 900 square feet are proposed.

2. Section 355.04 which states minimum lot width allowed is 40' and 30' are proposed.

3. Section 357.08(b)(1) which states that the rear yard shall not be less than height of building or in this case 44' are required and 0' are proposed.

4. 357.09(b)(2)(B) In two family interior side yard shall be 1/4 height of main building (11') and per 357.09(b)(2)(1) no building shall be erected less than 20' from a main building on an adjoining lot within such district. No interior side yard is proposed.

5. Section 353.02 which states that the Height District "1" permits a 35 foot maximum height and a 44' - 8" high house is proposed.

6. Section 355.04 which states that the Maximum gross floor area of building cannot exceed 1/2 lot area or in this case 442.5 square feet and 900 square feet are proposed.

7. Section 337.17 which states that an unobstructed driveway width of at least 30' is required to provide accessibility to each parking garage; a common access to the garages shown, no separate access to each garage provided. (Filed May 12, 2016)

Calendar No. 16-108: 1916 West 48th Street (Unit D) (Ward 3)

4201 Bridge LLC., owner, proposes to construct a fee simple townhouse (Unit D out of six units) in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the minimum lot area per house required is 4,800 square feet and 930 square feet are proposed.

2. Section 355.04 which states minimum lot width allowed is 40' and 30' are proposed.

3. Section 357.08(b)(1) which states that the rear yard shall not be less than height of building or in this case 44' are required and 0' are proposed.

4. 357.09(b)(2)(B) In two family interior side yard shall be 1/4 height of main building (11') and per 357.09(b)(2)(1) no building shall be erected less than 20' from a main building on an adjoining lot within such district. No interior side yard is proposed.

5. Section 353.02 which states that the Height District "1" permits a 35 foot maximum height and a 44' - 8" high house is proposed.

6. Section 355.04 which states that the Maximum gross floor area of building cannot exceed 1/2 lot area or in this case 457.5 square feet and 900 square feet are proposed.

7. Section 337.17 which states that an unobstructed driveway width of at least 30' is required to provide accessibility to each parking garage; a common access to the garages shown, no separate access to each garage provided. (Filed May 12, 2016)

Calendar No. 16-109: 1918 West 48th Street (Unit E) (Ward 3)

4201 Bridge LLC., owner, proposes to construct a fee simple townhouse (Unit E out of six units) in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the minimum lot area per house required is 4,800 square feet and 1,100 square feet are proposed.

2. Section 355.04 which states minimum lot width allowed is 40' and 22' are proposed.

3. Section 357.08(b)(1) which states that the rear yard shall not be less than height of building or in this case 44' are required and 0' are proposed.

4. 357.09(b)(2)(B) In two family interior side yard shall be 1/4 height of main building (11') and per 357.09(b)(2)(1) no building shall be erected less than 20' from a main building on an adjoining lot within such district. A 6' aggregate interior side yard is proposed.

5. Section 353.02 which states that the Height District "1" permits a 35 foot maximum height and a 44' high house is proposed.

6. Section 355.04 which states that the Maximum gross floor area of building cannot exceed 1/2 lot area or in this case 550 square feet and 704 square feet are proposed.

7. Section 337.17 which states that an unobstructed driveway width of at least 30' is required to provide accessibility to each parking garage; a common access to the garages shown, no separate access to each garage provided.

8. Section 357.15 which states that in any use district a rear residential building may be erected if required front, rear and side yards are provided and the distance between such buildings is not less than 40' and if free and unobstructed entranceway is provided for access from the street to the rear building. (Filed May 12, 2016)

Calendar No. 16-110: 1920 West 48th Street (Unit F) (Ward 3)

4201 Bridge LLC., owner, proposes to construct a fee simple townhouse (Unit F out of six units) in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the minimum lot area per house required is 4,800 square feet and 1,100 square feet are proposed.

2. Section 355.04 which states minimum lot width allowed is 40' and 22' are proposed.

3. Section 357.08(b)(1) which states that the rear yard shall not be less than height of building or in this case 44' are required and 0' are proposed.

4. 357.09(b)(2)(B) In two family interior side yard shall be 1/4 height of main building (11') and per 357.09(b)(2)(1) no building shall be erected less than 20' from a main building on an adjoining lot within such district. A 6' aggregate interior side yard is proposed.

5. Section 353.02 which states that the Height District "1" permits a 35 foot maximum height and a 44' high house is proposed.

6. Section 355.04 which states that the Maximum gross floor area of building cannot exceed 1/2 lot area or in this case 550 square feet and 704 square feet are proposed.

7. Section 337.17 which states that an unobstructed driveway width of at least 30' is required to provide accessibility to each parking garage; a common access to the garages shown, no separate access to each garage provided.

8. Section 357.15 which states that in any use district a rear residential building may be erected if required front, rear and side yards are provided and the distance between such

buildings is not less than 40' and if free and unobstructed entranceway is provided for access from the street to the rear building. (Filed May 12, 2016)

Calendar No. 16-111: 1912-1920 West 48th Street (Common Drive - Lot G) (Ward 3)

4801 Bridge LLC, owner, proposes to construct a common drive for a six townhouse development (units numbers A through F) on Bridge Avenue and West 48th Street in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 349.07(a) which states that Accessory off street driveways and maneuvering area shall be properly graded for drainage so that all water is drained within the lot providing such area surfaced with concrete, asphaltic concrete, asphalt or other similar surfacing materials approved by the Director of Building and Housing, maintained in good condition and free of debris and trash.

