

The City Record

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Official Proceedings City Council

Cleveland, Ohio
Monday, November 29, 2021

The meeting of the Council was called to order at 7:07 p.m. with the President of Council, Kevin J. Kelley, in the Chair.

Council Rule 49, requiring the attendance of the Mayor and director of all departments at council meetings is waived for this meeting.

Council Members present: Kevin L. Bishop, Anthony Brancatelli, Kevin Conwell, Marion Anita Gardner, Delores L. Gray, Blaine A. Griffin, Anthony T. Hairston, Basheer S. Jones, Joseph T. Jones, Brian Kazy, Kevin J. Kelley, Kerry McCormack, Brian Mooney, Michael D. Polensek, Charles Slife, Jenny Spencer.

Also present were: Interim Chief of Staff Sharon Dumas, Chief Operating Officer Darnell Brown, Law Director Barbara Langhenry.

MOTION

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

MOTION

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

Communications

From the Ohio Division of Liquor Control

File No. 1096-2021

#1879355. Stock Application, C1 C2 D6 D8. DC Liquor, Inc., 1303 West 6th Street (Ward 3). Received.

File No. 1097-2021

#2720303. Economic Development Transfer Application, D1 D2 D3 D6. Fin and Feathers Cleveland LLC, 721 Bolivar Road (Ward 3). Received.

File No. 1098-2021

#84189940220. Stock Application, C1 C2. Speedway LLC, 18501 Nottingham Road (Ward 8). Received.

File No. 1099-2021

#84189940230. Stock Application, C1 C2. Speedway LLC, 2202 Broadview Road (Ward 12). Received.

File No. 1100-2021

#84189940310. Stock Application, C1. Speedway LLC, 7250 Brookpark Road (Ward 13). Received.

File No. 1101-2021

#84189940300. Stock Application, C1 C2 D6. Speedway LLC, 4280 West 150th Street (Ward 16). Received.

File No. 1102-2021

#84189940325. Stock Application, C1 C2. Speedway LLC, 15520 Munn Road (Ward 17). Received.

File No. 1103-2021

#2389493. Stock Application, D1 D2 D3 D3A. E J Tavern, Inc., 4310-12 Clark Avenue (Ward 3). Received.

File No. 1104-2021

#6659999. New License Application, C2. PMG Airport Plazas Developers LLC, 18930 Brookpark Road (Ward 17). Received.

File No. 1104-2021

#00037280001. Transfer of Location Application, D5. A J Rocco Company, 828 Huron Road (Ward 3). Received.

Ordinances and Resolutions

Ceremonial Resolutions

Ceremonial resolutions are used by Council to recognize dignitaries and community members, and their accomplishments.

Resolutions of Condolence

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

Conwell	Res. No. 1137-2021	Dr. Clarence Mixon
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Resolutions of Congratulations

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

Griffin	Res. No. 1133-2021	Tracy Oliver
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Polensek	Res. No. 1134-2021	Eugene Thomas
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Resolutions of Recognition

The Rules were suspended, and the following Resolutions were adopted without objection:

Santana	Res. No. 1135-2021	Kimberly Sark
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Santana	Res. No. 1136-2021	Jim Kenny
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Ordinances and Resolutions

First Reading Emergency Ordinances Referred

An ordinance is a City law written and enacted by City Council. Ordinances govern the actions, responsibilities and tax dollars of residents, businesses, organizations, city departments and visitors in Cleveland. Ordinances can be written and passed to address issues about housing, safety, public services, employment, the City budget and economic development. Many ordinances authorize the City to spend money on contracts and projects that support the mission of the City of Cleveland.

Ordinances are effective 30 days after passage. Emergency ordinances take effect immediately upon the Mayor's signature or 10 days after passage.

Under the Charter, legislation cannot be passed until it has been read on three separate days, unless this requirement is dispensed with by a two-thirds vote of the Council. This is known as passing legislation "under suspension." Ordinances may be passed under suspension after either the first or second reading.

If not passed under suspension after the first reading, the legislation is then sent to the appropriate City departments for review.

These ordinances were read for the first time on Monday, November 29, 2021, and referred to the appropriate City departments and Council Committees for review.

Click on an ordinance below to read it:

[Ord. No. 1113-2021](#)

[Ord. No. 1123-2021](#)

[Ord. No. 1114-2021](#)

[Ord. No. 1124-2021](#)

[Ord. No. 1115-2021](#)

[Ord. No. 1125-2021](#)

[Ord. No. 1116-2021](#)

[Ord. No. 1126-2021](#)

[Ord. No. 1117-2021](#)

[Ord. No. 1127-2021](#)

[Ord. No. 1118-2021](#)

[Ord. No. 1128-2021](#)

[Ord. No. 1119-2021](#)

[Ord. No. 1129-2021](#)

[Ord. No. 1120-2021](#)

[Ord. No. 1130-2021](#)

[Ord. No. 1121-2021](#)

[Ord. No. 1131-2021](#)

[Ord. No. 1122-2021](#)

[Ord. No. 1132-2021](#)

Ordinance No. 1113-2021

By Council Members: McCormack and Kelley (by departmental request)

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from Cuyahoga County Solid Waste Management District for the 2022-24 Solid and Infectious Waste and Construction and Demolition Debris Program; and to enter into contract with Cuyahoga County to implement the grant.

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

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

Section 1. That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$70,000 for each year of the grant, and any other funds that may become available during the grant term, from the Cuyahoga County Solid Waste Management District to conduct the 2022-24 Solid and Infectious Waste and Construction and Demolition Debris Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the Executive Summary for the grant contained in the file described below.

Section 2. That the Executive Summary for the grant, File No. 1113-2021-A, made a part of this ordinance as if fully rewritten, is approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the Director of Public Health shall have the authority to extend the term of the grant during the grant term.

Section 4. That the Director of Public Health shall deposit the grant accepted under this ordinance into a fund or funds designated by the Director of Finance to implement the program as described in the file and appropriated for that purpose.

Section 5. That the Director of Public Health is authorized to enter into one or more contracts with the Cuyahoga County Solid Waste District, during the grant term, to implement the grant as described in the file.

Section 6. That, unless expressly prohibited by the grant agreement, under Section 108(b) of the Charter, purchases made under the grant agreement may be made through cooperative arrangements with other governmental agencies. The Director of Public Health may sign all documents and do all things that are necessary to make the purchases and may enter into one or more contracts with the vendors selected through that cooperative process. The contracts will be paid from the fund or funds to which are credited any grant funds accepted under this ordinance.

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

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

Ordinance No. 1114-2021

By Council Members: Gardner, Brancatelli and Kelley (by departmental request)

An emergency ordinance authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire the Audubon School and property located at 3055 Martin Luther King, Jr. Drive for future redevelopment for the Department of Community Development; to convey the property to TCB Ohio, Inc. (The Community Builders, Inc.), or its designee; and to enter into an agreement between the City and the Redeveloper.

WHEREAS, Revised Code Section 3313.41(C), permits a board of education to dispose of real property to a municipal corporation; and

WHEREAS, the Director of Community Development has requested the acquisition of Audubon School from the Cleveland Metropolitan School District (“CMSD”) located at 3055 Martin Luther King, Jr. Drive (“Property”) for purposes of future redevelopment; and

WHEREAS, under this ordinance, the Director of Community Development will acquire the Property from CMSD, enter into a development agreement with TCB Ohio, Inc. (The Community Builders, Inc.), or its designee (“Redeveloper”), and convey the Property to the Redeveloper; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Mayor and the Commissioner of Purchases and Supplies are authorized to acquire Permanent Parcel No. 128-24-001 from CMSD for purposes of future redevelopment.

Section 2. That the Director of Community Development is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire, accept, record, and convey the Property.

Section 3. That the consideration to be paid for this Property shall not exceed the appraised value of \$78,000 and shall be borne entirely by the Redeveloper, paid directly to CMSD by the Redeveloper, and shall be at no cost to the City.

Section 4. That this Council finds that the Property is no longer needed for public use and that the conveyance to the Redeveloper constitutes a public purpose of redeveloping vacant property.

Section 5. That by at the direction of the Board of Control, the Mayor and the Commissioner of Purchases and Supplies are authorized to convey the Property to the Redeveloper, taking into account all restrictions, reversionary interests, and similar encumbrances as may be placed by the City of Cleveland in the deed of conveyance.

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

Section 7. That the Director of Community Development is authorized to enter into an Agreement with the Redeveloper that shall include the terms and considerations of the transaction authorized by this ordinance.

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

Referred to Directors of Community Development; City Planning Commission; Finance; and Law; Committees on Development Planning and Sustainability; and Finance.

Ordinance No. 1115-2021

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

An emergency ordinance authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire the Charles Lake School and property located at 9201 Hillock Avenue for future redevelopment for the Department of Community Development; to convey the property to Ozanne Construction Company, Inc., or its designee; and to enter into an agreement between the City and the Redeveloper.

WHEREAS, Revised Code Section 3313.41(C), permits a board of education to dispose of real property to a municipal corporation; and

WHEREAS, the Director of Community Development has requested the acquisition of Charles Lake School from the Cleveland Metropolitan School District (“CMSD”) located at 9201 Hillock Avenue (“Property”) for purposes of future redevelopment; and

WHEREAS, under this ordinance, the Director of Community Development will acquire the Property from CMSD, enter into a development agreement with Ozanne Construction Company, Inc., or its designee (“Redeveloper”), and convey the Property to the Redeveloper; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Mayor and the Commissioner of Purchases and Supplies are authorized to acquire Permanent Parcel Nos. 108-02-004 through and including 108-02-021 and 108-02-112 through and including 108-02-125 from CMSD for purposes of future redevelopment.

Section 2. That the Director of Community Development is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire, accept, record, and convey the Property.

Section 3. That the consideration to be paid for this Property shall not exceed the appraised value of \$185,000 and shall be borne entirely by the Redeveloper, paid directly to CMSD by the Redeveloper, and shall be at no cost to the City.

Section 4. That this Council finds that the Property is no longer needed for public use and that the conveyance to the Redeveloper constitutes a public purpose of redeveloping vacant property.

Section 5. That by at the direction of the Board of Control, the Mayor and the Commissioner of Purchases and Supplies are authorized to convey the Property to the Redeveloper, taking into account all restrictions, reversionary interests, and similar encumbrances as may be placed by the City of Cleveland in the deed of conveyance.

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

Section 7. That the Director of Community Development is authorized to enter into an Agreement with the Redeveloper that shall include the terms and considerations of the transaction authorized by this ordinance.

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

Referred to Directors of Community Development; City Planning Commission; Finance; and Law; Committees on Development Planning and Sustainability; and Finance.

Ordinance No. 1116-2021

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

An emergency ordinance authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire the Martin Luther King, Jr. High School and property located at 1651 East 71st Street for future redevelopment for the Department of Community Development; to convey the property to Structures Unlimited, LLC, or their designee; and to enter into an agreement between the City and the Redeveloper.

WHEREAS, Revised Code Section 3313.41(C), permits a board of education to dispose of real property to a municipal corporation; and

WHEREAS, the Director of Community Development has requested the acquisition of Charles Lake School from the Cleveland Metropolitan School District (“CMSD”) located at 9201 Hillock Avenue (“Property”) for purposes of future redevelopment; and

WHEREAS, under this ordinance, the Director of Community Development will acquire the Property from CMSD, enter into a development agreement with Structures Unlimited, LLC, or their designee (“Redeveloper”), and convey the Property to the Redeveloper; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Mayor and the Commissioner of Purchases and Supplies are authorized to acquire Permanent Parcel Nos. 106-16-041, 106-16-042, 106-16-074 through and including 106-16-092 from CMSD for purposes of future redevelopment.

Section 2. That the Director of Community Development is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire, accept, record, and convey the Property.

Section 3. That the consideration to be paid for this Property shall not exceed the appraised value of \$880,000 and shall be borne entirely by the Redeveloper, paid directly to CMSD by the Redeveloper, and shall be at no cost to the City.

Section 4. That this Council finds that the Property is no longer needed for public use and that the conveyance to the Redeveloper constitutes a public purpose of redeveloping vacant property.

Section 5. That by at the direction of the Board of Control, the Mayor and the Commissioner of Purchases and Supplies are authorized to convey the Property to the Redeveloper, taking into account all restrictions, reversionary interests, and similar encumbrances as may be placed by the City of Cleveland in the deed of conveyance.

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

Section 7. That the Director of Community Development is authorized to enter into an Agreement with the Redeveloper that shall include the terms and considerations of the transaction authorized by this ordinance.

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

Referred to Directors of Community Development; City Planning Commission; Finance; and Law; Committees on Development Planning and Sustainability; and Finance.

Ordinance No. 1117-2021

By Council Members: Gardner, Brancatelli and Kelley (by departmental request)

An emergency ordinance authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire the Mt. Auburn School and property located at 10110 Mt. Auburn Avenue for future redevelopment for the Department of Community Development; to convey the property to TCB Ohio, Inc. (The Community Builders, Inc.), or its designee; and to enter into an agreement between the City and the Redeveloper.

WHEREAS, Revised Code Section 3313.41(C), permits a board of education to dispose of real property to a municipal corporation; and

WHEREAS, the Director of Community Development has requested the acquisition of Mt. Auburn School from the Cleveland Metropolitan School District (“CMSD”) located at 10110 Mt. Auburn Avenue (“Property”) for purposes of future redevelopment; and

WHEREAS, under this ordinance, the Director of Community Development will acquire the Property from CMSD, enter into a development agreement with TCB Ohio, Inc. (The Community Builders, Inc.), or its designee (“Redeveloper”), and convey the Property to the Redeveloper; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Mayor and the Commissioner of Purchases and Supplies are authorized to acquire Permanent Parcel No. 128-18-001 from CMSD for purposes of future redevelopment.

Section 2. That the Director of Community Development is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire, accept, record, and convey the Property.

Section 3. That the consideration to be paid for this Property shall not exceed the appraised value of \$25,000 and shall be borne entirely by the Redeveloper, paid directly to CMSD by the Redeveloper, and shall be at no cost to the City.

Section 4. That this Council finds that the Property is no longer needed for public use and that the conveyance to the Redeveloper constitutes a public purpose of redeveloping vacant property.

Section 5. That by at the direction of the Board of Control, the Mayor and the Commissioner of Purchases and Supplies are authorized to convey the Property to the Redeveloper, taking into account all restrictions, reversionary interests, and similar encumbrances as may be placed by the City of Cleveland in the deed of conveyance.

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

Section 7. That the Director of Community Development is authorized to enter into an Agreement with the Redeveloper that shall include the terms and considerations of the transaction authorized by this ordinance.

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

Referred to Directors of Community Development; City Planning Commission; Finance; and Law; Committees on Development Planning and Sustainability; and Finance.

Ordinance No. 1118-2021

By Council Members: Kazy and Kelley (by departmental request)

An emergency ordinance authorizing the Director of Public Utilities to exercise the first option to renew Contract No. PS 2021-184 with Kyndryl, Inc. to provide professional services for hosting and hosting support of the Oracle Customer Care and Billing System.

WHEREAS, under the authority of Ordinance No. 414-17, passed May 8, 2017, the Director of Public Utilities entered into Contract No. PS 2019-125 (“IBM Contract”) with International Business Machines Corporation, for professional services for hosting and hosting support of the Oracle Customer Care and Billing System; and

WHEREAS, under the authority of Assignment and Novation Agreement No. PS 2021-184, the IBM Contract was assigned to Kyndryl, Inc. (“Kyndryl Contract”); and

WHEREAS, the Director of Public Utilities wishes to exercise its first option to renew the Kyndryl Contract to perform professional services for hosting and hosting support of the Oracle Customer Care and Billing System; and

WHEREAS, Ordinance No. 414-17 requires further legislation before exercising the first option to renew on this contract; and

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

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

Section 1. That the Director of Public Utilities is authorized to exercise the first option to renew the Kyndryl Contract for professional services for hosting and hosting support of the Oracle Customer Care and Billing System, at a cost not to exceed \$650,000. This ordinance constitutes the additional legislative authority required by Ordinance No. 414-17 to exercise this option. (RQS 2002, RL 2021-94)

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

Referred to Directors of Public Utilities; Finance; and Law; Committees on Utilities; and Finance.

Ordinance No. 1119-2021**By Council Members:** Kelley (by departmental request)

An emergency ordinance to make additional appropriations of Thirty Four Million Eight Hundred Thousand (\$34,800,000) to the General Fund, One Million Three Hundred Seventy Five Thousand (\$1,375,000) to the Special Revenue Fund and Ninety Four Thousand (\$94,000) to the Internal Service Fund.

WHEREAS, it is necessary to appropriate balances in various funds, the sum of Thirty Six Million Two Hundred Sixty Nine Thousand (\$36,269,000) which is available for additional appropriation; 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 there is hereby appropriated the additional revenue as set forth in the Amended Official Certificate of Estimated Resources previously unappropriated as follows:

GENERAL FUND

EXECUTIVE BRANCH

Council and Clerk of Council		\$300,000
II Other Expenses	300,000	
TOTAL EXECUTIVE BRANCH		\$300,000

NONDEPARTMENTAL

Other Administrative		\$500,000
II Other Expenses	500,000	
Transfer to Other Funds		\$34,000,000
II Other Expenses	34,000,000	
TOTAL NONDEPARTMENTAL		\$34,500,000

TOTAL GENERAL FUND		\$34,800,000
SPECIAL REVENUE FUND		
DEPARTMENT OF FINANCE		
Restricted Income Tax		\$375,000
II Other Expenses	375,000	
TOTAL DEPARTMENT OF FINANCE		\$375,000
DEPARTMENT OF PUBLIC WORKS		
Division of Streets		\$1,000,000
I Personnel and Related Expenses	1,000,000	
TOTAL DEPARTMENT OF PUBLIC WORKS		\$1,000,000
TOTAL SPECIAL REVENUE FUND		\$1,375,000
INTERNAL SERVICE FUND		
DEPARTMENT OF FINANCE		
Telephone Exchange		\$94,000
I Personnel and Related Expenses	94,000	
TOTAL DEPARTMENT OF PUBLIC WORKS		\$94,000
TOTAL INTERNAL SERVICE FUND		\$94,000
TOTAL ALL FUNDS		\$36,269,000

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

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

Ordinance No. 1120-2021

By Council Members: Kelley (by departmental request)

An emergency ordinance to provide for the transfer and amendment to the General Fund appropriations in the amount of Twelve Million Four Hundred Seventy Five Thousand (\$12,475,000), One Hundred Fifty Three Thousand (\$153,000) within the Internal Service Fund and Sixty Thousand (\$60,000) within the Small Enterprise Fund.

WHEREAS, in accordance with Section 41 of the Charter, the Mayor has recommended in writing the within transfer; 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 to provide for the Transfer and Amendment to the General Fund appropriations in the amount of Twelve Million Four Hundred Seventy Five Thousand (\$12,475,000), One Hundred Fifty Three Thousand (\$153,000) within the Internal Service Fund and Sixty Thousand (\$60,000) within the Small Enterprise Fund, as follows:

	Transfer To	Transfer From
GENERAL FUND		
JUDICIAL BRANCH		
Municipal Court - Judicial Division		
I Personnel and Related Expenses		\$450,000
Clerks Division		
I Personnel and Related Expenses		\$450,000
Housing Division		
I Personnel and Related Expenses		\$375,000
II Other Expenses	\$25,000	
TOTAL JUDICIAL BRANCH	\$25,000	\$1,275,000
GENERAL GOVERNMENT		
Office of the Mayor		

I Personnel and Related Expenses		\$800,000
Office of Capital Projects		
I Personnel and Related Expenses		\$250,000
Board of Zoning Appeals		
I Personnel and Related Expenses	\$10,000	
City Planning Commission		
II Other Expenses	\$300,000	
Office of Prevention, Intervention and Opportunity for Youth & Young Adults		
I Personnel and Related Expenses		\$300,000
TOTAL GENERAL GOVERNMENT	\$310,000	\$1,350,000
DEPARTMENT OF LAW		
Department of Law		
I Personnel and Related Expenses		\$450,000
II Other Expenses	\$1,300,000	
TOTAL DEPARTMENT OF LAW	\$1,300,000	\$450,000
DEPARTMENT OF FINANCE		
Finance Administration		
I Personnel and Related Expenses		\$400,000
Division of Assessments and Licenses		
I Personnel and Related Expenses		\$500,000
II Other Expenses		\$250,000
Division of Treasury		
I Personnel and Related Expenses	\$15,000	
Information Systems Services		
I Personnel and Related Expenses		\$200,000
II Other Expenses	\$75,000	
TOTAL DEPARTMENT OF FINANCE	\$90,000	\$1,350,000

DEPARTMENT OF PUBLIC HEALTH

Health Administration

I Personnel and Related Expenses		\$250,000
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Division of Health

I Personnel and Related Expenses		\$550,000
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Division of Health, Equity & Social Justice

II Other Expenses	\$200,000	
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TOTAL DEPARTMENT OF PUBLIC HEALTH

	\$200,000	\$800,000
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DEPARTMENT OF PUBLIC SAFETY

Public Safety Administration

I Personnel and Related Expenses		\$250,000
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Division of Police

I Personnel and Related Expenses		\$2,950,000
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Division of Fire

I Personnel and Related Expenses	\$3,900,000	
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II Other Expenses	\$275,000	
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Division of Emergency Medical Services

I Personnel and Related Expenses		\$1,800,000
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II Other Expenses	\$185,000	
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Division of Correction

II Other Expenses		\$400,000
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Community Police Commission

I Personnel and Related Expenses	\$10,000	
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TOTAL DEPARTMENT OF PUBLIC SAFETY

	\$4,370,000	\$5,400,000
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DEPARTMENT OF PUBLIC WORKS

Division of Recreation

I Personnel and Related Expenses		\$750,000
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II Other Expenses		\$400,000
Parking Facilities-On Street		
II Other Expenses	\$30,000	
Division of Property Management		
II Other Expenses		\$350,000
Division of Park Maintenance		
I Personnel and Related Expenses	\$850,000	
Division of Waste		
I Personnel and Related Expenses	\$900,000	
II Other Expenses	\$4,000,000	
Division of Traffic Engineering		
I Personnel and Related Expenses	\$45,000	
TOTAL DEPARTMENT OF PUBLIC WORKS	<u>\$5,825,000</u>	<u>\$1,500,000</u>
DEPARTMENT OF COMMUNITY DEVELOPMENT		
Department of Community Development Director's Office		
II Other Expenses	\$15,000	
TOTAL DEPARTMENT OF COMMUNITY DEVELOPMENT	<u>\$15,000</u>	
DEPARTMENT OF BUILDING AND HOUSING		
Building and Housing Director's Office		
I Personnel and Related Expenses		\$350,000
Division of Construction Permit		
I Personnel and Related Expenses	\$50,000	
TOTAL DEPARTMENT OF BUILDING AND HOUSING	<u>\$50,000</u>	<u>\$350,000</u>
NON-DEPARTMENTAL		
County Auditor Deductions		

II Other Expenses	\$40,000	
Other Administration		
II Other Expenses	\$250,000	
TOTAL NON-DEPARTMENTAL	\$290,000	
TOTAL GENERAL FUND	\$12,475,000	\$12,475,000
INTERNAL SERVICE FUND		
Sinking Fund		
I Personnel and Related Expenses	\$17,000	
II Other Expenses		\$17,000
Motor Vehicle Maintenance		
I Personnel and Related Expenses		\$130,000
II Other Expenses	\$130,000	
Storeroom		
I Personnel and Related Expenses	\$6,000	
II Other Expenses		\$6,000
TOTAL INTERNAL SERVICE FUND	\$153,000	\$153,000
SMALL ENTERPRISE FUND		
Off-Street		
I Personnel and Related Expenses	\$35,000	
II Other Expenses		\$35,000
Westside Market		
I Personnel and Related Expenses	\$25,000	
II Other Expenses		\$25,000
TOTAL SMALL ENTERPRISE FUND	\$60,000	\$60,000
TOTAL ALL FUNDS	\$12,688,000	\$12,688,000

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

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

Ordinance No. 1121-2021

By Council Members: Spencer, Kazy, Bishop and Kelley (by departmental request)

An emergency ordinance authorizing the Directors of Public Utilities and/or Public Works to enter into one or more agreements with the Northeast Ohio Regional Sewer District to allow and accept the construction of a public restroom facility as part of NEORSD’s Westerly Tunnel Dewatering Pump Station Project on property being leased by the Department of Public Utilities to the Cleveland Area Soap Box Derby Association, Inc.; and to amend Contract No. 57302 regarding maintenance of the restroom facility after construction.

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

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

Section 1. That the Directors of Public Utilities and/or Public Works is authorized to enter into one or more agreements the Northeast Ohio Regional Sewer District to allow and accept the construction of a restroom facility as part of NEORSD’s Westerly Tunnel Dewatering Pump Station Project on property near the Garrett A. Morgan Water Treatment Plant being leased by the Department of Public Utilities to the Cleveland Area Soap Box Derby Association, Inc. (the “Soap Box Derby”), as a gift to the City. The agreements shall be prepared by the Director of Law and shall contain additional terms and conditions that the Director deems necessary to protect and benefit the public interest.

