The City Record

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Official Proceedings
City Council

Cleveland, Ohio
Monday, March 18, 2024

The meeting of the Council was called to order at 7:00 p.m. with the President of Council, Blaine A. Griffin, in the Chair.

Council Members present: Kevin L. Bishop, Kevin Conwell, Blaine A. Griffin, Anthony T. Hairston, Kris Harsh, Stephanie D. Howse-Jones, Brian Kazy, Danny Kelly, Rebecca Maurer, Kerry McCormack, Jasmin Santana, Charles Slife, Jenny Spencer, Richard A. Starr.

Also present were: Mayor Bibb; Chiefs Abonamah, Davy, Epstein, Fernando, Griffin, Johnson, Pomerantz, Teeuwen; Directors Cole, Crowe, DeRosa, Drummond, Hernandez, Keane, Margolius, McNamara, Mitchell, Pan Huang, Shute-Woodson, Williams; Senior Strategist Davis.

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 Starr, the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Council Member Spencer.

MOTION

On the motion by Council Member Starr, Rule 7, Order of Business, of the Rules of Council was suspended for the meeting of March 18, 2024.

Seconded by Council Member Spencer.

Motion Passed, Yeas 12, Nays 0.

Voting Yea: Bishop, Griffin, Hairston, Harsh, Kazy, Kelly, Maurer, McCormack, Santana, Slife, Spencer, Starr.

Absent: Conwell, Gray, Howse-Jones, Jones, Polensek,.

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.

The annual appropriation ordinance cannot be passed until it has been read on three separate days, and seven days must pass between the second and third readings. This year, the appropriation ordinance was read for the first time on Monday, February 5, 2024; read for the second time on Monday, March 4, 2024; and read for the third time on Monday, March 18, 2024, and passed by an affirmative two-thirds vote of all members elected to Council.

Click on an ordinance below to read it:

Ord. No. 160-2024

Ordinance No. 160-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance to make appropriations and provide current expenses for the daily operation of all municipal departments of the City of Cleveland for the fiscal year from January 1, 2024, until December 31, 2024.

WHEREAS, this ordinance constitutes an emergency measure providing for the 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 current expenses for the City of Cleveland for the fiscal year ending December 31, 2024, the following sums be and they are hereby appropriated via:

~~The sum of Seven Hundred Seventy Eight Million, Six Hundred Eighty Nine Thousand, One Hundred Seventy Seven Dollars ($778,689,177) from the General Fund;~~
The sum of Seven Hundred Seventy Nine Million, Two Hundred Twelve Thousand, Seven Hundred Thirty Five Dollars ($779,212,735) from the General Fund;

The sum of One Hundred Thirty Eight Million, Six Hundred Fifty Thousand, One Hundred Thirty Two Dollars ($138,650,132) from the Special Revenue Funds;

The sum of Ninety Million, Five Hundred Eighty Nine Thousand, One Hundred Ninety Two Dollars ($90,589,192) from the Debt Service Fund;

The sum of One Hundred Seventy Six Million, One Hundred One Thousand, Eight Hundred One Dollars ($176,101,801) from the Internal Service Funds;

The sum of Eight Hundred Sixty One Million, Five Hundred Five Thousand, Seven Hundred Seventeen Dollars ($861,505,717) from the Enterprise Funds;

The sum of Fourteen Million, One Hundred Fifty Six Thousand, Four Hundred Seventy One Dollars ($14,156,471) from the Trust and Agency Funds;

All set forth in the Mayor's Estimate on file with Council and identified in the aggregate amount for each department as follows:

Legislative Branch	**$**	**9,066,769**
	$	**~~48,273,787~~**
Judicial Branch		**47,273,787**
Executive Branch		
General Government		36,501,612

Department of Aging	2,046,674
Department of Human Resources	6,143,681
	~~20,006,532~~
Department of Law	20,157,828
	~~34,969,999~~
Department of Finance	35,093,575
Department of Public Health	14,271,035
	~~400,719,587~~
Department of Public Safety	400,364,587
	~~95,000,392~~
Department of Public Works	97,469,058
	~~2,256,802~~
Department of Community Development	2,506,802
	~~15,833,253~~
Department of Building and Housing	17,346,269
Department of Economic Development	2,890,918
	~~90,708,136~~
Nondepartmental	88,080,140
Total Executive Branch	722,872,179
	~~778,689,177~~
TOTAL GENERAL FUND	**779,212,735**
Special Revenue Funds	**138,650,132**
Internal Service Funds	**176,101,801**
Enterprise Funds	**861,505,717**
Agency Funds	**14,156,471**
Debt Service Funds	**90,589,192**
	$ ~~2,059,692,490~~
TOTAL APPROPRIATIONS FOR 2024	**2,060,216,048**

GENERAL FUND

LEGISLATIVE BRANCH

Council and Clerk of Council		$ 9,066,769
I Personnel and Related Expenses	$ 7,101,859	
II Other Expenses	1,964,910	
TOTAL LEGISLATIVE BRANCH		**$ 9,066,769**

JUDICIAL BRANCH

		$ ~~27,201,695~~
Municipal Court - Judicial Division		26,201,695
I Personnel and Related Expenses	$ 20,665,032	

II Other Expenses		5,536,663	
Municipal Court - Clerk's Division			$ 14,256,092
I Personnel and Related Expenses	$	12,386,003	
II Other Expenses		1,870,089	
Municipal Court - Housing Division			$ 6,816,000
I Personnel and Related Expenses	$	6,327,528	
II Other Expenses		488,472	
TOTAL JUDICIAL BRANCH			**$ ~~48,273,787~~ 47,273,787**

EXECUTIVE BRANCH

GENERAL GOVERNMENT

Office of the Mayor			$ 3,715,853
I Personnel and Related Expenses	$	3,423,992	
II Other Expenses		291,861	
Office of Capital Projects			$ 7,878,030
I Personnel and Related Expenses	$	7,094,936	
II Other Expenses		783,094	
Office of Urban Analytics & Innovation			$ 1,732,460
I Personnel and Related Expenses	$	1,564,772	
II Other Expenses		167,688	
Landmarks Commission			$ 390,145
I Personnel and Related Expenses	$	366,391	
II Other Expenses		23,754	
Board of Building Standards and Appeals			$ 312,450
I Personnel and Related Expenses	$	271,731	
II Other Expenses		40,719	
Board of Zoning Appeals			$ 281,391
I Personnel and Related Expenses	$	252,095	
II Other Expenses		29,296	
Civil Service Commission			$ 2,031,486

I Personnel and Related Expenses	$	1,309,648		
II Other Expenses		721,838		
Community Relations Board			$	3,159,005
I Personnel and Related Expenses	$	2,296,464		
II Other Expenses		862,541		
City Planning Commission			$	3,745,907
I Personnel and Related Expenses	$	2,578,363		
II Other Expenses		1,167,544		
Boxing and Wrestling Commission			$	31,792
I Personnel and Related Expenses	$	31,792		
Office of Sustainability			$	1,440,763
I Personnel and Related Expenses	$	1,063,439		
II Other Expenses		377,324		
Office of Equal Opportunity			$	1,440,303
I Personnel and Related Expenses	$	1,101,152		
II Other Expenses		339,151		
Office of Prevention, Intervention & Opportunity			$	5,031,213
I Personnel and Related Expenses	$	2,112,728		
II Other Expenses		2,918,485		
Office of Budget & Management			$	787,449
I Personnel and Related Expenses	$	771,335		
II Other Expenses		16,114		
Office of Professional Standards			$	2,069,462
I Personnel and Related Expenses	$	1,715,952		
II Other Expenses		353,510		
Police Review Board			$	239,745
I Personnel and Related Expenses	$	168,411		
II Other Expenses		71,334		
Community Police Commission			$	2,214,158
I Personnel and Related Expenses	$	887,398		
II Other Expenses		1,326,760		

TOTAL GENERAL GOVERNMENT		**$ 36,501,612**
DEPARTMENT OF AGING		
Department of Aging		$ 2,046,674
I Personnel and Related Expenses	$ 1,356,319	
II Other Expenses	690,355	
TOTAL DEPARTMENT OF AGING		**$ 2,046,674**
DEPARTMENT OF HUMAN RESOURCES		
Department of Human Resources		$ 6,143,681
I Personnel and Related Expenses	$ 3,033,007	
II Other Expenses	3,110,674	
TOTAL DEPARTMENT OF HUMAN RESOURCES		**$ 6,143,681**
DEPARTMENT OF LAW		
Department of Law		$ ~~20,006,532~~ 20,157,828
I Personnel and Related Expenses	$ ~~10,831,896~~ 10,983,192	
II Other Expenses	9,174,636	
TOTAL DEPARTMENT OF LAW		**$ ~~20,006,532~~ 20,157,828**
DEPARTMENT OF FINANCE		
Finance Administration		$ 1,448,208
I Personnel and Related Expenses	$ 1,229,067	
II Other Expenses	219,141	
Division of Accounts		$ 2,714,981
I Personnel and Related Expenses	$ 1,761,639	
II Other Expenses	953,342	
Division of Assessments and Licenses		$ 4,958,485
I Personnel and Related Expenses	$ 3,500,107	
II Other Expenses	1,458,378	
Division of Treasury		$ 964,677
I Personnel and Related Expenses	$ 811,800	
II Other Expenses	152,877	

Division of Purchases and Supplies		$ 907,802
I Personnel and Related Expenses	$ 872,408	
II Other Expenses	35,394	
Bureau of Internal Audit		$ 1,215,073
I Personnel and Related Expenses	$ 613,452	
II Other Expenses	601,621	
Division of Financial Reporting and Control		$ 1,947,899
I Personnel and Related Expenses	$ 1,790,197	
II Other Expenses	157,702	
Information Systems Services		$ 19,579,561
I Personnel and Related Expenses	$ 5,755,886	
II Other Expenses	13,823,675	
Division of Risk Management		$ ~~1,233,313~~ 1,365,889
I Personnel and Related Expenses	$ ~~701,813~~ 825,389	
II Other Expenses	531,500	
TOTAL DEPARTMENT OF FINANCE		**$ ~~34,969,999~~ 35,093,575**

DEPARTMENT OF PUBLIC HEALTH

Public Health Administration		$ 2,521,023
I Personnel and Related Expenses	$ 2,016,329	
II Other Expenses	504,694	
Division of Health		$ 5,882,200
I Personnel and Related Expenses	$ 2,649,181	
II Other Expenses	3,233,019	
Division of Environment		$ 2,585,263
I Personnel and Related Expenses	$ 2,061,926	
II Other Expenses	523,337	
Division of Air Quality		$ 1,256,008
I Personnel and Related Expenses	$ 773,086	
II Other Expenses	482,922	
Division of Health, Equity and Social Justice		$ 2,026,541

I Personnel and Related Expenses	$ 1,058,124	
II Other Expenses	968,417	
TOTAL DEPARTMENT OF PUBLIC HEALTH		**$ 14,271,035**

DEPARTMENT OF PUBLIC SAFETY

Public Safety Administration		$ 6,076,955
I Personnel and Related Expenses	$ 4,525,098	
II Other Expenses	1,551,857	
Division of Police		$ ~~230,920,747~~ 230,580,747
I Personnel and Related Expenses	$ ~~214,494,921~~ 214,184,921	
II Other Expenses	~~16,425,826~~ 16,395,826	
Division of Fire		$ ~~114,619,597~~ 114,604,597
I Personnel and Related Expenses	$ 109,588,362	
II Other Expenses	~~5,031,235~~ 5,016,235	
Division of Emergency Medical Services		$ 36,461,249
I Personnel and Related Expenses	$ 31,667,300	
II Other Expenses	4,793,949	
Division of Animal Control Services		$ 3,754,933
I Personnel and Related Expenses	$ 2,896,580	
II Other Expenses	858,353	
Division of Correction		$ 4,060,145
I Personnel and Related Expenses	$ 308,061	
II Other Expenses	3,752,084	
Police Inspector General		$ 162,442
I Personnel and Related Expenses	$ 149,992	
II Other Expenses	12,450	
Department of Justice		$ 4,663,519
I Personnel and Related Expenses	$ 1,386,379	
II Other Expenses	3,277,140	
TOTAL DEPARTMENT OF PUBLIC SAFETY		**$ ~~400,719,587~~**

		~~400,364,587~~
DEPARTMENT OF PUBLIC WORKS		
Division of Public Works Administration		$ 3,141,348
I Personnel and Related Expenses	$ 2,799,552	
II Other Expenses	341,796	
Division of Recreation		$ ~~18,049,418~~ 18,851,568
I Personnel and Related Expenses	$ ~~10,791,472~~ 11,623,622	
II Other Expenses	~~7,257,946~~ 7,227,946	
Division of Parking Facilities-On Street		$ 1,132,287
I Personnel and Related Expenses	$ 1,045,077	
II Other Expenses	87,210	
Division of Property Management		$ ~~10,221,344~~ 10,151,344
I Personnel and Related Expenses	$ 7,125,083	
II Other Expenses	~~3,096,261~~ 3,026,261	
Division of Park Maintenance and Properties		$ ~~19,907,625~~ 21,644,141
I Personnel and Related Expenses	$ ~~11,462,623~~ 12,219,139	
II Other Expenses	~~8,445,002~~ 9,425,002	
Division of Waste Collection & Disposal		$ 38,107,897
I Personnel and Related Expenses	$ 18,962,566	
II Other Expenses	19,145,331	
Division of Traffic Engineering		$ 4,440,473
I Personnel and Related Expenses	$ 3,259,548	
II Other Expenses	1,180,925	
TOTAL DEPARTMENT OF PUBLIC WORKS		**~~$ 95,000,392~~ 97,469,058**

DEPARTMENT OF COMMUNITY DEVELOPMENT		
~~DIRECTOR'S OFFICE~~		
		$ ~~2,256,802~~
Community Development Director's Office		2,506,802
I Personnel and Related Expenses	$ 688,857	
II Other Expenses	~~1,567,945~~ 1,817,945	
TOTAL DEPARTMENT OF COMMUNITY DEVELOPMENT		**$ ~~2,256,802~~ 2,506,802**
DEPARTMENT OF BUILDING AND HOUSING		
Building and Housing Director's Office		$ 4,717,286
I Personnel and Related Expenses	$ 3,107,351	
II Other Expenses	1,609,935	
		$ ~~9,074,141~~
Division of Code Enforcement		10,587,157
	$ ~~8,663,791~~	
I Personnel and Related Expenses	10,176,807	
II Other Expenses	410,350	
Division of Construction Permit		$ 2,041,826
I Personnel and Related Expenses	$ 2,011,826	
II Other Expenses	30,000	
TOTAL DEPARTMENT OF BUILDING AND HOUSING		**$ ~~15,833,253~~ 17,346,269**
DEPARTMENT OF ECONOMIC DEVELOPMENT		
Economic Development		$ 2,890,918
I Personnel and Related Expenses	$ 2,821,209	
II Other Expenses	69,709	
TOTAL DEPARTMENT OF ECONOMIC DEVELOPMENT		**$ 2,890,918**
NONDEPARTMENTAL		
County Auditor Deductions		$ 1,900,000
II Other Expenses	$ 1,900,000	

Other Administrative		$ ~~32,137,254~~ 28,234,258
I Personnel and Related Expenses	$ ~~9,456,394~~ 6,203,398	
II Other Expenses	~~22,680,860~~ 22,030,860	
Transfers to Other Funds		$ ~~56,670,882~~ 57,945,882
II Other Expenses	$ ~~56,670,882~~ 57,945,882	
TOTAL NONDEPARTMENTAL		**$ ~~90,708,136~~ 88,080,140**
TOTAL EXECUTIVE BRANCH		**$ ~~721,348,621~~ 722,872,179**
TOTAL GENERAL FUND		**$ ~~778,689,177~~ 779,212,735**

SPECIAL REVENUE FUND

Restricted Income Tax Fund		$ 61,700,000
II Other Expenses	$ 61,700,000	
Payroll Reserve Fund		$ 17,000,000
II Other Expenses	$ 17,000,000	
Street Construction, Maintenance & Repair Fund		$ 42,926,600
I Personnel and Related Expenses	$ 24,323,494	
II Other Expenses	18,603,106	
Schools Recreation & Cultural Activities Fund		$ 1,125,000
II Other Expenses	$ 1,125,000	
Division of Public Auditorium & Stadium-Stadium		$ 15,898,532
II Other Expenses	$ 15,898,532	
TOTAL SPECIAL REVENUE FUNDS		**$ 138,650,132**