2. Section 337.03 which states that the primary and sole use of property in a Two Family District as an access driveway is not permitted. (Filed May 12, 2016)

POSTPONED FROM MAY 9, 2016

Calendar No. 16-059: 2376 Professor Avenue (Ward 3)

Don Shury, owner proposes to erect a three story retail and two dwelling unit building in a C1 General Retail Business District. The owner appeals for relief from section 357.09(b)(2)(C) of the Cleveland Codified Ordinances which states that an interior side yard equal to one fourth the height of the building is required where a 1 foot 4 inches side yard is proposed. (Filed March 31, 2016 - No Testimony)

First postponement made at the request of the City Planning Commission in order to allow for time for design review.

REINSTATED FROM MAY 16, 2016

Calendar No. 16-070: 9033 Holton Avenue (Ward 6)

Omens LLC, owner, proposes to change use from machine shop to a facility for amusement for 156 people in a C1 Semi-Industry District. The owner appeals for relief from the strict application of Section 349.04(e) of the Cleveland Codified Ordinances which states that accessory off-street parking area equal to three times the gross floor area, or 13,515 square feet is required (4,505 square feet times 3) and accessory off street parking detail not shown. (Filed April 14, 2016 - No Testimony)

This case was dismissed on May 16, 2016 due to appellant's absence. Appellant did not receive notice of the meeting due to a clerical error.

POSTPONED FROM MAY 16, 2016

Calendar No. 16-071: 3578 Independence Road (Ward 12)

3578 Independence Rd., owner, proposes to expand use of bar (without entertainment) to the second floor in a B1 Local Retail Business Dis-

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

1. Section 349.04 which states that parking for expansion of use is required at the rate of one space for every 100 square feet of patron space, or one space per four seats (whichever is higher) plus one per employee. Therefore, 9 additional parking spaces are required for 36 additional seats on the second floor.

2. Sections 352.08 through 352.12 which states that an 8 foot wide transition landscaped strip providing at least 75% year round opacity is required at the rear of the property abutting a residential district. A landscaping plan is required. The Board of Zoning Appeals must determine if the non-conforming landscaping condition may continue pursuant to Section 352.07(b). (Filed April 14, 2016 - No Testimony)

First postponement made at the request of the appellant in order to allow for time for community review.

POSTPONED FROM MAY 16, 2016

Calendar No. 16-074: 1000 Harvard Avenue (Ward 12)

Harshaw Chemical, owner, proposes to install a 10 foot high chain link fence in an A3 Unrestricted Industry. The owner appeals for relief from the strict application of Section 358.05(a) which states that in an Unrestricted Industry District fences in actual front yards may not exceed 6 feet in height and 10 feet are proposed. (Filed April 15, 2016 - Testimony Taken)

Postponed at the request of the Councilman to allow for time for community review.

REPORT OF THE BOARD OF ZONING APPEALS

TUESDAY, MAY 31, 2016

At the meeting of the Board of Zoning Appeals on Tuesday, May 31, 2016 the following appeals were scheduled for hearing before the Board.

The following appeals were **APPROVED:**

Calendar No. 16-81: 1906 West 47th Street

Cleveland Bricks, owner, proposes to erect a 14' x 20' one and a half story frame attached garage addition to existing single family residence in a B1 Two-Family Residential District.

Calendar No. 16-83: 1311 West Boulevard

Jeon Francis, owner, proposes to erect 51 linear feet of six feet high solid wood fence, and a gate that extends to eight feet height in a B1 Two Family Residential District.

Calendar No. 16-85: 5714 Flowerdale Avenue

Elaine Straub, owner, proposes to install approximately 72 linear feet of 5 foot and 6 foot tall wood privacy fence in the side street yard of a single family residence in a B1 Two Family Residential District.

Calendar No. 16-86: 3315 West 90th Street

Patricia Holmes, owner, proposes to erect a 12' x 12' one story frame rear patio enclosure attached to a single family residences in an A1 One-Family Residential District.

Calendar No. 16-90: 15806 Saint Clair Avenue

Cuyahoga County Land Reutilization Corporation, owner, and In Focus Cleveland prospective purchaser propose to establish a new parking lot in a C1 Local Retail Business District.

The following appeals were **DENIED:**

None.

The following appeals were **WITHDRAWN:**

None.

The following appeal was **DISMISSED:**

Calendar No. 16-82: Appeal from Violation Notice/1604 Euclid Avenue Playhouse Square Foundation, owner, and ABM, operator, appeal under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from a Notice of Violation Number V16011216 issued on April 4, 2016 by the Cleveland Department of Building and Housing.

The following case was **POSTPONED:**

Calendar No. 16-076: Appeal from Landmarks Decision 1911 West 30th Street. Postponed to July 11, 2016.

The following cases were heard by the Board of Zoning Appeals on Monday, May 16, 2016 and the decisions were adopted and approved on Monday, May 23, 2016:

The following appeals were **APPROVED:**

Calendar No. 16-006: 15202 Waterloo Road

Meir Besit Trust, owner, proposes to stripe and establish parking lot for auto sales lot in a C2 Local Retail Business District and a Pedestrian Retail Overlay District.

Calendar No. 16-75: 4174 East 71st Street Appeal Waste Collection Citation

Les Rutkowski, owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances and disputes the decision rendered by the City of Cleveland Parking Violations Bureau Waste Collection and Photo Safety Division.

