

Ordinance No. 1160-16

AN ORDINANCE

Changing the Use and Area Districts of parcels along Lee Road south of the City border with Shaker Heights and north of the Erie Rail Road Company line (south of Miles Ave), and along a portion of Harvard Ave. and establishing an Urban Overlay district for the same areas as identified on the attached map (Map Change No. 2542).

Council Member Pruitt

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Use District of lands bounded and described as follows:

Beginning at the intersection of Lee Road and the easterly prolongation of the northerly line of subplot 1 in the Registered Land Co. subdivision No. 1 shown on the recorded plat in Volume 76, Page 24 of the Cuyahoga County Map Records;

Thence westerly along said northerly line to its intersection with the westerly line thereof;

Thence southerly along said westerly line and its prolongation to its intersection with the centerline of Throckery Ave;

Thence westerly along said centerline to its intersection with the northerly prolongation of the westerly line of subplot 182 in the Lee Road Subdivision shown on the recorded plat in Volume 96, Page 6 of the Cuyahoga County Map Records;

Thence southerly along said westerly line and its prolongation to its intersection with the centerline of Biltmore Ave;

Thence westerly along said centerline to its intersection with the northerly prolongation of the westerly line of subplot 132 in the Lee Harvard Subdivision shown on the recorded plat in Volume 88, Page 34 of the Cuyahoga County Map Records;

Thence southerly along said westerly line to its intersection with the southerly line thereof;

Thence easterly along said southerly line to its intersection with the easterly line of subplot 857 in the Shaker Lee Subdivision No. 3 shown on the recorded plat in Volume 113, Page 10 of the Cuyahoga County Map Records;

Thence southerly along said easterly line to its intersection with the northerly line of subplot 854 in the Shaker Lee Subdivision No. 3 shown on the recorded plat in Volume 113, Page 10 of the Cuyahoga County Map Records;

Thence easterly along said northerly line to its intersection with the easterly line thereof;

Thence southerly along said easterly line to its intersection with the centerline of Stockbridge Ave S.E.;

Thence easterly along said centerline to its intersection with the northerly prolongation of westerly line of subplot 960 in the Shaker Lee Subdivision No. 3 shown on the recorded plat in Volume 113, Page 10 of the Cuyahoga County Map Records;

Thence southerly along said easterly line and its prolongation to its intersection with the northerly line of subplot 964 of said subdivision;

Thence easterly along said northerly line to its intersection with the easterly line thereof;

Thence southerly along said easterly line to its intersection with the centerline of Eldamere Ave;

Thence southerly along the northerly prolongation of the easterly line of subplot 1021 of said subdivision to its intersection with the southerly line thereof;

Thence westerly along said southerly line to its intersection with the westerly line of subplot 1029 of said subdivision;

Thence southerly along said westerly line to its intersection with the centerline of Harvard Ave;

Thence easterly along said centerline to its intersection with the northerly prolongation of the westerly line of subplot 3 in the Lee Harvard Square Subdivision shown on the recorded plat in Volume 94, Page 8 of the Cuyahoga County Map Records;

Thence southerly along said easterly line to its intersection with the southerly line thereof;

Thence easterly along said southerly line to intersection with the westerly line of subplot A of said subdivision;

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Thence southerly along said westerly line and its prolongation to its intersection with the southerly line thereof;

Thence easterly along said southerly line to its intersection with the westerly line of subplot 1 in said subdivision;

Thence southerly along said westerly line and its prolongation to the centerline of Cloverside Ave;

Thence easterly along said centerline to its intersection with the northerly prolongation of the westerly line of subplot 85 in said subdivision;

Thence southerly along said westerly line and its prolongation to its intersection with the centerline of South Lotus Drive S.E.