Section 2. That the Director of Public Utilities and/or Public Works is authorized to enter into an amendment to Contract No. 57302 with the Soap Box Derby to require that the Soap Box Derby clean, lock, and supply the restroom facility once constructed and perform general maintenance, excluding winterization, which shall be done by the Department of Public Works annually. The amendment shall provide that the Soap Box Derby allows NEORSD access over its leased premises for purposes of constructing the restroom facility; gives NEORSD regular access to its Westerly Tunnel Dewatering Pump Station through the leased premises at a location approved by the parties; and gives City the right to use the public restrooms on terms that are agreeable to Soap Box Derby and City. All other terms and conditions contained in the contract shall remain the same.

Section 3. That the amendment shall be prepared by the Director of Law.

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

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

Referred to Directors of Public Utilities; Public Works; City Planning Commission; Finance; and Law; Committees on Finance.

Ordinance No. 1122-2021

By Council Members: Brancatelli, Bishop and Kelley (by departmental request)

An emergency ordinance to amend Sections 13 and 14 of Ordinance No. 532-2021, passed November 15, 2021, relating to an agreement with the Cleveland Metropolitan School District for the purchase, lease and redevelopment of South High School located at 7415 Broadway Avenue to add certain professional services.

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 Sections 13 and 14 of Ordinance No. 532-2021, passed November 15, 2021, are amended to read as follows:

Section 13. That the Director of Capital Projects is authorized to employ by contract one or more architects, landscape architects and engineers, or one or more firms of architects, landscape architects and engineers, for the professional services necessary to implement this ordinance, and, in addition, 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 the related professional services necessary to implement the purposes of this ordinance and the public improvement including, but not limited to, providing owner representation and/or advisory services and/or performing construction management services.

Section 14. That the selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Capital Projects from a list of qualified architects, landscape architects, engineers, and consultants available for the employment as may be determined after a full and complete canvass by the Director of Capital Projects for the purpose of compiling the list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Capital Projects and certified by the Director of Finance.

Section 2. That existing Sections 13 and 14 of Ordinance No. 532-2021, passed November 15, 2021, are repealed.

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

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

Ordinance No. 1123-2021

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

An emergency ordinance directing a portion of the City’s Coronavirus Local Fiscal Recovery Fund payment to the City’s COVID-19 response by authorizing the Director of Community Development to enter into an agreement with an eligible private nonprofit organization to finance the development of affordable housing at 9410 Hough Avenue, with funds to be encumbered during the period beginning March 3, 2021, and ending December 31, 2024.

WHEREAS, Title IX, Subtitle M, Section 9901 of the American Rescue Plan Act, Pub. L. 117-2 [H.R. 1319], signed into law March 11, 2021 (“ARPA”), appropriated Coronavirus Local Fiscal Recovery Fund (“Fund”) payments from the U.S. Treasury Secretary to metropolitan cities, nonentitlement units of local government, and counties; and

WHEREAS, the ARPA continues many of the programs started by the CARES Act (2020) and Consolidated Appropriations Act (2021) by adding new phases, new allocations, and new guidance to address issues related to the continuation of the COVID-19 pandemic; and

WHEREAS, pursuant to the ARPA’s Fund methodology, the City has been allocated the amount of \$511,721,590.00 (“Fund Payment”) to “mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (COVID-19)”; and

WHEREAS, in response to this economic crisis, the Department of the Treasury (“Treasury Department”) is providing such relief to state, local, and Tribal governments to enable them to continue to support the public health response and lay the foundation for a strong and equitable economic recovery; and

WHEREAS, the ARPA and its supporting guidance issued by the Treasury Department provide that the Fund Payment may only be used by the City to finance costs that (a) respond to the COVID-19 public health emergency or its negative economic impacts; (b) respond to workers performing essential work; (c) provide government services to the extent of reduction in revenue; and (d) make necessary investments in water, sewer, or broadband infrastructure (collectively, “Criteria”); and

WHEREAS, so long as the City duly directs its Fund Payment to finance those costs in compliance with the Criteria, the City may use the Fund Payment to offset the City’s various fiscal effects from COVID-19 during the period beginning March 3, 2021, and ending December 31, 2024 (“Covered Period”); and

WHEREAS, the City received some or all of the Fund Payment directly from the Treasury Department under the authority of Ordinance No. 303-2021, passed by this Council on May 10, 2021, and which affirms said Fund Payment is to cover only those expenditures consistent with ARPA, including the Criteria, and applicable regulations, and such Fund Payment has been or will be deposited into an appropriate special revenue fund created and maintained by the City; and

WHEREAS, the Treasury Department has published Interim Final Rule (31 CFR 35.1 et seq.) and its regularly updated Coronavirus State and Local Fiscal Recovery Funds' Frequently Asked Questions (collectively, "Guidance"), further explaining the Criteria and the proper use of the Fund Payment during the Covered Period; and

WHEREAS, the condemned multi-family apartment building at 9410 Hough Avenue is being redeveloped into a 116-unit affordable housing development ("Affordable Housing Project"); and

WHEREAS, the City desires to provide to a private nonprofit organization, formed in satisfaction of certain federal requirements, approximately \$8,000,000 for the Affordable Housing Project; and

WHEREAS, the Criteria and Guidance describe such eligible uses of the Fund Payment to include alleviating the immediate economic impacts of the COVID-19 pandemic on housing security by increasing the supply of affordable and high-quality living units in a Qualified Census Tract; and

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department and constitutes an emergency measure providing for the immediate preservation of the public peace, property, health and safety in the timely authorization and the signing of the necessary agreements and documents to expend the Fund Payment; now, therefore,

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

Section 1. That this Council hereby declares that its COVID-19 Response, defined herein, duly authorizes the Director of Community Development to enter into an agreement with an eligible private nonprofit organization for a total amount of approximately \$8,000,000 to finance ARPA-eligible acquisition, construction, and other associated costs of the Affordable Housing Project. This Council's decision that such expenditures are appropriate by virtue of charging the City's Fund Payment is based on the consideration that the development programming addresses the negative economic impact of COVID-19 by investing in housing and neighborhoods, particularly as such programming is provided in a Qualified Census Tract in the City ("COVID-19 Response"). The private nonprofit organization to enter into the agreement shall be determined by the Board of Control on the nomination of the Director of Economic who shall first determine that the organization meets the federal requirements.

Section 2. That the agreement and other appropriate documents need to complete the transaction authorized by this legislation shall be prepared by the Director of Law and shall contain such other terms and conditions that the Director of Law determines to be necessary to protect and benefit the City.

Section 3. That the cost of the the agreement shall be paid from the Fund Payment appropriated under this ordinance, from the fund or funds to which are credited the proceeds of any existing or future bond issue that includes these purposes, and from any other funds that are appropriated for this purpose as determined by the Director of Finance. (RQS 0117, RL 2021-79)

Section 4. That the agreement authorized shall be fully executed, with funds to be encumbered during the period beginning March 3, 2021, and ending December 31, 2024.

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

Referred to Directors of Community Development; Finance; and Law; Committees on Development Planning and Sustainability; and Finance.

Ordinance No. 1124-2021

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

An emergency ordinance directing a portion of the City’s Coronavirus Local Fiscal Recovery Fund payment to the City’s COVID-19 response by authorizing the Director of Economic Development to enter into an agreement with an eligible, private nonprofit organization to finance the development of affordable housing on East 66th Street at Linwood Avenue, with funds to be encumbered during the period beginning March 3, 2021, and ending December 31, 2024.

WHEREAS, Title IX, Subtitle M, Section 9901 of the American Rescue Plan Act, Pub. L. 117-2 [H.R. 1319], signed into law March 11, 2021 (“ARPA”), appropriated Coronavirus Local Fiscal Recovery Fund (“Fund”) payments from the U.S. Treasury Secretary to metropolitan cities, nonentitlement units of local government, and counties; and

WHEREAS, the ARPA continues many of the programs started by the CARES Act (2020) and Consolidated Appropriations Act (2021) by adding new phases, new allocations, and new guidance to address issues related to the continuation of the COVID-19 pandemic; and

WHEREAS, pursuant to the ARPA’s Fund methodology, the City has been allocated the amount of \$511,721,590.00 (“Fund Payment”) to “mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (COVID-19)”; and

WHEREAS, in response to this economic crisis, the Department of the Treasury (“Treasury Department”) is providing such relief to state, local, and Tribal governments to enable them to continue to support the public health response and lay the foundation for a strong and equitable economic recovery; and

WHEREAS, the ARPA and its supporting guidance issued by the Treasury Department provide that the Fund Payment may only be used by the City to finance costs that (a) respond to the COVID-19 public health emergency or its negative economic impacts; (b) respond to workers performing essential work; (c) provide government services to the extent of reduction in revenue; and (d) make necessary investments in water, sewer, or broadband infrastructure (collectively, “Criteria”); and

WHEREAS, so long as the City duly directs its Fund Payment to finance those costs in compliance with the Criteria, the City may use the Fund Payment to offset the City’s various fiscal effects from COVID-19 during the period beginning March 3, 2021, and ending December 31, 2024 (“Covered Period”); and

WHEREAS, the City received some or all of the Fund Payment directly from the Treasury Department under the authority of Ordinance No. 303-2021, passed by this Council on May 10, 2021, and which affirms said Fund Payment is to cover only those expenditures consistent with ARPA, including the Criteria, and applicable regulations, and such Fund Payment has been or will be deposited into an appropriate special revenue fund created and maintained by the City; and

WHEREAS, the Treasury Department has published Interim Final Rule (31 CFR 35.1 et seq.) and its regularly updated Coronavirus State and Local Fiscal Recovery Funds' Frequently Asked Questions (collectively, "Guidance"), further explaining the Criteria and the proper use of the Fund Payment during the Covered Period; and

WHEREAS, a multi-phase development project consisting of townhomes and apartments over a retail mixed-use commercial building is being constructed on either side of E. 66th Street at Linwood Avenue ("Development"); and

WHEREAS, fifteen of the proposed seventy-two apartments of the Development will be affordable housing units ("Affordable Housing"); and

WHEREAS, the City desires to provide funding to a private nonprofit organization, formed in satisfaction of certain federal requirements, approximately \$3,000,000 for the Project's Affordable Housing; and

WHEREAS, the Criteria and Guidance describe such eligible uses of the Fund Payment to include alleviating the immediate economic impacts of the COVID-19 pandemic on housing security by increasing the supply of affordable and high-quality living units in geographic areas disproportionately impacted by the COVID-19 public health emergency; and

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department and constitutes an emergency measure providing for the immediate preservation of the public peace, property, health and safety in the timely authorization and the signing of the necessary agreements and documents to expend the Fund Payment; now, therefore,

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

Section 1. That this Council hereby declares that its COVID-19 Response, defined herein, duly authorizes the Director of Economic Development to enter into an agreement with an eligible private, nonprofit organization for approximately \$3,000,000 to finance the ARPA-eligible construction and other associated costs of the Affordable Housing. This Council's decision that such expenditures are appropriate by virtue of charging the City's Fund Payment is based on the consideration that the development programming addresses the negative economic impact of COVID-19 by investing in housing and neighborhoods disproportionately impacted by the COVID-19 public health emergency ("COVID-19 Response"). The private nonprofit organization to enter into the agreement shall be determined by the Board of Control on the nomination

of the Director of Economic who shall first determine that the organization meets the federal requirements.

Section 2. That the agreement and other appropriate documents need to complete the transaction authorized by this legislation shall be prepared by the Director of Law and shall contain such other terms and conditions that the Director of Law determines to be necessary to protect and benefit the City.

Section 3. That the cost of the the agreement shall be paid from the Fund Payment appropriated under this ordinance, from the fund or funds to which are credited the proceeds of any existing or future bond issue that includes these purposes, and from any other funds that are appropriated for this purpose as determined by the Director of Finance. (RQS 0117, RL 2021-79)

Section 4. That the agreement authorized shall be fully executed, with funds to be encumbered during the period beginning March 3, 2021, and ending December 31, 2024.

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

**Referred to Directors of Economic Development; Finance; and Law;
Committees on Development Planning and Sustainability; and Finance.**

Ordinance No. 1125-2021

By Council Members: Kelley (by departmental request)

An emergency ordinance authorizing the Director of Finance to pay as Moral Claims the sums opposite the names of the claimants.

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 pay as Moral Claims the sums opposite the names of the following claimants and charged against the fund numbers opposite the names of the claimants:

**MORAL CLAIMS COMMISSION
Moral Claim Meeting on November 19, 2021
APPROVED PAYMENTS**

<u>Claimant</u>	<u>Claim No.</u>	<u>Amount</u>	<u>Division</u>	<u>Fund</u>
DEPARTMENT OF PUBLIC SAFETY				
Jones III, John	12658	\$137.20	Police	01-600400-672000
DEPARTMENT OF PUBLIC WORKS				
Laschinger, Caitlin	12663	\$500.00	Urban Forestry	01-701204-672000
Vince, Joseph	12660	\$745.00	Vacant Lots	01-701205-672000
Onugha, Okechukwu	12661	\$1000.00	Vacant Lots	01-701205-672000
DEPARTMENT OF PUBLIC UTILITIES				
Moore, Kevin	7759	\$1,000.00	Water	52 SF 001
Rivera, Kelvin	7778	\$500.00	Water	52 SF 001
Rivera, Randy	7809	\$12,500.00	Water	52 SF 001
Ivy, Michael	142-21	\$5,200.00	Water	52 SF 001

Section 2. That the authority of the Director of Finance to pay the amounts in this ordinance is conditioned on a City-approved written acceptance by the claimant of the City's offer to pay this claim within six months from the effective date of this ordinance.

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

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

Ordinance No. 1126-2021

By Council Members: Kelley (by departmental request)

An emergency ordinance to make temporary appropriations for the current payrolls and other ordinary expenses of the City of Cleveland from the period from January 1, 2022, until the effective date of the annual appropriation ordinance for the fiscal year ending December 31, 2022.

WHEREAS, it is desired to postpone the passage of the annual appropriation ordinance until the amended certificate is received, based on the actual balances as the same may be determined by the Director of Finance and the County Budget Commission; 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. To provide for the current payrolls, sinking fund and other ordinary expenses of the City of Cleveland for the period from January 1, 2022, until the effective date of the Annual Appropriation Ordinance for the fiscal year ending December 31, 2022, there be and there is hereby appropriated for the period from January 1, 2022, until the effective date of the Annual Appropriation Seven Hundred Twenty One Million, One Hundred Twenty Five Thousand, Three Hundred Thirty Eight (\$721,125,338) out of taxes due the City of Cleveland and any other revenues accrued or occurring during said period of time and said funds are respectively appropriated as follows:

GENERAL FUND

Legislative Branch	\$2,876,200
Judicial Branch	\$15,369,341
Executive Branch	
General Government	\$10,015,901
Department of Aging	\$511,034
Department of Human Resources	\$1,533,478
Department of Community Development (Consumer Affairs)	\$879,915
Department of Law	\$9,265,872
Department of Finance	\$10,865,630
Department of Public Health	\$5,546,181
Department of Public Safety	\$111,574,476
Department of Public Works	\$30,509,688
Department of Building and Housing	\$4,364,453
Department of Economic Development	\$579,308

Nondepartmental		\$41,273,628
Total Executive Branch		<u>\$226,919,564</u>
TOTAL GENERAL FUND		<u><u>\$245,165,105</u></u>
Special Revenue Funds		\$77,718,329
Internal Service Funds		\$66,169,245
Enterprise Funds		\$295,125,300
Agency Funds		\$4,118,645
Debt Service Funds		<u>\$32,828,714</u>
TOTAL APPROPRIATIONS FOR 2022		<u><u>\$721,125,338</u></u>

GENERAL FUND

LEGISLATIVE BRANCH

Council and Clerk of Council		\$2,876,200
I Personnel and Related Expenses	\$1,703,656	
II Other Expenses	1,172,544	
TOTAL LEGISLATIVE BRANCH		<u><u>\$2,876,200</u></u>

JUDICIAL BRANCH

Municipal Court - Judicial Division		\$10,265,181
I Personnel and Related Expenses	\$5,578,932	
II Other Expenses	4,686,249	
Municipal Court - Clerk's Division		\$3,667,658
I Personnel and Related Expenses	\$3,025,700	
II Other Expenses	641,958	
Municipal Court - Housing Division		\$1,436,502
I Personnel and Related Expenses	\$1,318,001	
II Other Expenses	118,501	
TOTAL JUDICIAL BRANCH		<u><u>\$15,369,341</u></u>

EXECUTIVE BRANCH

GENERAL GOVERNMENT

Office of the Mayor		\$1,067,924
I Personnel and Related Expenses	\$1,018,047	
II Other Expenses	49,877	
Office of Capital Projects		\$2,220,563
I Personnel and Related Expenses	\$1,793,994	
II Other Expenses	426,569	
Office of Quality Control & Performance Management		\$324,319
I Personnel and Related Expenses	\$309,163	
II Other Expenses	15,156	
Landmarks Commission		\$77,461
I Personnel and Related Expenses	\$ 68,418	
II Other Expenses	9,043	
Board of Building Standards and Appeals		\$50,753
I Personnel and Related Expenses	\$39,674	
II Other Expenses	11,079	
Board of Zoning Appeals		\$72,685
I Personnel and Related Expenses	\$63,190	
II Other Expenses	9,495	
Civil Service Commission		\$465,106
I Personnel and Related Expenses	\$217,606	
II Other Expenses	247,500	
Community Relations Board		\$766,070
I Personnel and Related Expenses	\$497,025	
II Other Expenses	269,045	
City Planning Commission		\$891,748
I Personnel and Related Expenses	\$579,336	
II Other Expenses	312,412	

Boxing and Wrestling Commission		\$8,491
I Personnel and Related Expenses	\$8,491	
Office of Sustainability		\$344,945
I Personnel and Related Expenses	\$225,457	
II Other Expenses	119,488	
Office of Equal Opportunity		\$284,210
I Personnel and Related Expenses	\$212,452	
II Other Expenses	71,758	
Office of Prevention, Intervention and Opportunity		\$3,228,850
I Personnel and Related Expenses	\$480,250	
II Other Expenses	2,748,600	
Office of Budget & Management		\$212,776
I Personnel and Related Expenses	\$205,270	
II Other Expenses	7,506	
TOTAL GENERAL GOVERNMENT		<u><u>\$10,015,901</u></u>
DEPARTMENT OF AGING		
Department of Aging		\$511,034
I Personnel and Related Expenses	\$361,415	
II Other Expenses	149,619	
TOTAL DEPARTMENT OF AGING		<u><u>\$511,034</u></u>
DEPARTMENT OF HUMAN RESOURCES		
Department of Human Resources		\$1,533,478
I Personnel and Related Expenses	\$653,961	
II Other Expenses	879,517	
TOTAL DEPARTMENT OF HUMAN RESOURCES		<u><u>\$1,533,478</u></u>

DEPARTMENT OF COMMUNITY DEVELOPMENT

Division of Community Development		\$879,915
I Personnel and Related Expenses	\$147,074	
II Other Expenses	732,841	
TOTAL DEPARTMENT OF COMMUNITY DEVELOPMENT		<u><u>\$879,915</u></u>

DEPARTMENT OF LAW

Division of Law		\$9,265,872
I Personnel and Related Expenses	\$2,323,475	
II Other Expenses	6,942,397	
TOTAL DEPARTMENT OF LAW		<u><u>\$9,265,872</u></u>

DEPARTMENT OF FINANCE

Finance Administration		\$684,786
I Personnel and Related Expenses	\$405,872	
II Other Expenses	278,914	
Division of Accounts		\$836,091
I Personnel and Related Expenses	\$487,434	
II Other Expenses	348,657	
Division of Assessments and Licenses		\$1,739,394
I Personnel and Related Expenses	\$1,112,984	
II Other Expenses	626,410	
Division of Treasury		\$272,602
I Personnel and Related Expenses	\$186,875	
II Other Expenses	85,727	

Division of Purchases and Supplies		\$257,751
I Personnel and Related Expenses	\$244,047	
II Other Expenses	13,704	
Bureau of Internal Audit		\$446,502
I Personnel and Related Expenses	\$161,779	
II Other Expenses	284,723	
Division of Financial Reporting and Control		\$502,627
I Personnel and Related Expenses	\$485,903	
II Other Expenses	16,724	
Information Systems Services		\$6,125,877
I Personnel and Related Expenses	\$1,044,403	
II Other Expenses	5,081,474	
TOTAL DEPARTMENT OF FINANCE		\$10,865,630

DEPARTMENT OF PUBLIC HEALTH

Public Health Administration		\$1,255,504
I Personnel and Related Expenses	\$480,850	
II Other Expenses	774,654	
Division of Health		\$2,756,371
I Personnel and Related Expenses	\$1,027,249	
II Other Expenses	1,729,122	
Division of Environment		\$915,999
I Personnel and Related Expenses	\$513,893	
II Other Expenses	402,106	
Division of Air Quality		\$438,107
I Personnel and Related Expenses	\$178,900	
II Other Expenses	259,207	
		\$180,200

Division of Health, Equity & Social Justice		
I Personnel and Related Expenses	\$126,672	
II Other Expenses	53,528	
TOTAL DEPARTMENT OF PUBLIC HEALTH		<u><u>\$5,546,181</u></u>
DEPARTMENT OF PUBLIC SAFETY		
Public Safety Administration		\$2,461,445
I Personnel and Related Expenses	\$1,147,488	
II Other Expenses	1,313,957	
Division of Police		\$64,980,324
I Personnel and Related Expenses	\$58,401,569	
II Other Expenses	6,578,755	
Division of Fire		\$28,342,347
I Personnel and Related Expenses	\$26,379,889	
II Other Expenses	1,962,458	
Division of Emergency Medical Services		\$10,502,403
I Personnel and Related Expenses	\$8,518,124	
II Other Expenses	1,984,279	
Division of Animal Control Services		\$1,155,156
I Personnel and Related Expenses	\$787,646	
II Other Expenses	367,510	
Division of Correction		\$1,954,749
I Personnel and Related Expenses	\$53,825	
II Other Expenses	1,900,924	
Office of Professional Standards		\$498,491
I Personnel and Related Expenses	\$398,409	
II Other Expenses	100,082	

Police Review Board		\$51,078
I Personnel and Related Expenses	\$48,978	
II Other Expenses	2,100	
Community Police Commission		\$203,753
I Personnel and Related Expenses	\$122,111	
II Other Expenses	81,642	
Police Inspector General		\$65,242
I Personnel and Related Expenses	\$60,262	
II Other Expenses	4,980	
Department of Justice		\$1,359,488
I Personnel and Related Expenses	\$481,818	
II Other Expenses	877,670	
TOTAL DEPARTMENT OF PUBLIC SAFETY		\$111,574,476

DEPARTMENT OF PUBLIC WORKS

Division of Public Works Administration		\$956,410
I Personnel and Related Expenses	\$873,034	
II Other Expenses	83,376	
Division of Recreation		\$6,053,977
I Personnel and Related Expenses	\$2,931,675	
II Other Expenses	3,122,302	
Division of Parking Facilities-On Street		\$310,531
I Personnel and Related Expenses	\$272,325	
II Other Expenses	38,206	
Division of Property Management		\$2,877,675
I Personnel and Related Expenses	\$1,738,513	
II Other Expenses	1,139,162	
Division of Park Maintenance and Properties		\$7,486,517
I Personnel and Related Expenses	\$3,024,399	

II Other Expenses	4,462,118	
Division of Waste		\$11,539,349
I Personnel and Related Expenses	\$4,820,513	
II Other Expenses	6,718,836	
Division of Traffic Engineering		\$1,285,229
I Personnel and Related Expenses	878,458	
II Other Expenses	406,771	
TOTAL DEPARTMENT OF PUBLIC WORKS		<u><u>\$30,509,688</u></u>

DEPARTMENT OF BUILDING AND HOUSING

Building and Housing Dir Office		\$1,337,276
I Personnel and Related Expenses	\$743,189	
II Other Expenses	594,087	
Division of Code Enforcement		\$2,562,537
I Personnel and Related Expenses	\$2,417,238	
II Other Expenses	145,299	
Division of Construction Permit		\$464,640
I Personnel and Related Expenses	\$448,203	
II Other Expenses	16,437	
TOTAL DEPARTMENT OF BUILDING AND HOUSING		<u><u>\$4,364,453</u></u>

DEPARTMENT OF ECONOMIC DEVELOPMENT

Economic Development		\$579,308
I Personnel and Related Expenses	\$572,436	
II Other Expenses	6,872	
TOTAL DEPARTMENT OF ECONOMIC DEVELOPMENT		<u><u>\$579,308</u></u>

NONDEPARTMENTAL

County Auditor Deductions		\$2,725,000
II Other Expenses	\$2,725,000	
Other Administrative		\$8,547,796
II Other Expenses	\$8,547,796	
Transfers to Other Funds		\$30,000,832
II Other Expenses	\$30,000,832	

TOTAL NONDEPARTMENTAL\$41,273,628**TOTAL EXECUTIVE BRANCH**\$226,919,564**TOTAL GENERAL FUND**\$245,165,105**SPECIAL REVENUE FUND**

Schools, Recreation & Cultural Activities Fund		\$1,125,000
II Other Expenses	\$1,125,000	
Restricted Income Tax Fund		\$54,085,754
II Other Expenses	\$54,085,754	
Street Construction, Maintenance & Repair Fund		\$17,288,595
I Personnel and Related Expenses	\$6,803,027	
II Other Expenses	10,485,568	
Division of Public Auditorium & Stadium-Stadium		\$5,218,980
II Other Expenses	5,218,980	