Calendar No. 16-78: 2226 Fulton Road Cleveland Bricks, owner, proposes to erect a 20' x 20' one story frame attached garage and a 20' x 20' one story frame bedroom addition to existing single family residence in a B1 Two-Family Residential District.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES FOR THE UPGRADE OF CLEVELAND CITY COUNCIL'S COMMITTEE HEARING ROOM AUDIO / VIDEO SYSTEM

PROPOSAL DUE DATE / TIME:
Friday, June 3, 2016 / 5:30 p.m. (EST)
TO GET A COPY OF THE FULL
RFP, GO TO www.clevelandcitycouncil.org.

Cleveland City Council requests responses from qualified parties to provide professional services necessary to provide, install, and implement Audio / Video (A/V) equipment as part of the upgrade to Cleveland City Council Committee Hearing Conference Room.

There will be a non-mandatory meeting for all potential proposers on **Friday, May 20, 2016, at 1:00 p.m.** at Cleveland City Hall, 601 Lakeside Avenue, East, Cleveland, Ohio, in Mercedes Cotner Council Committee Room 217.

May 11, 2016, May 18, 2016, May 25, 2016, and June 1, 2016.

NOTICE OF PUBLIC HEARING

Notice of Public Hearing By the Council Committee On Development, Planning and Sustainability

Mercedes Cotner
Committee Room 217
City Hall, Cleveland, Ohio
On Monday, June 6, 2016
9:30 a.m.

Notice is hereby given to all interested property owners that the Council Committee on Development, Planning and Sustainability will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Monday, June 6, 2016, at 9:30 a.m., to consider the following ordinances now pending in the Council:

Ord. No. 552-16.

By Council Member Kazy.

An ordinance changing the Use, Area and Height Districts of parcels along the east side of W. 130th Street, at the Southwest corner of Lena Avenue to a Limited Retail (LLR) or Multi-Family District, a "G" Area District and a "2" Height District as identified on the attached map (Map Change No. 2535).

Anthony Brancatelli, Chair
Committee on Development,
Planning and Sustainability

May 25, 2016 and June 1, 2016

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, JUNE 15, 2016

File No. 73-16 — 2016 Multiple Parks Site Improvements, for the Division of Architecture and Site Development, Mayor's Office of Capital Projects, as authorized by Ordinance No. 732-14, passed by the Council of the City of Cleveland, June 9, 2014.

THERE WILL BE A **NON-REFUNDABLE FEE** FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR MONEY ORDER (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS).

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, JUNE 2, 2016 AT 10:00 A.M. THE DIVISION OF ARCHITECTURE AND SITE DEVELOPMENT, 601 LAKESIDE AVENUE, ROOM 571A, CLEVELAND, OH 44114.

May 25, 2016 and June 1, 2016

THURSDAY, JUNE 16, 2016

File No. 74-16 — Repairing, Maintaining and Installing Asphalt on Runways, Taxiways, Ramps, Roads and other Surfaces, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 874-15, passed by the Council of the City of Cleveland, September 28, 2015.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, TUESDAY, JUNE 7, 2016 AT 10:00 A.M. THE DEPARTMENT OF PORT CONTROL, CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135-3193.

May 25, 2016 and June 1, 2016

MONDAY, JUNE 13, 2016

File No. 81-16 — IED Personal Protective Wear, for the various Divisions of Department of Public Safety, as authorized by Ordinance No. 880-14, passed by the Council of the City of Cleveland, July 16, 2014.

June 1, 2016 and June 8, 2016

MONDAY, JUNE 20, 2016

File No. 80-16 — Food Services, for the various Divisions of Department of Public Safety, as authorized by Ordinance No. 880-14, passed by the Council of the City of Cleveland, July 16, 2014.

THERE WILL BE AN **OPTIONAL** PRE-BID MEETING, ON THURSDAY, JUNE 9, 2016 AT 3:30 P.M. 601 LAKESIDE AVENUE ROOM 514 CITY HALL, CLEVELAND, OHIO 44114.

June 1, 2016 and June 8, 2016

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 667-16.

By Council Member Brancatelli.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 3850 East 65th Street, 1st floor east unit and repealing Resolution No. 341-16 objecting to said permit.

Whereas, this Council objected to a transfer of ownership of a C1 and C2 Liquor Permit to Shaker Jamil, Inc., DBA Mike's Food Mart, 3850 East 65th Street, 1st floor east unit, Cleveland, Ohio 44105, Permanent Number 8026805 by Resolution No. 341-16 adopted by the Council on March 14, 2016; and

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

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

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

Section 1. That objection to the transfer of ownership of a C1 and C2 Liquor Permit to Shaker Jamil, Inc., DBA Mike's Food Mart, 3850 East 65th Street, 1st floor east unit, Cleveland, Ohio 44105, Permanent Number 8026805, be and the same is hereby withdrawn and Resolution No. 341-16, 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 23, 2016.

Effective May 24, 2016.

Ord. No. 295-16.

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

An emergency ordinance to levy special assessments to relay and repair sidewalks, (including adjustments of castings, if necessary) encroaching upon the public right-of-way on Clifton Boulevard from West 115th Street to Lake Avenue.