DEBT SERVICE FUND

Sinking Fund Commission	$ 90,589,192

III Debt Service	$ 90,589,192		
TOTAL DEBT SERVICE FUNDS		**$**	**90,589,192**
INTERNAL SERVICE FUND			
Sinking Fund Commission		$	1,046,573
I Personnel and Related Expenses	$ 293,203		
II Other Expenses	753,370		
Information Systems Services-Telephone Exchange		$	15,797,033
I Personnel and Related Expenses	$ 2,223,916		
II Other Expenses	13,573,117		
Radio		$	4,839,882
I Personnel and Related Expenses	$ 773,254		
II Other Expenses	4,066,628		
Division of Motor Vehicle Maintenance		$	25,400,601
I Personnel and Related Expenses	$ 7,326,077		
II Other Expenses	18,074,524		
Division of Printing and Reproduction		$	2,899,143
I Personnel and Related Expenses	$ 1,165,504		
II Other Expenses	1,733,639		
City Storeroom and Central Warehouse		$	618,569
I Personnel and Related Expenses	$ 78,069		
II Other Expenses	540,500		
Health Self Insurance		$	103,000,000
II Other Expenses	$ 103,000,000		
Prescription Self Insurance		$	22,500,000
II Other Expenses	$ 22,500,000		
TOTAL INTERNAL SERVICE FUNDS		**$**	**176,101,801**

ENTERPRISE FUNDS

DEPARTMENT OF PUBLIC UTILITIES

Utilities Administration		$	8,907,797
I Personnel and Related Expenses	$ 7,786,941		
II Other Expenses	1,120,856		
Division of Fiscal Control		$	8,668,806
I Personnel and Related Expenses	$ 8,024,384		
II Other Expenses	644,422		
Division of Water		$	382,916,888
I Personnel and Related Expenses	$ 95,636,100		
II Other Expenses	287,280,788		
Division of Water Pollution Control		$	42,105,590
I Personnel and Related Expenses	$ 13,582,587		
II Other Expenses	28,523,003		
Division of Cleveland Public Power		$	213,908,556
I Personnel and Related Expenses	$ 28,584,665		
II Other Expenses	185,323,891		
TOTAL DEPARTMENT OF PUBLIC UTILITIES		**$**	**656,507,637**

DEPARTMENT OF PORT CONTROL

Divisions of Cleveland Hopkins & Burke Lakefront Airports - Operations		$	185,415,029
I Personnel and Related Expenses	$ 41,706,912		
II Other Expenses	143,708,117		
TOTAL DEPARTMENT OF PORT CONTROL		**$**	**185,415,029**

DEPARTMENT OF PUBLIC WORKS

Division of Cemeteries		$	2,145,871
I Personnel and Related Expenses	$ 1,577,319		
II Other Expenses	568,552		
Golf Course Fund		$	2,568,190
II Other Expenses	$ 2,568,190		
Division of Parking Facilities-Off Street Parking		$	9,507,816
I Personnel and Related Expenses	$ 1,710,448		
II Other Expenses	7,797,368		

Division of Public Auditorium			$ 3,361,457
I Personnel and Related Expenses	$	1,672,517	
II Other Expenses		1,688,940	
Division of West Side Market			$ 1,999,717
I Personnel and Related Expenses	$	704,776	
II Other Expenses		1,294,941	
TOTAL DEPARTMENT OF PUBLIC WORKS			**$ 19,583,051**
TOTAL ENTERPRISE FUNDS			**$ 861,505,717**

AGENCY FUND

Central Collection Agency			$ 14,156,471
I Personnel and Related Expenses	$	9,185,046	
II Other Expenses		4,971,425	
TOTAL AGENCY FUND			**$ 14,156,471**

Section 2. That the appropriations herein made are based upon the detail of expenditures set forth in the Mayor's Estimate (File No. 160-2024), but are appropriated to the several departments, offices, and purposes in the aggregate for I. - Personnel and Related Expenses; and II. - Other Expenses and are not severally and individually appropriated in said detail. Any unencumbered balance in an appropriation fund at the close of the year 2023 is hereby appropriated to such fund for the payment of unpaid obligations lawfully incurred in 2023 or prior years. The Mayor's Estimate, as modified by the schedule published pursuant to Section 39 of the Charter shall within the sums appropriated in Section 1 hereof, constitute the expenditure budget for the year 2024 and shall be subject to the control of the Mayor, provided, however, that no transfer from I. - Personnel and Related Expenses, or II. – Other Expenses within any department or office, or from one department or office to another shall be made except as provided in Section 41 of the Charter.

Section 3. That the Commissioner of Accounts is hereby authorized to draw warrants upon the City Treasury for the amount appropriated in this ordinance, whenever claims are presented properly approved by the head of the department or by the chief of a commission for which indebtedness was incurred.

Section 4. That notwithstanding the foregoing, no expenditures shall be made to fill vacancies from the City-wide vacancy pool as referenced in the Mayor's Estimate, File No. 160-2024-A at page 293 as "Non-Departmental, Other Administrative, Vacant Full Time Employees", without prior legislative approval.".

Section 45. 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 upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

Schedule of Changes Changes
(Published pursuant to Section 39 of the Charter)

The following changes are made to provide for (reductions)/increases in various departments of City Government; to amend the total of the 2024 Appropriation Ordinance No. 160-2024.

	DIFFERENCE
Judicial Branch	(1,000,00)
Executive Branch	
Department of Law	151,296
Department of Finance	123,576
Department of Public Safety	(355,000)
Department of Public Works	2,468,666
Department of Community Development	250,000
Department of Building and Housing	1,513,016
Nondepartmental	(2,627,996)
Total Executive Branch	**1,523,558**
TOTAL GENERAL FUND	**523,558**
TOTAL AMENDED APPROPRIATIONS FOR 2023	**$ 523,558**

GENERAL FUND

JUDICIAL BRANCH		
Cleveland Municipal Court – Judicial		$ (1,000,000)
I Personnel and Related Expenses	$ (1,000,000)	
TOTAL JUDICIAL BRANCH		**$ (1,000,000)**
EXECUTIVE BRANCH		
DEPARTMENT OF LAW		
Department of Law		$ 151,296
I Personnel and Related Expenses	$ 151,296	
TOTAL DEPARTMENT OF LAW		**$ (151,296)**
DEPARTMENT OF FINANCE		

Division of Risk Management		$ (123,576)
I Personnel and Related Expenses	$ (123,576)	
TOTAL DEPARTMENT OF FINANCE		**$ (123,576)**
DEPARTMENT OF PUBLIC SAFETY		
Division of Police		$ (340,000)
I Personnel and Related Expenses	$ (310,000)	
II Other Expenses	$ (30,000)	
Division of Fire		$ (15,000)
II Other Expenses	$ (15,000)	
TOTAL DEPARTMENT OF PUBLIC SAFETY		**$ (355,000)**
DEPARTMENT OF PUBLIC WORKS		
Division of Recreation		$ (802, 150)
I Personnel and Related Expenses	$ (832,150)	
II Other Expenses	$ (30,000)	
Division of Property Management		$ (70,000)
II Other Expenses	$ (70,000)	
Division of Park Maintenance and Properties		$ 1,736,516
I Personnel and Related Expenses	$ 756,516	
II Other Expenses	$ 980,000	
TOTAL DEPARTMENT OF PUBLIC WORKS		**$ 2,468,666**
DEPARTMENT OF COMMUNITY DEVELOPMENT DIRECTOR'S OFFICE		
Community Development Director's Office		$ (250,000)
II Other Expenses	$ (250,000)	
TOTAL DEPARTMENT OF COMMUNITY DEVELOPMENT		**$ (250,000)**

DEPARTMENT OF BUILDING AND HOUSING		
Division of Code Enforcement		$ 1,513,016
I Personnel and Related Expenses	$ 1,513,016	
TOTAL DEPARTMENT OF BUILDING AND HOUSING		**$ 1,513,016**
NONDEPARTMENTAL		
Other Administrative		$ (3,902,996)
I Personnel and Related Expenses	$ (3,252,996)	
II Other Expenses	$ (650,000)	
Transfers to Other Funds		$ 1,275,000
II Other Expenses	$ 1,275,000	
TOTAL NONDEPARTMENTAL		**$ (2,627,996)**
TOTAL EXECUTIVE BRANCH		**$ 1,523,558**
TOTAL GENERAL FUND		**$ 523,558**

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

The rules were suspended. Yeas 13. Nays 0. Motion Passed.

Voting Yea: Bishop, Griffin, Hairston, Harsh, Howse-Jones, Kazy, Kelly, Maurer, McCormack, Santana, Slife, Spencer, Starr.

Voting Nay: None.

Absent: Conwell, Gray, Jones, Polensek.

Read third time in full.

On the motion of Council Member Starr, the legislation just read be placed on final passage. Seconded by Council Member Spencer.

Passed. Yeas 12. Nays 1.

Voting Yea: Bishop, Griffin, Hairston, Harsh, Howse-Jones, Kazy, Kelly, Maurer, McCormack, Santana, Slife, Spencer.

Voting Nay: Starr.

Absent: Conwell, Gray, Jones, Polensek.

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, March 18, 2024, 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. 157-2024

Ord. No. 158-2024

Ord. No. 159-2024

Ord. No. 165-2024

Ord. No. 228-2024

Ord. No. 263-2024

Ordinance No. 157-2024

By Council Members: Polensek and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Public Safety to enter into an agreement with the Cuyahoga County Solid Waste District to accept funding in support of the Department of Public Safety's Environmental Crimes Task Force for purposes, including but not limited to, the purchase of training and equipment necessary to assist in combatting illegal dumping.

Approved by the Directors of Public Safety; Finance; and Law; Committees on Safety; and Finance Diversity Equity and Inclusion.

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

The rules were suspended. Yeas 13. Nays 0.

Read third time in full.

Passed. Yeas 13. Nays 0.

Voting Yea: Bishop, Griffin, Hairston, Harsh, Howse-Jones, Kazy, Kelly, Maurer, McCormack, Santana, Slife, Spencer. Voting Nay: Starr.

Voting Nay: None.

Absent: Conwell, Gray, Jones, Polensek.

Ordinance No. 158-2024

By Council Members: Polensek and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the United States Department of Homeland Security for the FY22 Fire Prevention and Safety Grant Program; and authorizing the purchase of one or more contracts of smoke/CO detectors, including installation and installation tools.

Approved by the Directors of Public Safety; Finance; and Law; Committees on Safety; and Finance Diversity Equity and Inclusion.

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

The rules were suspended. Yeas 13. Nays 0.

Read third time in full.

Passed. Yeas 13. Nays 0.

Voting Yea: Bishop, Griffin, Hairston, Harsh, Howse-Jones, Kazy, Kelly, Maurer, McCormack, Santana, Slife, Spencer. Voting Nay: Starr.

Voting Nay: None.

Absent: Conwell, Gray, Jones, Polensek.

Ordinance No. 159-2024

By Council Members: Polensek and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Office of Criminal Justice Services for the FY 2023 State Byrne Memorial Justice Assistance Grant to provide funding for the operation of the Cartel Gang Narcotics and Laundering Task Force; and authorizing agreements with various entities to implement the grant.

Approved by the Directors of Public Safety; Finance; and Law; Committees on Safety; and Finance Diversity Equity and Inclusion.

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

The rules were suspended. Yeas 13. Nays 0.

Read third time in full.

Passed. Yeas 13. Nays 0.

Voting Yea: Bishop, Griffin, Hairston, Harsh, Howse-Jones, Kazy, Kelly, Maurer, McCormack, Santana, Slife, Spencer. Voting Nay: Starr.

Voting Nay: None.

Absent: Conwell, Gray, Jones, Polensek.

Ordinance No. 165-2024

By Council Members: Polensek and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the United States Department of Homeland Security for the FY 22 Assistance to Firefighters Grant; and authorizing the Director to employ one or more professional consultants to conduct cancer and behavioral health screenings and medical and fitness evaluations and expanding health and cancer screenings.

Approved by the Directors of Public Safety; Finance; and Law; Committees on Safety; and Finance Diversity Equity and Inclusion.

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

The rules were suspended. Yeas 13. Nays 0.

Read third time in full.

Passed. Yeas 13. Nays 0.

Voting Yea: Bishop, Griffin, Hairston, Harsh, Howse-Jones, Kazy, Kelly, Maurer, McCormack, Santana, Slife, Spencer. Voting Nay: Starr.

Voting Nay: None.

Absent: Conwell, Gray, Jones, Polensek.

Ordinance No. 228-2024

By Council Members: Conwell and Griffin (by departmental request)

An emergency ordinance to amend Section 241.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 81-2024, passed January 22, 2024, relating to food shop licenses and fees.

Approved by the Directors of Public Health; Finance; and Law; Committees on Health Human Services and the Arts; and Finance, Diversity, Equity and Inclusion.

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

The rules were suspended. Yeas 13. Nays 0.

Read third time in full.

Passed. Yeas 13. Nays 0.

Voting Yea: Bishop, Griffin, Hairston, Harsh, Howse-Jones, Kazy, Kelly, Maurer, McCormack, Santana, Slife, Spencer. Voting Nay: Starr.

Voting Nay: None.

Absent: Conwell, Gray, Jones, Polensek.

Ordinance No. 263-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance authorizing the Director of Human Resources to employ one or more professional services to administer the City's employee assistance program and to provide learning and development training to various City departments, on an as-needed basis for a one-year period, with three one-year options to renew, exercisable by the Director of Human Resources.

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

1. In the title, line 8, and in Section 1, line 7, strike "three one-year options" and insert "a one-year option" in both places.

Approved by the Directors of Human Resources; Finance; and Law; Committee on Finance, Diversity, Equity and Inclusion.

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

The rules were suspended. Yeas 13. Nays 0.

Read third time in full.

Passed. Yeas 13. Nays 0.

Voting Yea: Bishop, Griffin, Hairston, Harsh, Howse-Jones, Kazy, Kelly, Maurer, McCormack, Santana, Slife, Spencer. Voting Nay: Starr.

Voting Nay: None.

Absent: Conwell, Gray, Jones, Polensek.

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, March 18, 2024, and referred to the appropriate City departments and Council Committees for review.

Click on an ordinance below to read it:

Ord. No. 304-2024

Ord. No. 305-2024

Ord. No. 306-2024

Ord. No. 307-2024

Ord. No. 308-2024

Ord. No. 309-2024

Ord. No. 310-2024

Ord. No. 311-2024

Ord. No. 312-2024

Ord. No. 313-2024

Ord. No. 315-2024

Ord. No. 316-2024

Ord. No. 317-2024

Ord. No. 318-2024

Ord. No. 319-2024

Ordinance No. 304-2024

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

An emergency ordinance to amend Section 3105.16 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1233-15, passed November 9, 2015, relating to payment of permit fees.

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

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

Section 1. That Section 3105.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1233-15, passed November 9, 2015, is amended to read as follows:

Section 3105.16 Payment of Permit Fees

(a) A permit shall not be issued until the fee prescribed therefor has been paid to the City Treasurer. The fee to be paid for a permit to be issued by the Commissioner shall be determined in the Division of Building and Housing and shall be noted on the application when such application is otherwise ready for issuance of the permit. Upon payment of the fee a receipt shall be given.

(b) The fees prescribed in this chapter shall be additive and, unless otherwise specifically provided, separate fees shall be paid for each of the items listed.

(c) The fees prescribed in division (d) of Section 3105.25 shall apply when a building or structure is demolished or torn down, or so removed as to require re-assembly as new construction if re-built, or is moved to a site outside the limits of the City.

(d) The fees prescribed in division (e) of Section 3105.25 shall apply when such buildings or structures are moved as a unit from a location within the City to a new site within the City. Re-located structures such as marquees, signs, awnings, tanks, and grandstands, and other similar structures new or re-used, which require erection or assembly when re-located shall be subject to the permit fees prescribed for corresponding new structures. Buildings or structures moved out of the City shall be subject to the fees prescribed in divisions (d) and (e) of Section 3105.25. Buildings or structures moved into the City shall be subject to the permit fees prescribed for new buildings and the permit fees prescribed under division (e) of Section 3105.25.

~~(e) The permit fees prescribed in this chapter shall apply to all permits for buildings or other structures, or parts thereof, obtained after June 27, 1949 including existing buildings or structures which are relocated or re-erected.~~

(e) The permit fees prescribed in the chapter shall not apply to work funded by the City, in whole or in part, on City buildings and structures, or parts thereof, including those for which the City has authority to make or pay for the work under a lease, purchase or other agreement.