TOTAL SPECIAL REVENUE FUNDS\$77,718,329**INTERNAL SERVICE FUND**

Sinking Fund Commission		\$319,618
I Personnel and Related Expenses	\$62,630	
II Other Expenses	256,988	

Information Systems Services-Telephone Exchange		\$6,418,364
I Personnel and Related Expenses	\$472,546	
II Other Expenses	5,945,818	
Health Self Insurance		\$40,313,971
II Other Expenses	\$40,313,971	
Prescription Self Insurance		\$8,305,832
II Other Expenses	\$8,305,832	
Division of Motor Vehicle Maintenance		\$7,758,964
I Personnel and Related Expenses	\$1,894,204	
II Other Expenses	5,864,760	
Division of Printing and Reproduction		\$1,016,596
I Personnel and Related Expenses	\$326,592	
II Other Expenses	690,004	
City Storeroom and Central Warehouse		\$233,013
I Personnel and Related Expenses	\$18,933	
II Other Expenses	214,080	
Radio		\$1,802,887
I Personnel and Related Expenses	\$207,948	
II Other Expenses	1,594,939	
TOTAL INTERNAL SERVICE FUNDS		<u>\$66,169,245</u>

ENTERPRISE FUNDS

DEPARTMENT OF PUBLIC UTILITIES

Utilities Administration		\$2,924,558
I Personnel and Related Expenses	\$2,026,930	
II Other Expenses	897,628	

Division of Fiscal Control		\$2,791,801
I Personnel and Related Expenses	\$2,049,305	
II Other Expenses	742,496	
Division of Water		\$125,675,420
I Personnel and Related Expenses	\$26,206,375	
II Other Expenses	99,469,045	
Division of Water Pollution Control		\$11,212,353
I Personnel and Related Expenses	\$3,688,298	
II Other Expenses	7,524,055	
Division of Cleveland Public Power		\$77,281,587
I Personnel and Related Expenses	\$7,685,565	
II Other Expenses	69,596,022	
TOTAL DEPARTMENT OF PUBLIC UTILITIES		<u><u>\$219,885,719</u></u>

DEPARTMENT OF PORT CONTROL

Divisions of Cleveland Hopkins & Burke Lakefront		
Airports - Operations		\$67,843,520
I Personnel and Related Expenses	\$10,814,877	
II Other Expenses	57,028,643	
TOTAL DEPARTMENT OF PORT CONTROL		<u><u>\$67,843,520</u></u>

DEPARTMENT OF PUBLIC WORKS

Division of Cemeteries		\$734,056
I Personnel and Related Expenses	\$402,087	
II Other Expenses	331,969	
Golf Course Fund		\$1,324,753
II Other Expenses	\$1,324,753	

Division of Parking Facilities-Off Street Parking		\$3,030,174
I Personnel and Related Expenses	\$401,444	
II Other Expenses	2,628,730	
Division of Public Auditorium		\$1,229,878
I Personnel and Related Expenses	\$378,017	
II Other Expenses	851,861	
Division of Public Auditorium & Stadium-West Side Market		\$1,077,200
I Personnel and Related Expenses	\$152,464	
II Other Expenses	924,736	
TOTAL DEPARTMENT OF PUBLIC WORKS		<u>\$7,396,061</u>
TOTAL ENTERPRISE FUNDS		<u>\$295,125,300</u>
AGENCY FUND		
Central Collection Agency		\$4,118,645
I Personnel and Related Expenses	\$2,520,845	
II Other Expenses	1,597,800	
TOTAL AGENCY FUND		<u>\$4,118,645</u>
DEBT SERVICE FUND		
Sinking Fund Commission		\$32,828,714
III Debt Service	\$32,828,714	
TOTAL DEBT SERVICE FUNDS		<u>\$32,828,714</u>

Section 2. That the authority of the Director of Finance to pay the amounts in this ordinance is conditioned on a City-approved written acceptance by the claimant of the City's offer to pay this claim within six months from the effective date of this ordinance.

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

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

Ordinance No. 1127-2021

By Council Members: Gray, Brancatelli and Kelley (by departmental request)

An emergency ordinance authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire the Central School and property located at 2199 East 40th Street for future redevelopment for the Department of Community Development; to convey the property to BC Central School LLC, or its designee; and to enter into an agreement between the City and the Redeveloper.

WHEREAS, Revised Code Section 3313.41(C), permits a board of education to dispose of real property to a municipal corporation; and

WHEREAS, the Director of Community Development has requested the acquisition of Central School from the Cleveland Metropolitan School District (“CMSD”) located at 2199 East 40th Street (“Property”) for purposes of future redevelopment; and

WHEREAS, under this ordinance, the Director of Community Development will acquire the Property from CMSD, enter into a development agreement with BC Central School LLC, or its designee (“Redeveloper”), and convey the Property to the Redeveloper; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Mayor and the Commissioner of Purchases and Supplies are authorized to acquire Permanent Parcel Nos. 103-23-078, 103-23-079, and 103-23-080 from CMSD for purposes of future redevelopment.

Section 2. That the Director of Community Development is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire, accept, record, and convey the Property.

Section 3. That the consideration to be paid for this Property shall not exceed the appraised value of \$150,000 and shall be borne entirely by the Redeveloper, paid directly to CMSD by the Redeveloper, and shall be at no cost to the City.

Section 4. That this Council finds that the Property is no longer needed for public use and that the conveyance to the Redeveloper constitutes a public purpose of redeveloping vacant property.

Section 5. That by at the direction of the Board of Control, the Mayor and the Commissioner of Purchases and Supplies are authorized to convey the Property to the Redeveloper, taking into account all restrictions, reversionary interests, and similar encumbrances as may be placed by the City of Cleveland in the deed of conveyance.

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

Section 7. That the Director of Community Development is authorized to enter into an Agreement with the Redeveloper that shall include the terms and considerations of the transaction authorized by this ordinance.

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

Referred to Directors of Community Development; City Planning Commission; Finance; and Law; Committees on Development Planning and Sustainability; and Finance.

Ordinance No. 1128-2021

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

An emergency ordinance authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire the Empire School and property located at 9113 Parmalee Avenue for future redevelopment for the Department of Community Development; to convey the property to BC Empire School LLC, or its designee; and to enter into an agreement between the City and the Redeveloper.

WHEREAS, Revised Code Section 3313.41(C), permits a board of education to dispose of real property to a municipal corporation; and

WHEREAS, the Director of Community Development has requested the acquisition of Empire School from the Cleveland Metropolitan School District (“CMSD”) located at 9113 Parmalee Avenue (“Property”) for purposes of future redevelopment; and

WHEREAS, under this ordinance, the Director of Community Development will acquire the Property from CMSD, enter into a development agreement with BC Empire School LLC, or its designee (“Redeveloper”), and convey the Property to the Redeveloper; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Mayor and the Commissioner of Purchases and Supplies are authorized to acquire Permanent Parcel Nos. 108-19-065 through and including 108-19-071 from CMSD for purposes of future redevelopment.

Section 2. That the Director of Community Development is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire, accept, record, and convey the Property.

Section 3. That the consideration to be paid for this Property shall not exceed the appraised value of \$65,000 and shall be borne entirely by the Redeveloper, paid directly to CMSD by the Redeveloper, and shall be at no cost to the City.

Section 4. That this Council finds that the Property is no longer needed for public use and that the conveyance to the Redeveloper constitutes a public purpose of redeveloping vacant property.

Section 5. That by at the direction of the Board of Control, the Mayor and the Commissioner of Purchases and Supplies are authorized to convey the Property to the Redeveloper, taking into account all restrictions, reversionary interests, and similar encumbrances as may be placed by the City of Cleveland in the deed of conveyance.

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

Section 7. That the Director of Community Development is authorized to enter into an Agreement with the Redeveloper that shall include the terms and considerations of the transaction authorized by this ordinance.

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

Referred to Directors of Community Development; City Planning Commission; Finance; and Law; Committees on Development Planning and Sustainability; and Finance.

Ordinance No. 1129-2021

By Council Members: Polensek, Brancatelli and Kelley (by departmental request)

An emergency ordinance authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire the Iowa-Maple School and property located at 12510 Maple Avenue for future redevelopment for the Department of Community Development; to convey the property to Global School Properties Ohio LLC, or its designee; and to enter into an agreement between the City and the Redeveloper.

WHEREAS, Revised Code Section 3313.41(C), permits a board of education to dispose of real property to a municipal corporation; and

WHEREAS, the Director of Community Development has requested the acquisition of Iowa-Maple School from the Cleveland Metropolitan School District (“CMSD”) located at 12510 Maple Avenue (“Property”) for purposes of future redevelopment; and

WHEREAS, under this ordinance, the Director of Community Development will acquire the Property from CMSD, enter into a development agreement with Global School Properties Ohio LLC, or its designee (“Redeveloper”), and convey the Property to the Redeveloper; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Mayor and the Commissioner of Purchases and Supplies are authorized to acquire Permanent Parcel Nos. 111-16-158 through and including 111-16-181 from CMSD for purposes of future redevelopment.

Section 2. That the Director of Community Development is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire, accept, record, and convey the Property.

Section 3. That the consideration to be paid for this Property shall not exceed the appraised value of \$350,000 and shall be borne entirely by the Redeveloper, paid directly to CMSD by the Redeveloper, and shall be at no cost to the City.

Section 4. That this Council finds that the Property is no longer needed for public use and that the conveyance to the Redeveloper constitutes a public purpose of redeveloping vacant property.

Section 5. That by at the direction of the Board of Control, the Mayor and the Commissioner of Purchases and Supplies are authorized to convey the Property to the Redeveloper, taking into account all restrictions, reversionary interests, and similar encumbrances as may be placed by the City of Cleveland in the deed of conveyance.

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

Section 7. That the Director of Community Development is authorized to enter into an Agreement with the Redeveloper that shall include the terms and considerations of the transaction authorized by this ordinance.

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

Referred to Directors of Community Development; City Planning Commission; Finance; and Law; Committees on Development Planning and Sustainability; and Finance.

Ordinance No. 1130-2021

By Council Members: Polensek, Brancatelli and Kelley (by departmental request)

An emergency ordinance authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire the Nathaniel Hawthorne School and property located at 3575 West 130th Street for future redevelopment for the Department of Community Development; to convey the property to Hawthorne Elementary Partners, LLC, or its designee; and to enter into an agreement between the City and the Redeveloper.

WHEREAS, Revised Code Section 3313.41(C), permits a board of education to dispose of real property to a municipal corporation; and

WHEREAS, the Director of Community Development has requested the acquisition of Nathaniel Hawthorne School from the Cleveland Metropolitan School District (“CMSD”) located at 3575 West 130th Street (“Property”) for purposes of future redevelopment; and

WHEREAS, under this ordinance, the Director of Community Development will acquire the Property from CMSD, enter into a development agreement with Hawthorne Elementary Partners, LLC, or its designee (“Redeveloper”), and convey the Property to the Redeveloper; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Mayor and the Commissioner of Purchases and Supplies are authorized to acquire Permanent Parcel No. 018-01-108 from CMSD for purposes of future redevelopment.

Section 2. That the Director of Community Development is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire, accept, record, and convey the Property.

Section 3. That the consideration to be paid for this Property shall not exceed the appraised value of \$45,000 and shall be borne entirely by the Redeveloper, paid directly to CMSD by the Redeveloper, and shall be at no cost to the City.

Section 4. That this Council finds that the Property is no longer needed for public use and that the conveyance to the Redeveloper constitutes a public purpose of redeveloping vacant property.

Section 5. That by at the direction of the Board of Control, the Mayor and the Commissioner of Purchases and Supplies are authorized to convey the Property to the Redeveloper, taking into account all restrictions, reversionary interests, and similar encumbrances as may be placed by the City of Cleveland in the deed of conveyance.

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

Section 7. That the Director of Community Development is authorized to enter into an Agreement with the Redeveloper that shall include the terms and considerations of the transaction authorized by this ordinance.

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

Referred to Directors of Community Development; City Planning Commission; Finance; and Law; Committees on Development Planning and Sustainability; and Finance.

Ordinance No. 1131-2021

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

An emergency ordinance authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire the Robert Fulton School and property located at 3291 East 140th Street for future redevelopment for the Department of Community Development; to convey the property to Tober Development Company, LLC, or its designee; and to enter into an agreement between the City and the Redeveloper.

WHEREAS, Revised Code Section 3313.41(C), permits a board of education to dispose of real property to a municipal corporation; and

WHEREAS, the Director of Community Development has requested the acquisition of Robert Fulton School from the Cleveland Metropolitan School District (“CMSD”) located at 3291 East 140th Street (“Property”) for purposes of future redevelopment; and

WHEREAS, under this ordinance, the Director of Community Development will acquire the Property from CMSD, enter into a development agreement with Tober Development Company, LLC, or its designee (“Redeveloper”), and convey the Property to the Redeveloper; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Mayor and the Commissioner of Purchases and Supplies are authorized to acquire Permanent Parcel No. 130-15-001 from CMSD for purposes of future redevelopment.

Section 2. That the Director of Community Development is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire, accept, record, and convey the Property.

Section 3. That the consideration to be paid for this Property shall not exceed the appraised value of \$79,000 and shall be borne entirely by the Redeveloper, paid directly to CMSD by the Redeveloper, and shall be at no cost to the City.

Section 4. That this Council finds that the Property is no longer needed for public use and that the conveyance to the Redeveloper constitutes a public purpose of redeveloping vacant property.

Section 5. That by at the direction of the Board of Control, the Mayor and the Commissioner of Purchases and Supplies are authorized to convey the Property to the Redeveloper, taking into account all restrictions, reversionary interests, and similar encumbrances as may be placed by the City of Cleveland in the deed of conveyance.

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

Section 7. That the Director of Community Development is authorized to enter into an Agreement with the Redeveloper that shall include the terms and considerations of the transaction authorized by this ordinance.

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

Referred to Directors of Community Development; City Planning Commission; Finance; and Law; Committees on Development Planning and Sustainability; and Finance.

Ordinance No. 1132-2021

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

An emergency ordinance authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire the Stephen Howe School and property located at 1000 Lakeview Road for future redevelopment for the Department of Community Development; to convey the property to RSG Cleveland LLC, or its designee; and to enter into an agreement between the City and the Redeveloper.

WHEREAS, Revised Code Section 3313.41(C), permits a board of education to dispose of real property to a municipal corporation; and

WHEREAS, the Director of Community Development has requested the acquisition of Stephen Howe School from the Cleveland Metropolitan School District (“CMSD”) located at 1000 Lakeview Road (“Property”) for purposes of future redevelopment; and

WHEREAS, under this ordinance, the Director of Community Development will acquire the Property from CMSD, enter into a development agreement with RSG Cleveland LLC, or its designee (“Redeveloper”), and convey the Property to the Redeveloper; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Mayor and the Commissioner of Purchases and Supplies are authorized to acquire Permanent Parcel Nos. 109-21-004 through and including 109-21-012 from CMSD for purposes of future redevelopment.

Section 2. That the Director of Community Development is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire, accept, record, and convey the Property.

Section 3. That the consideration to be paid for this Property shall not exceed the appraised value of \$120,000 and shall be borne entirely by the Redeveloper, paid directly to CMSD by the Redeveloper, and shall be at no cost to the City.

Section 4. That this Council finds that the Property is no longer needed for public use and that the conveyance to the Redeveloper constitutes a public purpose of redeveloping vacant property.

Section 5. That by at the direction of the Board of Control, the Mayor and the Commissioner of Purchases and Supplies are authorized to convey the Property to the Redeveloper, taking into account all restrictions, reversionary interests, and similar encumbrances as may be placed by the City of Cleveland in the deed of conveyance.

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

Section 7. That the Director of Community Development is authorized to enter into an Agreement with the Redeveloper that shall include the terms and considerations of the transaction authorized by this ordinance.

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

Referred to Directors of Community Development; City Planning Commission; Finance; and Law; Committees on Development Planning and Sustainability; and Finance.

Ordinances and Resolutions

First Reading Emergency Ordinances Read in Full and Passed

An ordinance is a City law written and enacted by City Council. Ordinances govern the actions, responsibilities and tax dollars of residents, businesses, organizations, city departments and visitors in Cleveland. Ordinances can be written and passed to address issues about housing, safety, public services, employment, the City budget and economic development. Many ordinances authorize the City to spend money on contracts and projects that support the mission of the City of Cleveland.

Ordinances are effective 30 days after passage. Emergency ordinances take effect immediately upon the Mayor's signature or 10 days after passage.

Under the Charter, legislation cannot be passed until it has been read on three separate days, unless this requirement is dispensed with by a two-thirds vote of the Council. This is known as passing legislation "under suspension." Ordinances may be passed under suspension after either the first or second reading.

These ordinances were read for the first time on Monday, November 29, 2021, the rules were suspended, and the legislation was passed by an affirmative two-thirds vote of all members elected to Council.

Click on an ordinance below to read it:

[Ord. No. 1106-2021](#)

[Ord. No. 1111-2021](#)

[Ord. No. 1107-2021](#)

[Ord. No. 1108-2021](#)

[Ord. No. 1109-2021](#)

[Ord. No. 1110-2021](#)

Ordinance No. 1106-2021**By Council Members:** J. Jones

An emergency ordinance amending Section 2, of Ordinance No. 888-2021, passed October 11, 2021, as it pertains to authorizing the Director of the Department of Community Development to enter into agreement with Famicos Foundation for the Food Distribution Program through the use of Ward 1 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 Section 2, of Ordinance No. 888-2021, passed October 11, 2021, is hereby amended to read as follows:

Section 2. That the cost of said contract shall be in an amount not to exceed ~~\$30,000~~ \$60,000 and shall be paid from Fund No. 10 SF 188.

Section 2. That Section 2, of Ordinance No. 888-2021 passed October 11, 2021 is hereby repealed.

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

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

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read second time.

Read third time in full. Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 1107-2021

By Council Members: Bishop, B. Jones, Polensek, Conwell, Hairston and Santana

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Famicos Foundation for the Needy Family and Senior Food Distribution Program through the use of Wards 2, 7, 8, 9, 10 and 14 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Community Development be authorized to enter into an agreement effective November 7, 2021, with Famicos Foundation for the Needy Family and Senior Food Distribution Program for the public purpose of providing food cards and perishable food items to low-to-moderate income families and senior citizens on fixed income that reside in the city of Cleveland through the use of Wards 2, 7, 8, 9, 10 and 14 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$92,125 and shall be paid from Fund No. 10 SF 188.

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

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

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read second time.

Read third time in full. Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 1108-2021**By Council Members:** Gardner

An emergency ordinance authorizing the Director of the Department of Economic Development to enter into agreement with Urban Bridges DBA Envision Cleveland for the Shop Vocational Training Center Rehab Project through the use of Ward 4 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Economic Development is hereby authorized to enter into agreement with Urban Bridges DBA Envision Cleveland for the FIG Buildout Project for the public purpose of promoting economic development and new job creation through the use of Ward 4 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$75,000 and shall be paid from Fund No. 10 SF 188.

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

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

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read second time.

Read third time in full. Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 1109-2021**By Council Members:** Gray

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

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

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

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into an agreement effective November 5, 2021, with Burten, Bell, Carr Development Inc., for the Food Distribution Program for the public purpose of providing food cards to low/moderate income residents residing in the city of Cleveland through the use of Ward 5 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$15,000 and shall be paid from Fund No. 10 SF 188.

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

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

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read second time.

Read third time in full. Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 1110-2021**By Council Members:** Brancatelli

An emergency ordinance authorizing the Director of the Department of Economic Development to enter into agreement with the Clark Bar for the Parking Lot Improvement project through the use of Ward 12 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Economic Development enter into agreement with the Clark Bar located at 1201 Clark Avenue, Cleveland, Ohio for the Parking Lot Improvement Project for the public purpose for business retention and new job creation in the city of Cleveland through the use of Ward 12 Casino Revenue Funds.

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

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

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

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read second time.

Read third time in full. Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 1111-2021**By Council Members:** J. Jones

An emergency ordinance authorizing the Director of the Department of Public Health to enter into agreement with Famicos Foundation for the Community Health and Wellness Forum through the use of Ward 1 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Public Health is hereby authorized to enter into agreement effective December 1, 2021, with the Famicos Foundation for the Community Health and Wellness Forum for the public purpose of providing health education and resources to low-to-moderate income and senior citizens in the City of Cleveland through the use of Ward 1 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$30,000 and shall be paid from Fund No. 10 SF 188.

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

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

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read second time.

Read third time in full. Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinances and Resolutions

First Reading Emergency Resolutions Read in Full and Adopted

A resolution is an informal enactment stating a decision or expressing the opinion of Council regarding a particular item of business, an event, issue or person.

Resolutions are effective 30 days after adoption. Emergency resolutions take effect immediately upon the Mayor's signature or 10 days after adoption.

Under the Charter, legislation cannot be passed until it has been read on three separate days, unless this requirement is dispensed with by a two-thirds vote of the Council. This is known as passing legislation "under suspension." Ordinances may be passed under suspension after either the first or second reading.

These resolutions were read for the first time on Monday, November 29, 2021, the rules were suspended, and the legislation was adopted by an affirmative two-thirds vote of all members elected to Council.

Click on a resolution below to read it:

Res. No. 1112-2021

Resolution No. 1112-2021**By Council Members:** Brancatelli**An emergency resolution objecting to the transfer of stock of a C1 and C2 Liquor Permit to 2202 Broadview Road.**

WHEREAS, Council has been notified by the Division of Liquor Control of an application for a transfer of stock of a C1 and C2 Liquor Permit at Speedway, LLC, DBA Speedway, #3341, 2202 Broadview Road, Cleveland, Ohio 44109, Permit No. 84189940230; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a transfer of stock of a C1 and C2 Liquor Permit at Speedway, LLC, DBA Speedway, #3341, 2202 Broadview Road, Cleveland, Ohio 44109, Permit No. 84189940230, and requests the Superintendent of

Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

Section 2. That the Clerk of Council has returned to the Ohio Division of Liquor Control the Notice to Legislative Authority with respect to this stock permit and has requested that a hearing on the advisability of issuing the permit be held in Cleveland, Cuyahoga County.

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

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read second time.

Read third time in full. Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinances and Resolutions

Second Reading Emergency Ordinances Passed

An ordinance is a City law written and enacted by City Council. Ordinances govern the actions, responsibilities and tax dollars of residents, businesses, organizations, city departments and visitors in Cleveland. Ordinances can be written and passed to address issues about housing, safety, public services, employment, the City budget and economic development. Many ordinances authorize the City to spend money on contracts and projects that support the mission of the City of Cleveland.

Ordinances are effective 30 days after passage. Emergency ordinances take effect immediately upon the Mayor's signature or 10 days after passage.

Under the Charter, legislation cannot be passed until it has been read on three separate days, unless this requirement is dispensed with by a two-thirds vote of the Council. This is known as passing legislation "under suspension." Ordinances may be passed under suspension after either the first or second reading. If not passed under suspension after the first reading, the legislation is then sent to the appropriate City departments for review.

After departmental review, the ordinance is returned to Council for consideration in a public hearing before the appropriate Council Committee(s). Council Members and City departments can recommend changes, or amendments, to the legislation during the hearing process. After the review is complete and any amendments have been made, the legislation is read a second time at a Council meeting. A second reading allows Council Members and the public to hear what changes have been made to the law. Amendments cannot be made after the second reading of the legislation.

These ordinances were read for the second time on Monday, November 29, 2021, the rules were suspended, and the legislation was passed by an affirmative two-thirds vote of all members elected to Council.

Click on an ordinance below to read it:

[Ord. No. 839-2021](#)

[Ord. No. 973-2021](#)

[Ord. No. 843-2021](#)

[Ord. No. 978-2021](#)

[Ord. No. 868-2021](#)

[Ord. No. 987-2021](#)

[Ord. No. 898-2021](#)

[Ord. No. 988-2021](#)

[Ord. No. 945-2021](#)

[Ord. No. 993-2021](#)

[Ord. No. 946-2021](#)

[Ord. No. 995-2021](#)

- Ord. No. 997-2021
- Ord. No. 1023-2021
- Ord. No. 1027-2021
- Ord. No. 1031-2021
- Ord. No. 1035-2021
- Ord. No. 1036-2021
- Ord. No. 1037-2021
- Ord. No. 1053-2021
- Ord. No. 1055-2021
- Ord. No. 1062-2021
- Ord. No. 1063-2021
- Ord. No. 1064-2021
- Ord. No. 1066-2021
- Ord. No. 1067-2021
- Ord. No. 1072-2021
- Ord. No. 1073-2021

Ordinance No. 839-2021

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

An emergency ordinance authorizing the Director of Public Works to enter into a lease with Landmark At The Lake, LLC, or its approved designee, for development of apartment units and parking on a portion of PPN 105-02-002A for a term of ninety-three years; authorizing the Director to enter into a property adoption agreement with LL 55 Park, LLC, or its approved designee, to improve and maintain a public park located on a portion of 105-02-002A that is adjacent to the leased area for a term of ninety-three years; and authorizing the Director of Public Works to enter into a submerged lands lease with the State of Ohio for these portions of PPN 105-02-002A for a term of ninety-nine years.