Whereas, this Council declared it necessary to relay and repair sidewalks encroaching into the public right-of-way on Clifton Boulevard from West 115th Street to Lake Avenue in Resolution No. 271-13, adopted March 25, 2013; and

Whereas, this Council appointed a Board to hear and determine all objections to Resolution No. 681-13, adopted May 6, 2013; and

Whereas, this Council accepted the Board's report and determined to proceed in Ordinance No. 848-13, passed August 14, 2013; 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 assessment of the cost and expense of relaying and repairing sidewalks and adjusting castings, if necessary, encroaching upon the public right of ways of the following street: Clifton Boulevard from West 115th Street to Lake Avenue in the City of Cleveland as set forth in Resolution No. 271-13 adopted March 25, 2013, and amounting in the aggregate to \$73,227.60, as reported to this Council by the Commissioner of Assessments and Licenses in File No. 295-16-A, is adopted and conformed, and that there are levied and assessed on the lots and lands within the Improvement fifty percent (50%) of each of the several amounts reported as aforesaid, which assessments and the description of the lots and lands are now on file in the office of the Clerk of Council and which assessments are in proportion to the special benefits and are not in excess of any statutory limitation.

Section 2. That this Council finds and determines that the revised assessments now on file in the office of the Clerk are in the same proportion to the estimated assessments as originally filed as the actual cost of

the above-described improvements are to the estimated cost of the improvements as originally filed.

Section 3. That the assessment against each lot or parcel of land shall be payable in cash within forty (40) days after the passage of this ordinance or at the option of the owner in five (5) annual installments. All cash payments shall be made to the Commissioner of Assessments and Licenses of this City. All assessments and installments remaining unpaid at the expiration of said forty (40) days shall be certified by the Clerk of this Council to the County Auditor as provided by law to be placed by him on the tax duplicate and collected as other taxes are collected.

Section 4. That the Clerk of Council is directed to file a certified copy of this ordinance with the Auditor of Cuyahoga County within twenty (20) days of the date of its passage as required by Section 319.61, Ohio Revised Code.

Section 5. That it is found and determined that all formal action of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements.

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

Passed May 23, 2016.

Effective May 24, 2016.

Ord. No. 465-16.

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

An emergency ordinance authorizing the Director of Port Control to enter into one or more agreements with Cumberland Lakefront, LLC to provide financial assistance to partially finance the cost of the improving the restroom and volleyball courts at Voinovich Park.

Whereas, under Ordinance No. 561-14, passed June 2, 2014, the Director of Port Control entered into a Multi-Phased Option to Lease Agreement and Lease Agreement with Cumberland TCC, LLC dba Cumberland Lakefront, LLC ("Cumberland") for future development of property known as the Harbor West Docks and three sites at North Coast Harbor; and

Whereas, Cumberland has signed lease agreements for the three sites at North Coast Harbor, including the parking lot immediately east of Voinovich Park; and

Whereas, the development plan for one of the sites consists of constructing a restaurant, attached public restrooms, and three sand volleyball courts; and

Whereas, not including construction of the restaurant, the estimated cost to construct the attached public restrooms to the restaurant and the three sand volleyball courts is \$382,000 ("Restroom and Volleyball Courts Improvement"); and

Whereas, under Section 139.16, the Director of Port Control has secured grants totaling \$250,000 from the Ohio Department of Natural Resources and the Land and Water Conservation Fund to assist with financing the Restroom and Volleyball Courts Improvement, leaving an estimated balance of \$132,000, which Cumberland will provide; and

Whereas, Cumberland will be contracting for the design and construction of the Restroom and Volleyball Courts Improvement, after review by the appropriate City officials; and

Whereas, because the Restroom and Volleyball Courts Improvement will be City-owned, but maintained by Cumberland, this Council authorizes payment for the design and construction of the improvement to Cumberland of grant funds received under Section 139.16 in the amount up to \$250,000; and

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

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

Section 1. That the Director of Port Control is authorized to enter into one or more agreements with Cumberland to provide financial assistance in an amount up to \$250,000 to partially finance the cost of the Restroom and Volleyball Courts Improvements.

Section 2. That the cost of these agreements shall be paid from the fund or funds to which are credited grant funds received for this purpose.

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 23, 2016.

Effective May 24, 2016.

Ord. No. 466-16.

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

An emergency ordinance authorizing the Director of Port Control to exercise the second option to renew Contract No. PS 2014-146 with Grants Plus, LLC to provide grant writing and resource development services for the Department of Port Control.

Whereas, under the authority of Ordinance No. 862-13, passed August 14-2013, the Director of Port Control entered into Contract No. PS 2014-146 with Grants Plus, LLC to provide grant writing and resource development services for the Department of Port Control; and

Whereas, Ordinance No. 862-13 requires further legislation before exercising the second option to renew on this contract; and

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

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

Section 1. That the Director of Port Control is authorized to exercise the second option to renew Contract No. PS 2014-146 for an additional year with Grants Plus, LLC to provide grant writing and resource development services for the Department of

Port Control. This ordinance constitutes the additional legislative authority required by Ordinance No. 862-13 to exercise this option.

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

Passed May 23, 2016.

Effective May 24, 2016.

**Ord. No. 503-16.
By Council Members Keane and Kelley (by departmental request).**

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide financial consulting services, for a period of one year with three one-year options to renew, the second of which requires additional legislative authority.

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

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

Section 1. That the Director of Port Control 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 financial consulting services for a period of one year, with three one-year options to renew, for the various divisions of the Department of Port Control. The first of the one-year options to renew may be exercised by the Director of Port Control, without the necessity of obtaining additional authority of this Council. The second of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the second of the one-year options to renew is exercised, then the third of the one-year options to renew may be exercisable at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Port Control from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Port Control 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 Port Control, and certified by the Director of Finance.