Section 2. That existing Section 3105.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1233-15, passed November 9, 2015, is repealed.

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

Referred to Directors of Capital Projects; Building and Housing; Finance; Law; Committees on Municipal Services and Properties; Development Planning and Sustainability; and Finance Diversity Equity and Inclusion.

Ordinance No. 305-2024

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

An emergency ordinance authorizing the Director of Public Works to apply for and accept a grant from the Cleveland Guardians Charities for the Baseball and Softball Summer Youth Program.

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

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

Section 1. That the Director of Public Works is authorized to apply for and accept a grant in the amount of $80,000, and any other funds that may become available during the grant term, from the Cleveland Guardians Charities to conduct the Baseball and Softball Summer Youth 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 legislative summary, grant application and award letter for the grant contained in the file described below.

Section 2. That the legislative summary, grant application and award letter for the grant, **File No. 305-2024-A**, made a part of this ordinance as if fully rewritten, is approved in all respects and shall not be changed without additional legislative authority.

Section 3. That, unless expressly prohibited by the grant agreement, under Section 108(b) of the Charter, the Director of Public Works may make purchases under the grant agreement through cooperative arrangements with other governmental agencies. The Director of Public Works may sign all documents and do all things that are necessary to make the purchases and may enter into one or more contracts with the vendors selected through that cooperative process. The contracts shall be paid from the fund or funds to which are credited any grant funds accepted under this ordinance.

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

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

Ordinance No. 306-2024

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

An emergency ordinance authorizing the Director of Public Works to exercise the first option to renew Contract No. RC 2022-25 with Rumpke of Ohio Inc. for the transfer, disposal and processing of recyclable materials.

WHEREAS, under the authority of Ordinance No. 195-2020, passed March 2, 2020, the Director of Public Works entered into Contract No. RC 2022-25 with Rumpke of Ohio Inc. for the transfer, disposal and processing of recyclable materials; and

WHEREAS, Ordinance No. 195-2020 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 Works is authorized to exercise the first option to renew Contract No. RC 2022-25 with Rumpke of Ohio Inc. to provide for the transfer, disposal and processing of recyclable materials. This ordinance constitutes the additional legislative authority required by Ordinance No. 195-2020 to exercise this option.

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

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

Ordinance No. 307-2024

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

An emergency ordinance authorizing the purchase by one or more standard and requirement contracts for 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 authorized for their intended purposes, including vehicle rehabilitation, training, and inspections, as needed, for the various divisions of City government.

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

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

Section 1. That the Director of Public Works is authorized to make one or more written standard purchase contracts and requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of requirements to be determined by the Director, for the necessary items required for the purchase, lease, or lease with option to purchase, of various on-road vehicles and off-road equipment, apparatus, cabs, bodies, and accessories, equipment and other aftermarket items necessary to equip the vehicles authorized for their intended purposes, including labor and materials necessary for vehicle rehabilitation, training, and inspections, as needed, in the estimated sum of $3,955,480, to be purchased or procured by the Commissioner of Purchases and Supplies on a unit basis for the Division of Streets, as described below:

2024 Capital Vehicle Plan
Description of Equipment

Item Description	Division	Quantity	Estimated Cost	Extended Estimated Cost
Public Works				
ASPHALT PAVING MACHINE	Streets	1	$275,000.00	$275,000.00
SKID STEER w/TRAILER	Streets	1	$160,000.00	$160,000.00
MEDIUM TRUCK w/SERVICE BODY	Streets	1	$200,000.00	$200,000.00
ASPHALT MILLING MACHINE	Streets	1	$800,000.00	$800,000.00
MILLING MACHINE CARRY-ALL TRAILER	Streets	1	$100,000.00	$100,000.00
TAR DISTRIBUTOR	Streets	1	$260,000.00	$260,000.00

ASPHALT ROLLER	Streets	2	$65,000.00	$130,000.00
EQUIPMENT TRAILER	Streets	3	$12,000.00	$36,000.00
SPLIT DRUM ROLLER	Streets	3	$250,000.00	$750,000.00
MISC EQUIPMENT	Streets	1	$174,230.00	$174,230.00
LIGHT TRUCK-PICKUP	Streets	15	$71,350.00	$1,070,250.00
			TOTAL	**$3,955,480.00**

Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

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

Section 3. That the costs of the standard and requirement contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contracts, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQS 7015, RL 2024-29)

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 Works; Finance; and Law; Committees on Municipal Services and Properties; and Finance, Diversity, Equity and Inclusion.

Ordinance No. 308-2024

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

An emergency ordinance authorizing the Director of Public Works to enter into one or more contracts with Case Western Reserve University to provide a youth summer sports, nutrition, health, and life skills development program for 2024 under the National Youth Sports Program supported by Case Western Reserve University.

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

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

Section 1. That the Director of Public Works is authorized to enter into one or more contracts with the Case Western Reserve University ("CWRU") for the public purpose of providing Cleveland youths with a summer sports, nutrition, health, and life skills development program for 2024 under the National Youth Sports Program supported by CWRU.

Section 2. That the cost of the contract or contracts shall not exceed $150,000 and shall be paid from Fund No. 01-7004-6380. (RQS 7004, RL 2024-16)

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

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

Ordinance No. 309-2024

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

An emergency ordinance authorizing the Director of Public Works to enter into a contract with the Northeast Ohio Muni Football League aka Cleveland Municipal Football Association dba Cleveland Muni Football League to conduct a city-wide youth football program.

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

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

Section 1. That the Director of Public Works is authorized to enter into a contract with the Northeast Ohio Muni Football League aka Cleveland Municipal Football Association dba Cleveland Muni Football League to conduct a city-wide youth football program and to pay various fees, in an amount not to exceed $160,000, payable from Fund No. 01-7004-6380. (RQS 7004, RL 2024-17)

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 Works; Finance; and Law; Committees on Municipal Services and Properties; and Finance, Diversity, Equity and Inclusion.

Ordinance No. 310-2024

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

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with RAS Aviation, LLC dba Zone Aviation for the lease of certain city owned space at Burke Lakefront Airport, for a period of one year with four one-year options to renew, exercisable by the Director of Port Control.

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Port Control is authorized to enter into a Lease Agreement ("Lease") with RAS Aviation, LLC dba Zone Aviation ("Lessee") for use and occupancy of approximately 1,452 square feet of certain city-owned space located in Rooms 149 and 152 in the passenger terminal building at Burke Lakefront Airport ("Leased Premises") which space has been determined to be not needed for public use for the term of the Lease. The Leased Premises shall be used for the operation of a flight training, aircraft management and pilot support services at Burke Lakefront Airport. The term of the Lease shall be for a period of one year with four one-year options to renew, exercisable by the Director of Port Control. For use of the Leased Premises, Lessee shall pay the City, an initial rental rate based on an independent third-party appraisal; and for each year after the initial term, the rental rate shall be adjusted based on the United States Department of Labor, Consumer Price Index: "All US City Average, Urban Wage Earners and Clerical Workers"; however, never lower than the rate during the initial term.

Section 2. That the Lease may authorize the Lessee to make improvements to the Leased Premises subject to the approval of appropriate City agencies and officials.

Section 3. That the Lease authorized by this ordinance 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 Port Control; Finance; and Law; Committees on Transportation and Mobility; and Finance, Diversity, Equity and Inclusion.

Ordinance No. 311-2024

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

An emergency ordinance authorizing the Directors of Public Works and/or Port Control, as appropriate, to enter into a license agreement with the USS Cleveland Legacy Foundation, or its designee, to install and maintain the Lone Sailor monument at the northwest corner of City-owned property in Voinovich Park, and to make improvements to the area surrounding the monument, for an initial term of one year and automatically renewing year to year for a period up to twenty-five years, unless terminated by either party.

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

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

Section 1. That, notwithstanding Section 183.16 of the Codified Ordinances of Cleveland, Ohio, the Directors of Public Works and/or Port Control, as appropriate, are authorized to enter into a license agreement with USS Cleveland Legacy Foundation, or its designee (the "Foundation"), to install and maintain the Lone Sailor monument at the northwest corner of City-owned property in Voinovich Park (the "Monument"), and making related improvements to the area surrounding the monument, including but not limited to installing new pavers, benches and donor walls, at a cost of $1.00, plus five percent (5%) of the annual Common Area Maintenance Budget for Voinovich Park, and other valuable consideration. The location is depicted on the drawings placed in **File No. 311-2024-A.**

Section 2. That the term of the license agreement shall be for an initial term of one year and automatically renewing year to year for a period up to twenty-five years, unless terminated by either party.

Section 3. That the license agreement shall be prepared by the Director of Law and contain such terms as recommended by the Director of Law, including the requirement that the Foundation maintain and repair the Monument and improvements during the term of the agreement at no cost to the City, and that the Foundation maintain liability insurance during the term of the agreement with the City named as an additional insured.

Section 4. That the Directors of Public Works and/or Port Control, as appropriate, and the Director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take such other action as may be necessary or appropriate to effect the license agreement authorized by this ordinance.

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

Referred to Directors of Public Works; Port Control; Finance; and Law; Committees on Municipal Services and Properties; Transportation and Mobility; and Finance, Diversity, Equity and Inclusion.

Ordinance No. 312-2024

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

An emergency ordinance determining the method of making the public improvement of repairing and upgrading the Second High to First High regulator at the Nottingham water treatment plant, and authorizing the Director of Public Utilities to enter into one or more public improvement contracts for the making of the improvement.

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

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

Section 1. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of repairing and upgrading the Second High to First High regulator at the Nottingham water treatment plant, including but not limited to repairing, replacing or upgrading valves, piping, controls and other appurtenances, for the Division of Water, Department of Public Utilities, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding for a gross price for the improvement.

Section 2. That the Director of Public Utilities is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder or bidders after competitive bidding for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract for a gross price.

Section 3. That the Director of Public Utilities is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

Section 4. That the cost of the improvement and other expenditures authorized shall be paid from Fund No. 52 SF 001, from the fund or funds to which are credited the proceeds from the sale of future bonds, if issued for this purpose, and any other funds approved by the Director of Finance. (RQS 2022, RL 2024-25).

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

Referred to Directors of Public Utilities; Finance; and Law; Committees on Utilities; and Finance, Diversity, Equity and Inclusion.

Ordinance No. 313-2024

By Council Members: Santana, Bishop and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Finance, on behalf of the Office of Prevention, Intervention and Opportunity for Youth and Young Adults, to employ one or more professional consultants to design and implement projects to support the transformation of City recreation centers into trauma-informed neighborhood resource and recreation centers; to develop and provide programs and activities for youth and their families to serve as tools to prevent violence, develop skills and knowledge to overcome challenges associated with trauma and toxic stress, and to create opportunities for youth and their families to live quality lives, for a period not to exceed a total term of eighteen months, with one or more options to renew for an additional total term not to exceed eighteen months, 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 Office of Prevention, Intervention and Opportunity for Youth and Young Adults, is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design and implement projects to support the transformation of City recreation centers into trauma-informed neighborhood resource and recreation centers; to develop and provide programs and activities for youth and their families to serve as tools to prevent violence, develop skills and knowledge to overcome challenges associated with trauma and toxic stress, and to create opportunities for youth and their families to live quality lives, for a period not to exceed a total term of eighteen months, with one or more options to renew for an additional total term not to exceed eighteen months, exercisable by the Director of Finance.

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

Section 2. That the cost of the contract or contracts authorized shall be paid from Fund No. 01-0114-6380. (RQS 0114, RL 2024-31)

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; Committees on Workforce Education Training and Youth Development; Municipal Services and Properties; and Finance, Diversity, Equity and Inclusion.

Ordinance No. 315-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance authorizing the issuance and sale of revenue refunding bonds to refund outstanding revenue bonds of the Core City Program for economic and community development in the city; authorizing a tender and/or exchange program with respect to the refunding of outstanding revenue bonds of the Core City Program and providing for the appointment of professionals and authorizing documents with respect thereto; and authorizing related matters.

WHEREAS, under authority of Sections 13 and 16 of Article VIII of the Ohio Constitution, Chapter 165 of the Ohio Revised Code, and Ordinance No. 1982-02, passed by this Council on June 10, 2003, the City established the Core City Fund Program for economic and community development projects in the City, and to provide funds for the Program the City issued revenue bonds under the Trust Indenture described in Section 1; and

WHEREAS, this Council has determined to authorize the issuance by the City of refunding bonds under the terms and conditions of this Ordinance and the Trust Indenture to refund the Outstanding Bonds identified in Section 1, or designated portions thereof; and

WHEREAS, this Ordinance constitutes an emergency measure providing for the refinancing of bonds of the City and providing for the immediate preservation of the public peace, property, health, or safety in that authorizing the refunding of the Outstanding Bonds is necessary to enable the City to respond to market conditions on a timely basis to obtain debt service savings or other advantages as described in Section 2; now, therefore,

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

Section 1. Definitions. In addition to the words and terms defined in the Trust Indenture or elsewhere in this Ordinance, including its preambles, unless the context or use clearly indicates another or different meaning or intent:

"Bonds" means the Outstanding Bonds until provision is made for their refunding, the Refunding Bonds when issued, and any Additional Bonds outstanding under the Trust Indenture.

"Certificate of Award" means the certificate authorized by Section 3, to be executed by the Director of Finance, setting forth and determining those terms or other matters pertaining to the Refunding Bonds and their amount, issuance, sale and delivery as this Ordinance requires or authorizes to be set forth or determined in it.

"Credit Support Instrument" means an insurance policy, surety, letter of credit, standby bond purchase agreement or other credit enhancement, support or liquidity device used to enhance the security or liquidity for the Bonds.

"Municipal Advisor" means any municipal advisory firm or firms retained by the Director of Finance of the City, from time to time, pursuant to Section 13.

"Net Project Revenues" means Revenues, if any, remaining and available to pay debt charges on the Refunding Bonds after the application by the City of the Revenues to make grants or loans for additional economic development projects in the City.

"Nontax Revenues" means all moneys of the City which are not moneys raised by taxation, to the extent available for the purpose of paying debt charges on the Bonds, including, but not limited to the following: (a) grants from the United States of America and the State; (b) payments in lieu of taxes now or hereafter authorized by State statute; (c) fines and forfeitures which are deposited in the City's General Fund; (d) fees deposited in the City's General Fund for services provided and from properly imposed licenses and permits; (e) investment earnings on the City's General Fund; (f) investment earnings on other funds of the City that are credited to the City's General Fund; (g) proceeds from the sale of assets which are deposited in the City's General Fund; (h) gifts and donations; and (i) all rental payments which are deposited in the City's General Fund.

"Outstanding Bonds" means the City's Taxable Economic and Community Development Revenue Bonds (Core City Fund) issued and outstanding, from time to time, under the Trust Indenture, currently consisting of (as of the date of introduction of this Ordinance) (i) the Series 2013A Bonds, (ii) the Series 2014 Bonds, (iii) the Series 2015 Bonds, (iv) the Series 2020 Bonds and (v) the Series 2021 Bonds.

"Proceedings" means, collectively, this Ordinance, the Certificate of Award, the Trust Indenture, and such other proceedings of the City, including the Refunding Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Refunding Bonds.

"Program Funds" means Fund Nos. 10 SF 504, 10 SF 540, 10 SF 541, 10 SF 542, 10 SF 544, 10 SF 545, 10 SF 546, 10 SF 553 and 10 SF 557 and any other funds created pursuant to the issuance of Additional Bonds that may be used for the repayment of costs as set forth in this Ordinance.

"Refunding Bonds" means the Refunding Bonds authorized by this Ordinance.

"Revenues" means the rentals, revenues, payments, repayments, income, charges, and moneys derived or to be derived from the use, lease, sublease, rental, sale, including installment sale or conditional sale, or other disposition of individual Projects, or derived or to be derived from a loan made for a Project.

"Series 2013 Bonds" means the City's Taxable Economic and Community Development Refunding Revenue Bonds (Core City Fund) issued on May 30, 2013, in the original principal amount of $25,360,000.

"Series 2014 Bonds" means the City's Taxable Economic and Community Development Refunding Revenue Bonds (Core City Fund) issued on September 4, 2014, in the original principal amount of $12,365,000.

"Series 2015 Bonds" means the City's Taxable Economic and Community Development Revenue Bonds (Core City Fund) issued on April 9, 2015, in the original principal amount of $15,280,000.

"Series 2020 Bonds" means the City's Taxable Economic and Community Development Revenue Bonds, Series 2020 (Core City Fund) issued on October 9, 2020, in the original principal amount of $2,050,000.