Approved by the Directors of Public Works; City Planning Commission; Finance; and Law; Committees on Municipal Services and Properties; Development Planning and Sustainability; and Finance.

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 843-2021 AS AMENDED

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

An emergency ordinance authorizing the appropriation of funds from The American Rescue Plan Act of 2021, and authorizing various contracts to be executed no later than December 31, 2024, and funds to be expended by December 31, 2026.

THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

1. Insert a new Section 7a. to read as follows:
“Section 7a. That, except for purchases made under Sections 2 and 3 of this ordinance by the Department of Public Safety, any expenditure over \$50,000 under this ordinance shall require additional legislative authority.”
2. In Section 1, line 3, strike “RLA” and insert “RL”; and in lines 4, 6, 8, and 9, strike “1501” in all four places and insert “0117”.

Approved by the Directors of Public Safety; Community Development; Economic Development; Finance; and Law; Committees on Safety; Development Planning and Sustainability; and Finance.

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 868-2021

By Council Member: Santana, Bishop and Brancatelli (by departmental request)

An emergency ordinance authorizing the Director of Public Works to execute a deed of easement granting to The Cleveland Electric Illuminating Company, or its designee, certain easement rights in property located in Mercedes Cotner Park; declaring that the easement rights granted are not needed for the City's public use; and authorizing payment to The Cleveland Electric Illuminating Company to release, vacate and abandon an existing easement located within the Park.

Approved by the Directors of Public Works; City Planning Commission; Finance; Law; Committees on Municipal Services and Properties; Development Planning and Sustainability.

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 898-2021

By Council Members: McCormack, Bishop and Kelley (by departmental request)

An emergency ordinance authorizing the Director of Capital Projects to lease certain property located under the Superior Viaduct Arch Number 4 to John L. Textoris, Jr. and Sara Textoris for the purpose of yard expansion.

Approved by the Directors of Capital Projects; City Planning Commission; Finance; and Law; Committees on Municipal Services and Properties; and Finance.

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 945-2021

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

An emergency ordinance authorizing the Director of Community Development to enter into a Purchase Agreement with The Near West Side Multi-Service Corporation aka May Dugan Center, relating to the sale and use of the property located at 4115 Bridge Avenue; authorizing the Commissioner of Purchases and Supplies to convey the property which is no longer needed for the City's public use; and to terminate the lease with the May Dugan Center.

THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

1. In Section 1, strike the existing legal description and insert the following:

“Legal Description for 4115 Bridge Avenue

PPN: 003-35-029

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being all of Sub Lots Nos. 560, 561, 562, 563, 564 and 565 in Barber and Lord Allotment of part of Original Brooklyn Township Lots Nos. 51, 52, 69, and 70, as shown by the recorded plat in Volume 11 of Maps, Page 26 of Cuyahoga County Records, together forming a parcel of land having a frontage of 285.50 feet on the Southeasterly side of Bridge Avenue, N. W., and extending back 198.42 feet on the Southwesterly line, 212.80 feet on the Northeasterly line, which is the Southwesterly line of Randall Road, N. W., and having a rear line of 236.12 feet along the Northwesterly side of Fulton Court, N. W., as appears by said plat, be the same more or less, but subject to all legal highways.”.

2. In Section 2a at the end and in Section 4 at the end, strike in both places “The Property would revert back to the City if May Dugan, or its successor, ceases to use the Property in such a manner.”.
3. In Section 2b, line 2, after “free”, strike “health”.

Approved by the Directors of Community Development; City Planning Commission; Finance; and Law; Committees on Development Planning and Sustainability; and Finance.

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 946-2021

By Council Members: Gray, Bishop, Brancatelli and Kelley (by departmental request)

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for the City's public use located north of Otter Avenue between East 81st Street and East 83rd Street to Rid-All Foundation, Inc., for purposes of conducting urban farming operations and training programs; and authorizing the Director of Public Works to terminate existing Lease No. CT 0103, NF 2019-24 for this property.

Approved by the Directors of Public Works; City Planning Commission; Finance; and Law; Committees on Municipal Services and Properties; Development Planning and Sustainability; and Finance.

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 973-2021**By Council Member:** McCormack

An emergency ordinance approving the application of the Ohio City Legacy, LLC to establish the Ohio City Community Entertainment District; and to amend Section 699A.011 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 620-15, passed June 8, 2015, related to Community Entertainment Districts defined.

Approved by the Directors of City Planning Commission; and Law; Committees on Development Planning and Sustainability; and Finance.

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 978-2021

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

An emergency ordinance authorizing the Director of Public Works to enter into one or more amendments to the Lakefront Parks Lease with the Board of Park Commissioners for the Cleveland Metropolitan Park District to modify the boundaries of certain properties in the leased premises.

Approved by the Directors of City Planning Commission; and Law; Committees on Development Planning and Sustainability; and Finance.

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 15. Nays 0. 1 Recusal.

Read third time in full.

Passed. Yeas 15. Nays 0. 1 Recusal.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife.

Voting Nay: None.

Recusal: Spencer.

Absent: Santana.

Ordinance No. 987-2021

By Council Members: Gray, Bishop, Brancatelli and Kelley (by departmental request)

An emergency ordinance to vacate a portion of Chadakoin Court S.E., East 59th Place, East 61st Street and East 63rd Street.

Approved by the Directors of Capital Projects; City Planning Commission; Finance; and Law; Committees on Municipal Services and Properties; Development Planning and Sustainability; and Finance.

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 988-2021

By Council Members: Bishop, Brancatelli and Kelley (by departmental request)

An emergency ordinance to vacate a portion Morgana Avenue (60 feet wide), a portion of East 52nd Street (50 feet wide) and a portion of East 53rd Street (35 feet wide).

Approved by the Directors of Capital Projects; City Planning Commission; Finance; and Law. Committees on Municipal Services and Properties; Development Planning and Sustainability; and Finance.

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 993-2021

By Council Members: Gray, Brancatelli and Kelley (by departmental request)

An emergency ordinance authorizing the Director of Economic Development to enter into a Purchase and/or Option to Purchase Agreement with Project Boron, LLC, or its designee, in connection with the sale of City-owned properties located along Opportunity Corridor for purposes of the development of the Orlando Baking Company Project; and authorizing the Mayor and the Commissioner of Purchases and Supplies to convey the property, which is no longer needed for the City's public use.

Approved by the Directors of Economic Development; City Planning Commission; Finance; and Law; Committees on Development Planning and Sustainability; and Finance.

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 995-2021

By Council Members: McCormack, Hairston, Bishop, Brancatelli and Kelley (by departmental request)

An emergency ordinance authorizing the Directors of Public Works and Public Utilities to execute various deeds of permanent and temporary easements granting to the Northeast Ohio Regional Sewer District certain easement rights at or under several City properties near South Marginal Road for the NEORSD's Shoreline Consolidation Sewer Project and declaring the easement rights not needed for the City's public use.

Approved by the Directors of Public Works; Public Utilities; City Planning Commission; Finance; and Law; Committees on Municipal Services and Properties; Development Planning and Sustainability; and Finance.

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 997-2021

By Council Members: Gray, Brancatelli and Kelley (by departmental request)

An emergency ordinance authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with Project Boron, LLC, and/or its designee, to provide a debt reserve for the financing of the Orlando Baking Company Expansion Project to be located along the Opportunity Corridor; to provide for payments to the Cleveland Metropolitan School District; and to declare certain improvements to real property to be a public purpose.

Approved by the Directors of Economic Development; City Planning Commission; Finance; and Law; Committees on Development Planning and Sustainability; and Finance.

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 1023-2021

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

An emergency ordinance authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by KD 55 Public Square LLC, or its designee, located at 55 Public Square for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code for the 55 Public Square Redevelopment Project.

Approved by the Directors of Economic Development; City Planning Commission; Finance; and Law; Committees on Development Planning and Sustainability; and Finance.

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 1027-2021

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

An emergency ordinance authorizing the Mayor and the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at 8555 Hough Avenue to Hanna Brothers I LLC; to execute a deed of easement granting Hanna Brothers I LLC certain easement rights in property for ingress and egress purposes; and declaring that the easement and property rights are no needed for the City's public use.

Approved by the Directors of Economic Development; City Planning Commission; Finance; and Law; Committees on Development Planning and Sustainability; and Finance.

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 1031-2021 AS AMENDED

By Council Members: Kelley and Brancatelli

An emergency ordinance amending Section 2 of Ordinance No. 379-2020, passed March 23, 2020, that authorizes the Director of Community Development to enter into one or more agreements with United Way of Greater Cleveland to provide professional services, as the lead partner organization, regarding a program to provide access to legal services for covered individuals in eviction proceedings under Cleveland Codified Ordinance Section 375.12.

THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

1. In Section 2, line 2, at the end of the sentence, add “(RQS 0101, RLA 2021-90)”.

Approved by the Directors of Community Development; Finance; and Law; Committee on Finance.

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 1035-2021

By Council Member: Gray, Brancatelli and Kelley (by departmental request)

An emergency ordinance authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by 3740 Carnegie LLC, or its designee, located at 3740 Carnegie Avenue for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code for the Minuteman Staffing HQ Project.

Approved by the Directors of Economic Development; City Planning Commission; Finance; and Law; Committee on Development Planning and Sustainability; and Finance.

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 1036-2021

By Council Member: McCormack, Brancatelli and Kelley (by departmental request)

An emergency ordinance authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by Vispiri Flats LLC, or its designee, located at 601 Stones Levee Road for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code for the Cleveland Whiskey Project.

Approved by the Directors of Economic Development; City Planning Commission; Finance; and Law; Committees on Development Planning and Sustainability; and Finance.

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 1037-2021**By Council Member:** Kelley and McCormack

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

THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

1. In Section 3, line 2, strike "01-9998-6320" and insert "01-7001-6320. (RQS 7001, RLA 2021-91)".

Approved by the Directors of Public Works; Finance; and Law; Committees on Municipal Services and Properties; and Finance.

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 1053-2021

By Council Member: Kelley (by departmental request)

An emergency ordinance to amend Section 2 of Ordinance No. 435-2021, passed July 14, 2021, relating to employing professional services to develop, administer, and grade promotional examinations for the Division of Fire, Department of Public Safety.

Approved by the Directors of Civil Service Commission; Finance; and Law; Committee on Finance.

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 1055-2021

By Council Member: Kelley (by departmental request)

An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to apply for and accept a grant from the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County for the 2021-2022 Specialized Dockets Program; and authorizing the Director to enter into one or more contracts with various agencies, entities, or individuals to implement the grant.

Approved by the Directors of Finance; and Law; Committee on Finance.

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 1062-2021

By Council Members: Kelley (by departmental request)

An emergency ordinance authorizing the Director of Finance to employ one or more professional consultants to implement various city-wide employee safety programs and other related services; and to enter into various written standard purchase and requirement contracts needed in connection with the programs, for the various divisions of City government, for a period of two years, with two, one-year options to renew, exercisable by the Director of Finance.

Approved by the Directors of Finance; and Law; Committee on Finance.

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 1063-2021

By Council Members: Kelley (by departmental request)

An emergency ordinance authorizing the Director of Finance to enter into various written standard purchase and requirement contracts of building construction materials, equipment, supplies, and services, for the various divisions of City government, for a period up to two years, with one option to renew for an additional year, exercisable by the Director of Finance.

Approved by the Directors of Finance; and Law; Committee on Finance.

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 1064-2021

By Council Member: Kelley (by departmental request)

An emergency ordinance authorizing the Director of Finance to enter into various written standard purchase and requirement contracts for the purchase of industrial paper products, cleaning and janitorial maintenance equipment, materials, supplies, and moving services, for the various divisions of City government, for a period of two years, with one option to renew for an additional year, exercisable by the Director of Finance.

Approved by the Directors of Finance; and Law; Committee on Finance.

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 1066-2021

By Council Member: Kelley (by departmental request)

An emergency ordinance authorizing the purchase by one or more requirement contracts of office supplies, furniture, equipment, and related items, including installation and training for the various divisions of City government, for a period up to two years, with two, one-year options to renew, exercisable by the Director of Finance.

Approved by the Directors of Finance; and Law; Committee on Finance.

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 1067-2021 AS AMENDED

By Council Member: Kelley (by departmental request)

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials needed to inspect, test, maintain, replace, repair, and/or upgrade overhead doors, elevators, escalators and speed walks, for the various divisions of City government, for a period of one year, with two, one-year options to renew, exercisable by the Director of Finance.

THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

1. In Section 2, line 5, strike "1501" and insert "1505".

Approved by the Directors of Finance; and Law; Committee on Finance.

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 1072-2021

By Council Members: Bishop and Kelley (by departmental request)

An emergency ordinance to amend Section 1 of Ordinance No. 547-2021, passed August 18, 2021, relating to the purchase, lease, or lease with option to purchase, of various on-road vehicles, apparatus, and off-road equipment, cabs, bodies, and accessories, equipment and other aftermarket items necessary to equip the vehicles, for the various divisions of City government.

Approved by the Directors of Public Works; Finance; and Law; Committees on Municipal Services and Properties; and Finance.

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinance No. 1073-2021 AS AMENDED

By Council Member: Kelley (by departmental request)

An emergency ordinance to amend Sections 4, 8, 16, 25, 30, 31, 32, 35, 39, 45 and 48 of Ordinance No. 194-2021, passed March 29, 2021, as amended by various ordinances, relating to compensation for various classifications.

THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

1. In the title, line 3, strike “and 48” and insert “, 48, and 51”.
2. In Section 1, after line 5, strike “and”, in line 7, at the end, add “, and”; and after line 7, insert the following:

“Section 51 of Ordinance No. 194-2021, passed March 29, 2021.”.

3. In Section 1, after Section 48 of the payband, insert the following:

“Section 51. Housing Court Employees. Salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<u>Minimum</u>	<u>Maximum</u>
<u>1 Chief Housing Court Specialist</u>	<u>52,158.83</u>	<u>92,427.06</u>
<u>2 Housing Court Administrative Assistant</u>	<u>23,063.94</u>	<u>58,939.38</u>
<u>3 Housing Court Administrator</u>	<u>80,000.00</u>	<u>120,000.00</u>
		<u>0</u>
<u>4 Housing Court ADR Specialist</u>	<u>42,178.00</u>	<u>90,045.81</u>
<u>5 Housing Court Chief Bailiff</u>	<u>38,884.00</u>	<u>94,859.92</u>
<u>6 Housing Court Chief Magistrate</u>	<u>71,667.00</u>	<u>125,383.66</u>
<u>7 Housing Court Chief Social Worker</u>	<u>35,000.00</u>	<u>60,000.00</u>
		<u>70,000.00</u>
<u>8 Housing Court Compliance Specialist</u>	<u>42,000.00</u>	<u>68,000.00</u>
<u>9 Housing Court Coordinator</u>	<u>23,064.00</u>	<u>56,182.76</u>
<u>10 Housing Court Reporter</u>	<u>23,715.99</u>	<u>62,343.65</u>
<u>11 Housing Court Deputy Administrator</u>	<u>65,000.00</u>	<u>101,999.95</u>
<u>12 Housing Court Deputy Bailiff</u>	<u>38,000.00</u>	<u>60,000.00</u>
<u>13 Housing Court Deputy Bailiff – Uniformed</u>	<u>22,173.84</u>	<u>58,272.37</u>
<u>14 Housing Court Deputy Bailiff Supervisor</u>	<u>42,815.88</u>	<u>74,798.61</u>
<u>15 Housing Court Deputy Bailiff/Finance Officer</u>	<u>38,544.06</u>	<u>75,078.85</u>
<u>16 Housing Court Deputy Bailiff/Judicial Clerk</u>	<u>21,993.75</u>	<u>54,490.42</u>
<u>17 Housing Court Deputy Bailiff/Staff Attorney</u>	<u>29,585.00</u>	<u>75,429.03</u>
<u>18 Housing Court Deputy Chief Magistrate</u>	<u>69,360.00</u>	<u>107,100.00</u>
		<u>6</u>

<u>19 Housing Court Deputy Chief Specialist</u>	<u>55,000.00</u>	<u>104,040.08</u>
<u>20 Housing Court Director of Communications</u>	<u>60,000.00</u>	<u>90,000.00</u>
<u>21 Housing Court Law Clerk</u>	<u>31,200.00</u>	<u>40,000.00</u>
<u>22 Housing Court Magistrate</u>	<u>42,178.32</u>	<u>98,102.62</u>
<u>23 Housing Court Magistrates' Personal Bailiff</u>	<u>23,063.94</u>	<u>54,755.16</u>
<u>24 Housing Court Personal Bailiff</u>	<u>63,969.00</u>	<u>94,737.11</u>
<u>25 Housing Court Project Coordinator</u>	<u>31,050.00</u>	<u>72,208.42</u>
<u>26 Housing Court Receptionist</u>	<u>23,064.00</u>	<u>37,603.68</u>
<u>27 Housing Court Scheduler</u>	<u>23,063.94</u>	<u>54,755.16</u>
<u>28 Housing Court Secretary</u>	<u>20,815.92</u>	<u>40,891.00</u>
<u>29 Housing Court Social Service Supervisor</u>	<u>35,000.00</u>	<u>60,000.00</u>
<u>30 Housing Court Specialist</u>	<u>34,000.00</u>	<u>73,955.59</u>
<u>31 Housing Court Specialist - Mediation Coordinator</u>	<u>29,585.48</u>	<u>63,002.69</u>
<u>32 Housing Court Student Aide</u>	<u>10.70</u>	<u>14.43</u> "

Approved by the Directors of Human Resources; Finance; and Law; Committee on Finance.

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinances and Resolutions

Second Reading Emergency Resolutions Adopted

A resolution is an informal enactment stating a decision or expressing the opinion of Council regarding a particular item of business, an event, issue or person. Resolutions are used by Council to recognize dignitaries and community members and their accomplishments.

Resolutions are effective 30 days after adoption. Emergency resolutions take effect immediately upon the Mayor's signature or 10 days after adoption.

Typically, legislation cannot be adopted until it has been read on three separate days. However, this requirement is dispensed with a two-thirds vote by the Council, placing the legislation "under suspension." Once under suspension, the legislation can be adopted after the second reading.

These resolutions were read for the second time on Monday, November 29, 2021, the rules were suspended, and the legislation was adopted by an affirmative two-thirds vote of all members elected to Council.

Click on a resolution below to read it:

Res. No. 947-2021

Resolution No. 947-2021

By Council Members: Hairston, Bishop and Brancatelli (by departmental request)

An emergency resolution declaring the intent to vacate all of Gladys Avenue (42 feet wide) extending from the east line of East 45th Street (60 feet wide) to West line of East 47th Street (60 feet wide).

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

Motion by Council Member Gardner to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Gray.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Mooney, Polensek, Slife, Spencer.

Voting Nay: None.

Absent: Santana.

Ordinances and Resolutions

Third Reading Emergency Ordinances Passed

An ordinance is a City law written and enacted by City Council. Ordinances govern the actions, responsibilities and tax dollars of residents, businesses, organizations, city departments and visitors in Cleveland. Ordinances can be written and passed to address issues about housing, safety, public services, employment, the City budget and economic development. Many ordinances authorize the City to spend money on contracts and projects that support the mission of the City of Cleveland.

Ordinances are effective 30 days after passage. Emergency ordinances take effect immediately upon the Mayor's signature or 10 days after passage.

Legislation cannot be passed until it has been read on three separate days.

These ordinances were read for the third time on Monday, November 29, 2021, and passed by an affirmative two-thirds vote of all members elected to Council.

Click on an ordinance below to read it:

Ord. No. 844-2021

Ordinance No. 844-2021 AS AMENDED

By Council Members: Kelley (by departmental request)

An emergency ordinance authorizing execution of a cooperative agreement with the County of Cuyahoga, Gateway Economic Development Corporation of Greater Cleveland, and/or Cleveland Indians Baseball Company, LLC relating to the financing, operations, repair, upkeep, and construction of appropriate modernizations of Progressive Field, and authorizing contribution of City funding.

THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

1. In the title, line 5, strike "Indians" and insert "Guardians".
2. In the second whereas clause, line 2, strike "Indians" and insert "Guardians".
3. In the sixth whereas clause, line 2, after "approved by" insert "Gateway".
4. In Section 4, line 2, after "City Council" insert "pursuant to the Term Sheet".

Approved by the Directors of Finance; and Law; Committee on Finance.

Motion by Council Member Gardner to place on final passage. Seconded by Council Member Gray.

Read third time in full.

Passed. Yeas 13. Nays 3.

Voting Yea: Bishop, Brancatelli, Conwell, Gardner, Gray, Griffin, Hairston, B. Jones, J. Jones, Kazy, Kelley, McCormack, Slife.

Voting Nay: Polensek, Mooney, Spencer.

Absent: Santana.

**Official Proceedings
Adjournment
City Council**

Cleveland, Ohio
Monday, November 29, 2021

MOTION

On the motion of Council Member Gardner, the absence of Council Member Jasmin Santana is hereby authorized. Seconded by Council Member Gray.

MOTION

The Council Meeting adjourned at 8:30 p.m. to meet on Monday, December 6, 2021, at 7:00 p.m. in the Council Chamber.



Patricia J. Britt
City Clerk, Clerk of Council

Council Committee Meetings

Monday, November 29, 2021

9:30 a.m.

Municipal Services and Properties Committee

Present: Bishop, Chair; J. Jones, Vice Chair; Brancatelli, Gardner, Hairston, Kazy, Mooney

2:00 p.m.

Joint-Development, Planning and Sustainability Committee & Finance Committee

Present in DPS: Brancatelli, Chair; Hairston, Vice Chair; Gray, Griffin B. Jones, McCormack, Slife

Present in Finance: Kelley, Chair; Griffin, Vice Chair; Bishop, Brancatelli, Conwell, Kazy, McCormack, Mooney

Finance Committee

Present: Kelley, Chair; Griffin, Vice Chair; Bishop, Brancatelli, Conwell, Kazy, McCormack, Mooney

Tuesday, November 30, 2021

9:30 a.m.

Development, Planning and Sustainability Committee

Present: Brancatelli, Chair; Hairston, Vice Chair; Gray, Griffin, McCormack, Slife
Authorized Absence: B. Jones

Wednesday, December 1, 2021

9:30 a.m.

Transportation Committee

Present: J. Jones, Chair; Slife, Vice Chair; Bishop, Gray, Spencer

Authorized Absence: Conwell, Santana

Pro tempore: Brancatelli

Board of Control

Wednesday, December 1, 2021

The meeting of the Board of Control convened in the Mayor's office on Wednesday, December 1, 2021, at 10:38 a.m. with Director Langhenry presiding.

Members Present: Director Langhenry, Interim Director Keane, Director Kennedy, Acting Director Hoose, Director Cox, Interim Director Kimball, Acting Director Coulter, Interim Directors Benson, McNamara, Allen

Absent: Mayor Jackson, Interim Director Gentile, Director Wackers, Interim Director Ebersole

Others Present: Tiffany White Johnson, Commissioner Purchases & Supplies

Michael Curry, Interim Director
Office of Equal Opportunity

Alberto Guzman, Supervisor of Hardware Evaluations
Law Department

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

There being no further business, the meeting was adjourned at 10:43 a.m.

Steven M. Decker
Acting Secretary – Board of Control

Resolution No. 478-21

Adopted 12/01/21

By Director Kennedy

BE IT RESOLVED by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Ozanne Construction Company, Inc., under City Contract No. PS2019*283, for the professional services necessary to provide the design/build services necessary to design and construct the Ground Transportation Center Upgrade project, at Cleveland Hopkins International Airport, for the Department of Port Control, authorized by Ordinance No. 919-18, passed by the Council of the City of Cleveland on October 22, 2018, and Board of Control Resolution No. 425-19 and No. 379-21, adopted September 11, 2019 and September 22, 2021, respectively, is approved.

<u>Subcontractor</u>	<u>Certification</u>	<u>Amount</u>
Builders Glass & Panel	MBE	\$51,450.00

Yeas: Director Langhenry, Interim Director Keane, Director Kennedy, Acting Director Hoose, Director Cox, Interim Director Kimball, Acting Director Coulter, Interim Directors Benson, McNamara, Allen

Nays: None

Absent: Mayor Jackson, Interim Director Gentile, Director Wackers, Interim Director Ebersole

Resolution No. 479-21

Adopted 12/01/21

By Director Kenedy

WHEREAS, under the authority of Ordinance No. 586-16, passed by the Council of the City of Cleveland on November 21, 2016, and Board of Control Resolution No. 506-17, adopted October 4, 2017, the City, through its Director of Port Control, entered into Contract No. PS2017*263 with Convergent Technologies, Inc. to provide professional services necessary to implement an integrated paperless Security Badging Solution for the various divisions of the Department of Port Control; and

BE IT RESOLVED by the Board of Control of the City of Cleveland that, under the authority of division (b) of Section 181.102 C.O., Convergent Technologies, Inc. is selected upon nomination of the Director of Port Control as the firm to be employed by contract to provide the professional services necessary for the support and maintenance of the Security Badging System at Cleveland Hopkins International Airport for a period of one year with two one-year options to renew.