Thence westerly along said centerline to its intersection with the northerly prolongation of the westerly line of subplot 602 in the Miles Harvard Park Subdivision shown on the recorded plat in Volume 88, Page 26 of the Cuyahoga County Map Records;

Thence southerly along said westerly line and its prolongation to its intersection with the southerly line of subplot 600 of said subdivision;

Thence easterly along said southerly line to its intersection with the centerline of E. 164th Place (alley);

Thence southerly along said centerline to its intersection with the centerline of Miles Place (alley);

Thence easterly along said centerline to its intersection with the centerline of Lee Road;

Thence northerly along said centerline to its intersection with the westerly prolongation of the southerly line of a parcel of land conveyed to the Saints Assembly of the Lord by deed dated February 14th, 1997 and recorded in AFN Number: V97013150008;

Thence easterly along said southerly line to its intersection with the easterly line thereof;

Thence northerly along said easterly line to its intersection with the northerly line thereof;

Thence westerly along said northerly line to its intersection with the easterly line of a parcel of land conveyed Demetrius L. Reddick by deed dated May 16th, 2016;

Thence northerly along said easterly line and its prolongation to its intersection with the southerly line of a parcel of land conveyed to Lathen Spears by deed dated January 20th, 2000 and recorded in AFN Number: 200001200165;

Thence easterly along said southerly line to its intersection with the easterly line thereof;

Thence northerly along said easterly line to its intersection with the centerline of Deforest Ave;

Thence westerly along said centerline to its intersection with the southerly prolongation of the easterly line of a parcel of land conveyed to Open Pantry by deed dated October 3rd, 2003;

Thence northerly along said easterly line to its intersection with the southerly line of a parcel of land conveyed to Church Zion Chapel by deed dated August 11th, 1977 and recorded in AFN Number: V77146050601;

Thence easterly along said southerly line to its intersection with the easterly line thereof;

Thence northerly along said easterly line to its intersection with the northerly line thereof;

Thence westerly along said northerly line to its intersection with the easterly line of a parcel of land conveyed to Arash Tirgan by deed dated April 18th, 2003 and recorded in AFN Number: 200304180318;

Thence northerly along said westerly line and its prolongation to its intersection with the southerly line of a parcel of land conveyed to Golden Arch Realty Corp by deed dated January 1st, 1999;

Thence easterly along said southerly line to its intersection with the easterly line thereof;

Thence northerly along said easterly line and its prolongation to its intersection with the northerly line of a parcel of land conveyed to Ohio Erie Prop by deed dated June 1st, 1982 and recorded in AFN Number: V82156420001;

Thence westerly along said northerly line to its intersection with the centerline of Lee Road;

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Thence northerly along said centerline to its intersection with the centerline of Harvard Ave;

Thence easterly along the centerline of Harvard Ave to its intersection with the southerly prolongation of the easterly line subplot 5 in the National Subdivision No. 1 shown on the recorded plat in Volume 41, Page 14 of the Cuyahoga County Map Records;

Thence northerly along said easterly line to its intersection with the northerly line thereof;

Thence westerly along said northerly line to its intersection with the easterly line of subplot 852 in the Shaker-Lee Subdivision No. 2 shown on the recorded plat in Volume 100, Page 21 of the Cuyahoga County Map Records;

Thence northerly along said easterly line and its prolongation to its intersection with the southerly line of subplot 641 in the Shaker-Lee Subdivision shown on the recorded plat in Volume 98, Page 8 of the Cuyahoga County Map Records;

Thence easterly along said southerly line to its intersection with the easterly line thereof;

Thence northerly along said easterly line and its prolongation to its intersection with the centerline of Biltmore Ave;

Thence westerly along said centerline to its intersection with the southerly prolongation of the easterly line of subplot 643 in the Shaker-Lee Subdivision shown on the recorded plat in Volume 98, Page 8 of the Cuyahoga County Map Records;

Thence northerly along said easterly line and its prolongation to its intersection with the northerly line of subplot in the Shaker-Lee Subdivision shown on the recorded plat in Volume 98, Page 6 of the Cuyahoga County Map Records;

Thence westerly along said northerly line to the place of origin;

and as identified on the attached map is changed to a 'Local Retail' District, a 'G' Area District and a '1' Height District.

Section 2. That the Use District of lands bounded and described as follows:

Beginning at the intersection of Harvard Ave and the northerly prolongation of the easterly line of subplot 3 in the Lee-Harvard Square Subdivision shown on the recorded plat in Volume 94, Page 8 of the Cuyahoga County Map Records;

Thence southerly along said easterly line to its intersection with the southerly line thereof;

Thence westerly along said southerly line to its intersection with the westerly line thereof;

Thence northerly along said westerly line to its intersection with the centerline of Harvard Ave;

Thence easterly along said centerline to the place of origin;

and as identified on the attached map is changed to a 'Single Family District, an 'A' Area District and a '1' Height District.