"Series 2021 Bonds" means the City's Taxable Economic and Community Development Revenue Bonds, Series 2021 (Core City Fund) issued on November 17, 2021, in the original principal amount of $13,210,000.

"Supplemental Trust Indenture" means an agreement between the City and the Trustee supplemental to the Trust Indenture.

"Trust Indenture" means the Trust Indenture dated as of December 15, 2003, as supplemented and amended by the First Supplemental Trust Indenture dated as of November 1, 2004; the Second Supplemental Trust Indenture dated as of July 1, 2008; the Third Supplemental Trust Indenture dated as of January 1, 2010; the Fourth Supplemental Trust Indenture dated as of May 1, 2013, as amended by the First Amendment dated as of May 1, 2018; the Fifth Supplemental Trust Indenture dated as of September 1, 2014; the Sixth Supplemental Trust Indenture dated as of April 1, 2015; the Seventh Supplemental Trust Indenture dated as of October 1, 2020; and the Eighth Supplemental Trust Indenture dated as of November 17, 2021, each between the City and the Trustee, and as it may be further supplemented and amended from time to time or as it may be amended and restated as authorized herein.

"Trustee" means the bank or trust company at the time serving as Trustee under the Trust Indenture, presently U.S. Bank Trust Company, National Association.

Unless otherwise indicated, any reference to a Section is a reference to a Section of this Ordinance.

Section 2. Authorized Principal Amount and Purpose. This Council finds and determines that it is necessary and proper and in the best interests of the City to authorize the issuance of Refunding Bonds as Additional Bonds under the Trust Indenture, subject to satisfaction of the requirements of Section 165.07 of the Ohio Revised Code, for the purpose of refunding one or more series of Outstanding Bonds, or

designated portions thereof, to obtain debt service savings or to obtain a more favorable debt service schedule, or to eliminate or modify covenants in agreements securing Outstanding Bonds that are unduly restrictive, or to eliminate or modify burdensome reserve requirements, or, in the case of Outstanding Bonds that are variable rate bonds, to stabilize interest rates or to minimize risks of increased interest expense on those Bonds, including costs associated with related Credit Support Instruments. The principal amount of the Refunding Bonds is to be the amount set forth in the Certificate of Award authorized in Section 3 and shall be the amount determined by the Director of Finance, based on the written advice of a Municipal Advisor, to be necessary (i) to refund the Outstanding Bonds being refunded, (ii) to fund any deposit to the Bond Reserve Fund, (iii) to pay costs of any Credit Support Instruments, and (iv) to pay costs of issuing the Refunding Bonds and refunding the Outstanding Bonds being refunded. The proceeds from the sale of the Refunding Bonds shall be deposited and applied as provided in the Supplemental Trust Indenture for the Refunding Bonds and for the purposes stated in this Ordinance, and those proceeds are appropriated for those purposes.

To the extent it is determined to be financially beneficial to the City by the Director of Finance, based on the written advice of a Municipal Advisor, the City is authorized to undertake a tender and/or exchange program established in connection with the refunding of any of the Outstanding Bonds pursuant to this Section 2 (the "Tender and/or Exchange Program") under which the City would offer to purchase all or portions of Outstanding Bonds for cash funded from the proceeds of the Refunding Bonds and any other available moneys and/or in exchange for Refunding Bonds or, with or without cash from the proceeds of the Refunding Bonds and any other available moneys, by an exchange of Refunding Bonds for Outstanding Bonds. The Director of Finance is hereby authorized to take all actions with respect to the Tender and/or Exchange Program, including (1) the determination of the terms of, and which Outstanding Bonds would be subject to, the Tender and/or Exchange Program, (2) the appointment of necessary professionals, including without limitation one or more dealer managers and/or tender and exchange agents, which may be appointed from among the Original Purchaser (as defined below), and an information agent, and (3) after consultation with the bond counsel, to approve the form of and distribution of an offer to tender and exchange and the forms of and to execute and deliver all necessary documents in connection with the Tender and/or Exchange Program, the execution and delivery of such documents to be conclusive evidence of the approval of such documents.

Section 3. Terms of Refunding Bonds. The final terms of the Refunding Bonds shall be set forth in a written certificate to be signed and delivered by the Director of Finance upon the sale of the Refunding Bonds upon terms and conditions consistent with this Ordinance and that in his opinion, based on the written advice of a Municipal Advisor, are in the best interests of the City (the "Certificate of Award"). The Refunding Bonds shall be dated the date of issuance or such other date as is designated in the Certificate of Award. The Refunding Bonds shall mature on the dates and in the respective principal amounts determined in the Certificate of Award, provided that the final maturity date shall be not later than 30 years from the date of issuance of the

Refunding Bonds. The Refunding Bonds shall bear interest from their date at the rate or rates per year set forth in the Certificate of Award, or if any Refunding Bonds bear interest at a variable rate, at the rate determined from time to time pursuant to the method identified in the Certificate of Award and set forth in the Trust Indenture, and the Refunding Bonds shall bear interest at those rates until the principal amount of the Refunding Bonds is paid or payment is provided for. Interest on the Refunding Bonds shall be payable on the dates determined or provided for in the Certificate of Award and the Trust Indenture. If any Refunding Bonds bear interest at a fixed rate, that rate shall not exceed eight percent (8%) per year. If any Refunding Bonds bear interest at a variable rate or rates, those rates shall not exceed that set forth below.

In the event that the Director of Finance, based on the written advice of a Municipal Advisor, determines that the City's best interests will be served by causing all or a portion of the Refunding Bonds to be obligations bearing interest at variable rates, redeemable by the City without penalty or premium on interest adjustment dates, then the Director of Finance is authorized to so specify in the Certificate of Award. If the Director of Finance so determines, then the Director of Finance shall specify in the Certificate of Award the method and procedure by which the variable rate of interest to be borne by the variable rate Refunding Bonds shall be determined, whether by reference to a market index, by a remarketing agent or otherwise; provided that the variable rate Refunding Bonds shall not bear interest at a rate in excess of twenty-five percent (25%) per year (including any Refunding Bonds held by a provider of a Credit Support Instrument). Holders of variable rate Refunding Bonds may be given the right to tender their variable rate Refunding Bonds for purchase by the City at the times, on the terms, and subject to the conditions set forth in the Certificate of Award and the Trust Indenture. If the Director of Finance designates any Refunding Bonds as variable rate Refunding Bonds, and if the holders of the variable rate Refunding Bonds are to be entitled to tender the variable rate Refunding Bonds for purchase, then the Director of Finance shall also designate in the Certificate of Award for those variable rate Refunding Bonds the provider or providers for any Credit Support Instrument, the tender agent or agents and the remarketing agent or agents, which designations shall be based on the determination of the Director of Finance, based on the written advice of a Municipal Advisor, that the parties so designated possess the requisite resources and experience to provide the services required of them and that the terms on which the designated parties have agreed to provide such services are fair and commercially reasonable. The Director of Finance is authorized to enter into agreements in connection with the delivery of the variable rate Refunding Bonds, and from time to time thereafter so long as the variable rate Refunding Bonds are outstanding, with providers of Credit Support Instruments, tender agents (which may be the Trustee), remarketing agents, and others as may be determined by the Director of Finance, based on the written advice of a Municipal Advisor, to be necessary or appropriate to provide for the method of determining the variable interest rates, permitting holders the right of tender, providing for liquidity or credit support for the payment of the variable rate Refunding Bonds upon tender for purchase or redemption, and providing for the repayment by the City of any amounts drawn under the Credit Support Instrument.

The Director of Finance shall further determine and specify in the Certificate of Award whether any of the Refunding Bonds are subject to optional redemption prior to maturity, the earliest date on which redeemable Refunding Bonds shall be subject to prior redemption, and the applicable redemption premium for the redeemable Refunding Bonds. The Refunding Bonds may be subject to purchase by the City in lieu of optional redemption if and to the extent provided in the Certificate of Award and the Trust Indenture. In addition, the Director of Finance shall determine whether the refunding of the Outstanding Bonds will be accomplished through a Tender and/or Exchange Program.

Section 4. Form; Exchange; Execution. The Refunding Bonds shall be issued in fully registered form. The Refunding Bonds initially shall be delivered only in book-entry form, shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository, and shall not be transferable or exchangeable (except for transfer to another Depository or its nominee) without further action by the City pursuant to the provisions of the Trust Indenture. The principal and any redemption premium and the interest payable on each Refunding Bond shall be payable at the times, to the persons and in the manner set forth in, or referenced by, the Trust Indenture, including, without limitation, provisions thereof permitting special arrangements for payments to the Depository. The Refunding Bonds shall be signed by the persons and in the manner set forth in the Trust Indenture. The Refunding Bonds shall be numbered as determined by the Director of Finance.

Section 5. Sale of Refunding Bonds. The Refunding Bonds shall be sold at not less than (i) 97% of par plus aggregate original issue premium and minus aggregate original issue discount plus (ii) accrued interest at private sale by the Director of Finance to one or more financial institutions selected by the Director of Finance based on an evaluation of the qualifications of firms that have proposed to underwrite the Refunding Bonds (collectively, the "Original Purchaser") in accordance with law, the provisions of this Ordinance and the Certificate of Award. The Director of Finance shall cause the Refunding Bonds to be prepared, and have the Refunding Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Refunding Bonds if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. The Director of Finance is authorized to sign and deliver, in the name and on behalf of the City, a bond purchase agreement between the City and the Original Purchaser, or representative thereof (the "Purchase Agreement"), containing terms consistent with this Ordinance and that are determined by the Director of Finance, based on the written advice of a Municipal Advisor, to be customary for revenue bonds issued by governmental entities, including, without limitation, representations as to the accuracy and completeness of information contained in the official statement of the City described in Section 11. The Director of Finance shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Purchase Agreement from the proceeds of the Refunding Bonds to the extent available and then from the Program Funds or from other money lawfully available and appropriated or to be appropriated for that purpose, as determined by the Director of Finance. The Mayor, the Director of Finance, the Clerk, the Director of Law, and other City officials, as appropriate, are each authorized to sign

any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance.

Section 6. Security for the Refunding Bonds. The Refunding Bonds shall be special obligations of the City, and the debt charges on the Refunding Bonds shall be payable solely from the Net Project Revenues and the Nontax Revenues. The payment of debt charges on the Refunding Bonds is secured by a pledge of and lien on the Bond Fund held by the Trustee under the Trust Indenture and by any reserve fund for which provision is made in the Trust Indenture. The Refunding Bonds are not and shall not be secured by an obligation or pledge of any money raised by taxation. The Refunding Bonds do not and shall not represent or constitute a debt or pledge of the faith and credit or taxing power of the City, and the owners thereof have and shall have no right to have taxes levied by the City for the payment of debt charges thereon. The Refunding Bonds shall contain a statement to that effect and to the effect that the Refunding Bonds are payable solely from the Net Project Revenues and the Nontax Revenues and are not secured by an obligation or pledge of any money raised by taxation.

The City covenants and agrees that while the Refunding Bonds are outstanding, it will appropriate and maintain Nontax Revenues at such times and in such amounts as will be sufficient, together with the Net Project Revenues and any other funds available for the purpose, to pay the debt charges on the Bonds and will so restrict other obligations payable from Nontax Revenues prior to or on a parity with the Bonds as will ensure the continuing availability for appropriation of sufficient Nontax Revenues to pay debt charges when due.

Section 7. Payment of Debt Charges on the Refunding Bonds. Nothing herein shall be construed as requiring the City to use or apply to the payment of debt charges on the Refunding Bonds any funds or revenues from any source other than Net Project Revenues and the Nontax Revenues. Subject to the requirements of Revised Code Section 176.04, nothing herein, however, shall be deemed to prohibit the City, of its own volition, from using, to the extent that it is authorized by law to do so, any other resources for the fulfillment of any of the terms, conditions or obligations of this Ordinance or of the Refunding Bonds.

The City will, solely from the proceeds of the Refunding Bonds or from the Net Project Revenues or the Nontax Revenues, pay or cause to be paid the debt charges on the Refunding Bonds on the dates, at the places and in the manner provided herein and in the Refunding Bonds. For that purpose, in each year while the Refunding Bonds are outstanding, this Council, after providing for the payment of debt charges payable on the City's general obligation securities in that year from sources available for that purpose, will appropriate Nontax Revenues required to pay, and for the purpose of paying, the debt charges due in that year on the Bonds (less other money available for the purpose) and any outstanding parity obligations payable from Nontax Revenues. Further, this Council will give effect to such appropriations in all Ordinances it passes thereafter in that year appropriating money for expenditure and encumbrance and limit the other appropriations of Nontax Revenues in that year to the amount available after

deducting the amount required for the payment of debt charges payable on the City's general obligation securities and to pay those debt charges. The City covenants that, so long as any of the Refunding Bonds are outstanding, it shall not issue any additional obligations payable from the Nontax Revenues on a parity with the Bonds and any other outstanding parity obligations payable from Nontax Revenues, unless, prior to passage of the Ordinance authorizing such parity obligations, the Director of Finance shall have certified to this Council that the Nontax Revenues during the preceding calendar year, adjusted to reflect, if necessary, changes in the rates or charges resulting in the Nontax Revenues, aggregate in amount not less than 100% of the highest amount of (a) debt charges on the Bonds and (b) required payments on such proposed parity obligations and any other outstanding parity obligations due in any succeeding calendar year.

Each obligation of the City required to be undertaken pursuant to this Ordinance and the Refunding Bonds is binding upon the City, and upon each officer or employee of the City as may from time to time have the authority under law to take any action on behalf of the City as may be necessary to perform all or any part of such obligation, as a duty of the City and of each of those officers and employees resulting from an office, trust or station within the meaning of Section 2731.01 of the Revised Code, providing for enforcement by writ of mandamus.

Section 8. Authorization of Supplemental Trust Indentures. The Director of Finance is authorized, in the name and on behalf of the City, to sign and deliver to the Trustee, in trust for the holders of the Refunding Bonds, one or more Supplemental Trust Indentures, approved as to form and correctness by the Director of Law, not inconsistent with this Ordinance or the Certificate of Award, and not substantially adverse to the City as may be approved by the Director of Finance. The determination by the Director of Finance that a Supplemental Trust Indenture is not substantially adverse to the City shall be conclusively evidenced by the signing and delivery of that Supplemental Trust Indenture by the Director of Finance. Any Supplemental Trust Indenture may contain amendments to the Trust Indenture, as theretofor amended, or amend and restate the Trust Indenture, to permit the City to obtain a Credit Support Instrument, or to permit increased flexibility for the use of financial or credit structures and techniques determined by the Director of Finance, based on the written advice of a Municipal Advisor, to be in the best interests of the City.

Section 9. Refunding of Outstanding Bonds; Escrow Agreement. The Director of Finance is authorized to sign and deliver, in the name and on behalf of the City, an escrow agreement between the City and the Trustee, as escrow trustee, providing for, among other matters: the investment and holding in escrow of the proceeds of the Refunding Bonds to be applied to the refunding of any Outstanding Bonds, or any portions thereof; the application of the moneys derived from those investments to the payment of the debt service charges on such Outstanding Bonds; and the irrevocable call for redemption of such Outstanding Bonds. The Director of Finance shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the escrow agreement from proceeds of the Refunding Bonds to the extent available and then from Program Funds or from other money lawfully available and appropriated or to be appropriated for that purpose, as

determined by the Director of Finance. Provision shall be made in the escrow agreement to give the Trustee any written notice of redemption required under the Trust Indenture. The Director of Finance and other appropriate City officials shall sign all documents and take all other actions necessary or appropriate on the part of the City to effect such refunding in accordance with the Trust Indenture and to cause such series of Outstanding Bonds to be deemed paid and discharged, including without limitation, the retention of an independent firm of accountants to verify the mathematical accuracy of the calculations relating to the escrow.