BE IT FURTHER RESOLVED by the Board of Control of the City of Cleveland that, under the authority of divisions (b) and (e) of Section 181.102 C.O., the Director of Port Control is authorized to enter into a contract with Convergent Technologies, Inc., based upon its proposal dated September 17, 2021, for a term of one year, with two one-year options terms, which contract shall be prepared by the Director of Law, shall provide that the compensation for the services authorized shall not exceed \$52,592.86 for the initial year, shall not exceed \$54,151.96 for the first option year, if exercised, and shall not exceed \$55,772.38 for the second option year, if exercised, and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Director Langhenry, Interim Director Keane, Director Kennedy, Acting Director Hoose, Director Cox, Interim Director Kimball, Acting Director Coulter, Interim Directors Benson, McNamara, Allen

Nays: None

Absent: Mayor Jackson, Interim Director Gentile, Director Wackers, Interim Director Ebersole

Resolution No. 480-21

Adopted 12/01/21

By Director Kimball

WHEREAS, under the authority of Ordinance No. 469-2020, passed by the Council of the City of Cleveland on June 3, 2020, and Board of Control Resolution No. 157-21, adopted April 28, 2021, the City of Cleveland, through the Director of Public Health, entered into City Contract No. CT-5005-PS2021 *0133 with AB Staffing Solutions (the "Contract") for the temporary services of a pharmacist for a term ending December 31, 2021, as part of the City's response to and mitigation of the impacts of the COVID-19 pandemic, for a fee of \$136,000.00, for the Department of Public Health; and

WHEREAS, because of the continuation of the COVID-19 pandemic, the City desires to modify the Contract: 1. to continue the temporary services of the pharmacist provided under the Contract for one year beginning January 1, 2022, and ending December 31, 2022; and 2. to obtain the temporary services of a qualified laboratory technician for a term beginning upon execution of a modification and expiring upon expiration of the Contract, as modified; and

WHEREAS, Consultant has proposed by its September 23, 2021, letter to provide the above-described additional professional services of the pharmacist and a laboratory technician for an approximate fee of \$264,240.00; now, therefore,

BE IT RESOLVED by the Board of Control of the City of Cleveland that the Director of Public Health is authorized to enter into a first modification to City Contract No. PS2021-0133 with AB Staffing Solutions to extend the term of the Contract to December 31, 2021, during term which it will provide the above-described additional professional services for an approximate amount of \$264,240.00, thereby increasing the total contract amount to not to exceed \$400,240.00, which modification shall be prepared by the Director of Law and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Director Langhenry, Interim Director Keane, Director Kennedy,
Acting Director Hoose, Director Cox, Interim Director Kimball, Acting
Director Coulter, Interim Directors Benson, McNamara, Allen

Nays: None

Absent: Mayor Jackson, Interim Director Gentile, Director Wackers,
Interim Director Ebersole

Resolution No. 481-21

Adopted 12/01/21

By Director Howard

REQUIREMENT CONTRACT

WHEREAS, Resolution No. 441-21, adopted by this Board on November 3, 2021, under the authority of Section 135.06, Codified Ordinances of Cleveland, Ohio, 1976, approved Galls, LLC as the lowest and best bidder for a requirement contract for Fire Uniform Clothing for an estimated amount \$3,265,402.25; and

WHEREAS, the contract amount stated in Resolution No. 441-21 was based on an overstated estimated quantity of bid items; now, therefore,

BE IT RESOLVED, by the Board of Control of the City of Cleveland that Board of Control Resolution No. 441-21, adopted November 3, 2021, is amended by decreasing the contract amount from \$3,265,402.25 to \$999,718.60.

BE IT FURTHER RESOLVED, that all other provisions of Resolution No. 441-21 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Director Langhenry, Interim Director Keane, Director Kennedy, Acting Director Hoose, Director Cox, Interim Director Kimball, Acting Director Coulter, Interim Directors Benson, McNamara, Allen

Nays: None

Absent: Mayor Jackson, Interim Director Gentile, Director Wackers, Interim Director Ebersole

Resolution No. 482-21

Adopted 12/01/21

By Director Cox

WHEREAS, under the authority of Ordinance No. 659-2021 passed October 4, 2021, by the Council of the City of Cleveland, by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey various deeds of permanent easement and deeds of temporary easement found and determined to be not needed for the City's public use and more fully described in the ordinance, in property owned by the City within several City parks to the Northeast Ohio Regional Sewer District ("NEORS") for its Shoreline Storage Tunnel Project, at a price of \$547,400.00 and other valuable consideration, which is determined to be fair market value; now, therefore,

BE IT RESOLVED by the Board of Control of the City of Cleveland that under authority of Ordinance No. 659-2021 passed October 4, 2021, by the Cleveland City Council, the Commissioner of Purchases and Supplies is directed to convey to the NEORS, various deeds of permanent easement and deeds of temporary easement interest found and determined to be not needed for the City's public use and more fully described in the ordinance, in City-owned property located within several City parks.

BE IT FURTHER RESOLVED that the Director of Public Works is requested to execute and deliver the official deed of the City of Cleveland conveying various deeds of permanent easement and deeds of temporary easement, which documents shall contain such additional terms and provisions as the Director of Law shall determine are necessary to protect the City's interests.

Yeas: Director Langhenry, Interim Director Keane, Director Kennedy, Acting Director Hoose, Director Cox, Interim Director Kimball, Acting Director Coulter, Interim Directors Benson, McNamara, Allen

Nays: None

Absent: Mayor Jackson, Interim Director Gentile, Director Wackers, Interim Director Ebersole

Resolution No. 483-21

Adopted 12/01/21

By Director Cox

WHEREAS, under the authority of Ordinance No. 995-2019 passed October 14, 2019, by the Council of the City of Cleveland, by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey one non-exclusive permanent easement interest found and determined to be not needed for the City's public use and more fully described in the ordinance, in property owned by the City within Rockefeller Park along East Boulevard between Ashbury Avenue and Superior Avenue, to the Northeast Ohio Regional Sewer District ("NEORS"), for its Doan Valley Relief/Consolidation Sewer Project, at a price of \$14,396 and other valuable consideration, which is determined to be fair market value; now, therefore,

BE IT RESOLVED by the Board of Control of the City of Cleveland that under authority of Ordinance No. 995-2019 passed October 14, 2019, by the Cleveland City Council, the Commissioner of Purchases and Supplies is directed to convey to the NEORS, one non-exclusive permanent easement interest found and determined to be not needed for the City's public use and more fully described in the ordinance, in City-owned property located at Rockefeller Park.

BE IT FURTHER RESOLVED that the Director of Public Works is requested to execute and deliver the official deed of the City of Cleveland conveying the permanent easement, which documents shall contain such additional terms and provisions as the Director of Law shall determine are necessary to protect the City's interests.

Yeas: Director Langhenry, Interim Director Keane, Director Kennedy, Acting Director Hoose, Director Cox, Interim Director Kimball, Acting Director Coulter, Interim Directors Benson, McNamara, Allen

Nays: None

Absent: Mayor Jackson, Interim Director Gentile, Director Wackers, Interim Director Ebersole

Resolution No. 484-21
By Interim Director Benson

Adopted 12/01/21

WHEREAS, Board of Control Resolution No. 296-20, adopted August 19, 2020, as amended by Resolution No. 32-21 adopted February 3, 2021, authorized the Director of Human Resources to enter into contracts with: Community Insurance Company doing business as Anthem Blue Cross and Blue Shield; Medical Mutual of Ohio for itself and its subsidiary Medical Mutual Services, L.L.C.; CIGNA Health and Life Insurance Company (CHUC); CaremarkPCS Health, L.L.C.; EyeMed Vision Care, LLC and Metropolitan Life Insurance Company, based upon their respective proposals, to perform the professional services necessary to provide, respectively, group medical, dental & life insurance coverage for City of Cleveland employees, each for a period of one year with two one-year options to renew, exercisable by the Director; and

WHEREAS, Resolution No. 296-20 incorrectly stated the annual contract amount for the two optional renewal years for Community Insurance Company doing business as Anthem Blue Cross and Blue Shield and the annual contract amount for EyeMed Vision Care, LLC; and

WHEREAS, Resolution No. 32-21 omitted the revised proposal date for EyeMed Vision Care, LLC; now, therefore,

BE IT RESOLVED by the BOARD OF CONTROL of the CITY OF CLEVELAND that Resolution No. 296-20, adopted by this Board of Control August 19, 2020, as amended by Resolution No. 32-21, adopted February 3, 2021, authorizing the Director of Human Resources to enter into contract with Community Insurance Company doing business as Anthem Blue Cross and Blue Shield for City of Cleveland employees and with EyeMed Vision Care, LLC for City of Cleveland employees, is amended by revising the contract reference for each of above-mentioned firms to read as follows:

1. Community Insurance Company dba Anthem Blue Cross and Blue Shield, based on its October 8, 2019, proposal, for group medical coverage for the years 2020 through 2024, for an amount not to exceed \$30,000,000 for the initial contract year and \$36,000,000 per year for the optional renewal years;
2. EyeMed Vision Care, L.L.C., based on its October 8, 2019, proposal, as revised November 27, 2019, for vision care coverage for the years 2020 through 2024, for an amount not to exceed \$600,000 per year; and

BE IT FURTHER RESOLVED that all other provisions of Resolution No. 296-20, as amended by Resolution No. 32-21, not expressly amended as stated above shall remain unchanged and in full force and effect.

Yeas: Director Langhenry, Interim Director Keane, Director Kennedy,
Acting Director Hoose, Director Cox, Interim Director Kimball, Acting
Director Coulter, Interim Directors Benson, McNamara, Allen

Nays: None

Absent: Mayor Jackson, Interim Director Gentile, Director Wackers,
Interim Director Ebersole

Schedule of the Board of Zoning Appeals

Monday, December 13, 2021

Under the conditions specified by law, the Board of Zoning Appeals will be conducting virtual meetings in a using the WebEx Platform. The Board of Zoning Appeals will also be live streamed on YouTube. The links for the live streams will be available before the meeting on our website at:

<http://www.clevelandohio.gov/CityofCleveland/Home/Government/CityAgencies/CityPlanningCommission/ZoningAppeals>

Or https://www.youtube.com/channel/UCB8ql0Jrhm_pYIR1OLY68bw/

In order to keep the WebEx session manageable, we are asking individuals that wish to participate in the meeting to contact the City Planning office by phone or email by noon on December 8, 2021. Those individuals not planning to comment on any agenda item during the WebEx session are encouraged to view one of the live streams.

IF YOU WISH TO PARTICIPATE AND OR GIVE TESTIMONY, contact the City Planning office and request access to the WebEx Board of Zoning Appeals Meeting. Please call 216.664.2580 or email us at cjones3@clevelandoh.gov. You can also email Secretary Elizabeth Kukla at ekukla@city.cleveland.oh.us.

POSTPONED FROM NOVEMBER 22, 2021

9:30

**Calendar No. 21-152: 11300 Hessler Road
Ward 6 – Blaine A. Griffin**

18 Notices

Ford-Hessler Property Reorganization LLC, owner, proposes to erect a new three-story, 12-unit apartment building in an E2 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Division (b)(2) of Section 357.09 which states that a 7-foot interior side yard is required, and a zero-foot side yard is proposed.
2. Division (b)(1) of Section 357.08 which states that a 20-foot rear yard is required and approximately 10 feet are proposed.
3. Section 349.04 which states that one accessory off-street parking space is required per dwelling unit (12 parking spaces required) and five parking spaces are proposed.

4. Section 349.08 which states that where five or more accessory off-street parking spaces are provided, and are located on a lot that is adjacent to a Residence District or that adjoins a building containing dwelling units, such parking spaces shall be screened from all adjoining lots in the Residence District or a building containing dwelling units, by an opaque wall, a uniformly painted fence of fire-resistant material or a strip of land at least 4 feet wide and densely planted with shrubs that form a dense screen year-round. Such wall, fence or shrubs shall be at least 3 feet, but not more than 6 feet, 6 inches in height. No landscaping or screening is proposed.
5. Section 341.02 which states that Approval of the Cleveland Historic Landmarks Commission is required. (Filed October 26, 2021 – No Testimony)
POSTPONEMENT WAS MADE AT THE REQUEST OF THE APPELLANT DUE TO A SCHEDULING CONFLICT.

POSTPONED FROM NOVEMBER 22, 2021

9:30

Calendar No. 21-173: 1975 Ford Drive

Ward 6 – Blaine A. Griffin

18 Notices

Ford-Hessler Property Reorganization LLC., owner, proposes to reconfigure lot for existing three-story, five-unit apartment building in an E3 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Division (b)(1) of Section 357.08 which states that a 20-foot rear yard is required and approximately 10 feet are proposed.
2. Section 349.04 which states that five parking spaces are required, and this reconfiguration will reduce the number to zero.
3. Section 349.02 which states that in all use districts, existing off-street parking facilities shall not voluntarily be reduced below the requirements of Chapter 349.
4. Section 309 which states that Lot Platting and Subdivision must be reviewed and approved by the Cleveland Planning Commission (Filed October 26, 2021 – No Testimony) *POSTPONEMENT WAS MADE AT THE REQUEST OF THE APPELLANT DUE TO A SCHEDULING CONFLICT.*

POSTPONED FROM NOVEMBER 22, 2021

9:30

Calendar No. 21-174: 1981 Ford Drive

Ward 6 – Blaine A. Griffin

18 Notices

Ford-Hessler Property Reorganization LLC., owner, propose to reconfigure lot for existing two-story, four-unit apartment building in an E3 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Division (b)(1) of Section 357.08 which states that a 20-foot rear yard is required, and approximately 1 foot is proposed.
2. Section 349.04 which states that four parking spaces are required, and this reconfiguration will reduce the number to zero.
3. Section 349.02 which states that in all use districts, existing off-street parking facilities shall not voluntarily be reduced below the requirements of Chapter 349.
4. Section 309 which states that Lot Platting and Subdivision must be reviewed and approved by the Cleveland Planning Commission (Filed October 26, 2021 – No Testimony) *POSTPONEMENT WAS MADE AT THE REQUEST OF THE APPELLANT DUE TO A SCHEDULING CONFLICT.*

POSTPONED FROM OCTOBER 11, 2021

9:30

Calendar No. 21-145: 11409 Wade Park

Ward 9 – Kevin Conwell

24 Notices

Chabad of University Circle, owners, propose to erect a three-story frame and masonry rear addition to existing three-story frame masonry, single-family residence creating four dwellings and one habitable area with kitchen in basement in an AA1 Limited One-Family Residential. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Division (a)(1) of Section 337.10 which states that a multi-family uses (five dwellings) are not allowed in the Limited One-Family District but are first allowed in the Multi-Family District per Section 337.08.
2. Section 349.04 which states that one parking space is required for each dwelling. Five are required; proposing two parking spaces.
3. Section 355.04 which states that the maximum gross floor area shall not exceed 50% of lot size of 4,940 square feet and the appellant is proposing 9,287 square feet.
4. Division (b)(2) of Section 357.09 which states that total of both required interior side yards shall not be less than 20 feet; proposing 16 feet, 10 inches. (Filed August 23, 2021 – No Testimony) *SECOND POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT DUE TO A SCHEDULING CONFLICT.*

*POSTPONEMENT MADE AT THE REQUEST OF THE COUNCILMAN TO
ALLOW TIME FOR COMMUNITY REVIEW.*

THE FOLLOWING CASE HAS BEEN POSTPONED TO DECEMBER 20, 2021

9:30

Calendar No. 21-143: 1041 Auburn Avenue

Ward 3 – Kerry McCormack

10 Notices

1101 Auburn Holdings LLC, owner proposes to erect three- to four- story, single-family residence with attached garage 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. Division (b) of Section 355.04 which states that Maximum Gross Floor Area shall not exceed 50% of the lot size, which in this case would be 1,254 square feet, and the appellant is proposing 2,274 square feet.
2. Division (a) of Section 357.05 which states that the minimum side street setback line is 5 feet, and the appellant is proposing 3.3 feet.
3. Division (b)(2) of Section 357.09 which states that the minimum distance between the main building on adjoining lot is 6 feet and the appellant is proposing 5 feet.
4. Division (a) of Section 357.06 which states that the Required Front Yard setback is 14.2 feet; and the appellant is proposing 9.1 feet. Please note that the Board of Zoning Appeals is limited in its ability to grant front yard variances unless certain conditions are present.
5. Section 357.08 which states that the Required Rear Yard is 35 feet, and the appellant is proposing 4 feet 6 inches.
6. Division (6)(B)(2)(b) of Section 337.23 which states that attached garage on a side street shall have a setback distance of 18 feet, and the appellant is proposing 5 feet.
7. Division (b) of Section 341.02 which states that City Planning Design Review Approval is required. (Filed August 20, 2021) *THIRD POSPTONEMENT MADE AT THE REQUEST OF THE BOARD DUE TO A SCHEDULING ISSUE. SECOND POSTPONEMENT TO ALLOW TIME FOR THE OWNERSHIP TO TRANSFER INTO APPELLANT'S NAME. FIRST POSTPONEMENT MADE AT THE REQUEST OF THE COUNCILMAN TO ALLOW TIME COMMUNITY REVIEW.*

Report of the Board of Zoning Appeals

Monday, November 29, 2021

At the meeting of the Board of Zoning Appeals on Monday, November 29, 2021, the following appeals were scheduled for hearing before the Board and;

The following appeals were **APPROVED:** **None**

The following appeals were **DENIED:** **None**

The following appeals were **WITHDRAWN:** **None**

The following appeals were **DISMISSED:** **None**

The following cases were **REMANDED:** **None**

The following cases were **POSTPONED:**

Calendar No. 21-175: Edward Davis
780 London Road. Postponed to January 10, 2022.

Calendar No. 21-176: Dean Pakis
15736 Lorain Avenue. Postponed to December 20, 2021.

Calendar No. 21-178: John Dalalau
10516 Western Avenue. Postponed to January 10, 2022.

The following cases were heard by the Board of Zoning Appeals on Monday, November 22, 2021, and the decisions were adopted and approved on Monday, November 29, 2021:

The following appeals were **APPROVED:**

None

Agenda of the Board of Building Standards and Building Appeals

Wednesday, November 10, 2021

Board of Building Standards and Building Appeals
Cleveland City Hall
Room 514
216-664-2418

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Email: cdavis@clevelandohio.gov to receive the calendar invite (This invite is for testament/witness purposes only).

NEW PUBLIC HEARINGS WILL BE STREAMED LIVE ON THE FOLLOWING FORMATS:

YouTube: https://www.youtube.com/channel/UCB8qloJrhm_pYIR1OLY68bw/

NOTE: This is a tentative Agenda and may vary both in scope and order of presentation as time permits and circumstances warrant.

HOUSING:

Docket A-62-21

14808 Westropp Avenue

WARD: 8
(Michael Polensek)

Doris Burrell, Owner of the One Dwelling Unit; Single-Family Residence; Two-and-Half-Story Wood Frame/Siding/Masonry Veneer Property appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated July 15, 2021; appellant is requesting for time to complete abatement of the violations.

Docket A-63-21**1077 East 78th Street****WARD: 10
(Anthony Hairston)**

Lottie Sims, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Masonry Property appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated August 10, 2021; appellant is requesting for four months to complete abatement of the violations.

Docket A-64-21**3295 Regent Road****WARD: 6
(Blaine Griffin)**

Allen D. Christian, Owner of the Three Dwelling Units; Three-Family Residence; Two-and-Half-Story Masonry Property appeals from a **NOTICE OF VIOLATION – INTERIOR MAINTENANCE**, dated July 28, 2021; appellant is requesting for time to complete abatement of the violations.

Docket A-65-21**1455 West 50th Street****WARD: 3
(Kerry McCormack)**

Robert Frazier, Owner of the Two Dwelling Units; Two-Family Residence; Two-and-Half Story Frame Property appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated July 30, 2021; appellant is requesting for time to complete abatement of the violations.

Docket A-67-21**4540 Grayton Road****WARD: 17
(Charles Slife)**

Nancy Manning, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Wood Frame/Siding/Masonry Veneer Property appeals from a **NOTICE OF VIOLATION – VACATE & CONDEMNATION-MAIN STRUCTURE**, dated July 27 & 29, 2021; appellant is requesting for time to complete abatement of the violations.

Docket A-68-21**15402 Macauley Avenue****WARD: 8
(Michael Polensek)**

Michael Dubson, Owner of the One Dwelling Unit; Single-Family Residence; One-Story Frame Property appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated August 10, 2021; appellant is requesting for time to complete abatement of the violations.

Docket A-70-21**3151 West 90th Street****WARD: 14
(Jasmin Santana)**

Jacqueline Bonds, Owner of the Two Dwelling Units; Two-Family Residence; Two-and-Half Story Frame Property appeals from a **NOTICE OF VIOLATION –**

Approval of Resolutions

Docket/s:

- A-54-21 Robert & Frances Miller
- ~~A-57-21 American Home Classic LLC~~
- A-58-21 David M. Dotson
- A-59-21 Old Brooklyn Community Development Corporation
- A-60-21 Cleveland Realty Investments, LLC
- A-61-21 Bell Jung LLC
- A-74-21 George Moore
- A-94-21 TREMCO INCORPORATED

APPROVAL OF MINUTES

October 27, 2021

MEMO

To: Tom Vanover, Commissioner/CBO

From: Carmella Davis, Executive Secretary
Board of Building Standards and Building Appeals

Date: October 18, 2021

Subject: Request for presence at board hearing

The Board of Building Standards and Building Appeals requests the presence of a representative for a Public Hearing on the following Docket/s from the Department of Building and Housing, and the presence of a representative from the Division of Fire on Wednesday, November 10, 2021, at approximately 9:30 A.M. via WebEx.

DOCKET NO.	ADDRESS	INSPECTOR/S
A-62-21	14808 Westropp	B. McClure
A-63-21	1077 East 78th	K. Lanum
A-64-21	3295 Regent	D. Turic
A-65-21	1455 West 50th	T. Barisic
A-67-21	4540 Grayton	C. Davis
A-68-21	15402 Macauley	J. Davis
A-69-21	1219 East 87th	T. Vanover
A-70-21	3151 West 90th	T. Barisic
A-71-21	3275 East 103rd	R. Derrett
A-72-21	16205 Kollin	R. Derrett
A-73-21	3099 Sawtell	A. Arnold

Agenda of the Board of Building Standards and Building Appeals

Wednesday, December 8, 2021

Board of Building Standards and Building Appeals
Cleveland City Hall
Room 514
216-664-2418

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For instructions to join the call you can go to here: <https://help.webex.com/en-us/bksp8r/Join-a-Meeting-from-the-Webex-Meetings-Desktop-Appor-Mobile-App>

Email: cdavis@clevelandohio.gov to receive the calendar invite (This invite is for testament/witness purposes only).

NEW PUBLIC HEARINGS WILL BE STREAMED LIVE ON THE FOLLOWING FORMATS:

YouTube: https://www.youtube.com/channel/UCB8qloJrhm_pYIR1OLY68bw/

NOTE: This is a tentative Agenda and may vary both in scope and order of presentation as time permits and circumstances warrant.

BUILDING:

Docket A-76-21

6507 Lansing Avenue

WARD: 12
(Anthony Brancatelli)

HJD Enterprises LLC, Owner of the MXD Mixed Uses; Multiple-Uses-In-One-Building; Two-Story; Masonry Structure appeals from a **NOTICE OF VIOLATION-CONDEMNATION – MAIN STRUCTURE**, dated June 23, 2021; appellant is requesting for time to complete abatement of the violations.

Docket A-76-21 has been rescheduled for February 16, 2022

Nancy Manning, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Wood Frame/Siding/Masonry Veneer Property appeals from a **NOTICE OF VIOLATION – VACATE & CONDEMNATION – MAIN STRUCTURE**, dated July 27 & 29, 2021; appellant is requesting for time to complete abatement of the violations.

Docket A-72-21

16205 Kollin Avenue

**WARD: 1
(Joseph T. Jones)**

Joey A. Arron, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Frame Property appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE & NO PERMIT**, dated August 5, 2021; appellant is requesting for time to complete abatement of the violations.

Docket A-72-21 has been rescheduled for February 16, 2022

Docket A-75-21

7518 Rutledge Avenue

**WARD: 15
(Jenny Spencer)**

Beverly L. Gartland, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Frame Property appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated July 1, 2021; appellant is requesting for time to complete abatement of the violations.

Docket A-79-21

3243 West 32nd Street

**WARD: 14
(Jasmin Santana)**

KTC Properties LLC, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Frame Property appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated August 11, 2021; appellant is requesting for time to complete abatement of the violations.

Docket A-82-21

2211 East 76th Street

**WARD: 5
(Delores S. Gray)**

Rose M. Munn, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Frame Property appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated September 13, 2021; appellant is requesting for time to complete abatement of the violations.

Docket A-82-21 has been rescheduled for February 16, 2022

Docket A-83-21

14421 Coit Road

**WARD: 8
(Michael Polensek)**

Lola Kolawole, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Wood Frame/Siding/Masonry Veneer Property appeals from a **NOTICE OF**

VIOLATION – CONDEMNATION – MAIN STRUCTURE/GARAGE, dated September 16, 2021; appellant is requesting for time to complete abatement of the violations.

Docket A-84-21

3824 West 36th Street

**WARD: 14
(Jasmin Santana)**

First North Ohio LP c/o Yannick Van Der Knapp, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Frame Property appeals from a **NOTICE OF VIOLATION – NO PERMIT & INTERIOR/EXTERIOR MAINTENANCE**, dated September 9, 2021; appellant is requesting for time to complete abatement of the violations.