Section 2. That the cost of contract or contracts authorized shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 106, 60 SF 141, 60 SF 160, passenger facility charges if authorized, and from the fund or subfunds to which are credited the proceeds of any grant received for this project and from the fund or subfunds to which are credited the proceeds from the sale of any

airport revenue bonds if authorized for this purposes of this ordinance, Request No. RQS 3001, RL 2016-21.

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 23, 2016.

Effective May 24, 2016.

**Ord. No. 536-16.
By Council Members Brancatelli and Kelley (by departmental request).**

An emergency ordinance authorizing the Director of Community Development to enter into contracts with one or more non-profit agencies to operate a community garden program.

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

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

Section 1. That the Director of Community Development is authorized to enter into contracts with one or more non-profit agencies to operate a community gardening program.

Section 2. That the cost of the contract or contracts shall not exceed \$126,057, and shall be paid from Fund No. 14 SF 042, Request No. RQS 8006, RL 2016-0031.

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 23, 2016.

Effective May 24, 2016.

**Ord. No. 537-16.
By Council Members Brancatelli and Kelley (by departmental request).**

An emergency ordinance appropriating Community Development Block Grant and HOME Program funds for administrative expenses of the Department of Community Development.

Whereas, the City of Cleveland has received Community Development Block Grant ("CDBG") Federal HOME Program grants from the United States Government; 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 Community Development Block Grant funds in the amount of \$4,779,630 from Fund No. 14 SF 042 and HOME funds in the amount of \$347,320 from Fund No. 19 SF 617, and any other prior year balances that may become available, are appropriated for the administrative expenses of the Department of Community Development under the following schedule:

Personnel:	\$4,664,740
Other:	\$462,210

Section 2. 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.

Section 3. That the costs of the contracts authorized in this ordinance shall be paid from Fund Nos. 14 SF 042 and 19 SF 617.

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 23, 2016.

Effective May 24, 2016.

**Ord. No. 538-16.
By Council Members Brancatelli and Kelley (by departmental request).**

An emergency ordinance authorizing the Director of Community Development to enter into or amend contracts with various social service agencies, community development or local development corporations and private for profit entities; to enter into or amend memorandums of understanding with various City of Cleveland departments to implement the City's community development programs; and to expend funds for the operation of programs administered by the Department of Community Development.

Whereas, the City of Cleveland has received a Community Development Block Grant ("CDBG"), Year 42 from the United States Government; and

Whereas, the Council of the City of Cleveland has approved the Year 42 Community Development Block Grant Plan which committed funds to Neighborhood Development Activities ("NDA"), which are CDBG eligible activities proposed by the various Council members; 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 Community Development, after receiving the approval stated in Section 4 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.

Section 2. That the Director of Community Development, after receiving the approval stated in Section 4

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.

Section 3. That the Director of Community Development, after receiving the approval stated in Section 4 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 Refund Program and other programs administered by the Department of Community Development.

Section 4. 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.

Section 5. That the cost of the contracts, memorandums of understanding and expenditures for the programs administered by the Department of Community Development shall not exceed \$7,430,000.00 and any prior years NDA balances and shall be paid from Fund Nos. 14 SF 040, 14 SF 041 and 14 SF 042.

Section 6. 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.

Section 7. 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.

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

Passed May 23, 2016.

Effective May 24, 2016.

Ord. No. 540-16.

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

An emergency ordinance to amend the title and Section 1 of Ordinance No. 226-15, passed April 13, 2015, as amended by Ordinance No. 1351-15, passed December 7, 2015, relating to parking revenue control equipment and software with reporting features for the Willard Park Garage, the East Gateway Garage, and the West Side Market Parking Lot.

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

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

Section 1. That the title and Section 1 of Ordinance No. 226-15, passed April 13, 2015, as amended by Ordinance No. 1351-15, passed December 7, 2015, are amended to read as follows:

An Emergency Ordinance authorizing the Director of Public Works to employ one or more companies for professional services to provide parking revenue control equipment and software with reporting features for the Willard Park Garage, the East Gateway Garage, and the West Side Market Parking Lot, including implementation, installation, warranty, upgrades, enhancements, replacement equipment, maintenance, repair, technical support, training and other related services for a period up to three years; and to enter into various written standard purchase and requirement contracts for the necessary items of materials, equipment, supplies, and services which are not obtained in the professional services contract, for the Division of Parking Facilities, Department of Public Works.

Section 1. That the Director of Public Works is authorized to employ by contract or contracts one or more companies for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to perform the professional services necessary to provide parking revenue control equipment and software with reporting features for the Willard Park Garage, the East Gateway Garage, and the West Side Market Parking Lot, including but not limited to implementation, installation, interfacing, warranties, upgrades, enhancements, replacement equipment, maintenance, repair, technical support, training and other related services for a period up to three years, for the Division of Parking Facilities, Department of Public Works.

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

Section 2. That the existing title and Section 1 of Ordinance No. 226-15, passed April 13, 2015, as amended by Ordinance No. 1351-15, passed December 7, 2015, are repealed.

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

Passed May 23, 2016.

Effective May 24, 2016.

Ord. No. 548-16.

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

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

Whereas, based on recommendations made by the Cleveland Summit on Education, certain pilot programs were created; 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 agreement with Neighborhood Leadership Institute to implement educational, recreational, and cultural programs in various school buildings and recreation centers during evening hours, provide leadership training, and supervise the summer tennis program, in an amount not to exceed \$289,511, payable from Fund Nos. 01-7004-6380, Request No. RQS 7004, RL 2016-7.