Section 10. Conversion and Remarketing. In the event that the Director of Finance determines, based on the written advice of a Municipal Advisor, that it is advantageous to the City to convert the interest on any Series 2013A Bonds to fixed interest rates for a period of time or to maturity, or to convert the interest on any Series 2013A Bonds to a different variable rate period or mode, the City shall undertake the conversion and remarketing in accordance with the Trust Indenture. In connection with any conversion and remarketing of Series 2013A Bonds, the Director of Finance is authorized to obtain one or more Credit Support Instruments if the Director determines, based on the written advice of a Municipal Advisor, that the Credit Support Instrument will facilitate the remarketing of the Series 2013A Bonds. In the event the Director of Finance determines, based on the written advice of a Municipal Advisor, that it is necessary to supplement or amend the Trust Indenture or any Supplemental Trust Indenture in order to address current market conditions or to permit the use of a Credit Support Instrument or to otherwise obtain financing arrangements advantageous to the City, the Director of Finance is authorized to sign and deliver an amendment of the Trust Indenture or Supplemental Trust Indenture, or an amended and restated Trust Indenture or Supplemental Trust Indenture, approved as to form by the Director of Law. The costs of any conversion and remarketing of the Series 2013A Bonds may be paid, as determined by the Director of Finance, from the Program Funds or, to the extent available, from Fund 01 SF 001 and remarketing proceeds, or from other money lawfully available and appropriated or to be appropriated for that purpose. The Director of Finance is authorized to prepare one or more disclosure documents in connection with any conversion and remarketing under the same terms and conditions as set forth in Section 11 of this Ordinance with respect to Refunding Bonds. The Director of Finance and other City officials are authorized to sign and deliver such instruments, certificates and documents as are necessary or appropriate to consummate the transactions authorized by this Section. The Director of Finance, the Director of Law and other City officials, as appropriate, are authorized to make the necessary arrangements on behalf of the City to establish the date, location, procedure and conditions for the conversion and remarketing of any Bonds and to take all actions necessary to effect the conversion and remarketing of any Bonds under the terms of this Ordinance and the Trust Indenture. The Clerk of Council or other appropriate official of the City shall furnish the Trustee a true transcript of proceedings certified by the Clerk or other official, of all proceedings had with reference to the conversion and remarketing of any Bonds along with such information for the records as is necessary to determine the validity of the conversion and remarketing.

Section 11. Official Statements; Continuing Disclosure. The Director of Finance is authorized, on behalf of the City and in his official capacity, to (i) prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, disclosure documents in the form of a preliminary official statement relating to the issuance of the Refunding Bonds, and (ii) determine, and certify or otherwise represent, when the preliminary official statement as so prepared is a "deemed final" official statement (except for permitted omissions) by the City as of its date for purposes of Securities and Exchange Commission ("SEC") Rule 15c2-12(b)(1). The distribution and use of a preliminary official statement is authorized and approved.

The Director of Finance is also authorized, on behalf of the City and in her official capacity, to complete the preliminary official statement with such modifications, changes and supplements as the Director of Finance shall approve or authorize for the purpose of preparing and determining, and to certify or otherwise represent, that the official statement as so revised is a final official statement for purposes of SEC Rule 15c2-12(b) (3) and (4). The Director of Finance is further authorized to use and distribute, or authorize the use and distribution of, a final official statement and supplements thereto in connection with the original issuance of the Refunding Bonds as may, in his judgment, be necessary or appropriate. The Director of Finance is further authorized to sign and deliver, on behalf of the City and in his official capacity, a final official statement and such certificates in connection with the accuracy of the preliminary official statement and the final official statement and any amendments thereto as may, in their judgment, also be necessary or appropriate. The Director of Finance is authorized to contract for services for the production and distribution of preliminary and final official statements, including by printed and electronic means.

For the benefit of the holders and beneficial owners from time to time of the Refunding Bonds, the City agrees, in accordance with, and as an obligated person with respect to the Refunding Bonds under, SEC Rule 15c2-12, to provide or cause to be provided such financial information and operating data and notices, in such manner, as may be required for purposes of SEC Rule 15c2-12. In order to describe and specify certain terms of the City's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Director of Finance is authorized to prepare, or cause to be prepared, and to sign and deliver, in the name and on behalf of the City, a continuing disclosure agreement or certificate, which shall constitute the continuing disclosure agreement made by the City for the benefit of the holders and beneficial owners of the Refunding Bonds in accordance with SEC Rule 15c2-12. The performance of that agreement shall be subject to the availability of funds and their annual appropriation to meet costs the City would be required to incur to perform it.

Section 12. Ratings; Credit Enhancement. If, in the judgment of the Director of Finance, based on written advice of a Municipal Advisor, the filing of an application for a rating on the Refunding Bonds by one or more nationally recognized rating agencies is in the best interests of the City, the Director of Finance is authorized to prepare and submit those applications and to provide to each such agency such information as may be required for the purpose. The Director of Finance is authorized to contract for one or

more Credit Support Instruments for any Outstanding Bonds bearing interest at variable rates or for the Refunding Bonds if he determines, based on the written advice of a Municipal Advisor, that the Credit Support Instruments will result in debt service savings to the City, or will stabilize interest rates on those Bonds or will minimize the risk of increased interest expense on those Bonds. The cost of obtaining each rating and each Credit Support Instrument, except to the extent paid by the Original Purchaser in accordance with the Purchase Agreement, shall be paid from the proceeds of the Refunding Bonds or the Program Funds or from other money lawfully available and appropriated or to be appropriated for that purpose, as determined by the Director of Finance.

Section 13. Municipal Advisor. The Director of Finance may obtain the services of one or more Municipal Advisors, from time to time, to assist the Director of Finance in making any of the determinations required by this Ordinance to be determined by the Director of Finance. The Director of Finance may rely on the written advice of any Municipal Advisor so retained. Any Municipal Advisor or consultant employed under the authority of this Ordinance shall be disinterested in the transaction and be independent of the underwriters and any other party interested in the transaction.

Section 14. Captions, Headings, and Section References. The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit, or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs, or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

Section 15. Severability. Each section of this Ordinance and each subdivision or paragraph of any section is hereby declared to be independent and the finding or holding of any section or any subdivision or paragraph of any section to be invalid or void shall not be deemed or held to affect the validity of any other section, subdivision or paragraph of this Ordinance.

Section 16. Interpretation. Any provisions of the Codified Ordinances of the City which are inconsistent with the provisions of this Ordinance shall not apply to the Bonds or matters authorized herein. Nothing in this Ordinance is intended to, and no provision hereof shall be applied in any manner as would, impair the obligation of contract of the City with respect to any outstanding bonds, certificates of indebtedness, other obligations, Trust Indentures or other agreements or contracts made or entered into by the City.

Section 17. Validity. This Council finds and determines that this Ordinance was passed in compliance with all applicable provisions of the City's Charter and the rules of this Council. This Council further finds and determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Refunding Bonds in order to make them legal, valid, and binding special obligations of the City have been performed and have been met, or will at the time of delivery of the Refunding Bonds have been performed and have been met, in regular and due form as required by law, and that no limitation of indebtedness or

taxation, either statutory or constitutional, is applicable to the issuance of the Refunding Bonds.

Section 18. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

Section 19. Sunset of Authorization. The authority granted by this Ordinance shall expire three years from the effective date of this Ordinance. If a preliminary official statement with respect to the Refunding Bonds is distributed under the authority of this Ordinance at any time within the three-year period following its effective date, then the authority granted by this Ordinance shall not expire as to those Refunding Bonds. The Director of Finance shall notify the Chair of the Finance Committee and the Clerk of this Council of the initiation of the issuance of any Refunding Bonds under the authority of this Ordinance.

Section 20. Emergency. 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, Diversity, Equity and Inclusion.

Ordinance No. 316-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance authorizing the issuance and sale of one or more series of General Obligation Refunding Bonds to refund currently outstanding general obligation bonds of the City to obtain debt service savings or restructure the City's outstanding debt; authorizing a tender and/or exchange program with respect to the General Obligation Refunding Bonds and providing for the appointment of professionals and authorizing documents with respect thereto; and authorizing and approving related matters.

WHEREAS, the City has from time to time issued general obligation bonds in various series that are currently outstanding in the aggregate principal amount of $395,640,000; and

WHEREAS, this Council has determined to authorize the City to issue one or more series of Refunding Bonds (as defined in Section 1) for the purpose of obtaining debt service savings or restructuring the City's outstanding debt with respect to any currently outstanding general obligation bonds of the City; and

WHEREAS, the Director of Finance, as fiscal officer of this City, has previously certified to this Council that the estimated life or usefulness of each of the applicable Projects (as defined below) was, at the time the original Bonds for each Project were issued, at least five years, and that the maximum maturity of that portion of the Refunding Bonds to be allocated to each such Project is December 31 of the years determined by the Director of Finance for each Project based on each Project's estimated life or usefulness; and

WHEREAS, this Council passed Ordinance No. 1749-80 on October 8, 1980, and thereafter amended that ordinance by Ordinance No. 1112-83, passed May 6, 1983 and Ordinance No. 944-96, passed June 10, 1996 (Ordinance No. 1749-80, as so amended and as the same may further be amended from time to time in accordance with its provisions, is referred to as the "General Bond Ordinance"), providing the general terms and provisions for the issuance of unvoted general obligations of the City, with the specific terms of each series of Bonds to be contained in ordinances authorizing the issuance of Bonds in accordance with the provisions thereof (the "Series Bond Ordinances"); and

WHEREAS, the authorization for issuance of Refunding Bonds is necessary to enable the City to take advantage of favorable market conditions on a timely basis to obtain debt service savings or to restructure its outstanding debt service obligations and thereby to protect and preserve the credit of the City, and as a result, this Ordinance constitutes an emergency measure providing for the immediate preservation of the

public peace, property, health and safety, and for the usual daily operation of a municipal department; now, therefore,

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

Section 1. Purpose. One or more series of general obligation refunding bonds of the City ("Refunding Bonds") are authorized to be issued for the purpose of refunding one or more series of the City's outstanding general obligation bonds, or designated maturities thereof, issued to provide funds to pay costs of various projects of the City (the "Projects") or to pay costs of final judgments, including settlement claims approved by a court (the "Final Judgments"), and identified in the Certificate of Award authorized in Section 4 ("Refunded Bonds"), including the payment of any expenses relating to the refunding of the Refunded Bonds and the issuance of the Refunding Bonds, including any financing costs within the meaning of Revised Code Section 133.01(K), provided that either the aggregate net present value debt service savings resulting from the refunding of the Refunded Bonds is not less than 3% or the Refunding Bonds are issued to restructure outstanding debt of the City, as determined by the Director of Finance and specified in the Certificate of Award, based on the written advice of a Municipal Advisor (as defined in Section 13) to be in the best interest of the City.

The aggregate principal amount of each respective series of Refunding Bonds to be issued under this Ordinance shall be in an amount determined by the Director of Finance and set forth in the Certificate of Award as the amount required to be issued, taking into account any original issue discount and/or original issue premium on the sale of the Refunding Bonds, in order to refund the Refunded Bonds and pay any expenses relating to the refunding of the Refunded Bonds and the issuance of the Refunding Bonds. The Refunding Bonds may be issued in one or more separate series, each bearing a distinctive designation, provided that the Refunding Bonds of each series satisfy the requirements of this Ordinance and either the aggregate net present value debt service savings to the City resulting from each series of Refunding Bonds is not less than 3% or the Refunding Bonds are issued to restructure outstanding debt of the City, as determined to be necessary by the Director of Finance and specified in the Certificate of Award, based on the written advice of a Municipal Advisor to be in the best interests of the City. Separate series of Refunding Bonds may be issued at the same or different times. The Refunding Bonds of each series shall be designated as provided in the applicable Certificate of Award. A separate Certificate of Award may be delivered for each series.

To the extent it is determined to be financially beneficial to the City by the Director of Finance, based on the written advice of a Municipal Advisor, the City is authorized to undertake a tender and/or exchange program established in connection with the refunding of any of the outstanding general obligation bonds pursuant to this Section 1 (the "Tender and/or Exchange Program") under which the City would offer to purchase all or portions of outstanding general obligation bonds for cash funded from the proceeds of the Refunding Bonds and any other available moneys and/or in exchange for Refunding Bonds or, with or without cash from the proceeds of the Refunding Bonds and any other available moneys, by an exchange of Refunding Bonds for outstanding

general obligation bonds. The Director of Finance is hereby authorized to take all actions with respect to the Tender and/or Exchange Program, including (1) the determination of the terms of, and which outstanding general obligation bonds would be subject to, the Tender and/or Exchange Program, (2) the appointment of necessary professionals, including without limitation one or more dealer managers and/or tender and exchange agents, which may be appointed from among the Original Purchaser, and an information agent, and (3) after consultation with the bond counsel, to approve the form of and distribution of an offer to tender and exchange and the forms of and to execute and deliver all necessary documents in connection with the Tender and/or Exchange Program, the execution and delivery of such documents to be conclusive evidence of the approval of such documents.

Section 2. Authority and Terms. The Refunding Bonds shall be issued pursuant to the provisions of Article XVIII of the Constitution of Ohio, Revised Code Chapter 133 and other applicable provisions of the Revised Code, the Charter of the City, the General Bond Ordinance and this Ordinance in the principal amount and for the purpose stated in Section 1. The Refunding Bonds of each series shall be issued in one lot as fully registered bonds in denominations of $5,000 or any integral multiple thereof but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The Refunding Bonds shall bear the designation and be numbered as determined by the Director of Finance. The Refunding Bonds shall be issuable as either bonds the interest on which is (i) excluded from gross income for federal income tax purposes (the "Tax-Exempt Refunding Bonds"), or (ii) included as gross income for federal income tax purposes (the "Taxable Refunding Bonds"). The Director of Finance shall determine the status of any series of Refunding Bonds as Tax-Exempt Refunding Bonds or as Taxable Refunding Bonds (the "Tax Status"), and shall designate the applicable series of Refunding Bonds as such in the Certificate of Award.

The Refunding Bonds shall be dated the date and shall bear interest at the rate or rates per year specified in the Certificate of Award, provided the weighted average of such rates per series of Refunding Bonds (taking into account the principal amount and maturity of each Refunding Bond to which a rate applies) shall not exceed 8% per year. Interest on the Refunding Bonds shall be payable when due, or until the principal amount is paid, semiannually as specified in the Certificate of Award as the dates on which interest on the Refunding Bonds shall be payable (the "Interest Payment Dates"), beginning on the date specified in the Certificate of Award as the first Interest Payment Date.

The Refunding Bonds shall mature in the years and principal amounts as shall be permitted by law and determined by the Director of Finance and specified in the Certificate of Award, based on (i) the written advice of a Municipal Advisor to be in the best interests of the City given market conditions at the time the Refunding Bonds are sold and (ii) the objectives of the plan of refunding to either obtain aggregate net present value debt service savings of not less than 3% or restructure outstanding debt of the City.

The Director of Finance also shall determine and certify, on or prior to the date of delivery of the Refunding Bonds to the Original Purchaser, that portion of the aggregate principal amount of the Refunding Bonds that is allocable to each Project or to Final Judgments, and the principal amount of Refunding Bonds allocated to each Project or to Final Judgments that shall be payable at stated maturity or pursuant to Mandatory Sinking Fund Redemption Requirements (as defined below) on the applicable principal payment dates; provided, that (i) the aggregate principal amount of the Refunding Bonds allocable to a Project or to Final Judgments shall be determined by the Director of Finance on a pro rata basis by reference to the respective amount of funds that is required for the refunding of the Refunded Bonds that are allocable to that Project or to Final Judgments, taking into account any funds other than the proceeds of the Refunding Bonds that are available and appropriated for that purpose, and (ii) no portion of the aggregate principal amount of Refunding Bonds allocated to a Project or to Final Judgments shall be payable later than the maximum maturity for that portion of the Refunding Bonds as certified by the Director of Finance.

The Refunding Bonds stated to mature in any year may be issued as term bonds (the "Term Refunding Bonds"), payable pursuant to Mandatory Sinking Fund Redemption Requirements as defined and further described below. The Director of Finance shall determine in the Certificate of Award whether any of the Refunding Bonds shall be issued as Term Refunding Bonds, any dates (the "Mandatory Redemption Dates") on which the principal amount of the Term Refunding Bonds shall be payable pursuant to mandatory sinking fund installments rather than at stated maturity and the amount of principal to be paid on each Mandatory Redemption Date (the "Mandatory Sinking Fund Redemption Requirements").

The Refunding Bonds shall be subject to redemption prior to stated maturity as follows:

(a) Mandatory Sinking Fund Redemption. If any of the Refunding Bonds are issued as Term Refunding Bonds, the Term Refunding Bonds shall be subject to mandatory sinking fund redemption and be redeemed pursuant to Mandatory Sinking Fund Redemption Requirements, at a redemption price of 100% of the principal amount redeemed, plus interest accrued to the redemption date, on the Mandatory Redemption Dates.