PERMIT(S) EXTENSION:

Docket A-69-21

1219 East 87th Street

**WARD: 7
(Basheer S. Jones)**

Herbert Harris, appeals from Suspended or Abandoned work performed under the following **PERMIT(S) H2005109; H18006259; B18006249**, dated August 19, 2021; appellant is requesting for a six-month extension.

Approval of Resolutions

Docket/s:

A-62-21	Doris Burrell
A-63-21	Lottie Sims
A-64-21	Allen D. Christian
A-65-21	Robert Frazier
A-68-21	Michael Dubson
A-70-21	Jacqueline Bonds
A-71-21	Tana Billups
A-73-21	Mohanad Ghazal

APPROVAL OF MINUTES

November 10, 2021

MEMO

To: Tom Vanover, Commissioner/CBO

From: Carmella Davis, Executive Secretary
Board of Building Standards and Building Appeals

Date: October 18, 2021

Subject: Request for presence at board hearing

The Board of Building Standards and Building Appeals requests the presence of a representative for a Public Hearing on the following Docket/s from the Department of Building and Housing, and the presence of a representative from the Division of Fire on Wednesday, November 24, 2021, at approximately 9:30 A.M. via WebEx.

DOCKET NO.	ADDRESS	INSPECTOR/S
A-76-21	6507 Lansing	R. Conte
A-75-21	7518 Rutledge	D. Turic
A-77-21	14127 Rainbow	C. Davis
A-78-21	15436 Lakeshore	A. Arnold
A-79-21	3243 West 32nd	R. Derrett
A-80-21	3540 Trent	A. Arnold
A-81-21	2128 West 55th	F. Zekaj
A-82-21	2211 East 76th	A. Cvitic
A-83-21	14421 Coit	A. Jones
A-84-21	3824 West 36th	R. Derrett

Report of the Board of Building Standards and Building Appeals

Wednesday, November 10, 2021

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

* * *

Docket A-62-21 – RE: Appeal of Doris Burrell, Owner of the One Dwelling Unit; Single-Family Residence; Two-and-Half-Story Wood Frame/Siding/Masonry Veneer Property located on the premises known as **14808 Westropp Avenue** appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated July 15, 2021, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellant until **January 10, 2022**, to complete abatement of the violations; the property is **REMANDED** to the Department of Building and Housing for supervision and any required further action Motion so in order. Motioned by Denk and seconded by Maschke.

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

* * *

Docket A-63-21 – RE: Appeal of Lottie Sims, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Masonry Property located on the premises known as **1077 East 78th Street** appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated August 10, 2021, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **FIND** that the notice of violation was properly issued and to **DENY** the Appellant's request for more time and to **REMAND** the property back to the Department of Building and Housing; the property is **REMANDED** to the Department of Building and Housing for supervision and any required further action Motion so in order. Motioned by Maschke and seconded by Gallagher.

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

* * *

Docket A-64-21 – RE: Appeal of Allen D. Christian, Owner of the Three Dwelling Units; Three-Family Residence; Two-and-Half-Story Masonry Property located on the premises known as **3295 Regent Road** appeals from a **NOTICE OF VIOLATION – INTERIOR MAINTENANCE**, dated July 28, 2021, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **DENY** the Appellant’s request for more time and to **REMAND** the property back to the Department of Building and Housing; the property is **REMANDED** to the Department of Building and Housing for supervision and any required further action Motion so in order. Motioned by Maschke and seconded by Denk.

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

* * *

Docket A-65-21 – RE: Appeal of Robert Frazier, Owner of the Two Dwelling Units; Two-Family Residence; Two-and-Half-Story Frame Property located on the premises known as **1455 West 50th Street** appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated July 30, 2021, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellant until **March 1, 2022**, to complete abatement of the violations; the property is **REMANDED** to the Department of Building and Housing for supervision and any required further action Motion so in order. Motioned by Maschke and seconded by Denk.

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

* * *

Docket A-67-21 – RE: Appeal of Nancy Manning, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Wood Frame/Siding/Masonry Veneer Property located on the premises known as **4540 Grayton Road** appeals from a **NOTICE OF VIOLATION – VACATE & CONDEMNATION – MAIN STRUCTURE**, dated July 27 and 29, 2021, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

*Docket A-67-21-has been **RESCHEDULED** to November 24, 2021*

* * *

Docket A-68-21 – RE: Appeal of Michael Dubson, Owner of the One Dwelling Unit; Single-Family Residence; One-Story Frame Property located on the premises known as **15402 Macauley Avenue** appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated August 10, 2021, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellant until **February 10, 2022**, to complete abatement of the violations; the property is **REMANDED** to the Department of Building and Housing for supervision and any required further action Motion so in order. Motioned by Maschke and seconded by Denk.

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

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Docket A-70-21 – RE: Appeal of Jacqueline Bonds, Owner of the Two Dwelling Units; Two-Family Residence; Two-and-Half-Story Frame Property located on the premises known as **3151 West 90th Street** appeals from a **NOTICE OF VIOLATION – CONDEMNATION – MAIN STRUCTURE**, dated August 12, 2021, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **DENY** the Appellant's request for more time and **REMAND** the property back to the Department of Building and Housing; the property is **REMANDED** to the Department of Building and Housing for supervision and any required further action Motion so in order. Motioned by Denk and seconded by Maschke.

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

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Docket A-71-21 – RE: Appeal of Tana Billups, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Frame Property located on the premises known as **3275 East 103rd Street** appeals from a **NOTICE OF VIOLATION – RENTAL REGISTRATION; NO PERMIT & INTERIOR/EXTERIOR MAINTENANCE**, dated August 20, 2021, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellant until **May 10, 2022**, to complete abatement of the violations; the property is **REMANDED** to the Department of Building and Housing for supervision and any required further action Motion so in order. Motioned by Denk and seconded by Maschke.

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

* * *

Docket A-72-21 – RE: Appeal of Joey A. Arron, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Frame Property located on the premises known as **16205 Kollin Avenue** appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE & NO PERMIT**, dated August 5, 2021, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

*Docket A-72-21-has been **RESCHEDULED** to November 24, 2021*

* * *

Docket A-73-21 – RE: Appeal of Mohanad Ghazal, Owner of the One Dwelling Unit; Single-Family Residence; One-and-Half-Story Frame Property located on the premises known as **3099 Sawtell Road** appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE & NO PERMIT**, dated August 20, 2021, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellant until **February 10, 2022**, to complete abatement of the interior violations and until **May 10, 2022**, to complete abatement of the exterior maintenance; the property is **REMANDED** to the Department of Building and Housing for supervision and any required further action Motion so in order. Motioned by Denk and seconded by Maschke.

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

* * *

Docket A-69-21 – RE: Appeal of Herbert Harris, appeals from Suspended or Abandoned work performed under the following **PERMIT(S) H2005109; H18006259; B18006249** located on the premises known as **1219 East 87th Street**, dated August 19, 2021, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

*Docket A-72-21-has been **RESCHEDULED** to November 24, 2021*

Approval of Resolutions

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

Dockets:

- A-54-21 Robert & Frances Miller
- A-58-21 David M. Dotson
- A-59-21 Old Brooklyn Community Development Corporation
- A-60-21 Cleveland Realty Investments, LLC
- A-61-21 Bell Jung LLC
- A-74-21 George Moore
- A-94-21 TREMCO INCORPORATED

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

* * *

Approval of Minutes

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

October 27, 2021

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

* * *

*Joseph F. Denk,
Chairman*

Public Notice

**-TAXICABS-
NOTICE OF RATES OF FARE
ADJUSTMENT DUE TO COST OF
GASOLINE**

As of the first Monday of November 2021, and one month prior thereto, the price per gallon for regular unleaded gasoline for the Cleveland-Lorain-Elyria Metro Area as published by the Automobile Association of America's State-by-State Fuel Price Average Report is equal to or greater than \$3.00 per gallon. Therefore, pursuant to CO §443.261 (a), an increase of \$1.00 to the rates of fare set forth in CO §443.26 is hereby authorized and shall take effect thirty (30) days from the publication of this notice. Pursuant to CO §443.261(c), each change in the fare amount shall be applied to the meter. A representative of the Bureau of Weights and Measures must remove the current security seal affixed to each taxicab meter prior to the fare being changed on the meter.

Dedrick C. Stephens
Commissioner – Division of Assessments and Licenses

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.

Section 187.10 of the Codified Ordinances: Negotiated contracts; Notice required in Advertisements 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 certifications 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.

Click on a bid below to read it:

File No. 146-21

File No. 147-21

File No. 148-21

File No. 149-21

BID OPENS – WEDNESDAY, DECEMBER 15, 2021

File No. 146-21 Fluorosilicic Acid

FOR THE DIVISION OF WATER FOR THE DEPARTMENT OF PUBLIC UTILITIES, AS AUTHORIZED BY ORDINANCE 1630-92 SECTION 129.24 PASSED BY COUNCIL SEPTEMBER 21, 1992.

There will be a **NON-MANDATORY Pre-Bid Meeting**, Thursday, December 2, 2021, at 11:00 a.m. Via WebEx, to call into the meeting dial 1-415-655-0003, Access Code 2318 317 5169.

Note: Bid must be delivered to the Office of the Commissioner of Purchases and Supplies, Cleveland City Hall, 601 Lakeside Avenue, Room 128, Cleveland, Ohio 44114 before 12 o'clock noon (Eastern Time).

BID OPENS – THURSDAY, DECEMBER 16, 2021

File No. 147-21 Potassium Permanganate

FOR THE DIVISION OF WATER FOR THE DEPARTMENT OF PUBLIC UTILITIES, AS AUTHORIZED BY ORDINANCE 1630-92 SECTION 129.24 PASSED BY COUNCIL SEPTEMBER 21, 1992.

There will be a **NON-MANDATORY Pre-Bid Meeting**, Thursday, December 2, 2021, at 2:00 p.m. Via WebEx, to call into the meeting dial 1-415-655-0003, Access Code 2318 317 5169.

Note: Bid must be delivered to the Office of the Commissioner of Purchases and Supplies, Cleveland City Hall, 601 Lakeside Avenue, Room 128, Cleveland, Ohio 44114 before 12 o'clock noon (Eastern Time).

BID OPENS – THURSDAY, DECEMBER 16, 2021

File No. 148-21 Labor and Materials to Refurbish the Supervisory Control and Data Acquisition (SCADA) System and the Plant Computer Control Systems (PCCS)

FOR THE DIVISION OF WATER FOR THE DEPARTMENT OF PUBLIC UTILITIES, AS AUTHORIZED BY ORDINANCE 660-20 PASSED BY COUNCIL SEPTEMBER 9, 2020.

There will be a **NON-MANDATORY Pre-Bid Meeting**, Thursday, December 2, 2021, at 10:00 a.m. Via WebEx, to call into the meeting dial 1-415-655-0003, Access Code 2301 766 8242.

Note: Bid must be delivered to the Office of the Commissioner of Purchases and Supplies, Cleveland City Hall, 601 Lakeside Avenue, Room 128, Cleveland, Ohio 44114 before 12 o'clock noon (Eastern Time).

BID OPENS – FRIDAY, JANUARY 28, 2021

File No. 149-21 Clark Recreation Center Improvement
FOR THE DIVISION OF ARCHITECTURE AND SITE DEVELOPMENT FOR THE
DEPARTMENT OF MAYOR'S OFFICE OF CAPITAL IMPROVEMENTS, AS
AUTHORIZED BY ORDINANCE 638-19, PASSED JULY 24, 2019.

There is no charge for plans and specifications.

Bidders must be on the Plan-holders list to submit a bid or receive any addenda. Out-of-area bidders may email requests to receive plans and specifications to, Purchasing@city.cleveland.oh.us. In the email request please include your company's Fed Ex Account number, full company's name and address, company's contact/representative full name, contact telephone number, facsimile telephone number and email address. The Fed Ex delivery charges for the plans and specifications will be billed to the bidder's company Fed Ex account number provided.

There will be a **NON-MANDATORY Pre-Bid Meeting**, Thursday, December 14, 2021, at 10:00 a.m. Via web link: <https://tinyurl.com/7eef32jp>.

Note: Bid must be delivered to the Office of the Commissioner of Purchases and Supplies, Cleveland City Hall, 601 Lakeside Avenue, Room 128, Cleveland, Ohio 44114 before 12 o'clock noon (Eastern Time).

Adopted Resolutions and Passed Ordinances

These resolutions were adopted, and ordinances were passed by City Council on November 22, 2021.

Click on a piece of legislation below to read it:

[Ord. No. 507-2020](#)

[Ord. No. 1033-2021](#)

[Ord. No. 768-2021](#)

[Ord. No. 1084-2021](#)

[Ord. No. 919-2021](#)

[Res. No. 1069-2021](#)

[Ord. No. 985-2021](#)

[Res. No. 1093-2021](#)

[Ord. No. 1025-2021](#)

Ordinance No. 507-2020

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

An emergency ordinance authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with Inspiron Group Ltd., or its designee, to provide for the developer to make certain improvements; to provide for payments to the Cleveland Metropolitan School District; and to declare certain improvements to real property to be a public purpose.

WHEREAS, under Section 5709.41 of the Revised Code, improvements to real property may be declared to be a public purpose where fee title to the real property was, at one time, held by the City of Cleveland, and the real property is then leased or conveyed by the City; and

WHEREAS, pursuant to Ordinance authority, the City will have duly entered into the chain of title for the Property which is more particularly described in this ordinance (the “Real Property”) pursuant to the requirements of Section 5709.41 of the Revised Code prior to the passage of this ordinance; and

WHEREAS, the Real Property is to be developed in accordance with the Cleveland 2020 Citywide Plan, a copy of which is placed in File No. 507-2020-A; and

WHEREAS, under Section 5709.41 of the Revised Code, the improvements declared to be a public purpose may be exempt from real property taxation; and

WHEREAS, under Section 5709.41 of the Revised Code, the owners of the improvements may be required to make annual service payments in lieu of taxes that would have been paid had the improvement not been exempt; and

WHEREAS, under Section 5709.41 of the Revised Code, the exemption may exceed 75% of the improvements for up to 30 years when a portion of the service payments so collected are distributed to the Cleveland Metropolitan School District (“District”) in an amount equal to the amount the District would have received had the improvement not been exempt; and

WHEREAS, the District has been notified of the intent to enter into the agreement authorized by this ordinance in compliance with division (C)(4) of Section 5709.41 and Section 5709.83 of the Revised Code; 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 improvements to be constructed by Inspirion Group Ltd., or its designee, (“Redeveloper”), are declared to be a public purpose for purposes of Section 5709.41 of the Revised Code (the “Improvements”). The Real Property is more fully described as follows:

LEGAL DESCRIPTION

Parcel No. 1 (Fee Parcel):

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and more particularly described as follows:

Known as being part of Original 10 acre Lot No. 87 and bounded and described as follows:

Beginning on the Northerly line of Euclid Avenue (99 feet wide) at a point distant 155 feet Easterly measured along said Northerly line from its intersection with the Easterly line of East 30th Street (formerly Sterling Avenue) (60 feet wide), said place of beginning being also the Southeasterly corner of a parcel of land conveyed to Scripps-Howard Radio, Inc., by deed dated March 21, 1956, and recorded in Volume 8609, Page 472 of Cuyahoga County Records,

Thence Northerly along the Easterly line of land so conveyed, 330 feet to the Northeasterly corner of land so conveyed to Scripps-Howard Radio, Inc.;

Thence Easterly in a direct line, 124.83 feet to a point on the Easterly line of land conveyed to The Commerce Plaza, Inc., by deed dated December 20, 1954 and recorded in Volume 8231, Page 133 of Cuyahoga County Records, distant 326.83 feet Northerly, measured along said Easterly line from the Northerly line of Euclid Avenue;

Thence Southerly along the Easterly line of land so conveyed to The Commerce Plaza, Inc. 326.83 feet to the Northerly line of Euclid Avenue;

Thence Westerly along the Northerly line of Euclid Avenue, 124.72 feet to the place of beginning, be the same more or less but, subject to all legal highways,

Permanent Parcel Nos: 103-06-029 and 103-06-030

Section 2. That one hundred percent (100%) of the Improvements are declared exempt from real property taxation for a period of thirty years, effective and commencing the first year the value of the Improvements are reflected on the tax duplicate; and that in no event shall the exemption period extend beyond 2052. The terms of the agreement, which shall not be materially changed without further legislative action by Council, will be as follows:

Project Name: The Midtown Redevelopment
Project Address: 3101 Euclid Avenue, Cleveland, OH 44115

Developer: The Inspirion Group, LTD. or Designee
Project Manager: Dan Kennedy
Ward/Councilperson: 7-Basheer Jones
City Assistance: Non-School TIF

Project Summary and Discussion

The Inspirion Group, LTD or designee, (“Developer”) is proposing a mixed-use development located at 3101 Euclid Avenue, Cleveland, OH 44115 (“Project Site”). In order to assist with the project financing, the Developer has requested the City impose a 5709.41, 30-Year, Non-School TIF. The TIF will support debt service related to the project and assist with the development of 92 market rate apartments, approximately 4,200 square feet of retail space, and parking deck for residents and retail users. The project will create and/or cause to create 10 new full-time jobs at the Project Site with an approximate payroll of \$400,000.

The new \$26M redevelopment will convert the existing building into 91 residential units, on floors two through eight with a luxury penthouse on the ninth floor, and retail/commercial spaces of 2,600 SF and 1,700 SF on the first floor. The parking deck will be restored and will be configured for both resident and general public parking, with designated spaces set aside to support the retail users. The project will offer a state-of-the-art fitness center on the main floor of the building, with an attached outdoor landscaped garden, and a community recreation room on the first floor. The fourth floor will feature spacious apartments with walkout balconies. There will be a mix of studio, one, and two-bedroom units, with a private 3,000 SF four-bedroom penthouse on the 9th floor. The Building will benefit from the multimillion-dollar renovation which will also comply with multiple LEED standards.

Once complete, the project will fill in a major vacancy along the Euclid Corridor and provide a mix of market rate housing options. This transit-oriented development will provide residents with optimal access the Health-Line as well as ideal access to the Innerbelt.

Proposed City Assistance

The request to Cleveland City Council is to authorize the Director of Economic Development to enter into a non-school Tax Increment Finance (TIF) agreement with The Inspirion Group, LTD or its designee. This TIF agreement will be up to 30 years in length. The City will declare certain improvements with respect to the project to be a public purpose and exempt 100% of the improvements from real property taxes. The TIF will be immediately effective on the residential after the expiration of the 15-year, 100% tax abatement.

Under the agreement, parcels acquired and re-conveyed to the developer will be subject to a TIF under Section 5709.41 of the Ohio Revised Code in consideration for the developer agreeing to make certain improvements to those parcels and making payments in lieu of taxes (PILOTs) equal to the taxes that would have been paid for those parcels but for the TIF. A portion of the PILOT will be paid to the Cleveland

Municipal School District in the amount the District would have otherwise received but for the TIF.

Economic Impact

- Creation of 10 jobs in the City of Cleveland
- Project estimates \$10,000 in new annual City tax revenue generated from residents and new employees

City Requirements

- Subject to Chapter 187: MBE/FBE/CSB requirements
- Subject to Chapter 188: Fannie Lewis Cleveland Residential Employment Law
- Subject to a Workforce Development Agreement for all new jobs
- Subject to a Community Benefits Agreement

Section 3. That, under Section 5709.41 of the Revised Code, Redeveloper, or the owners of the Improvements, shall make service payments for a period of thirty years in lieu of the exempt taxes to the Cuyahoga County Fiscal Officer or Treasurer, or designee; the payments shall be charged and collected in the same manner, and shall be in an amount not less than the taxes that would have been paid had the Improvements not been exempt from taxation.

Section 4. That a portion of the service payments collected under this ordinance shall be distributed by the Cuyahoga County Fiscal Officer or Treasurer, or designee to the Treasurer of the District in the amount of the taxes that would have been payable to the District had the Improvements not been exempt from taxation.

Section 5. That the Director of Economic Development is authorized to enter into an agreement or agreements with Redeveloper to provide for the exemption and service payments described in this ordinance, including agreements securing the payments described in this ordinance, which agreement or agreements shall contain those terms contained in this ordinance.

Section 6. That when applicable under Section 5709.43 of the Revised Code, there is established an Urban Redevelopment Tax Increment Equivalent Fund into which shall be deposited Service Payments in Lieu of Taxes (“PILOTS” or “Service Payments”) that shall be used for financing the public purpose Improvements including project debt service, bond payments and reimbursement of project construction costs, or for other economic development purposes as determined by the Director of Economic Development.

Section 7. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in open meetings of this Council, and any of its committees that resulted in formal action were in meetings open to the public in compliance with the law.

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

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

Passed November 22, 2021.

Effective November 24, 2021.

Ordinance No. 768-2021

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

An emergency ordinance authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with Skyline Investments Inc., and/or its designee, to fund eligible project costs and project debt for the financing of the Hotel Cleveland Project to be located at 24 Public Square; to provide for payments to the Cleveland Metropolitan School District; and to declare certain improvements to real property to be a public purpose.

WHEREAS, under Section 5709.41 of the Revised Code, improvements to real property may be declared to be a public purpose where fee title to the real property was, at one time, held by the City of Cleveland and the real property is then leased or conveyed by the City; and

WHEREAS, pursuant to Ordinance authority, the City will have duly entered into the chain of title for the Property which is more particularly described in this ordinance (the “Real Property”) pursuant to the requirements of Section 5709.41 of the Revised Code prior to the passage of this ordinance; and

WHEREAS, the Real Property is to be developed in accordance with the Cleveland 2020 Citywide Plan, a copy of which is placed in **File No. 768-2021-A**; and

WHEREAS, under Section 5709.41 of the Revised Code, the improvements declared to be a public purpose may be exempt from real property taxation; and

WHEREAS, under Section 5709.41 of the Revised Code, the owners of the improvements may be required to make annual service payments in lieu of taxes that would have been paid had the improvement not been exempt; and

WHEREAS, under Section 5709.41 of the Revised Code, the exemption may exceed 75% of the improvements for up to 30 years when a portion of the service payments so collected are distributed to the Cleveland Metropolitan School District (“District”) in an amount equal to the amount the District would have received had the improvement not been exempt; and

WHEREAS, the District has been notified of the intent to enter into the agreement authorized by this ordinance in compliance with Sections 5709.41(C)(4) and 5709.83 of the Revised Code; 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 improvements to be constructed by Skyline Investments Inc., and/or its designee, (“Redeveloper”), are declared to be a public purpose for purposes of Section 5709.41 of the Revised Code (the “Improvements”). The Real Property is more fully described below and as may subsequently be replatted, re-numbered, or revised:

The Renaissance Hotel Legal Descriptions**101-23-006B****101-23-007****101-23-010****101-23-011B****PARCEL NO. 1**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Two Acre Lots Nos. 81 and 82, and bounded and described as follows:

Beginning at the intersection of the Southeasterly line of Superior Avenue, N.W., with the Southwesterly line of Public Square; thence South 33 degrees 25’ 15” East along said southwesterly line of Public Square, 140 feet; thence South 56 degrees 34’ 25” West parallel with said Southeasterly line of Superior Avenue, N.W., 233.3 feet to the Northeasterly line of West 3rd Street (now vacated); thence South 56 degrees 28’ 40” West at right angles to said Northeasterly line of West 3rd Street, 33 feet to the center line of said West 3rd Street; thence North 33 degrees 31’ 20” West along said center line of West 3rd Street, 40 feet; thence North 56 degrees 28’ 40” East, 33 feet to the most Southerly corner of land leased by Marie M. Ingersoll and Albert Y. Merian to The Sedgewick Land Company by Lease recorded in Volume 72, Page 188 of the Lease Records of Cuyahoga County Records; thence North 56 degrees 34’ 25” East along the Southeasterly line of land leased to The Sedgewick Land Company as aforesaid, 100.320 feet to the most Easterly corner thereof; said most Easterly corner being in the Northeasterly line of said Original Two Acre Lot No. 81; thence Northwesterly along the Northeasterly line of land leased to The Sedgewick Land Company as aforesaid, said Northeasterly line being also the Northeasterly line of said Original Two Acre Lot No. 81, 100 feet to said Southeasterly line of Superior Avenue, N.W.; thence North 56 degrees 34’ 25” East along said Southeasterly line of Superior Avenue, N.W., 133.098 feet to the place of beginning, be the same more or less, but subject to all legal highways.