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 23, 2016.

Effective May 24, 2016.

Ord. No. 550-16.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary to remove rubber and any other contaminants from paved surfaces, 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 requires additional legislative authority.

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

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

Section 1. That the Director of Port Control is authorized to make one or more written requirement contracts under the Charter and the Codified

Ordinances of Cleveland, Ohio, 1976, for the requirements for the term of two years, with two one-year options to renew, for the necessary items of labor and materials necessary to remove rubber and any other contaminants from paved surfaces in the approximate amount as purchased during the preceding term, 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 shall 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 shall be exercisable at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies under a delivery order against the contract or contracts certified by the Director of Finance. (RQN 3001, RL 2016-15)

Section 3. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of 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 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 23, 2016.
Effective May 24, 2016.

Ord. No. 556-16.
By Council Members Brancatelli and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contracts for Commercial Revitalization and rebate, grant, and/or loan agreements with Storefront Renovation Program applicants; to employ one or more professional consultants to implement the program; and to enter into agreements for eligible costs to community development corporations for implementation of the Storefront Renovation and Commercial Revitalization Programs.

Whereas, the City has created a Storefront Renovation Program to encourage exterior rehabilitation of buildings in targeted areas in the City of Cleveland; and

Whereas, the City is creating a Commercial Revitalization Program to further encourage rehabilitation, increase the availability of goods and services for low and moderate income residents, and create employment in 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 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.

Section 2. 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.

Section 3. That the Director of Community Development is authorized to enter into contracts with Commercial Revitalization Program applicants.

Section 4. 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.

Section 5. 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.

Section 6. 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.

Section 7. 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.

Section 8. That the total of the contracts, grant agreements, loan agreements, and rebate agreements authorized may not exceed \$192,241, plus program income, plus amounts deposited in the revolving fund established in this ordinance and any prior years balances and will be paid from Fund Nos. 13 SF 872 and 14 SF 042, Request No. RQS 8006, RL 2016-0036.

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

Passed May 23, 2016.
Effective May 24, 2016.

Ord. No. 559-16.
By Council Members Brancatelli and Kelley (by departmental request).

An emergency ordinance appropriating Community Development Block Grant funds and Federal HOME funds for the operation of the Low Interest Loan and Grant Programs; and to enter into one or more contracts with various agencies to implement these programs.

Whereas, the City of Cleveland has received a Community Development Block Grant, Year 42 and 2016 Federal HOME grant funds, from the United States Government; 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 Community Development is authorized to expend funds from CDBG Fund No. 14 SF 042 in the amount of \$192,700, and Federal HOME Program Fund No. 19 SF 617 in the amount of \$304,310, and 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. Request No. RQS 8006, RL 2016-0035.

Section 2. 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.

Section 3. 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.

Section 4. 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.

Section 5. 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 and are hereby appropriated for the purposes of the Low Interest Loan and Grant Program.

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

Passed May 23, 2016.

Effective May 24, 2016.

Ord. No. 565-16.

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

An emergency ordinance authorizing the Director of Community Development to enter into or amend contracts with various agencies to provide housing, commercial, industrial and real estate development activities.

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

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

Section 1. That the Director of Community Development is authorized to enter into or amend contracts with various agencies to provide housing, commercial, industrial and real estate development activities.

Section 2. That the cost of the contracts authorized in this ordinance shall not exceed \$1,354,865 and any prior years balances from Fund Nos. 14 SF 039, 14 SF 040, 14 SF 041, and 14 SF 042, RQS 8006, RL 2016-0039.

Section 3. 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.

Section 4. 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.

Section 5. 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 6. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed May 23, 2016.

Effective May 24, 2016.

Ord. No. 566-16.

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

An emergency ordinance appropriating Community Development Block Grant funds for anti-predatory lending and foreclosure prevention assistance, financial literacy programs, fair housing, and administrative costs to implement the programs.

Whereas, the City of Cleveland has received a Community Development Block Grant, Year 42, from the United States Government; 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 CDBG funds in the amount of \$165,950 are appropriated for anti-predatory lending and foreclosure prevention assistance, financial literacy programs, fair housing, and administrative costs to implement the programs.

Section 2. 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.

Section 3. That the aggregate cost of the contracts and administrative costs shall not exceed \$165,950 and shall be paid from Fund 14 SF 042, Request No. RQS 8006, RL 2016-0028.

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 23, 2016.

Effective May 24, 2016.

Ord. No. 569-16.

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

An emergency ordinance authorizing the Director of Community Development to enter into contract with various agencies to provide social service programs, including the senior transportation program.

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

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

Section 1. That the Director of Community Development is authorized to enter into or amend contracts with various agencies to provide social service programs, including the senior transportation program.

Section 2. 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 year balances are appropriated for those purposes.

Section 3. That the cost of the contracts authorized by this ordinance shall not exceed \$1,417,526, plus program income and any prior year's balances, and shall be paid from Fund Nos. 14 SF 039, 14 SF 040, 14 SF 041, and 14 SF 042, RQS 8006, RL 2016-0040.

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 23, 2016.

Effective May 24, 2016.

Ord. No. 576-16.

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

An emergency ordinance authorizing the Director of Economic Development to apply for and accept a grant from the State of Ohio for environmental assistance for proposed redevelopment of the filling station located at 12813 Bellaire Road; and authorizing the Director to enter into one or more contracts with Westown Community Development Corporation, or its designee, to implement the project.