The aggregate of the moneys to be deposited with the Escrow Agent, currently The Huntington National Bank, for payment of principal of and interest on any Term Refunding Bonds shall include amounts sufficient to redeem on the Mandatory Redemption Dates the principal amount of Term Refunding Bonds payable on those dates pursuant to the Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as provided below).

The City shall have the option to deliver to the Registrar (as defined in Section 3 hereof) for cancellation Term Refunding Bonds in any aggregate principal amount and to receive a credit against the then-current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the City for any Term Refunding Bonds. That option shall be exercised by the City on or before the

forty-fifth (45th) day preceding the applicable Mandatory Redemption Date, by furnishing the Escrow Agent a certificate, signed by the Registrar, setting forth the extent of the credit to be applied with respect to the then-current Mandatory Sinking Fund Redemption Requirement. If the certificate is not timely furnished to the Escrow Agent, the Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then-current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) also shall be received by the City for any Term Refunding Bonds which prior thereto have been redeemed (other than through the operation of the Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Registrar, to the extent not applied theretofore as a credit against any mandatory redemption obligation.

Each Term Refunding Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Escrow Agent at 100% of the principal amount thereof against the then-current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation). Any excess of that amount over the then-current Mandatory Sinking Fund Redemption Requirement shall be credited against subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations) in the order directed by the Director of Finance.

(b) Optional Redemption. The Refunding Bonds may be subject to redemption prior to maturity by and at the option of the City, in whole or in part on any date, in whole multiples of $5,000, on the optional redemption dates and at the redemption prices specified in the Certificate of Award, plus, in each case, accrued interest to the redemption date. Based on the written advice of a Municipal Advisor, the Director of Finance may determine in the Certificate of Award that it is in the best interests of the City (i) for some or all of the Refunding Bonds not to be callable prior to their stated maturity, and (ii) for a premium to be payable on the redemption of any Refunding Bonds calculated in a manner to make the bondholder whole for the loss of the investment or calculated as a percentage in excess of 100% of the principal amount redeemed.

If optional redemption at a price exceeding 100% of the principal amount to be redeemed is to take place as of any applicable Mandatory Redemption Date, the Refunding Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Refunding Bonds to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements of paragraph (a). The Refunding Bonds shall be redeemed pursuant to this paragraph only upon written notice from the Director of Finance to the Registrar. That notice shall specify the redemption date and the principal amount of each maturity of Refunding Bonds to be redeemed, and shall be given at least forty-five (45) days prior to the redemption date or such shorter period as shall be acceptable to the Registrar. There shall be deposited with the Registrar on or prior to the redemption date, funds sufficient to redeem at the redemption price, all of the redeemable Refunding Bonds for which notice of redemption has been given.

(c) Purchase in Lieu of Redemption. If and to the extent provided in the Certificate of Award, the City may elect to purchase Refunding Bonds called for optional redemption in lieu of redeeming those Refunding Bonds. That election shall be exercised by written direction from the Director of Finance to the Registrar and the Escrow Agent. That written direction shall state whether all or less than all of the Refunding Bonds called for optional redemption are to be purchased by the City in lieu of redemption, shall identify the Refunding Bonds to be purchased by their maturity date and shall specify the principal amount of each maturity to be purchased in lieu of redemption. If less than all of the Refunding Bonds called for optional redemption are to be purchased in lieu of redemption, the amount of each maturity to be purchased shall be in amounts of $5,000 or integral multiples of $5,000. Any Refunding Bonds called for optional redemption that are not to be purchased shall be redeemed in accordance with their redemption provisions. The purchase price of the Refunding Bonds to be purchased in lieu of redemption shall be equal to the principal of, any accrued but unpaid interest on, and any premium that would have been payable on the Refunding Bonds on the redemption date if the Refunding Bonds had been optionally redeemed instead of being purchased. No notice of the purchase in lieu of redemption is required to be given to the owners of the Refunding Bonds in addition to the notice of redemption required by this Ordinance. The Escrow Agent or Registrar, as paying agent, shall not purchase Refunding Bonds if sufficient moneys have not been deposited with the Escrow Agent or Registrar, as paying agent, by the City for the purpose. On or prior to the scheduled date for optional redemption, the City may rescind its direction to purchase the Refunding Bonds in lieu of redemption by written notice from the Director of Finance to the Registrar and the Escrow Agent. In the event that the direction to purchase is rescinded, the Refunding Bonds shall be redeemed on the redemption date set forth in the notice of redemption delivered to the owners of the Refunding Bonds and in accordance with the provisions of this Ordinance.

(d) Partial Redemption or Purchase. If fewer than all of the outstanding Refunding Bonds are called for redemption at one time (whether for redemption or purchase in lieu or redemption), they shall be called in the order of maturities directed by the Director of Finance. If fewer than all Refunding Bonds of a single maturity are to be redeemed or purchased in lieu or redemption, the selection of Refunding Bonds to be redeemed or purchased, or portions thereof in amounts of $5,000 or any integral multiple thereof, shall be made by the Registrar by lot in a manner determined by the Registrar. In the case of a partial redemption or purchase of Refunding Bonds by lot when Refunding Bonds of denominations greater than $5,000 are then outstanding, each $5,000 unit of principal thereof shall be treated as though it were a separate Refunding Bond of the denomination of $5,000. If it is determined that one or more, but not all of the $5,000 units of principal amount represented by a Refunding Bond are to be called for redemption, then upon notice of redemption of a $5,000 unit or units, the registered owner of that Refunding Bond shall surrender the Refunding Bond to the Registrar (i) for payment of the redemption or purchase price of the $5,000 unit or units called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (ii) for issuance, without charge to the registered owner thereof, of a new Refunding Bond or Refunding Bonds of any

authorized denomination or denominations in an aggregate principal amount equal to the unmatured portion of the Bond not redeemed or purchased, and bearing interest at the same rate and maturing on the same date as, the Refunding Bond surrendered.

(e) Notice of Redemption. The notice of the call for redemption of Refunding Bonds shall identify (i) by designation, letters, numbers or other distinguishing marks, the Refunding Bonds or portions thereof to be redeemed, (ii) the redemption price to be paid, (iii) the date fixed for redemption, and (iv) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Registrar on behalf of the City by mailing a copy of the redemption notice by first class mail, postage prepaid, at least thirty (30) days prior to the date fixed for redemption (or such period specified in the Certificate of Award), to the registered owner of each Refunding Bond subject to redemption in whole or in part at the registered owner's address shown on the Register (as defined in Section 3) maintained by the Registrar at the close of business on the fifteenth day preceding that mailing and to any Credit Support Instrument (as defined in Section 12 hereof) for the Refunding Bonds or designated portions thereof. Failure to receive notice by mail or any defect in that notice regarding any Refunding Bond, however, shall not affect the validity of the proceedings for the redemption of any Refunding Bond. Any notice of redemption of any Refunding Bonds may specify that the redemption is contingent on the deposit of moneys with the Escrow Agent or Registrar, as paying agent, on or prior to the redemption date in an amount sufficient to pay the redemption price of the Refunding Bonds that are to be redeemed.

(f) Payment of Redeemed Refunding Bonds. Notice having been mailed in the manner provided in the preceding paragraph, and moneys having been deposited by the City with the Escrow Agent or Registrar, as paying agent, in an amount sufficient to pay the redemption price, the Refunding Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, upon presentation and surrender at the place or places specified in that notice, shall be paid. If money for the redemption of all of the Refunding Bonds and portions thereof to be redeemed, including interest accrued to the redemption date, is held by the Registrar on the redemption date, and, if notice of redemption has been deposited in the mail, then from and after the redemption date those Refunding Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If that money shall not be so available on the redemption date, or that notice shall not have been deposited in the mail, those Refunding Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All money held by the Registrar for the redemption of particular Refunding Bonds shall be held in trust for the account of the registered owners and shall be paid to them, respectively, upon presentation and surrender of those Refunding Bonds.

The debt charges on the Refunding Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Registrar or Escrow Agent as paying agent. Principal shall be payable when due upon presentation and surrender of the Refunding Bonds at the principal corporate trust office of the Registrar. Interest on a Refunding Bond shall be paid on each Interest Payment Date by check or

draft mailed to the person in whose name the Refunding Bond was registered, and to that person's address appearing, on the Register at the close of business on the date provided in the Registrar Agreement authorized in Section 3 (the "Record Date"). Notwithstanding any contrary provision in the General Bond Ordinance, so long as the Refunding Bonds are held by a Depository in a book entry system (as described in Section 3), debt charges on the Refunding Bonds will be payable in lawful money of the United States by wire transfer to the Depository made by the Escrow Agent on each Interest Payment Date.

This Series Bond Ordinance is enacted pursuant to the General Bond Ordinance. The General Bond Ordinance, except for the third paragraph of Section 13(a) (pertaining generally to an adjustment of the interest rate in an event of default) and the third paragraph of Section 4 (pertaining generally to the periods during which the City is not required to make any transfers or exchanges of Refunding Bonds issued under the General Bond Ordinance), will apply to the Refunding Bonds. Except for those provisions, the General Bond Ordinance is included as a part of this Ordinance as fully as if restated in this Ordinance. Words and terms not otherwise defined in this Ordinance shall have the same meaning as set forth in the General Bond Ordinance.

Section 3. Execution, Authentication, Approval and Recording of the Refunding Bonds; Exchange and Transfer of the Refunding Bonds; Paying Agents. The Refunding Bonds shall express upon their faces the purpose for which they are issued and that they are issued pursuant to this Ordinance. Pursuant to Section 4 of the General Bond Ordinance, each Refunding Bond shall be authenticated by the manual signature of an authorized officer of the Trustee (as defined therein). The Refunding Bonds shall be signed by the City's Mayor and by the City's Director of Finance, and, consistent with Revised Code Section 133.27 and notwithstanding Section 177.02 of the Codified Ordinances of the City, either or both of those signatures may be a facsimile. The Refunding Bonds shall bear the seal of the City, which seal may be a facsimile seal. Pursuant to Section 83 of the City's Charter, the Director of Law shall prepare the Refunding Bonds and shall endorse thereon his approval of the form thereof by his manual or facsimile signature.

U.S. Bank Trust Company, National Association is appointed to act as the authenticating agent, bond registrar, transfer agent and paying agent for the Refunding Bonds (the "Registrar"); provided that the Escrow Agent shall also act as paying agent for the Refunding Bonds so long as the Refunding Bonds are held in a book entry system. The Director of Finance is authorized to sign and deliver, in the name and on behalf of the City, an agreement among the City, the Registrar and the Escrow Agent (the "Registrar Agreement") approved as to form by the Director of Law, containing terms that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the Director of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Registrar Agreement by the Director of Finance. Payment for the services rendered and for reimbursement of expenses incurred pursuant to the Registrar Agreement shall be made from the proceeds of the Refunding Bonds, to the extent available, and then from other money lawfully available and appropriated for that purpose.

So long as any of the Refunding Bonds remain outstanding, the City will cause the Registrar to maintain and keep at its principal corporate trust office all books and records necessary for the registration, exchange and transfer of Refunding Bonds as provided in this Section (the "Register"). Subject to the provisions of Section 4, the person in whose name a Refunding Bond is registered on the Register shall be regarded as the absolute owner of that Refunding Bond for all purposes of this Ordinance. Payment of or on account of the debt charges on any Refunding Bond shall be made only to or upon the order of that person; neither the City nor the Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the City's liability upon the Refunding Bond, including interest, to the extent of the amount or amounts so paid.

Any Refunding Bond may be exchanged for Refunding Bonds of any authorized denomination upon presentation and surrender at the principal corporate trust office of the Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Registrar. A Refunding Bond may be transferred only on the Register upon presentation and surrender of the Refunding Bond at the principal corporate trust office of the Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Registrar. Upon exchange or transfer the Registrar shall complete, authenticate and deliver a new Refunding Bond or Refunding Bonds of any authorized denomination or denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Refunding Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the City are required, the Registrar shall undertake the exchange or transfer of Refunding Bonds only after the new Refunding Bonds are signed by the authorized officers of the City. In all cases of Refunding Bonds exchanged or transferred, the City shall sign and the Registrar shall authenticate and deliver Refunding Bonds in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner, except that the City and Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Refunding Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the City, evidencing the same debt, and entitled to the same security and benefit under this Ordinance, as the Refunding Bonds surrendered upon that exchange or transfer.

Notwithstanding any other provisions of this Ordinance, if it is determined by the Director of Finance to be advantageous to the City, the Refunding Bonds may be issued in book entry form in accordance with the provisions of this Section. As used in this Section and this Ordinance:

"Book entry form" or "book entry system" means a form or system under which (i) the ownership of beneficial interests in Refunding Bonds and the principal of and interest on the Refunding Bonds may be transferred only through a book entry, and (ii) physical Refunding Bond certificates in fully registered form are issued by the City only to a Depository or its nominee as registered owner, with the Refunding Bonds "immobilized" in the custody of the Depository. The book entry maintained by others than the City is the record that identifies the owners of beneficial interests in those Refunding Bonds and that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in bonds or the principal and interest, and to effect transfers of bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Participant" means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

The Refunding Bonds may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized: (i) the Refunding Bonds may be issued in the form of a single, fully registered Refunding Bond representing each maturity and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (ii) the beneficial owners in book entry form shall have no right to receive Refunding Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Refunding Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Refunding Bonds for use in a book entry system, the Director of Finance may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Registrar, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Refunding Bonds from the Depository, and the Trustee and Registrar shall authenticate and deliver Refunding Bond certificates in registered form to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Director of Finance is also hereby authorized and directed to the extent necessary or required to enter into any agreements determined necessary in connection with the book entry system for the Refunding Bonds, after determining that the signing thereof

will not endanger the funds or securities of the City and after the approval of the form of any such agreement by the Director of Law.

Section 4. Sale of Refunding Bonds. The Refunding Bonds shall first be offered for purchase to the Trustees of the Sinking Fund and, if not purchased by them, shall be offered to the Treasury Investment Account for purchase and, if not purchased for that Account, shall be sold to one or more firms that have proposed to underwrite the Refunding Bonds and have been selected by the Director of Finance based on an evaluation of the qualifications of those firms (collectively, the "Original Purchaser").

The Refunding Bonds shall be awarded to the Original Purchaser in the Certificate of Award which shall specify the final terms of the Refunding Bonds in accordance with law, the provisions of this Ordinance, the written advice of the Municipal Advisor retained under authority of Section 13 and the Original Purchaser's offer to purchase the Refunding Bonds, including: the principal amount of the Refunding Bonds, the Tax Status of the Refunding Bonds, the purchase price (which shall be not less than 97% of the principal amount of the Refunding Bonds plus any accrued interest to their date of delivery), interest rate or rates, the amounts and years in which principal installments are payable (at stated maturity or pursuant to Mandatory Sinking Fund Redemption Requirements), the Interest Payment Dates and the date of the Refunding Bonds (if different from those set forth in Section 2), whether the refunding of the outstanding general obligation bonds will be accomplished through a Tender and/or Exchange Program and any other matters required in this Ordinance to be set forth in that Certificate. As appropriate under the Charter, the Mayor, Director of Finance, Director of Law, Clerk of Council and other appropriate officers of the City are, and each of them is, authorized to take such actions as are necessary, appropriate and in the best interest of the City to establish the terms and requirements for delivery of the Refunding Bonds and to make such arrangements as are necessary with the Original Purchaser in order to establish the date, location, procedure, and conditions for the delivery of the Refunding Bonds to the Original Purchaser, to give all appropriate notices and certificates, to cause a true transcript of proceedings with reference to the issuance of the Refunding Bonds to be delivered to the Original Purchaser, to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance and to take all steps necessary to effect the due execution, authentication and delivery of the Refunding Bonds. The Director of Finance is further authorized to sign and deliver on behalf of the City a bond purchase agreement between the City and the Original Purchaser (the "Bond Purchase Agreement"), approved as to form by the Director of Law, setting forth the terms and conditions on which the City agrees to sell the Refunding Bonds and the Original Purchaser agrees to buy the Refunding Bonds, which shall be consistent with this Ordinance, not substantially adverse to the City, and approved by the Director of Finance and the Director of Law on behalf of the City, all of which shall be conclusively evidenced by the signing of the Bond Purchase Agreement or amendments to the Bond Purchase Agreement by the Director of Finance. It is determined that the terms of the Refunding Bonds, as provided in this Ordinance and as may be provided in or pursuant to the Certificate of Award, are in the best interest of the City and in compliance with all legal requirements.