PARCEL NO. 2

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being that portion of the following described premises designated as Lots “A” and “B”, above the planes referred to in the deed from The Union Trust Company to The

Cleveland Terminals Company dated April 20, 1927, filed for record on April 20, 1927 and recorded in Volume 3563, Page 199 of Cuyahoga County Records; said planes being more particularly set forth on a Map attached to said deed as an exhibit thereto (of which map showing said planes, a copy, modified to show (a) the effect of the vacation of West Third Street, (b) certain additional data, and (c) an appropriate legend of identification, was attached to the Mortgage from the Cleveland Sheraton Corporation to The Prudential Insurance Company of America dated May 25, 1962, filed for record May 25, 1962 and recorded in Volume 10778, Page 11 of Cuyahoga County Records (the "Prudential Mortgage" and marked "Exhibit A" thereof); said premises being bounded and described as follows:

Lot A: Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Two Acre Lots Nos. 81 and 82, bounded and described as follows: Beginning at a point on a line 140 feet distant Southerly from Superior Avenue, N.W., and parallel therewith, said point being 24.71 feet Westerly from the Westerly line of Public Square; thence from said point of beginning Southerly along a line parallel with the Westerly line of the Public Square and 24.71 feet therefrom a distance of 57 feet; thence Westerly along a line parallel with the Southerly line of Superior Avenue, N.W., and 197 feet distant Southerly at right angles therefrom, 208.489 feet to a point in the Easterly line of West 3rd Street (now vacated); thence Westerly at right angles to said Easterly line of West 3rd Street, 33 feet to the center line of West 3rd Street; thence Northerly along the center line of West 3rd Street, 57 feet; thence Easterly at right angles to the center line of West 3rd Street, 33 feet to a point in the Easterly line of West 3rd Street, 140 feet Southerly (measured along said Easterly line) from the Southerly line of Superior Avenue, N.W.; thence Easterly along a line parallel with Superior Avenue, N.W., and 140 feet distant Southerly at right angles therefrom, 208.59 feet to the point of beginning, be the same more or less, but subject to all legal highways.

Excepting from the above, the following three parts thereof;

First Part:
(Storage Parcel)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Two Acre Lot No. 82 and also known as all of the premises extending above a plane which coincides with the lower surface of the fireproofing of the building girder at approximate elevation 81.00 feet and below a plane which coincides with the lower surface of the fireproofing of the building girder at approximate elevation 96.00 feet, City of Cleveland Datum Base Level, and more fully described as follows:

Beginning on the southwesterly line of Public Square at its intersection with the southeasterly line of Superior Avenue, 132 feet in width; Thence South 33 degrees 25' 15" East along said southwesterly line of Public Square 140.00 feet to a point;

Thence South 56 degrees 34' 25" West a distance of 65.57 feet to a point which is the True Place of Beginning (T.P.B.) for the parcel of land herein described; thence South 33 degrees 25' 15" East a distance of 16.21 feet to a point;

Thence South 56 degrees 34' 25" West along the centerline of a wall a distance of 8.25 feet to a point; Thence North 33 degrees 25' 15" West along the centerline of a wall a distance of 4.00 feet to a point;

Thence South 56 degrees 34' 25" West along the centerline of a wall a distance of 14.50 feet to a point;

Thence South 33 degrees 25' 15" East along the centerline of a wall a distance of 2.13 feet to a point;

Thence South 56 degrees 34' 25" West along the centerline of a wall a distance of 5.17 feet to a point;

Thence North 33 degrees 25' 15" West along the centerline of a wall a distance of 14.34 feet to a point which bears South 56 degrees 34' 25" West from the True Place of Beginning;

Thence North 56 degrees 34' 25" East a distance of 27.92 feet to a point which is the True Place of Beginning and containing 0.0088 Acres of land, more or less, as determined in January 1988, by Gary R. Rouse, Registered Surveyor with Giffels, Bergstrom & Fricker, Inc.

Second Part:
(Lower Greenbriar)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Two Acre Lot No. 82 and also known as all of the premises extending above a plane which coincides with the lower surface of the fireproofing of the building girders at approximate elevation 246.17 feet and below elevation 248.67 feet, City of Cleveland, Datum Base Level, and more fully described as follows:

Beginning on the southwesterly line of Public Square at its intersection with the southeasterly line of Superior Avenue, 132 feet in width;

Thence South 33 degrees 25' 15" East along said southwesterly line of Public Square a distance of 140.00 feet to a point;

Thence South 56 degrees 34' 25" West a distance of 24.71 feet to a point which is the True Place of Beginning (T.P.B.) for the parcel of land herein described;

Thence South 33 degrees 25' 15" East a distance of 57.00 feet to a point;

Thence South 56 degrees 34' 25" West a distance of 24.08 feet to a point;

Thence North 33 degrees 25' 15" West along the centerline of a wall a distance of 57.00 feet to a point bearing South 56 degrees 34' 25" West from the True Place of Beginning;

Thence North 56 degrees 34' 25" East a distance of 24.08 feet to a point which is the True Place of Beginning and containing 0.0315 Acres of land, more or less, as determined in January 1988 by Gary R. Rouse, Registered Surveyor with Giffels, Bergstrom & Fricker, Inc.

Third Part:
(Upper Greenbriar)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Two Acre Lot No.82 and also known as all of the premises extending above elevation 248.67 feet, City of Cleveland Datum Base Level, and more fully described as follows:

Beginning on the southwesterly line of Public Square at its intersection with the southeasterly line of Superior Avenue, 132 feet in width;

Thence South 33 degrees 25' 15" East along said southwesterly line of Public Square a distance of 140.00 feet to a point;

Thence South 56 degrees 34' 25" West a distance of 21.58 feet to a point which is the True Place of Beginning (T.P.B.) for the parcel of land herein described;

Thence continuing South 56 degrees 34' 25" West a distance of 3.13 feet to a point;

Thence South 33 degrees 25' 15" East a distance of 57.00 feet to a point; Thence South 56 degrees 34' 25" West a distance of 24.75 feet to a point;

Thence North 33 degrees 25' 15" West along the outside face of a wall a distance of 58.50 feet to a point; Thence North 56 degrees 34' 25" East along the outside face of a wall a distance of 27.88 feet to a point;

Thence South 33 degrees 25' 15" East along the outside face of a wall a distance of 1.50 feet to a point, which is the True Place of Beginning and containing 0.0334 Acres of land, more or less, as determined in January, 1988 by Gary R. Rouse, Registered surveyor with Giffels, Bergstrom & Fricker, Inc.

Lot B: Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Two Acre Lot Nos. 81 and 82, bounded and described as follows: Beginning at a point in the Northeasterly line of West 3rd Street (now vacated), bearing South 33 degrees 31' 20" East along said Northeasterly line, 197 feet from the Southeasterly line of Superior Avenue, N.W.; thence North 56 degrees 34' 25" East parallel with said Southeasterly line of Superior Avenue, N.W., and distant

197 feet Southeasterly, measured at right angles therefrom, 170.578 feet to an angle in the Westerly line of lands described in a deed to The Cleveland Union Terminals Company, dated December 1, 1926, and recorded in Volume 3563, Page 24 of Cuyahoga County Records, said angle being the intersection of Course No. 14 with Course No. 15 of said lands as described in said deed; thence South 05 degrees 56' 55" West along said Course No. 14, 112.160 feet to a point; thence North 84 degrees 03' 05" West along Course No. 13 of said lands as described in said deed to The Cleveland Union Terminals Company, 42.667 feet to a point; thence south 05 degrees 56' 55" West along Course No. 12 of said lands as described in said deed to The Cleveland Union Terminals Company, 104.365 feet to said Northeasterly line of West 3rd Street; thence South 56 degrees 28' 40" West on a line at right angles to said Northeasterly line of W. 3rd Street to its intersection with the Northerly line of the viaduct for Prospect Avenue, N.W., as shown on the plat recorded in Volume 120 of Maps, Page 37 of Cuyahoga County Records; thence Westerly along the Northerly line of said viaduct to its intersection with the center line of West 3rd Street; thence North 33 degrees 31' 20" West along said center line of West 3rd Street to its intersection with a line drawn South 56 degrees 28' 40" West at right angles to the Northeasterly line of West 3rd Street from the place of beginning; thence North 56 degrees 28' 40" East, 33 feet to the place of beginning, be the same more or less, but subject to all legal highways, but excepting therefrom the following described part thereof:

(Court Parcel)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Two Acre Lots Nos. 81 and 82 and also known as all of the premises extending above a plane which coincides with the lower surface of the fireproofing of the building girders at approximately elevation 83.00 feet, City of Cleveland Datum Base Level, and more fully described as follows:

Beginning on the southwesterly line of Public Square at its intersection with the southeasterly line of Superior Avenue, 132 feet in width;

Thence South 33 degrees 25' 15" East along said Southwesterly line of Public Square a distance of 140.00 feet to point;

Thence' South 56 degrees 34' 25" West a distance of 65.57 feet to a point;

Thence South 33 degrees 25' 15" East a distance of 57.00 feet to a point which is the True Place of Beginning (T.P.B.) for the parcel of land herein described;

Thence North 56 degrees 34' 25" East a distance of 2.95 feet to a point;

Thence South 05 degrees 56' 55" West a distance of 112.16 feet to a point;

Thence North 84 degrees 03' 05" West a distance of 19.50 feet to a point; Thence North 05 degrees 56' 55" East a distance of 96.16 feet to a point;

Thence North 05 degrees 56' 55" East a distance of 96.16 feet to a point;

Thence North 56 degrees 34' 25" East a distance of 22.28 feet to a point which is the True Place of Beginning and containing 0.0466 Acres of land, more or less, as determined in December 1987 by Gary R. Rouse, Registered Surveyor with Giffels, Bergstrom & Fricker, Inc.

PARCEL NO. 3

(Parking and Hall)

That portion of the premises hereinafter described extending upward from and having at its lower boundary, the plane at Elevation 83.0, City of Cleveland Datum: Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Two Acre Lots Nos. 79 and 80 in said City, and bounded and described as follows: Beginning at the intersection of the Southeasterly line of Superior Avenue N.W., with the center line of West 3rd Street (now vacated), which point of intersection bears South 56 degrees 34' 25" West along said Southeasterly line of Superior Avenue, N.W., 266.548 feet from the Southwesterly line of Public Square; thence South 56 degrees 34' 25" West along said Southeasterly line of Superior Avenue, N.W., 84.885 feet; thence South 33 degrees 25' 35" East 61.032 feet to an angle; thence South 5 degrees 56' 55" West 147.419 feet to the Northerly line of the Viaduct for Prospect Avenue, N.W., as shown on plat recorded in Volume 120, Page 37 of the Map Records of Cuyahoga County, Ohio; thence South 84 degrees 03' 05" East along said Northerly line of said Viaduct, 231.491 feet to said center line of West 3rd Street (now vacated); thence North 33 degrees 31' 20" West along said center line of West 3rd Street (now vacated) 321.845 feet to the place of beginning.

PARCEL NO. 4

(Omitted)

PARCEL NO. 5

(French Connection)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Two Acre Lot No. 82 and also known as all of the premises extending above a plane which coincides with the lower surface of the fireproofing of the building girders at approximate elevation 97.0 feet and below a plane which coincides with the lower surface of the fireproofing of the building girders at approximate elevation 107.00 feet, City of Cleveland Datum Base Level, and more fully described as follows:

Beginning on the southwesterly line of Public Square at its intersection with the southeasterly line of Superior Avenue, 132 feet in width;

Thence South 33 degrees 25' 15" East along said southwesterly line of Public Square a distance of 140.00 feet to a point;

Thence South 56 degrees 34' 25" West a distance of 24.71 feet to a point which is the True Place of Beginning (T.P.B.) for the parcel of land herein described;

Thence continuing South 56 degrees 34' 25" West a distance of 40.86 feet to a point;

Thence South 33 degrees 25' 15" East a distance of 57.00 feet to a point;

Thence North 56 degrees 34' 25" East a distance of 40.86 feet to a point;

Thence North 33 degrees 25' 15" West a distance of 57.00 feet to a point which is the True Place of Beginning and containing 0.0535 Acres of land, more or less, as determined in January 1988 by Gary R. Rouse, Registered Surveyor with Giffels, Bergstrom & Fricker, Inc.

PARCEL NO. 6
(Airline Space)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Two Acre Lot No. 82 and also known as all of premises extending above a finished floor elevation of approximately 85.00 feet and below a plane which coincides with the lower surface of the fireproofing of the building girders at approximate elevation 97.0 feet, City of Cleveland Datum Base Level, and more fully described as follows:

Beginning on the southwesterly line of Public Square at its intersection with the southeasterly line of Superior Avenue, 132 feet in width;

Thence South 33 degrees 25' 15" East along said southwesterly line of Public Square a distance of 140.00 feet to a point;

Thence South 56 degrees 34' 25" West a distance of 19.11 feet to a point which is the True Place of Beginning (T.P.B.) for the parcel of land herein described;

Thence South 33 degrees 25' 15" East along the outside face of a structural wall a distance of 12.43 feet to a point;

Thence South 56 degrees 34' 25" West along the outside face of a structural wall a distance of 1.15 feet to a point;

Thence South 33 degrees 25' 15" East along the outside face of a structural wall a distance of 1.02 feet to a point;

Thence South 56 degrees 34' 25" West along the outside face of a structural wall a distance of 2.06 feet to a point;

Thence South 33 degrees 25' 15" East along the outside face of a structural wall a distance of 4.21 feet to a point;

Thence South 56 degrees 34' 25" West along the centerline of a wall a distance of 6.00 feet to a point;

Thence South 33 degrees 25' 15" East along the centerline of a wall a distance of 1.55 feet to a point;

Thence South 56 degrees 34' 25" West along the centerline of a wall a distance of 3.11 feet to a point;

Thence North 78 degrees 25' 35" West along the centerline of a wall a distance of 4.58 feet to a point;

Thence North 33 degrees 25' 15" West along the centerline of a wall a distance of 15.97 feet to a point which bears South 56 degrees 34' 25" West from the True Place of Beginning;

Thence North 56 degrees 34' 25" East a distance of 15.56 feet to a point which is the true Place of Beginning and containing 0.00061 Acres of land, more or less, as determined in January, 1988 by Gary R. Rouse, Registered Surveyor with Giffles, Bergstrom & Fricker, Inc.

PARCEL NO. 7
(Basement Space)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Two Acre Lot No. 81 and also known as all of the premises extending above a plane which coincides with the lower surface of the fireproofing of the building girders at approximate elevation 70.40 feet and below a plane which coincides with the lower surface of the fireproofing of the building girders at approximate elevation 81.00 feet, City of Cleveland datum Base Level, and more fully described as follows:

Beginning on the southwesterly line of Public Square at its intersection with the southeasterly line of Superior Avenue, 132 feet in width;

Thence South 33 degrees 25' 15" East along said southwesterly line of Public Square 140.00 feet to a point;

Thence South 56 degrees 34' 25" West a distance of 185.81 feet to a point which is the True Place of Beginning (T.P.B.) for the parcel of land herein described;

Thence continuing South 56 degrees 34' 25" West a distance of 47.49 feet to a point on the northeasterly line of West 3rd Street, 66 feet wide (now vacated);

Thence South 56 degrees 28' 40" West a distance of 33.00 feet to a point on the centerline of said vacated West 3rd Street;

Thence South 33 degrees 31' 20" East a distance of 57.00 feet to a point;

Thence North 56 degrees 28' 40" East a distance of 33.00 feet to a point on the northeasterly line of said West 3rd Street;

Thence North 56 degrees 34' 25" East a distance of 47.49 feet to a point;

Thence North 33 degrees 25' 15" West along the centerline of columns a distance of 57.00 feet to a point which is the True Place of Beginning and containing 0.1054 Acres of land, more or less, as determined in December, 1987 by Gary R. Rouse, Registered Surveyor with Giffels, Bergstrom & Fricker, Inc.

EASEMENT PARCEL NO. 8

(Basement Easement)

Non-Exclusive Easement for utility purposes created in the instrument from Terminal Management, Inc., and Tower City Properties to Public Square Hotel Community Urban Redevelopment Corporation, filed for record on September 28, 1988 and recorded in Volume 88- 5030, Page 33 of Cuyahoga County Records, within the following described premises:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Two Acre Lots No. 81 and 82 and also known as all of the premises extending above a plane which coincides with the lower surface of the Fireproofing of the building girders at approximate elevation 70.40 feet and below a plane which coincides with the lower surface of the fireproofing of the building girders at approximate elevation 81.00 feet, City of Cleveland Datum Base Level, and more fully described as follows:

Beginning on the southwesterly line of the Public Square at its intersection with the southeasterly line of Superior Avenue, 132 feet in width;

Thence South 33 degrees 25' 15" East along said southwesterly line of The Public Square 140.00 feet to a point;

Thence South 56 degrees 34' 15" West a distance of 24.71 feet to a point which is the True Place of Beginning (T.P.B.) for the parcel of land herein described;

Thence South 33 degrees 25' 15" East a distance of 57.00 feet to a point;

Thence South 56 degrees 34' 25" West a distance of 161.10 feet to a point;

Thence North 33 degrees 25' 15" West along the centerline of columns a distance of 57.00 feet to a point bearing South 56 degrees 34' 25" West from the True Place of Beginning;

Thence North 56 degrees 34' 25" East a distance of 161.10 feet to a point which is the True Place of Beginning and containing 0.2108 Acres of land, more or less, as determined in December 1987 by Gary R. Rouse, Registered Surveyor with Giffels, Bergstrom & Fricker, Inc.

101-23-008

101-23-009

Parcel 1

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known and described as follows, to-wit:

Being the northerly part of Original Lot No. 81 and bounded as follows: Northerly by Superior Avenue, easterly by the easterly line of said Original Lot No. 81, southerly by line parallel with the southerly line of Superior Avenue and One Hundred (100) feet southerly therefrom, and westerly by the east line of Seneca Street, now known as W. Third Street, and being about Ninety-Nine feet Ten Inches front on the southerly side of Superior Avenue and extending back One Hundred (100) feet deep.

Parcel 2

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Two Acre Lot No. 81 and being further known as part of West 3rd Street vacated by Ordinance No. 86255, passed February 4, 1929, and bounded as follows:

Beginning on the Southeasterly line of Superior Avenue N.W., 132 feet wide, at the Northwesterly corner of said Original Lot No. 81; thence Northeasterly along said Southeasterly line of Superior Avenue N.W., 33.00 feet; thence Southeasterly on a line parallel with the Southwesterly line of said Original Lot No. 81, 100.00 feet; thence Southwesterly at right angles with said last described line, 33.00 feet to the Southwesterly line of said Original Lot No. 81; thence Northwesterly along said Lot line, about 100.00 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Section 2. That one hundred percent (100%) of the Improvements are declared exempt from real property taxation for a period of thirty years, effective and commencing the first year the value of the Improvements are reflected on the tax duplicate; and that in no event shall the exemption period extend beyond 2054. The terms of the agreement, which shall not be materially changed without further legislative action by Council, will be as follows:

<u>Project Name:</u>	Hotel Cleveland
<u>Project Address:</u>	24 Public Square, Cleveland, OH 44113
<u>Developer:</u>	Skyline Investments Inc. and/or designee
<u>Project Manager:</u>	Cassie Slansky
<u>Ward/Councilperson:</u>	3-Kerry McCormack
<u>City Assistance:</u>	Non-School TIF

Project Summary and Discussion

Skyline Investments Inc. and/or designee, (“Developer”) is proposing a redevelopment project located at 24 Public Square, Cleveland, OH 44113 (“Project Site”). In order to assist with the project financing, the Developer has requested the City impose a 5709.41, 30-Year, Non-School TIF. The TIF will support debt service related to the project and assist with the building renovations. The project will create and/or cause to create 166 new W-2 jobs at the Project Site with an approximate payroll of \$6,000,000 and retain/cause to retain 69 jobs.

Skyline Investments Inc. is a Toronto, Canada-based company that specializes in real estate investments with a focus on hotels and resorts. Skyline started as one of Ontario’s top Developers in hospitality properties, prior to expanding into the United States, most notably Ohio. They currently own the Hyatt Regency Hotel and Renaissance Hotel, both located in Cleveland.

Skyline purchased the Renaissance Cleveland Hotel in 2015 and has plans to fully renovate and rebrand the Hotel. The 15 story building was built in 1918 and is approximately 870,000 square feet. The building includes 34 conference rooms, a banquet kitchen, lobby/reception, 491 guest rooms, over 13,000 square feet of retail space, and 300 parking spaces. The hotel will be rebranded to the Autograph Collection by Marriot to re-establish the hotel as a destination and increase the usage of the ballroom and event spaces. The project has been awarded federal historic tax credits which will be purchased by Sherwin Williams. The total project investment is expected to exceed \$56 million.

Proposed City Assistance

- This ordinance will authorize the Director of Economic Development to enter into a 30-year non-school Tax Increment Finance (TIF) agreement with Skyline Investments Inc. and/or its designee. The City will have declared certain improvements with respect to the project to be a public purpose and exempt 100% of the improvements from real property taxes.
- The Developer agrees to make certain improvements to the parcel and make payments in lieu of taxes (PILOTs) equal to the taxes that would have been paid for the parcel but for the TIF. A portion of the PILOTs will be paid to the Cleveland Metropolitan School District in the amount the District would have otherwise received but for the TIF by the County (“District Payments”). The balance of the PILOTs will be utilized to fund eligible project costs and project debt. The developer will be responsible for any shortfall of PILOT payments for project costs.

Economic Impact

- Creation of 166 new full time jobs in the City of Cleveland
- Retention of 69 full time jobs in the City of Cleveland
- Project estimates \$150,000 in new annual City tax revenue generated from residents and new employees

City Requirements

- Subject to Chapter 187: MBE/FBE/CSB requirements
- Subject to Chapter 188: Fannie Lewis Cleveland Residential Employment Law
- Subject to a Workforce Development Agreement for all new jobs
- Subject to a Community Benefits Agreement

Section 3. That, under Section 5709.41 of the Revised Code, Redeveloper, or the owners of the Improvements, shall make service payments for a period of thirty years in lieu of the exempt taxes to the Cuyahoga County Fiscal Officer or Treasurer, or designee; the payments shall be charged and collected in the same manner, and shall be in an amount not less than the taxes that would have been paid had the Improvements not been exempt from taxation.

Section 4. That a portion of the service payments collected under this ordinance shall be distributed by the Cuyahoga County Fiscal Officer or Treasurer, or designee to the Treasurer of the District in the amount of the taxes that would have been payable to the District had the Improvements not been exempt from taxation.

Section 5. That the Director of Economic Development is authorized to enter into an agreement or agreements with Redeveloper to provide for the exemption and service payments described in this ordinance, including agreements securing the payments described in this ordinance, which agreement or agreements shall contain those terms contained in this ordinance.

Section 6. That when applicable under Section 5709.43 of the Revised Code, there is established an Urban Redevelopment Tax Increment Equivalent Fund into which shall be deposited Service Payments in Lieu of Taxes (“PILOTS” or “Service Payments”) that shall be used for financing the public purpose Improvements including project debt service, bond payments, and reimbursement of project construction costs, or for other economic development purposes as determined by the Director of Economic Development.

Section 7. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in open meetings of this Council, and any of its committees that resulted in formal action were in meetings open to the public in compliance with the law.

Section 8. That the contract or contracts authorized by this ordinance shall be prepared by the Director of Law.

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 November 22, 2021.

Effective November 24, 2021.

Ordinance No. 919-2021

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

An emergency ordinance authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with Fairmount Properties, LLC, and/or its designee, to provide for the development of a Mixed Use project located at East 105th and Cedar Avenue; to provide for payments to the Cleveland Metropolitan School District; and to declare certain improvements to real property to be a public purpose.

WHEREAS, under Section 5709.41 of the Revised Code, improvements to real property may be declared to be a public purpose where fee title to the real property was, at one time, held by the City of Cleveland and the real property is then leased or conveyed by the City; and

WHEREAS, under Ordinance No. 817-2020, passed November 4, 2020, the City has entered into the chain of title for the Property which is more particularly described in this ordinance (the “Real Property”) pursuant to the requirements of Section 5709.41 of the Revised Code prior to the passage of this ordinance; and

WHEREAS, the Real Property is to be developed in accordance with the Cleveland 2020 Citywide Plan, a copy of which is placed in File No. 919-2021-A; and

WHEREAS, under Section 5709.41 of the Revised Code, the improvements declared to be a public purpose may be exempt from real property taxation; and

WHEREAS, under Section 5709.41 of the Revised Code, the owners of the improvements may be required to make annual service payments in lieu of taxes that would have been paid had the improvement not been exempt; and

WHEREAS, under Section 5709.41 of the Revised Code, the exemption may exceed 75% of the improvements for up to 30 years when a portion of the service payments so collected are distributed to the Cleveland Metropolitan School District (“District”) in an amount equal to the amount the District would have received had the improvement not been exempt; and

WHEREAS, the District has been notified of the intent to enter into the agreement authorized by this ordinance in compliance with Sections 5709.41(C)(4) and 5709.83 of the Revised Code; 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 improvements to be constructed by Fairmount Properties, LLC, and/or its designee, (“Redeveloper”), are declared to be a public purpose for purposes of Section 5709.41 of the Revised Code (the “Improvements”). The Real Property is more fully described as follows and as may subsequently be replatted, re-numbered, or revised: Permanent Parcel Nos. 121-18-011, 121-18-012, 121-18-013, 121-18-014, 121-18-015, 121-18-016, 121-18-017, 121-18-018, 121-18-019, 121-18-020, 121-18-021, 121-18-022, 121-18-023, 121-18-024, 121-18-048, 121-18-049, 121-18-050, 121-18-051, 121-18-052, 121-18-053, 121-18-054, 121-18-055, and 121-18-056.