Section 3. That the Use District of lands bounded and described as follows:

Beginning at the intersection of Deforest Ave and the southerly prolongation of the westerly line of a parcel of land conveyed to Charlene Bishop by deed dated June 9th, 2000 and recorded in AFN Number: 200006090635;

Thence northerly along said westerly line to its intersection with the northerly line thereof;

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Thence easterly along said northerly line and its prolongation to its intersection with the easterly line of a parcel of land conveyed to Shirley Ann Hill by deed dated September 6th, 2002 and recorded in AFN Number: 200209060459;

Thence southerly along said easterly line and its prolongation to its intersection with the centerline of Deforest Ave;

Thence westerly along said centerline to the place of origin;

and as identified on the attached map is changed to a 'Single Family District, an 'A' Area District and a '1' Height District.

Section 4. That the Use District of lands bounded and described as follows:

Beginning at the intersection of Deforest Ave and the northerly prolongation of the westerly line of a parcel of land conveyed to Woods Cove III LLC by deed dated August 8, 2016;

Thence southerly along said westerly line to its intersection with the southerly line thereof;

Thence easterly along said southerly line and its prolongation to its intersection with the easterly line of a parcel of land conveyed to Freddie J. Fenderson by deed dated January 14th, 1986 and recorded in AFN Number: V86601820067;

Thence northerly along said easterly line to its intersection with the centerline of Deforest Ave;

Thence westerly along said centerline to the place of origin;

and as identified on the attached map is changed to a 'Single Family' District, an 'A' Area District and a '1' Height District.

Section 5. That the Use District of lands bounded and described as follows:

Beginning at the intersection of Lee Road and the westerly prolongation of the southerly line of a parcel of land conveyed to Cuyahoga Metropolitan Housing by deed dated November 9th, 2011;

Thence easterly along said southerly line and its prolongation to its intersection with the centerline of E. 167th Street;

Thence northerly along said centerline to its intersection with the centerline of Dynes Ave;

Thence easterly along said centerline to its intersection with the southerly prolongation of the easterly line of a parcel of land conveyed to Cleveland Property Advisors LLC by deed dated February 25, 2015 and recorded in AFN 201502250541;

Thence northerly along said easterly line to its intersection with the northerly line thereof;

Thence westerly along said northerly line to its intersection with the easterly line of a parcel of land conveyed to Cleveland Property Advisors LLC by deed dated February 25, 2015 and recorded in AFN 201502250541;

Thence northerly along said easterly line to its intersection with the northerly line thereof;

Thence westerly along said northerly line to its intersection with the westerly line thereof;

Thence southerly along said westerly line to its intersection with the southerly line thereof;

Thence easterly along said southerly line to its intersection with the westerly line thereof;

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Thence southerly along said westerly line to its intersection with the northerly line of a parcel of land conveyed to J. Gilbert Homeowners' Association, Inc. by deed dated April 14, 2014;

Thence westerly along said northerly line to its intersection with the centerline of Lee Road;

Thence southerly along said centerline to the place of origin;

and as identified on the attached map is changed to a 'Multi-Family' District, a 'G' Area District and a '1' Height District.

Section 6. That the Use District of lands bounded and described as follows:

Beginning at the intersection of Miles Ave and the southerly prolongation of the westerly line of subplot 39 in the Sorrento Park Subdivision recorded in Volume 15, Page 13 of the Cuyahoga County Map Records;

Thence northerly along said easterly line to its intersection with the centerline of unnamed alley;

Thence easterly along said centerline to its intersection with the centerline of Lee Road;

Thence northerly along said centerline to its intersection with the westerly prolongation of the northerly line of a parcel of land conveyed to O'Reilly Automotive Stores, INC. by deed dated May 25, 2011 and recorded in AFN 201105250201;

Thence easterly along said northerly line to its intersection with the centerline of E. 167th Street;

Thence southerly along said centerline to its intersection with the centerline of Miles Ave;

Thence westerly along said centerline to its intersection with the northerly prolongation of the easterly line of a parcel of land conveyed to John & Jennifer Rocco by deed dated June 5, 20017 and recorded in AFN 200706050486;

Thence southerly along said easterly line to its intersection with the centerline of the Erie Rail Road ROW;

Thence westerly along the centerline of said ROW to its intersection with the southerly prolongation of a parcel of land conveyed to Johnny Abounader by deed dated July 23, 2001 and recorded in AFN 200107230958;

Thence northerly along said westerly line and its northeasterly prolongation to its intersection with the centerline of Miles Ave;

Thence westerly along said centerline to the place of origin;

and as identified on the attached map is changed to a 'Limited Local Retail' District, a 'J' Area District and a '2' Height District.