If, in the judgment of the Director of Finance, a disclosure document in the form of an Official Statement is appropriate or necessary in connection with the original issuance of the Refunding Bonds, the Director of Finance is authorized to prepare or cause to be prepared on behalf of the City an Official Statement and any necessary supplements and to authorize the use and distribution of that Official Statement and any supplements. The Director of Finance is authorized to sign on behalf of the City that Official Statement and any supplements. The Director of Finance is authorized to sign and deliver, on behalf of the City, such certificates in connection with the accuracy of the Official Statement and any supplements as may, in the Director's judgment, be necessary or appropriate. The Director of Finance is also authorized to determine and certify on behalf of the City that such disclosure document is "deemed final" by the City within the meaning of Securities and Exchange Commission Rule 15c2-12 (the "SEC Rule"). The Director of Finance is authorized to contract for services for the production and distribution of preliminary and final official statements, including by printed and electronic means.

For the benefit of the holders and beneficial owners from time to time of the Refunding Bonds, the City agrees, in accordance with, and as the only obligated person with respect to the Refunding Bonds under the SEC Rule, to provide or cause to be provided such financial information and operating data and notices, in such manner, as may be required for purposes of the SEC Rule. In order to describe and specify certain terms of the City's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Director of Finance is authorized to prepare or cause to be prepared, and to sign and deliver, in the name and on behalf of the City, a continuing disclosure agreement or certificate, which shall constitute the continuing disclosure agreement made by the City for the benefit of the holders and beneficial owners of the Refunding Bonds in accordance with the SEC Rule. The performance of that Agreement shall be subject to the availability of funds and their annual appropriation to meet costs the City would be required to incur to perform it. The Director of Finance is further authorized to establish procedures in order to ensure compliance by the City with its continuing disclosure agreement, including the timely provision of information and notices.

Section 5. Provision for Levying and Collecting Tax. For the purpose of providing the necessary funds to pay the interest on the Refunding Bonds promptly when and as the same falls due, and also to provide for the discharge of the Refunding Bonds at maturity, there shall be and is levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period the Refunding Bonds are outstanding, in an amount sufficient to provide for the payment of that interest, when and as the same shall fall due, and also to discharge the principal of the Refunding Bonds at maturity, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Constitution of Ohio.

The tax shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, extended and

collected. The tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from those tax levies shall be placed in the Unvoted Tax Supported Obligations Account of the Sinking Fund as required by the General Bond Ordinance and those funds, together with the interest collected on them shall be irrevocably pledged for the payment of principal of and interest on the Refunding Bonds when and as the same fall due; provided, however, that, subject to the provisions of Section 8 of the General Bond Ordinance, in each year to the extent that revenues are available from other sources for the payment of the Refunding Bonds and are appropriated for such purpose, the amount of such tax shall be reduced by the amount of such revenues so available and appropriated.

This Council hereby covenants, on behalf of the City and its officials, pursuant to the authorization under Sections 133.25(B)(1) and 5705.51 of the Revised Code, and in accordance with the provisions of and to the extent required or permitted by the General Bond Ordinance, that the City will appropriate annually from the proceeds of the City's municipal income taxes an amount as is necessary to meet the annual debt charges for the Refunding Bonds.

Section 6. Application of Proceeds; Notice of Redemption of Refunding Bonds. Pursuant to Revised Code Section 133.34, the General Bond Ordinance and this Ordinance, the proceeds of the Refunding Bonds to be applied to the refunding of the Refunded Bonds shall be deposited in a separate bank account within the Unvoted Refunding Bond and Note Redemption Account of the Sinking Fund held by The Huntington National Bank, Cleveland, Ohio, as Escrow Agent, in accordance with Section 179.08 of the Codified Ordinances of the City and the Escrow Agreement described below, and shall be applied to the payment of debt service charges on the Refunding Bonds from and after the date of issuance of the Refunding Bonds to and including their respective maturity or prior redemption dates. The amount to be deposited in the Escrow Fund shall be determined by the Director of Finance in the Certificate of Award and shall be the amount necessary, together with money in the Unvoted Tax Supported Obligations Account of the Sinking Fund available for the purpose, to provide for the refunding of the Refunded Bonds. Any transfer to the Escrow Fund of any money currently on deposit in the Unvoted Tax Supported Obligations Account and determined by the Director of Finance to be available for payment of the Refunding Bonds, is authorized by this Ordinance.

Money deposited in the Escrow Fund shall be (a) held in cash or (b) invested in direct obligations of the United States of America that mature or are subject to redemption by and at the option of the holder, in amounts sufficient, together with any uninvested cash in the Escrow Fund but without further investment or reinvestment, for the payment of the principal of, and any redemption premium and interest on, the Refunded Bonds as provided in the Escrow Agreement. Pursuant to the respective Ordinances authorizing the Refunded Bonds, Section 133.34 of the Revised Code and this Ordinance, money deposited in the Escrow Fund, and the investment income thereon, are pledged to the payment of the Refunded Bonds.

Pursuant to Revised Code Chapter 133 and this Ordinance, and notwithstanding Chapter 179 of the Codified Ordinances, any accrued interest received from the sale of the Refunding Bonds and any original issue premium in excess of the amount deposited with the Escrow Agent under the Escrow Agreement to accomplish the refunding of the Refunded Bonds shall be deposited in the Unvoted Tax Supported Obligations Account of the Sinking Fund to be applied to the payment of interest on the Refunding Bonds. The proceeds of the Refunding Bonds to be applied to pay costs of any Credit Support Instruments obtained pursuant to Section 12 shall be paid to the provider or providers of those Credit Support Instruments. The proceeds from the sale of the Refunding Bonds to be used to pay costs of issuing the Refunding Bonds and refunding the Refunded Bonds shall be deposited with the Registrar in a separate account under the Registrar Agreement pending their application to the payment of such costs.

The Director of Finance is authorized to sign and deliver, in the name and on behalf of the Issuer, an agreement (the "Escrow Agreement") between the City and the Escrow Agent, providing for the investment and holding in escrow of the proceeds of the Refunding Bonds to be applied to the refunding of the Refunded Bonds and for the application of the moneys derived from such investments, in accordance with the General Bond Ordinance and this Ordinance and as otherwise directed by law. Notice of the advance refunding of any of the Refunded Bonds and any direction for the redemption of Refunded Bonds prior to stated maturity shall be given in accordance with the terms of the Refunded Bonds and as further provided in the Escrow Agreement. The Refunded Bonds shall be retired at stated maturity or redeemed prior to maturity as provided in the Certificate of Award and in accordance with the ordinance authorizing the respective Refunded Bonds and the Escrow Agreement. The Director of Finance shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Escrow Agreement from money lawfully available and appropriated or to be appropriated for that purpose. The Director of Finance is authorized to obtain the services of an independent accounting firm of national reputation to provide a verification report as to the adequacy of the escrow fund to pay the Refunded Bonds on the dates set forth in the Escrow Agreement. The Director of Finance and other appropriate City officials shall execute all documents and take all other actions necessary or appropriate on the part of the City to effect the refunding of the Refunded Bonds in accordance with the General Bond Ordinance and this Ordinance and as otherwise directed by law, and to cause the Refunded Bonds to be deemed paid and discharged.

If U.S. Treasury Securities State and Local Government Series are to be purchased for the Escrow Fund, the Escrow Agent is authorized to file, on behalf of the City, subscriptions for the purchase and issuance of those Securities. If those Securities are not timely available for purchase, or if in the judgment of the Director of Finance, an open-market purchase of direct obligations of the United States of America for the Escrow Fund is in the best interest of and financially advantageous to the City, the Director of Finance may purchase and deliver those obligations, engage the services of a bidding agent or similar entity for the purpose of facilitating the bidding, purchase and delivery of such obligations for, and any related structuring of, the Escrow Fund, execute such instruments as are deemed necessary to engage such services for such purpose, and

provide further for the payment of the cost of obtaining such services from the proceeds of the Refunding Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose.

Section 7. General Obligation. The Refunding Bonds are secured by a pledge and lien on a parity with the pledges and liens authorized by the General Bond Ordinance and, in addition to the taxes and revenues specifically pledged pursuant to this Ordinance and the General Bond Ordinance and the other covenants, terms and agreements provided hereunder and in the General Bond Ordinance to secure payment of the principal of and interest on the Refunding Bonds, the City hereby determines, declares, warrants and covenants that the Refunding Bonds are general obligations of the City and that the full faith and credit of the City are hereby pledged for the payment of the principal of and interest on the Refunding Bonds in accordance with the laws and Constitution of the State of Ohio, this Ordinance and the General Bond Ordinance.

Section 8. Defeasance.

(a) Release of Ordinance. If the City shall pay or cause to be paid and discharged all the outstanding Refunding Bonds, or there shall otherwise be paid to the holders of the outstanding Refunding Bonds all debt charges due or to become due thereon, and provision shall also be made for paying all other sums payable hereunder, then and in that event this Ordinance (except for Section 8(b) hereof) shall cease to be of further effect, and the covenants, agreements and other obligations of the City under this Ordinance shall be discharged and satisfied, and thereupon the Trustee shall at the request of the City execute and deliver to the City such instruments in writing as shall discharge the lien hereof and enter on the record such discharge of the lien and such other instruments as may be reasonably required by the City.

(b) Payment and Discharge of Refunding Bonds. Outstanding Refunding Bonds shall be deemed to have been paid and discharged within the meaning of this Ordinance, including without limitation, Section 8(a) hereof, if:

(i) the Escrow Agent or Paying Agent shall hold in special accounts or subaccounts, in trust for and irrevocably committed solely thereto, sufficient moneys; or

(ii) the Escrow Agent shall hold in special accounts or subaccounts, in trust for and irrevocably committed solely thereto, direct obligations of the United States certified by an independent public accounting firm of national reputation to be of such maturities and interest payment dates and to bear such interest, without further investment or reinvestment of either the principal amount thereof or the interest earnings therefrom (likewise to be held in trust and committed, except as hereinafter provided), as will be sufficient, together with moneys referred to in (i) above, for the payment, at their maturities or redemption dates, of all debt charges on the Refunding Bonds to their date of maturity or redemption, as the case may be, or if default in such payment shall have occurred on such date then to the date of the tender of such payment; provided, that if any Refunding Bonds are to be redeemed prior to the maturity thereof, notice of such redemption shall have been duly given or

irrevocable provision satisfactory to the Trustee shall have been duly made for the giving of such notice. Any moneys held by the Escrow Agent in accordance with the provisions of this Section shall be invested by the Escrow Agent in direct obligations of the United States of America maturing, or redeemable at the option of the holder, at times and in amounts sufficient to meet payment of debt charges on the Refunding Bonds, as directed by the Director of Finance. Any income or interest earned by, or increment to, the investments held under this Section shall, to the extent determined from time to time by the Escrow Agent to be in excess of the amount required to be held by it for the purposes of this Section, be transferred at the time of such determination as provided in Section 17(a) of the General Bond Ordinance for unclaimed funds held by a Paying Agent. In the event of nonpresentment of any Refunding Bond as described in Section 17(a) of the General Bond Ordinance, the moneys held pursuant to this Section shall be held and paid as provided in said Section 17(a) for unclaimed funds held by a Paying Agent.

Section 9. Miscellaneous.

(a) Any provisions of the Codified Ordinances of the City that are inconsistent with the provisions of this Ordinance and the General Bond Ordinance shall not apply to the Refunding Bonds authorized herein.

(b) All covenants, terms and provisions of the General Bond Ordinance are fully applicable to the Refunding Bonds authorized herein, and nothing in this Ordinance shall be deemed to alter or restrict such full application of the General Bond Ordinance, except for the exclusion from application to the Refunding Bonds of the provisions of the third paragraph of Section 13(a) and the third paragraph of Section 4 of the General Bond Ordinance pursuant to Section 2 of this Ordinance.

Section 10. Captions. The captions or headings in this Ordinance are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections of this Ordinance.

Section 11. Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Tax-Exempt Refunding Bonds in such manner and to such extent as may be necessary so that (a) the Tax-Exempt Refunding Bonds will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Internal Revenue Code of 1986, as amended (the Code) or (ii) be treated other than as bonds to which Section 103(a) of the Code applies, and (b) the interest thereon will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Tax-Exempt Refunding Bonds to be and to remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Tax-Exempt Refunding Bonds to the governmental purpose of the borrowing, (ii)

restrict the yield on investment property acquired with those proceeds, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

Each covenant made in this section with respect to the Tax-Exempt Refunding Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Tax-Exempt Refunding Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Tax-Exempt Refunding Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this section to take with respect to the Tax-Exempt Refunding Bonds.

The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for issuance of the Refunding Bonds is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the City with respect to the Tax-Exempt Refunding Bonds as the City is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in Section 148(f)(4)(C) of the Code or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Tax-Exempt Refunding Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing rebate amounts or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Tax-Exempt Refunding Bonds, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Refunding Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Refunding Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Tax-Exempt Refunding Bonds.

Section 12. Credit Facilities and Ratings. If, in the judgment of the Director of Finance, based on the written advice of a Municipal Advisor, the filing of an application for a rating on one or more Series of Refunding Bonds by one or more nationally recognized rating agencies is in the best interests of the City, the Director of Finance is authorized to prepare and submit those applications and to provide to each such agency such information as may be required for the purpose. The Director of Finance is authorized to contract for one or more Credit Support Instruments for any Series of Refunding Bonds or designated portions thereof if the Director determines, based on the written advice of a Municipal Advisor, that the Credit Support Instruments will

result in debt service savings to the City. As used in this section, "Credit Support Instrument" means an insurance policy, surety, letter of credit, or other instrument used to enhance or provide for the security of Refunding Bonds. The cost of obtaining each rating and the cost of obtaining each Credit Support Instrument, except to the extent paid by the Original Purchasers in accordance with the Bond Purchase Agreement, shall be paid from the proceeds of Refunding Bonds or funds appropriated for that purpose.

Section 13. Municipal Advisor. The Director of Finance may obtain the services of one or more municipal advisors (the "Municipal Advisor"), from time to time, to assist the Director of Finance in making any of the determinations required by this Ordinance to be determined by the Director of Finance. Any such Municipal Advisor shall be registered with the SEC and the Municipal Securities Rulemaking Board as a municipal advisor. The Director of Finance may rely on the written advice of any Municipal Advisor so retained. Any Municipal Advisor employed under the authority of this Ordinance shall have a fiduciary duty to the City, be disinterested in the transaction, and be independent of the Original Purchaser and any other party interested in the transaction. Any references to "financial advisor" in any transaction documents related to the issuance of general obligations (including any general obligations issued prior to the Refunding Bonds authorized in this Ordinance) shall have the same meaning as "Municipal Advisor" as used in this Ordinance.

Section 14. Open Meeting Determination. It is found and determined that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken, and that all deliberations of this Council and any of its committees that resulted in these formal actions were held in meetings open to the public, in compliance with all legal requirements, including, without limitation, Section 121.22 of the Revised Code.

Section 15. Findings and Recitals of Validity. It is hereby determined, represented and recited that all acts, conditions and things necessary to be done precedent to and in the issuing of the Refunding Bonds in order to make them legal, valid and binding obligations of the City have happened, been done and been performed in regular and due form as required by law; and that no limitation of indebtedness or taxation, either statutory or constitutional, will have been exceeded in the issuance of the Refunding Bonds. It is further found and determined, and is represented and recited, that the provisions of Sections 28, 29, 32, 33 (including the provisions of Section 33 with respect to readings on three separate days or dispensing with such readings by a two-thirds vote of all members of the Council), 36, 37, 48 and all other applicable provisions of the City's Charter and the rules of this Council have been fully complied with and this Ordinance was passed in conformity therewith.

Section 16. Delivery to County. The Director of Finance is directed to forward a certified copy of this Ordinance and of the Certificate of Award for the Refunding Bonds to the Cuyahoga County Fiscal Officer and to secure a receipt therefor.

Section 17. Severability. Each section and each part of each section of this Ordinance is declared to be an independent section or part of a section and,

notwithstanding any other evidence of legislative intent, it is declared to be the controlling legislative intent that if any such section or part of a section or any provision thereof, or the application thereof to any person or circumstance, is held to be invalid, the remaining sections or parts of sections and the application of such provisions to any other person or circumstance, other than those as to which it is held invalid, shall not be affected thereby, and it is declared to be the legislative intent that the other provisions of this Ordinance would have been passed independently of such section, or parts of a section, so held to be invalid.

Section 18. Legislative Intent. All terms, conditions, pledges, covenants or agreements on the part of the City provided for in this Ordinance are made by the voluntary act of the City under its lawful authority, including its authority under its Charter and Article XVIII of the Constitution of Ohio.