Section 2. That one hundred percent (100%) of the Improvements are declared exempt from real property taxation for a period of thirty years, effective and commencing the first year the value of the Improvements is reflected on the tax duplicate; and that in no event shall the exemption period extend beyond 2052. The terms of the agreement, which shall not be materially changed without further legislative action by Council, will be as follows:

- Project Name:** Fairfax Mixed Use Project
- Project Address:** E. 105th St/Cedar Avenue, Cleveland, OH 44106
- Developer:** Fairmount Properties, LLC or designee
- Project Manager:** Robin Brown
- Ward/Councilperson:** 6– Blaine Griffin
- City Assistance:** 30 year Non-school TIF
- Project Site**



Project Summary

Fairmount Properties, LLC or designee, (“Developer”) is proposing a mixed use development located at E. 105th St./Cedar Avenue, Cleveland, OH 44106 (“Project Site”). In order to assist with the project financing, the Developer has requested the City impose a 5709.41, 30-Year, Non-School TIF. The TIF will support debt service related to the project and assist with the development of a 40,000 SF Meijer Grocery Store, approximately 150,778 SF of residential space including 90 market rate one-bedroom units, 90 micro+ units, 6 standard micro-units, 10 two-bedroom units, 200 parking garage spaces and 125 surface-level spaces for Meijer (“Project”).

This would be Meijer’s first urban store in Ohio, bringing an amenity to the Cleveland Clinic/Fairfax neighborhood and providing a higher quality option to residents of that community. The 196 units will be purpose-built to fill an unmet demand for incoming residents, nurses, and medical students, all of whom the Cleveland Clinic believes can benefit from a walkable housing option combined with a major amenity such as the grocery store. Total project investment is expected to exceed approximately \$57 million. The project will create and/or cause to create 40 new W-2 jobs at the Project Site with an approximate payroll of \$1,372,000.

Since 1998 Fairmount Properties, LLC has grown to be a well-respected industry leaser across multiple real estate platforms-from college campuses to city centers. Fairmount Properties, LLC has been fortunate to play lead roles in the development of major urban and suburban cores and the creation of transit-oriented projects including Flats East Bank Phases I-III and Pincrest. The principals of Fairmount Properties are Randy Ruttenberg and Adam Fishman.

Proposed City Assistance

- This ordinance will authorize the Director of Economic Development to enter into a 30-year non-school Tax Increment Finance (TIF) agreement with Fairmount Properties, LLC and/or its designee. The City will have declared certain improvements with respect to the project to be a public purpose and exempt 100% of the improvements from real property taxes.
- The Developer agrees to make certain improvements to the parcel and make payments in lieu of taxes (PILOTs) equal to the taxes that would have been paid for the parcel but for the TIF. A portion of the PILOTs will be paid to the Cleveland Metropolitan School District in the amount the District would have otherwise received but for the TIF by the County (“District Payments”). The balance of the PILOTs will be utilized to fund eligible project costs and project debt. The developer will be responsible for any shortfall of PILOT payments for project costs.
The 41 TIF will cover PPNs: 121-18-011, 012, 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, 023, 024, 048, 049, 050, 051, 052, 053, 054, 055, 056
- The TIF will be immediately effective on the residential after the expiration of the 15-year, 100% tax abatement.

Economic Impact

- Creation of 40 new full time jobs in the City of

- Project estimates \$1,372,000 in new annual City tax revenue from new employees.
- The project will generate \$99,531 annual residency taxes and once stabilized, the project is expected to generate \$445,464 in annual property taxes for the School District upon expiration of the residential tax abatement

City Requirements

- Subject to Chapter 187: MBE/FBE/CSB requirements
- Subject to Chapter 188: Fannie Lewis Cleveland Residential Employment Law
- Subject to a Workforce Development Agreement for all new jobs
- Subject to a Community Benefits Agreement

Section 3. That, under Section 5709.41 of the Revised Code, Redeveloper, or the owners of the Improvements, shall make service payments for a period of thirty years in lieu of the exempt taxes to the Cuyahoga County Fiscal Officer or Treasurer, or designee; the payments shall be charged and collected in the same manner, and shall be in an amount not less than the taxes that would have been paid had the Improvements not been exempt from taxation.

Section 4. That a portion of the service payments collected under this ordinance shall be distributed by the Cuyahoga County Fiscal Officer or Treasurer, or designee, to the Treasurer of the District in the amount of the taxes that would have been payable to the District had the Improvements not been exempt from taxation.

Section 5. That the Director of Economic Development is authorized to enter into an agreement or agreements with Redeveloper to provide for the exemption and service payments described in this ordinance, including agreements securing the payments described in this ordinance, which agreement or agreements shall contain those terms contained in this ordinance.

Section 6. That when applicable under Section 5709.43 of the Revised Code, there is established an Urban Redevelopment Tax Increment Equivalent Fund into which shall be deposited Service Payments in Lieu of Taxes (“PILOTS” or “Service Payments”) that shall be used for purposes described in this ordinance, File, or financing the public purpose Improvements including project debt service, bond payments, and reimbursement of project construction costs, or for other economic development purposes as determined by the Director of Economic Development.

Section 7. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in open meetings of this Council, and any of its committees that resulted in formal action were in meetings open to the public in compliance with the law.

Section 8. That the contract or contracts authorized by this ordinance shall be prepared by the Director of Law.

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 November 22, 2021.

Effective November 24, 2021.

Ordinance No. 985-2021

By Council Member: Conwell, Brancatelli and Kelley (by departmental request)

An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with GlenVillage LLC, or its designee, to provide economic development assistance to partially assist with general operating expenses of the GlenVillage incubator at Glenville Circle North.

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 GlenVillage LLC, or its designee, to provide economic development assistance to partially assist with general operating expenses of the GlenVillage incubator at Glenville Circle North.

Section 2. That the agreement and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

Section 3. That the agreement authorized in this legislation will require the recipients of financial assistance to work with, and/or cause their tenants to work with, Ohio Means Jobs Cuyahoga County and City of Cleveland 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 circumstances relate to the duties for the particular job sought.

Section 4. That the costs of the grant shall not exceed an amount of \$400,000 and shall be paid from Fund No. 17 SF 652, Request No. RQS 9501, RL 2021-103.

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 November 22, 2021.

Effective November 24, 2021.

Ordinance No. 1025-2021

By Council Members: Kelley (by departmental request)

An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to enter into one or more contracts with Oriana House, Inc. for professional services necessary to provide appropriate placement for defendants to be assigned into supervised pretrial release without the sanction of incarceration and to provide related services, for the Cleveland Municipal Court, for a period of one year, with a one-year option to renew exercisable by the Director of Finance.

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

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

Section 1. That the Director of Finance, on behalf of the Cleveland Municipal Court, is authorized to enter into one or more contracts with Oriana House, Inc. for professional services necessary to provide appropriate placement for defendants to be assigned into supervised pretrial release without the sanction of incarceration and to provide related services, for the Cleveland Municipal Court, for a period of one year, with a one-year option to renew exercisable by the Director of Finance.

Section 2. The cost of the contract shall not exceed \$1,600,080 and shall be paid from Fund No. 01-0115-6320, RQS 0115, RLA 2021-80.

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 November 22, 2021.

Effective November 24, 2021.

Ordinance No. 1033-2021

By Council Member: Kelley (by departmental request)

An emergency ordinance directing a portion of the City’s Coronavirus Local Fiscal Recovery Fund payment to the City’s COVID-19 response by appropriating funds to the Department of Law for professional legal services contract or contracts to assist the City in matters relating to regulatory compliance and eligible use-of-funds under the American Rescue Plan Act, to be encumbered during the period beginning March 3, 2021, and ending December 31, 2024.

WHEREAS, Title IX, Subtitle M, Section 9901 of the American Rescue Plan Act, Pub. L. 117-2 [H.R. 1319], signed into law March 11, 2021 (“ARPA”), appropriated Coronavirus Local Fiscal Recovery Fund (“Fund”) payments from the U.S. Treasury Secretary to metropolitan cities, nonentitlement units of local government, and counties; and

WHEREAS, the ARPA continues many of the programs started by the CARES Act (2020) and Consolidated Appropriations Act (2021) by adding new phases, new allocations, and new guidance to address issues related to the continuation of the COVID-19 pandemic; and

WHEREAS, pursuant to the ARPA’s Fund methodology, the City has been allocated the amount of \$511,721,590.00 (“Fund Payment”) to “mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (COVID-19)”; and

WHEREAS, in response to this economic crisis, the Department of the Treasury (“Treasury Department”) is providing such relief to state, local, and Tribal governments to enable them to continue to support the public health response and lay the foundation for a strong and equitable economic recovery; and

WHEREAS, the ARPA and its supporting guidance issued by Treasury Department provide that the Fund Payment may only be used by the City to finance costs that (a) respond to the COVID-19 public health emergency or its negative economic impacts; (b) respond to workers performing essential work; (c) provide government services to the extent of reduction in revenue; and (d) make necessary investments in water, sewer, or broadband infrastructure (collectively, “Criteria”); and

WHEREAS, so long as the City duly directs its Fund Payment to finance those costs in compliance with the Criteria, the City may use the Fund Payment to offset the City’s various fiscal effects from COVID-19 during the period beginning March 3, 2021, and ending December 31, 2024 (“Covered Period”); and

WHEREAS, the City received some or all of the Fund Payment directly from the Treasury Department under the authority of Ordinance No. 303-2021, passed by this Council on May 10, 2021, and which affirms said Fund Payment is to cover only those expenditures consistent with ARPA, including the Criteria, and applicable regulations, and such Fund Payment has been or will be deposited into an appropriate special revenue fund created and maintained by the City; and

WHEREAS, the Treasury Department has published Interim Final Rule (31 CFR 35.1 et seq.) and its regularly updated Coronavirus State and Local Fiscal Recovery Funds' Frequently Asked Questions (collectively, "Guidance"), further explaining the Criteria and the proper use of the Fund Payment during the Covered Period; and

WHEREAS, the Guidance describes such eligible uses of the Fund Payment to include the costs of consultants to support effective management and oversight, including consultation for ensuring compliance with legal, regulatory, and other requirements; and

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department and constitutes an emergency measure providing for the immediate preservation of the public peace, property, health and safety in the timely authorization and the signing of the necessary agreements and documents to expend the Fund Payment; now, therefore

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

Section 1. That this Council hereby duly authorizes the appropriation of \$191,000 to the Department of Law for professional legal services contract or contracts to assist the City in matters relating to regulatory compliance and eligible use-of-funds under the American Rescue Plan Act. (RQS 1501, RL 2021-81)

Section 2. That any contract or contracts to be paid from the funds appropriated in Section 1 above shall be fully executed no later than December 31, 2024, and shall provide that all funds must be encumbered during the Covered Period.

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 November 22, 2021.

Effective November 24, 2021.

Ordinance No. 1084-2021**By Council Member:** Gardner

An emergency ordinance authorizing the Director of the Department of Public Works to enter into an agreement with Camp Journey or with its Fiscal Agent Burton, Bell, Carr Development, Inc., for the Salaam Community Empowerment Farm and Training Center Program through the use of Ward 4 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Public Works is hereby authorized to enter into an agreement with Camp Journey or with its fiscal agent Burton, Bell, Carr Development, Inc., for the Salaam Community Empowerment Farm and Training Center Program for the public purpose of providing education in urban farming, food and nutrition and workforce training to Cleveland residents through the use of Ward 4 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$5,000 and shall be paid from Fund No. 10 SF 188.

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

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

Passed November 22, 2021.**Effective November 24, 2021.**

Resolution No. 1069-2021**By Council Members:** Santana**An emergency resolution objecting to a New C2 Liquor Permit at 3545 Ridge Road.**

WHEREAS, Council has been notified by the Division of Liquor Control of an application for a New C2 Liquor Permit at Dolgen Midwest, LLC, DBA Dollar General Store #19257, 3545 Ridge Road, Cleveland, Ohio 44102, Permit No. 22348152760; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C2 Liquor Permit at Dolgen Midwest, LLC, DBA Dollar General Store #19257, 3545 Ridge Road, Cleveland, Ohio 44102, Permit No. 22348152760; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

Section 2. That the Clerk of Council has returned to the Ohio Division of Liquor Control the *Notice to Legislative Authority* with respect to this new permit and has requested that a hearing on the advisability of issuing the permit be held in Cleveland, Cuyahoga County.

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

Adopted November 22, 2021.

Effective November 24, 2021.

Resolution No. 1093-2021**By Council Member:** Kazy**An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 12702 Lorain Avenue.**

WHEREAS, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from A & A Convenient Food Mart, Inc., DBA New Wave Market & Deli, 12702 Lorain Avenue, Cleveland, Ohio 44111, Permit No. 00031820005 to Siwang Food Mart, Inc., DBA New Wave Market & Deli, 12702 Lorain Avenue, Cleveland, Ohio 44111, Permit No. 8180030; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from A & A Convenient Food Mart, Inc., DBA New Wave

Market & Deli, 12702 Lorain Avenue, Cleveland, Ohio 44111, Permit No. 00031820005 to Siwang Food Mart, Inc., DBA New Wave Market & Deli, 12702 Lorain Avenue, Cleveland, Ohio 44111, Permit No. 8180030; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

Section 2. That the Clerk of Council has returned to the Ohio Division of Liquor Control the *Notice to Legislative Authority* with respect to this transfer of ownership and has requested that a hearing on the advisability of issuing the permit be held in Cleveland, Cuyahoga County.

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

Adopted November 22, 2021.

Effective November 24, 2021.

Directory of City Officials

City Council

601 Lakeside Avenue
Room 220
Cleveland, OH 44114

Phone: 216.664.2840

President of Council – Kevin J. Kelley

City Clerk, Clerk of Council – Patricia J. Britt

Name	Ward
Joseph T. Jones	1
Kevin L. Bishop	2
Kerry McCormack	3
Marion Anita Gardner (Interim)	4
Delores L. Gray	5
Blaine A. Griffin	6
Basheer S. Jones	7
Michael D. Polensek	8
Kevin Conwell	9
Anthony T. Hairston	10
Brian Mooney	11
Anthony Brancatelli	12
Kevin J. Kelley	13
Jasmin Santana	14
Jenny Spencer	15
Brian Kazy	16
Charles Slife	17

Ward 4 Council Member Kenneth L. Johnson has been suspended from Council Member duties.

Permanent Schedule – Standing Committees of the Council 2018-2021

MONDAY – Alternating

9:30 a.m. – **Health and Human Services Committee:** McCormack (CHAIR), B. Jones (VICE-CHAIR), Conwell, Gardner, Hairston, Santana, Spencer.

9:30 a.m. – **Municipal Services and Properties Committee:** Bishop (CHAIR), J. Jones (VICE-CHAIR), Brancatelli, Gardner, Hairston, Kazy, Mooney.

MONDAY

2:00 p.m. – **Finance Committee:** Kelley (CHAIR), Griffin (VICE-CHAIR), Bishop, Brancatelli, Conwell, Kazy, McCormack, Mooney.

TUESDAY

9:30 a.m. – **Development, Planning, and Sustainability Committee:** Brancatelli (CHAIR), Hairston (VICE-CHAIR), Gray, Griffin, B. Jones, McCormack, Slife.

TUESDAY – Alternating

1:30 p.m. – **Utilities Committee:** Kazy (CHAIR), Bishop (VICE-CHAIR), Hairston, McCormack, Polensek, Santana, Slife.

1:30 p.m. – **Workforce and Community Benefits Committee:** Hairston (CHAIR), Griffin (VICE-CHAIR), B. Jones, J. Jones, Mooney, Slife, Spencer.

WEDNESDAY – Alternating

10:00 a.m. – **Safety Committee:** Griffin (CHAIR), Polensek (VICE-CHAIR), B. Jones, J. Jones, Kazy, Santana, Spencer.

10:00 a.m. – **Transportation Committee:** J. Jones (CHAIR), Slife (VICE-CHAIR), Bishop, Conwell, Gray, Santana, Spencer.

The following Committees meet at the Call of the Chair:

Mayor’s Appointments Committee: J. Jones (CHAIR), Brancatelli, Gray, Kelley, Mooney.

Operations Committee: Hairston (CHAIR), Griffin, J. Jones, Kelley, McCormack.

Rules Committee: Kelley (CHAIR), Gray, Hairston, Polensek, Slife.

City Departments

City Hall
601 Lakeside Avenue
Cleveland, OH 44114

MAYOR – Frank G. Jackson

Sharon Dumas, Interim Chief of Staff

Darnell Brown, Chief Operating Officer

Valarie J. McCall, Chief of Communications, Government & International Affairs

Monyka Price, Chief of Education

Jason Woods, Interim Chief of Sustainability

Edward W. Rybka, Chief of Regional Development

Sheryl Nechvatal, Executive Assistant to the Mayor

Martin Flask, Project Coordinator

Jaqueline Sutton, Manager – Mayor’s Action Center (MAC)

AGING – Mary McNamara, Interim Director

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS – Carmella

Davis, Secretary

Joseph F. Denk, Mechanical Engineer and Chairman

Howard Bradley, Builder

Patrick M. Gallagher, Labor Representative

Robert Maschke, Architect

BOARD OF ZONING APPEALS – Elizabeth Kukla, Secretary

Carol A. Johnson, Chairman

Tim Donovan

Myrline Barnes

Kelley Britt

Alanna Faith

BUILDING AND HOUSING – Antoinette L. Allen, Interim Director

Divisions:

Navid Hussain, Commissioner, Construction Permitting

Richard Riccardi, Assistant Commissioner, Construction Permitting

Thomas E. Vanover, Commissioner, Code Enforcement

CITY PLANNING COMMISSION – Freddy L. Collier, Jr., Interim Director

Members: David H. Bowen, Lillian Kuri, Gloria Jean Pinkney, Council Member
Charles Slife, Diane Downing, August Fluker, Denise McCray.

CIVIL SERVICE COMMISSION

Michael Spreng, Interim Secretary

Lila Abrams-Fitzpatrick, Administrator

Betty Ivory, Supervisor of Civil Service Records

Lisa Meece, Chief Examiner

COMMUNITY DEVELOPMENT – Michiel Wackers, Director

Divisions:

Administrative Service – Joy Anderson, Commissioner

Office of Fair Housing and Consumer Affairs – John Mahoney, Manager

Neighborhood Development – James Greene, Commissioner

Neighborhood Services – Louise Jackson, Commissioner

COMMUNITY RELATIONS BOARD – Grady Stevenson, Jr., Interim Director

Members: Mayor Frank G. Jackson, Chairman Ex-Officio; Rev. Dr. Charles P. Lucas, Jr., Vice-Chairman; Council Member Kevin L. Bishop, Roosevelt E. Coats, Jenice Contreras, Kathryn Hall, Yasir Hamdallah, Evangeline Hardaway, John O. Horton, Gary Johnson, Sr., Daniel McNea, Stephanie Morrison-Hrbek, Roland Muhammad, Gia Hoa Ryan, Council Member Jasmin Santana, Peter Whitt, Ted Wammes.

ECONOMIC DEVELOPMENT – David Ebersole, Interim Director

FINANCE – James E. Gentile, Interim Director

Divisions:

Accounts – Lonya Moss-Walker, Commissioner

Assessments and Licenses – Dedrick Stephens, Commissioner

City Treasury – James Hartley, Treasurer

Financial Reporting and Control – James Gentile, Controller

Information Technology and Services

Donald-Anthony Phillips, Chief Information Officer
Kimberly Roy Wilson, Commissioner
Internal Audit – Natasha Brandt, Manager
Printing and Reproduction – Michael Hewett, Commissioner
Purchases and Supplies – Tiffany White Johnson, Commissioner
Sinking Fund Commission – Betsy Hruby, Manager
Taxation – Kevin Preslan, Income Tax Administrator and Commissioner of Taxation
Treasury – James Hartley, Treasurer

HUMAN RESOURCES – DeAndre D. Benson, Interim Director

LANDMARKS COMMISSION – Donald Petit, Secretary

Members: Julie Trott-Heisey, Chair; Giancarlo Calicchia, Vice Chair; Michele Anderson; Adrienne Bailey; Jonathan Bonezzi; Freddy L. Collier Jr., City Planning Commission Director; Allan Dreyer; Council Member Basheer Jones; Robert S. Strickland; Raymond Tarasuck, Jr.

LAW – Barbara Langhenry, Director

Gary Singletary, Chief Counsel
Ronda Curtis, Chief Corporate Counsel
Thomas Kaiser, Chief Trial Counsel
Aqueelah Jordan, Interim Chief Assistant Prosecutor
Robin Wood, Law Librarian

MAYOR'S OFFICE OF CAPITAL PROJECTS – Matthew L. Spronz, Interim Director

Divisions:

Architecture and Site Development – Carter Edman, Manager
Engineering and Construction – Richard J. Switalski, Manager
Real Estate – James DeRosa, Commissioner

MAYOR'S OFFICE OF EQUAL OPPORTUNITY – Michael Curry, Interim Director

MAYOR'S OFFICE OF QUALITY CONTROL AND PERFORMANCE

MANAGEMENT – Sabra T. Pierce-Scott, Interim Director

PHOTO LAB – William Rieter, Chief Photographer

Ruggero Fatica, Photographer

Clare Walters, Chief Clerk

PORT CONTROL – Robert Kennedy, Director, Cleveland Hopkins International
Airport

Divisions:

Cleveland Hopkins International Airport & Burke Lakefront Airport – Khalid Bahhur,
Commissioner of Airports

Burke Lakefront Airport – Tony Campofredano, Airport Leader

PUBLIC HEALTH – Brian Kimball, Acting Director

Divisions:

Air Quality – David Hearne, Interim Commissioner

Environment – Brian Kimball, Commissioner

Health – Frances Mills, Commissioner

Health Equity and Social Justice – Lita Marie Wills, Commissioner

Vital Statistics – Andrea Kacinari, City Registrar

PUBLIC SAFETY – Karrie D. Howard, Interim Director

Divisions:

Animal Control Services – Colleen Siedecki, Chief Animal Control Officer

Emergency Medical Service – Nicole Carlton, Commissioner

Emergency Operations Center – Laura Palinkas, Assistant Director

Fire – Angelo Calvillo, Chief

Police – Calvin D. Williams, Chief

Professional Standards – Roger C. Smith, Administrator

PUBLIC UTILITIES – Martin J. Keane, Interim Director

Divisions:

Cleveland Public Power – Commissioner

Radio Communications – Brad Handke, Manager

Security – Robert Jarvis, Chief

TV 20 – Kathy Allen, General Manager

Utilities Fiscal Control – Frank Badalamenti, Chief Financial Officer

Cleveland Water – Alex Margevicius, Commissioner

Water Pollution Control – Ramona Lowery, Commissioner

PUBLIC WORKS – Michael Cox, Director

Administration:

Administration – John Laird, Manager

Public Auditorium

Susie Claytor, Executive Commissioner, Public Auditorium

Tracy Martin-Thompson, Executive Commissioner, Prevention, Intervention and
Opportunity for Youth and Young Adults

Esha Hand, Manager, Special Events

Felicia Hall, Manager, West Side Market

Divisions:

Motor Vehicle Maintenance – Jeffrey Brown, Commissioner

Neighborhood Resource and Recreation Centers – Samuel Gissentaner,
Commissioner

Park Maintenance and Properties – Anthony Scott, Commissioner

Parking Facilities – Kim Johnson, Commissioner

Property Management – Tom Nagle, Commissioner

Streets – Randell Scott, Commissioner

Traffic Engineering – Robert Mavec, Commissioner

Waste Collection and Disposal – Terrell H. Pruitt, Commissioner

WORKFORCE DEVELOPMENT & OHIO MEANS JOBS –

CLEVELAND/CUYAHOGA COUNTY – Frank Brickner, Interim Executive
Director/CEO

Cleveland Municipal Court Justice Center – 1200 Ontario Street

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

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

City Links

Board of Building Standards and Building Appeals

<http://planning.city.cleveland.oh.us/bza/bbs.html>

Board of Zoning Appeals

<http://planning.city.cleveland.oh.us/bza/cpc.html>

City Bids

Invitations to Bid

<http://www.city.cleveland.oh.us/CityofCleveland/Home/Government/CityAgencies/Finance/BID>

Requests for Proposals/Requests for Qualifications

<http://www.city.cleveland.oh.us/CityofCleveland/Home/Government/CityAgencies/Finance/RFP>

Cleveland Water

<http://www.clevelandwater.com/work-with-us/invitations-to-bid>

Water Pollution Control

http://wpc.clevelandwater.com/?page_id=3342

Cleveland Airports

<https://www.clevelandairport.com/about-us/business-cle/bids-rfps>

City Jobs

<http://www.city.cleveland.oh.us/CityofCleveland/Home/Government/CityAgencies/HumanResources>

<https://www.governmentjobs.com/careers/cleveland>

City of Cleveland

<http://www.city.cleveland.oh.us/>

City of Cleveland Charter and Codified Ordinances

<https://codelibrary.amlegal.com/codes/cleveland/latest/overview>

Civil Service Commission

<http://www.city.cleveland.oh.us/CityofCleveland/Home/Government/CityAgencies/CivilServiceCommission>

Cleveland City Council

<http://www.clevelandcitycouncil.org/>

Cleveland Courts

Cleveland Municipal Court

<http://clevelandmunicipalcourt.org/home.html>

Clerk of Courts – Cleveland Municipal Court

<https://clevelandmunicipalcourt.org/clerk-of-courts>

Cleveland Housing Court

<http://clevelandhousingcourt.org/>