Section 7. That the Use District of lands bounded and described as follows:

Beginning at the intersection of Miles Ave and the southerly prolongation of the westerly line of subplot 39 in the Sorrento Park Subdivision recorded in Volume 15, Page 13 of the Cuyahoga County Map Records;

Thence northerly along said easterly line to its intersection with an unnamed alley;

Thence westerly along said unnamed alley to its intersection with the centerline of E. 163rd Street;

Thence southerly along said centerline to its intersection with centerline of Miles Ave;

Thence easterly along said centerline to the place of origin;

and as identified on the attached map is changed to a 'Multi-Family' District, a 'J' Area District and a '1' Height District.

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Section 8. That the Use District of lands bounded and described as follows:

Beginning at the intersection of Harvard Ave and the northerly prolongation of the westerly line of a parcel of land conveyed to the BD OF EDUCATION by deed dated January 1, 1996;

Thence southerly along said westerly line and its prolongation to its intersection with the southerly line of a parcel of land conveyed to the BD OF EDUCATION by deed dated January 1, 1991;

Thence easterly along said southerly line and its prolongation to its intersection with the easterly line of a parcel of land conveyed to Ernest Harris ET.AL by deed dated April 25, 2014;

Thence northerly along said easterly line and its prolongation to its intersection with the centerline of Harvard Ave;

Thence westerly along said centerline to the place of origin;

and as identified on the attached map is changed to a 'Local Retail' District, a 'G' Area District and a '1' Height District.

Section 9. That the lands described as follows:

Beginning at the Cleveland City boarder with the City of Shaker Heights at Lee Road and continuing south along the east and west sides of Lee Road to its intersection with the Erie Rail Road ROW (south of Miles Ave) and along the north and south sides of Miles Ave frontage of parcels included in this rezoning that are shown on the attached map as LLR-J2;

And;

Extending easterly along the southern side of Harvard Ave from the subplot 3 in the Lee-Harvard Square Subdivision shown on the recorded plat in Volume 94, Page 8 of the Cuyahoga County Map Records to E. 176th Street;

And;

Extending along the Harvard frontages of parcels that are included in the Lee Road UO district;

And;

Along the north side of Harvard Ave from E. 173rd Street to subplot 61 in the Shaker View Subdivision recorded in Volume 100, Page 36 of the Cuyahoga County Map Records;

and as shown on the attached map is established as an 'Urban Overlay' District;

Section 10. That the change of zoning of lands described in Sections 1 through 9 shall be identified as Map Change No. 2543, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

Section 11. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

RC:nl
10-3-16
For: Councilmember Pruitt

Ordinance No. 1160-16



Ord. No. 1160-16

**REPORT
after second Reading**

Council Member Pruitt

AN ORDINANCE

Changing the Use and Area Districts of parcels along Lee Road south of the City border with Shaker Heights and north of the Erie Rail Road Company line (south of Miles Ave), and along a portion of Harvard Ave. and establishing an Urban Overlay district for the same areas as identified on the attached map (Map Change No. 2542).

READ FIRST TIME on OCTOBER 3, 2016
and referred to **DIRECTORS of City Planning Commission, Law;**
COMMITTEE on Development Planning and Sustainability

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

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MAYOR

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PASSAGE RECOMMENDED BY COMMITTEE ON DEVELOPMENT, PLANNING AND SUSTAINABILITY	
FILED WITH COMMITTEE	_____

Ordinance No. 1161-16

**Council Members Keane and Kelley
(by departmental request)**

AN EMERGENCY ORDINANCE

Authorizing the Director of Port Control to enter into an amendment to Contract No. PS 2013-22 with Science Applications International Corporation, nka Leidos, Inc. to provide additional regulatory compliance services for an additional three months, for the Department of Port Control.