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

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

Section 1. That the Director of Economic Development is authorized to apply for and accept a grant in an amount up to \$500,000, from the State of Ohio for environmental assessment, remediation, and/or redevelopment assistance in connection with the remediation of the environmental contamination of a filling station located at 12813 Bellaire Road in the Westown neighborhood, to be used to implement the project as described in the summary below; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for

the purposes described in the summary for the grant contained in the file described below.

Section 2. That the executive summary for the grant, File No. 576-16-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the Director of Economic Development is authorized to enter into one or more contracts with Westown Community Development Corporation, or its designee, to implement the project.

Section 4. That the contract or contracts authorized by this ordinance shall be prepared by the Director of Law.

Section 5. That the cost of the contract or contracts authorized will be paid from the fund or subfunds that are credited the proceeds of the grant accepted under this ordinance.

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

Passed May 23, 2016.

Effective May 24, 2016.

Ord. No. 577-16.
By Council Members Cleveland, Brancatelli and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a forgivable loan agreement under the Vacant Property Initiative with Victory Midtown, LLC, or its designee, to provide economic development assistance to partially finance the acquisition of Permanent Parcel No. 118-14-008 needed to support the development of the Victory Building, and other associated costs necessary to redevelop the property.

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

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

Section 1. That, the Director of Economic Development is authorized to enter a forgivable loan agreement under the Vacant Property Initiative with Victory Midtown, LLC, or its designee, in an amount up to \$180,000, to provide economic development assistance to partially finance the acquisition of Permanent Parcel No. 118-14-008 needed to support the development of the Victory Building, and other associated costs necessary to redevelop the property.

Section 2. That the summary for the loan, File No. 577-16-A, made a part of this ordinance as if fully rewritten, is approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the Director of Economic Development is authorized to accept such collateral as the director determines is sufficient in order to secure repayment of the loan.

Section 4. That the Director of Economic Development is authorized to accept monies in repayment of the

loan and to deposit the monies in Fund Nos. 17 SF 006.

Section 5. That the Director of Economic Development is authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and the fees are appropriated to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. The fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

Section 6. That the contract and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

Section 7. The contract authorized in this legislation will require the recipient of financial assistance to work with, and/or cause their Tenants to work with, The Workforce Investment Board for Workforce Area No. 3 to identify and solicit qualified candidates for job opportunities related to the City's contracts, and place special emphasis on the hard to employ, including but not limited to the disabled and persons who have been convicted of or have pled guilty to a criminal offense, unless the criminal conviction or related circumstances relate to the duties for the particular job sought.

Section 8. That the costs of any funding under this ordinance shall not exceed \$180,000, and shall be paid from Fund Nos. 17 SF 008, Request No. RQS 9501, RL 2016-50.

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

Passed May 23, 2016.

Effective May 24, 2016.

Ord. No. 580-16.
By Council Members K. Johnson and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Works, or other Directors as applicable to the jurisdiction of the property, to enter into one or more Concession Agreements with Cuyahoga County to install, operate, and maintain a bike share system at various locations for a period of one year, with five one-year options to renew, exercisable by the appropriate Director.

Whereas, Cuyahoga County Department of Sustainability, in partnership with Bike Cleveland, was awarded \$357,000 in federal funds from the Northeast Ohio Areawide Coordinating Agency, and received matching funds from other local contributors, including the City of Cleveland, to bring a formal bike share system to Cleveland; and

Whereas, Cuyahoga County will enter into contract with CycleHop-SoBi, a "smart bike" operations company experienced in planning and operating municipal and campus bike share programs; 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 any section of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Works is authorized to enter into one or more Concession Agreements at no cost with Cuyahoga County to install, operate, and maintain a bike share system, including but not limited to, bicycles and stations, docks and baseplates, information panels, payment and/or helmet dispensing kiosks, and associated electrical hookups and concrete pads as necessary to operate the equipment at the following locations, for a period of one year, with five one-year options to renew, exercisable by the Director of Public Works:

1) Perk Plaza (East 12th Street/Chester Avenue) Permanent Parcel Nos. 101-35-021, 101-35-022, and 101-35-023;

2) Rockefeller Park at the University Cedar RTA Station (Carnegie Avenue/Martin Luther King Jr. Boulevard), Permanent Parcel No. 121-26-001;

3) Tony Brush Park (Mayfield Road/Random Road), Permanent Parcel No. 121-03-021; and

4) Wade Oval (South), (Wade Oval Drive) Permanent Parcel No. 120-36-001.

Section 2. That additional locations may be approved by the appropriate City official. The director of the department which has jurisdiction over the property shall have authority to enter into the Concession Agreement or Agreements with Cuyahoga County.

Section 3. That Cuyahoga County shall be responsible for all costs associated with use of the City's property, upkeep of equipment, removal of equipment and restoration of the City's property at the end of the Concession Agreement or Agreements.

Section 4. That the Concession Agreement shall be prepared by the Director of Law.

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

Passed May 23, 2016.

Effective May 24, 2016.

Ord. No. 581-16.
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 The Westside Industrial Retention and Expansion Network to provide economic development assistance to finance the administration of the Cleveland Industrial Retention Initiative.

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

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

Section 1. That the Director of Economic Development is authorized to enter into a grant agreement with The Westside Industrial Retention and Expansion Network ("WIRE-

Net") to provide economic development assistance to finance the administration of the Cleveland Industrial Retention Initiative ("CIRI").

Section 2. That the costs of the grant shall not exceed \$315,600 and shall be paid from Fund No. 17 SF 652, RQS 9501, RL 2016-49.

Section 3. That the Director of Law is authorized to prepare the grant agreement and other documents as may be appropriate to complete the transaction.

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 23, 2016.

Effective May 24, 2016.

Ord. No. 582-16.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a forgivable loan agreement with Playhouse Square Foundation, or its designee, to provide economic development assistance to partially finance the large scale renovation of the State, Ohio, and Connor Palace theaters, and other associated costs necessary to redevelop the properties.

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

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

Section 1. That, the Director of Economic Development is authorized to enter a forgivable loan agreement with Playhouse Square Foundation, or its designee, in an amount of \$950,123.41, to provide economic development assistance to partially finance the renovation of the State, Ohio, and Connor Palace theaters, and other associated costs necessary to redevelop the properties.

Section 2. That the summary for the loan, File No. 582-16-A, made a part of this ordinance as if fully rewritten, is approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the Director of Economic Development is authorized to accept such collateral as the director determines is sufficient in order to secure repayment of the loan.

Section 4. That the Director of Economic Development is authorized to accept monies in repayment of the loan and to deposit the monies in Fund Nos. 17 SF 006.

Section 5. That the Director of Economic Development is authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and the fees are appropriated to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. The fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

Section 6. That the contract and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

Section 7. The contract authorized in this legislation will require the recipient of financial assistance to work with, and/or cause their Tenants to work with, The Workforce Investment Board for Workforce Area No. 3 to identify and solicit qualified candidates for job opportunities related to the City's contracts, and place special emphasis on the hard to employ, including but not limited to the disabled and persons who have been convicted of or have pled guilty to a criminal offense, unless the criminal conviction or related circumstances relate to the duties for the particular job sought.

Section 8. That the costs of any funding under this ordinance shall not exceed \$950,123.41, and shall be paid from Fund Nos. 17 SF 008, Request No. RQS 9501, RL 2016-52.

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

Passed May 23, 2016.

Effective May 24, 2016.

Ord. No. 625-16.

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

An emergency ordinance to amend Section 2 of Ordinance No. 986-14, passed September 29, 2014, relating to contracts with Cuyahoga County and various non-profit agencies for the implementation of homeless assistance activities.

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 2 of Ordinance No. 986-14, passed September 29, 2014, is amended to read as follows:

Section 2. That the aggregate cost of the contracts authorized shall not exceed **\$2,534,617**, and shall be paid from Fund Nos. 14 SF 039, 14 SF 040, 19 SF 661, and 19 SF 681, RQS 8006, RL 2014-94.

Section 2. That existing Section 2 of Ordinance No. 986-14, passed September 29, 2014, 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 23, 2016.

Effective May 24, 2016.

Ord. No. 664-16.

By Council Member Dow.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Hough Development Corporation for the Hough Chronicles Project 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 with Hough Development Corporation for the Hough Chronicles Project for the public purpose of providing a community newspaper promoting various community, residential and economic opportunities to residents in Cleveland's Hough neighborhood 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 \$20,000 and shall be paid from Fund No. 10 SF 188.

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

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

Passed May 23, 2016.

Effective May 24, 2016.

Ord. No. 668-16.

By Council Member Polensek.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Waterloo Arts for the Waterloo Arts Expo through the use of Ward 8 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 effective April 1, 2016 to enter into agreement with Waterloo Arts for the Waterloo Arts Expo for the public purpose of providing art education and art demonstration projects to city of Cleveland residents through the use of Ward 8 casino revenue funds.

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

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

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

Passed May 23, 2016.

Effective May 24, 2016.

**Ord. No. 669-16.
By Council Member Reed.**

An emergency ordinance authorizing the Director of the Department of Community Development to enter into an agreement with the Mount Pleasant NOW Development Corporation for the Neighborhood Beautification Program through the use of Ward 2 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Community Development is authorized to enter into an agreement with the Mount Pleasant NOW Development Corporation for the Neighborhood Beautification Program for the public purpose of eliminating slum and blight in Cleveland neighborhoods through the use of Ward 2 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$2,750 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 23, 2016.
Effective May 24, 2016.

**COUNCIL COMMITTEE
MEETINGS**

**Tuesday May 31, 2016
9:00 a.m.**

Development, Planning and Sustainability Committee: Present: Brancatelli, Chair; Cleveland, Vice Chair; Dow, McCormack, Zone.

Authorized Absence: Cummins, Pruitt.

9:30 a.m.

Development, Planning and Sustainability (Zoning) Committee: Present: Brancatelli, Chair; Cleveland, Vice Chair; Dow, McCormack, Zone. **Authorized Absence:** Cummins, Pruitt.

10:00 a.m.

Committee of the Whole: Present: Kelley, Chair; Brady, Brancatelli, Cleveland, Conwell, Cummins, Dow, J. Johnson, Kazy, Keane, McCormack, Mitchell, Polensek, Reed, Zone. **Authorized Absence:** K. Johnson, Pruitt.

**Wednesday June 1, 2016
10:00 a.m.**

Transportation Committee TOUR: Present: Keane, Chair; Dow, Vice Chair; Conwell, Kazy, Reed. **Authorized Absence:** J. Johnson, K. Johnson.

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O—Ordinance; R—Resolution; F—File

Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;

Bold type in sections indicates amendments

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