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 an amendment to Contract No. PS 2013-22 with Science Applications International Corporation, nka Leidos, Inc. to provide additional regulatory compliance services for an additional three months, for the Department of Port Control. All other terms and conditions contained in the contract shall remain the same.

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

Section 3. That 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.

JMcG:nl
9-26-16

FOR: Interim Director Szabo

Ord. No. 1161-16

REPORT
after second Reading

Council Members Keane and Kelley (by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Director of Port Control to enter into an amendment to Contract No. PS 2013-22 with Science Applications International Corporation, nka Leidos, Inc. to provide additional regulatory compliance services for an additional three months, for the Department of Port Control.

READ FIRST TIME on OCTOBER 3, 2016
and referred to DIRECTORS of Port Control Finance, Law;
COMMITTEES on Transportation, Finance

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PRESIDENT

CITY CLERK

APPROVED

MAYOR

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PASSAGE RECOMMENDED BY
COMMITTEE ON
TRANSPORTATION

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
FINANCE

FILED WITH COMMITTEE

Ordinance No. 1162-16

AN EMERGENCY ORDINANCE

Authorizing the Director of Port Control to enter into one or more Master Leases and Agreements with various signatory airlines and cargo carriers for the use and occupancy of certain City-owned spaces located at Cleveland Hopkins International Airport, for a period of five years, with two options to renew each for a period of two years, exercisable by the Director of Port Control.

**Council Members Keane and Kelley
(by departmental request)**

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 Master Leases and Agreements with various signatory airlines and cargo carriers ("Lessees") for use and occupancy of various certain City-owned spaces located at Cleveland Hopkins International Airport ("Leased Premises"). The Leased Premises shall be used to support flight activities and cargo carrier services. The term of the individual leases shall be for a period of five years, with two options to renew each for a period of two years, exercisable by the Director of Port Control. For use of the Leased Premises, Lessees shall pay the City a rate, payable in monthly installments and based upon a residual model whereby the airlines guarantee the Department of Port Control's budget and overall operating expenses.

Section 2. The Master Leases and Agreements authorized by this ordinance shall be prepared by the Director of Law.

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

JMcG:nl
10-3-16
FOR: Interim Director Szabo

Ord. No. 1162-16

REPORT
after second Reading

Council Members Keane and Kelley (by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Director of Port Control to enter into a Master Lease Agreement with various signatory airlines for the use and occupancy of certain City-owned space located at Cleveland Hopkins International Airport, for a period of five years, with two options to renew each for a period of two years, exercisable by the Director of Port Control.

READ FIRST TIME on OCTOBER 3, 2016
and referred to **DIRECTORS** of Port Control, Finance, Law;
COMMITTEES on Transportation, Finance

REPORTS

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MAYOR

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PASSAGE RECOMMENDED BY
COMMITTEE ON
TRANSPORTATION

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
FINANCE

FILED WITH COMMITTEE

Ordinance No. 1163-16

AN EMERGENCY ORDINANCE

Authorizing the Director of Port Control to enter into one or more contracts with LHD & Associates, Inc. for federal government lobbying services necessary to assist the Department of Port Control with airport-related federal agencies and issues for a term of two years, with two one-year options to renew, the first of which shall require additional legislative authority.

**Council Members Keane and Kelley
(by departmental request)**

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 contracts with LHD & Associates, Inc. for federal government lobbying services necessary to assist the Department of Port Control with airport-related federal agencies and issues for a term of two years, with two one-year options to renew, in the estimated sum of \$100,000 per year, for the Department of Port Control. The first of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew may be exercisable at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council. The contract or contracts shall be paid from funds appropriated in 2017 and 2018 for this purpose.

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.

JMcG:nl
10-3-16

FOR: Interim Director Szabo

Ord. No. 1163-16

REPORT
after second Reading

Council Members Keane and Kelley (by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Director of Port Control to enter into one or more contracts with LHD & Associates, Inc. for federal government lobbying services necessary to assist the Department of Port Control with airport-related federal agencies and issues for a term of two years, with two one-year options to renew, the first of which shall require additional legislative authority.

READ FIRST TIME on OCTOBER 3, 2016
and referred to DIRECTORS of Port Control, Finance, Law;
COMMITTEES on Transportation, Finance

REPORTS

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MAYOR

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PASSAGE RECOMMENDED BY
COMMITTEE ON
TRANSPORTATION

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
FINANCE

FILED WITH COMMITTEE

Ordinance No. 1164-16

AN EMERGENCY ORDINANCE

Authorizing the Director of Finance to enter into one or more contracts with JIJ Communications for professional services necessary for the development, support, and management of communication and media strategies, and related services, for a period of one year, with one option to renew for an additional one-year period, exercisable by the Director of Finance.

**Council Member Kelley
(by departmental request)**

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

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Director of Finance is authorized to enter into one or more contracts with JIJ Communications for professional services necessary for the development, support, and management of communication and media strategies, and related services, for a period of one year, with one option to renew for an additional one-year period, exercisable by the Director of Finance, in the estimated amount of \$96,000, and payable from funds appropriated for this purpose.

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.

RC:nl
10-3-16

FOR: Director Dumas

Ordinance No. 1165-16

AN EMERGENCY ORDINANCE

Authorizing the Director of Finance to enter into an agreement with the Doerrer Group LLC for federal lobbying services for the City of Cleveland, for a period of one year, with one option to renew for an additional one-year period, exercisable by the Director of Finance.

**Council Member Kelley
(by departmental request)**

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

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Director of Finance is authorized to enter into an agreement with the Doerrer Group LLC for federal lobbying services for the City of Cleveland for a period of one year, with one option to renew for an additional one-year period, exercisable by the Director of Finance, in the estimated amount of \$120,000 and payable from funds appropriated for this purpose.

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.

RC:nl
10-3-16

FOR: Director Dumas

Ordinance No. 1166-16

AN EMERGENCY ORDINANCE

Authorizing the Director of Public Utilities to enter into an amendment to Contract No. PS 2013-97 with IBM Corporation to provide additional processors and memory needed to host and administer the Oracle customer care and billing system necessary due to the migration to monthly billing, for the Division of Water, the Department of Public Utilities.

**Council Members Brady and Kelley
(by departmental request)**

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

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Director of Public Utilities is authorized to enter into an amendment to Contract No. PS 2013-97 with IBM Corporation to provide additional processors and memory needed to host and administer the Oracle customer care and billing system necessary due to the migration to monthly billing, for the Division of Water, Department of Public Utilities. All other terms and conditions contained in the contract shall remain the same.

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

Section 3. That the costs of the amendment shall be paid from Fund No. 52 SF 001, Request No. RQS 2002, RL 2016-98.

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.

LW:nl
9-26-16

FOR: Director Davis

Ord. No. 1166-16

**REPORT
after second Reading**

Council Members Brady and Kelley (by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Director of Public Utilities to enter into an amendment to Contract No. PS 2013-97 with IBM Corporation to provide additional processors and memory needed to host and administer the Oracle customer care and billing system necessary due to the migration to monthly billing, for the Division of Water, the Department of Public Utilities.

READ FIRST TIME on OCTOBER 3, 2016
and referred to DIRECTORS of Public Utilities, Finance, Law;
COMMITTEES on Utilities, Finance

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**PASSAGE RECOMMENDED BY
COMMITTEE ON
UTILITIES**

FILED WITH COMMITTEE

**PASSAGE RECOMMENDED BY
COMMITTEE ON
FINANCE**

FILED WITH COMMITTEE

Ordinance No. 1167-16

AN EMERGENCY ORDINANCE

To supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 131.381 relating to the purchase of City-related merchandise, souvenirs, food, and beverages for resale at City parks, recreational facilities, and the West Side Market.

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

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

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 131.38 to read as follows:

Section 131.381 Purchase of City-related Merchandise, Souvenirs, Food, and Beverages for Resale at City Parks, Recreational Facilities, and the West Side Market

(a) The Director of Public Works is authorized to enter into one or more standard purchase or requirement contracts duly let to the lowest and best bidder after competitive bidding for merchandise, souvenirs, food, and beverages for resale at a price set by the Director, at City parks, recreational facilities, and the West Side Market, for a period of time to be determined by the Director.

(b) Any purchase made under this section shall be made by the Commissioner of Purchases and Supplies and paid from the annual appropriations made for that purpose.

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

(d) That the proceeds from the sale of the merchandise, souvenirs, food, and beverages shall be deposited into a fund or funds designated by the Director of Finance to provide support for programs and services to benefit the public in the use of parks, recreational facilities, and programs and services of the West Side Market, and are appropriated for that purpose.

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.

RC:nl
10-3-16

FOR: Director Cox

Ord. No. 1167-16

REPORT
after second Reading

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

AN EMERGENCY ORDINANCE

To supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 131.381 relating to the purchase of City-related merchandise, souvenirs, food, and beverages for resale at City parks, recreational facilities, and the West Side Market.

READ FIRST TIME on OCTOBER 3, 2016
and referred to DIRECTORS of Public Works, Finance, Law;
COMMITTEES on Municipal Services and Properties, Finance

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PASSAGE RECOMMENDED BY
COMMITTEE ON
**MUNICIPAL SERVICES
AND PROPERTIES**

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
FINANCE

FILED WITH COMMITTEE

Ordinance No. 1168-16

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

AN EMERGENCY ORDINANCE

Authorizing the Director of Capital Projects to issue a permit to 2044 Euclid Lofts, LLC to encroach into the public right-of-way of East 24th Street by installing, using, and maintaining an exhaust duct.

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

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Director of Capital Projects is authorized to issue a permit, revocable at the will of Council, to 2044 Euclid Lofts, LLC, 2044 Euclid Avenue, Suite 501, Cleveland, Ohio, 44115 ("Permittee"), to encroach into the public right-of-way of East 24th Street by installing, using, and maintaining a 24" by 24" black-painted welded steel exhaust duct, at the following location:

Exiting the building 66 feet south at the Northeast corner of the building at 2044 Euclid Avenue, Cleveland, Ohio, 44115 (also the corner of the property). At building exit, the duct work is 15 feet above street level. Immediately after exiting the building, the duct-work jogs 2 feet to the south and continues up a column, six stories, to the roof of the building (68 feet south of the property and building corner).

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

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

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

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

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

Ord. No. 1168-16

REPORT
after second Reading

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

AN EMERGENCY ORDINANCE

Authorizing the Director of Capital Projects to issue a permit to 2044 Euclid Lofts, LLC to encroach into the public right-of-way of East 24th Street by installing, using, and maintaining an exhaust duct.

READ FIRST TIME on OCTOBER 3, 2016
and referred to DIRECTORS of Capital Projects,
City Planning Commission, Finance, Law;
COMMITTEES on Municipal Services and Properties,
Development Planning and Sustainability

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COMMITTEE ON
**MUNICIPAL SERVICES
AND PROPERTIES**

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
**DEVELOPMENT, PLANNING AND
SUSTAINABILITY**

FILED WITH COMMITTEE

Resolution No. 1169-16

AN EMERGENCY RESOLUTION

Declaring the intent to vacate a portion of the 1st un-named Alley East of West 65th Street and North of West Clinton Avenue.

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

WHEREAS, this Council is satisfied that there is good cause to vacate a portion of the 1st un-named Alley East of West 65th Street and North of West Clinton Avenue, as described; and

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

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLEVELAND:

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

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, of part of Original Brooklyn Township 160 Acre Lot 32 further described as follows:

Being the 1st un-named Alley (20.00 feet wide), East of West 65th Street (80.00 feet wide) and North of West Clinton Avenue N.W. (60.00 feet wide) extending from the North line of West Clinton Avenue N.W. (60.00 feet wide) Northerly to its terminus as shown in the Gordon Allotment in Volume 21 of Maps, Page 2 of Cuyahoga County Records.

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

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

MS:gje

FOR: Director Spronz

Res. No. 1169-16

REPORT
after second Reading

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

AN EMERGENCY RESOLUTION

Declaring the intent to vacate a portion of the 1st un-named Alley East of West 65th Street and North of West Clinton Avenue.

READ FIRST TIME on OCTOBER 3, 2016
and referred to DIRECTORS of Capital Projects,
City Planning Commission, Finance, Law;
COMMITTEES on Municipal Services and Properties,
Development Planning and Sustainability

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PASSAGE RECOMMENDED BY
COMMITTEE ON
**MUNICIPAL SERVICES
AND PROPERTIES**

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PASSAGE RECOMMENDED BY
COMMITTEE ON
**DEVELOPMENT, PLANNING AND
SUSTAINABILITY**

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