Nothing in this Ordinance is intended to, and no provision hereof shall be applied in any manner as would, impair the obligation of contract of the City with respect to any outstanding bonds, notes, certificates of indebtedness, other obligations, trust indentures, trust agreements, or other agreements or contracts made or entered into by the City and for which consideration was duly received by the City prior to the passage of this Ordinance or the General Bond Ordinance.

Section 19. Sunset of Authorization. The authority granted by this Ordinance for the issuance and sale of Refunding Bonds shall expire three years from the effective date of this Ordinance. If a preliminary official statement with respect to the issuance of a series of Refunding Bonds is distributed under the authority of this Ordinance at any time within the three-year period following its effective date, then the authority granted by this Ordinance shall not expire as to that series of Refunding Bonds. The Director of Finance shall notify the Chairman of the Finance Committee and the Clerk of this Council of the initiation of the issuance of any Refunding Bonds under the authority of this Ordinance.

Section 20. Emergency Measure. 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, Diversity, Equity and Inclusion.

Ordinance No. 317-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance authorizing the issuance and sale of one or more series of Subordinate Lien Income Tax Refunding Bonds to refund currently outstanding general obligation and subordinate lien income tax bonds of the city to obtain debt service savings or restructure the City's outstanding debt; authorizing a tender and/or exchange program with respect to the Subordinate Lien Income Tax Refunding Bonds and providing for the appointment of professionals and authorizing documents with respect thereto; and authorizing and approving related matters.

WHEREAS, the City has from time to time issued general obligation bonds in various series that are currently outstanding in the aggregate principal amount of $395,640,000 and issued subordinate lien income tax bonds in various series and subseries that are currently outstanding in the aggregate principal amount of $360,000,000; and

WHEREAS, this Council has determined to authorize the City to issue from time to time one or more series of Refunding Bonds (as defined in Section 1) for the purpose of obtaining debt service savings or restructuring the City's outstanding debt with respect to any currently outstanding general obligation and subordinate lien income tax bonds of the City; and

WHEREAS, the Refunding Bonds shall be payable from and secured by income tax revenues of the City remaining after deposits required under the General Bond Ordinance (as defined in Section 2) are made to the escrow agent for the City's general obligation bonds; and

WHEREAS, the Director of Finance, as fiscal officer of this City, has previously certified to this Council that the estimated life or usefulness of each of the Projects (as defined below) was, at the time the original Bonds for each Project were issued, at least five years, and that the maximum maturity of that portion of the Refunding Bonds to be allocated to each of the Projects financed by the original Bonds to be refunded is December 31 of the years determined by the Director of Finance for each Project based on each Project's estimated life or usefulness; and

WHEREAS, the authorization for issuance of Refunding Bonds is necessary to enable the City to take advantage of favorable market conditions on a timely basis to obtain debt service savings or to restructure its outstanding debt service obligations and thereby to protect and preserve the credit of the City, and as a result, this Ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health and safety, and for the usual daily operation of a municipal department; now, therefore,

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

Section 1. Purpose. One or more series of subordinate lien income tax bonds of the City ("Refunding Bonds") are authorized to be issued from time to time for the purpose of refunding one or more series of the City's outstanding general obligation bonds and subordinate lien income tax bonds, or designated maturities thereof, issued to provide funds to pay costs of various projects of the City (the "Projects") or to pay costs of final judgments, including settlement claims approved by a court (the "Final Judgments"), and identified in the Certificate of Award authorized in Section 4 ("Refunded Bonds"), including the payment of any expenses relating to the refunding of the Refunded Bonds and the issuance of the Refunding Bonds, including any financing costs within the meaning of Revised Code Section 133.01(K), provided that either the aggregate net present value debt service savings resulting from the refunding of the Refunded Bonds is not less than 3% or the Refunding Bonds are issued to restructure outstanding debt of the City, as determined by the Director of Finance and specified in the Certificate of Award, based on the written advice of a Municipal Advisor (as defined in Section 12) to be in the best interest of the City.

The aggregate principal amount of each respective series of Refunding Bonds to be issued under this Ordinance shall be in an amount determined by the Director of Finance and set forth in the Certificate of Award as the amount required to be issued, taking into account any original issue discount and/or original issue premium on the sale of the Refunding Bonds, in order to refund the Refunded Bonds and pay any expenses relating to the refunding of the Refunded Bonds and the issuance of the Refunding Bonds. The Refunding Bonds may be issued in one or more separate series, each bearing a distinctive designation, provided that the Refunding Bonds of each series satisfy the requirements of this Ordinance and either the aggregate net present value debt service savings to the City resulting from each series of Refunding Bonds is not less than three 3% or the Refunding Bonds are issued to restructure outstanding debt of the City, as determined to be necessary by the Director of Finance and specified in the Certificate of Award, based on the written advice of a Municipal Advisor to be in the best interests of the City. Separate series of Refunding Bonds may be issued at the same or different times. The Refunding Bonds of each series shall be designated as provided in the applicable Certificate of Award. A separate Certificate of Award may be delivered for each series.

To the extent it is determined to be financially beneficial to the City by the Director of Finance, based on the written advice of a Municipal Advisor, the City is authorized to undertake a tender and/or exchange program established in connection with the refunding of any of the outstanding general obligation bonds and subordinate lien income tax bonds pursuant to this Section 1 (the "Tender and/or Exchange Program") under which the City would offer to purchase all or portions of outstanding general obligation bonds and subordinate lien income tax bonds for cash funded from the proceeds of the Refunding Bonds and any other available moneys and/or in exchange for Refunding Bonds or, with or without cash from the proceeds of the Refunding Bonds and any other available moneys, by an exchange of Refunding Bonds for outstanding general obligation bonds and subordinate lien income tax bonds. The Director of Finance is hereby authorized to take all actions with respect to the Tender and/or

Exchange Program, including (1) the determination of the terms of, and which outstanding general obligation bonds and subordinate lien income tax bonds would be subject to, the Tender and/or Exchange Program, (2) the appointment of necessary professionals, including without limitation one or more dealer managers and/or tender and exchange agents, which may be appointed from among the Original Purchaser, and an information agent, and (3) after consultation with the bond counsel, to approve the form of and distribution of an offer to tender and exchange and the forms of and to execute and deliver all necessary documents in connection with the Tender and/or Exchange Program, the execution and delivery of such documents to be conclusive evidence of the approval of such documents.

Section 2. Authority, Security and Source of Payment. The Refunding Bonds shall be issued pursuant to the Ohio Constitution, Chapter 133 of the Ohio Revised Code, the Charter of the City, and this Ordinance for the purpose stated in Section 1. The Refunding Bonds shall be payable from and secured by the income tax revenues of the City on a basis subordinate to the security given to the General Obligation Bonds of the City ("General Obligation Bonds") under Ordinance No. 1749-80 passed by the Council on October 8, 1980, as amended by Ordinance No. 1112-83 passed by the Council on May 6, 1983, and Ordinance No. 944-96, passed by the Council on June 10, 1996 (Ordinance No. 1749-80, as so amended and as the same may further be amended from time to time in accordance with its provisions, is referred to as the "General Bond Ordinance"). The debt service on the Refunding Bonds shall be payable from income tax collections remaining after depositing with the escrow agent under the General Bond Ordinance the amount required for the payment of debt service on the City's General Obligation Bonds issued and outstanding, from time to time, under the General Bond Ordinance. The Refunding Bonds shall be issued and secured under the terms of the Trust Indenture, dated as of April 1, 2008, between the City and U.S. Bank Trust Company, National Association, as successor trustee (the "Trustee"), as amended by Section 6.1 of the Second Supplemental Trust Indenture, dated as of June 1, 2010, between the City and the Trustee (together, the "Indenture"). The Indenture currently secures two series of Subordinate Lien Income Tax Bonds issued on June 23, 2010 (collectively, the "Series 2010 Bonds"), three series of Subordinate Lien Income Tax Bonds issued on May 30, 2013 (collectively, the "Series 2013 Bonds"), three series of Subordinate Lien Income Tax Bonds issued on April 9, 2015 (collectively, the "Series 2015A Bonds"), five series of Subordinate Lien Income Tax Refunding Bonds issued on September 16, 2015 (collectively, the "Series 2015B Bonds"), five series of Subordinate Lien Income Tax Bonds issued on June 13, 2017 (collectively, the "Series 2017A Bonds"), two series of Subordinate Lien Income Tax Refunding Bonds issued on December 28, 2017 (collectively, the "Series 2017B Bonds"), one series of Subordinate Lien Income Tax Refunding Bonds issued on July 19, 2018 (the "Series 2018 Bonds"), three series of Subordinate Lien Income Tax Refunding Bonds issued on February 26, 2020 (collectively, the "Series 2020 Bonds") and four series of Subordinate Lien Income Tax Refunding Bonds issued on September 22, 2021 (collectively, the "Series 2021 Bonds"), and permits the issuance of additional bonds, from time to time, subject to certain restrictions. The Series 2010 Bonds, the Series 2013 Bonds, the Series 2015A Bonds, the Series 2015B Bonds, the Series 2017A Bonds, the Series 2017B Bonds, the Series 2018

Bonds, the Series 2020 Bonds, the Series 2021 Bonds and any additional bonds issued under the Indenture are collectively referred to in this Ordinance as the "Bonds."

Section 3. Terms. The Refunding Bonds may be issued in one or more series or subseries. The Refunding Bonds of each series shall be issued in one lot as fully registered bonds in denominations of $5,000 or any integral multiple thereof. The Refunding Bonds may be delivered only in book-entry form, and if so delivered, shall be registered in the name of the Depository (as defined in the Indenture) or its nominee, as registered owner, and immobilized in the custody of the Depository, and shall not be transferable or exchangeable (except for transfer to another Depository or its nominee) without further action by the City pursuant to the provisions of the Indenture and the Supplemental Indenture (as identified in Section 8). The Refunding Bonds shall bear the designation and be numbered as determined by the Director of Finance and specified in the Certificate of Award. The Refunding Bonds shall be issuable as either bonds the interest on which is (i) excluded from gross income for federal income tax purposes (the "Tax-Exempt Refunding Bonds"), or (ii) included as gross income for federal income tax purposes (the "Taxable Refunding Bonds"). The Director of Finance shall determine the status of any series of Refunding Bonds as Tax-Exempt Refunding Bonds or as Taxable Refunding Bonds (the "Tax Status"), and shall designate the applicable series of Refunding Bonds as such in the Certificate of Award. The Refunding Bonds shall be signed by the officials of the City and in the manner set forth in the Indenture.

The Refunding Bonds shall be dated the date and shall bear interest at the rate or rates per year specified in the Certificate of Award, provided the weighted average of such rates per series of Refunding Bonds (taking into account the principal amount and maturity of each Refunding Bond to which a rate applies) shall not exceed 7% per year as to Refunding Bonds of any series that are Tax-Exempt Refunding Bonds or 8% per year as to Refunding Bonds of any series that are Taxable Refunding Bonds. Interest on the Refunding Bonds shall be payable when due, or until the principal amount is paid, semiannually as specified in the Certificate of Award as the dates on which interest on the Refunding Bonds shall be payable (the "Interest Payment Dates"), beginning on the date specified in the Certificate of Award as the first Interest Payment Date.

The Refunding Bonds shall mature in the years and principal amounts as shall be permitted by law and determined by the Director of Finance and specified in the Certificate of Award, based on (i) the written advice of a Municipal Advisor to be in the best interests of the City given market conditions at the time the Refunding Bonds are sold and (ii) the objectives of the plan of refunding to either obtain aggregate net present value debt service savings of not less than 3% or restructure outstanding debt of the City.

The Director of Finance also shall determine and certify, on or prior to the date of delivery of the Refunding Bonds to the Original Purchaser (as defined in Section 4), that portion of the aggregate principal amount of the Refunding Bonds that is allocable to each Project, and the principal amount of Refunding Bonds allocated to each Project that shall be payable at stated maturity or pursuant to Mandatory Sinking Fund

Redemption Requirements (as defined below) on the applicable principal payment dates; provided, that (i) the aggregate principal amount of the Refunding Bonds allocable to a Project shall be determined by the Director of Finance on a pro rata basis by reference to the respective amount of funds that is required for the refunding of the Refunded Bonds that are allocable to that Project, taking into account any funds other than the proceeds of the Refunding Bonds that are available and appropriated for that purpose, and (ii) no portion of the aggregate principal amount of Refunding Bonds allocated to a Project shall be payable later than the maximum maturity for that portion of the Refunding Bonds as certified by the Director of Finance.

The Refunding Bonds stated to mature in any year may be issued as term bonds (the "Term Refunding Bonds"), payable pursuant to Mandatory Sinking Fund Redemption Requirements as defined and further described below. The Director of Finance shall determine in the Certificate of Award whether any of the Refunding Bonds shall be issued as Term Refunding Bonds, any dates (the "Mandatory Redemption Dates") on which the principal amount of the Term Refunding Bonds shall be payable pursuant to mandatory sinking fund installments rather than at stated maturity and the amount of principal to be paid on each Mandatory Redemption Date (the "Mandatory Sinking Fund Redemption Requirements").

The Refunding Bonds shall be subject to redemption prior to stated maturity as follows:

(a) Mandatory Sinking Fund Redemption. If any of the Refunding Bonds are issued as Term Refunding Bonds, the Term Refunding Bonds shall be subject to mandatory sinking fund redemption and be redeemed pursuant to Mandatory Sinking Fund Redemption Requirements, at a redemption price of 100% of the principal amount redeemed, plus interest accrued to the redemption date, on the Mandatory Redemption Dates.

The aggregate of the moneys to be deposited with the Escrow Agent (as such term is defined in the Supplemental Indenture) for payment of principal of and interest on any Term Refunding Bonds shall include amounts sufficient to redeem on the Mandatory Redemption Dates the principal amount of Term Refunding Bonds payable on those dates pursuant to the Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as provided in the Supplemental Indenture).

(b) Optional Redemption. The Refunding Bonds may be subject to redemption prior to maturity by and at the option of the City, in whole or in part on any date, in whole multiples of $5,000, on the optional redemption dates and at the redemption prices specified in the Certificate of Award, plus, in each case, accrued interest to the redemption date. Based on the written advice of a Municipal Advisor, the Director of Finance may determine in the Certificate of Award that it is in the best interests of the City (i) for some or all of the Refunding Bonds not to be callable prior to their stated maturity, and (ii) for a premium to be payable on the redemption of any Refunding Bonds calculated in a manner to make the bondholder whole for the loss of the investment or calculated as a percentage in excess of 100% of the principal amount redeemed.

If and to the extent provided in the Certificate of Award, the City may have the option to purchase any Refunding Bond which is redeemable by optional redemption at a purchase price not less than the redemption price that would be payable if that Refunding Bond were called for optional redemption on the date of the proposed purchase. That election shall be exercised as provided in the Supplemental Indenture.

If and to the extent provided in the Certificate of Award, the Refunding Bonds may be secured by a Debt Service Reserve Fund to be held by the Trustee under the Indenture. The principal amount of the Refunding Bonds may include provision for funding the Debt Service Reserve Fund from the proceeds of the Refunding Bonds, subject to compliance with applicable federal tax laws.

Section 4. Sale of Refunding Bonds. The Refunding Bonds shall first be offered for purchase to the Trustees of the Sinking Fund and, if not purchased by them, shall be offered to the Treasury Investment Account for purchase and, if not purchased for that Account, shall be sold to one or more firms that have proposed to underwrite the Refunding Bonds and have been selected by the Director of Finance based on an evaluation of the qualifications of those firms (collectively, the "Original Purchaser").

The Refunding Bonds shall be awarded to the Original Purchaser in the Certificate of Award, which shall specify the final terms of the Refunding Bonds in accordance with law, the provisions of this Ordinance, the written advice of a Municipal Advisor retained under authority of Section 12 and the Original Purchaser's offer to purchase the Refunding Bonds, including: the principal amount of the Refunding Bonds, the Tax Status of the Refunding Bonds, the purchase price (which shall be not less than 97% of the principal amount of the Refunding Bonds plus any accrued interest to their date of delivery), interest rate or rates, the amounts and years in which principal installments are payable (at stated maturity or pursuant to Mandatory Sinking Fund Redemption Requirements), the Interest Payment Dates and the date of the Refunding Bonds (if different from those set forth in Section 3), whether the refunding of the outstanding general obligation bonds and subordinate lien income tax bonds will be accomplished through a Tender and/or Exchange Program and any other matters required in this Ordinance to be set forth in that Certificate. As appropriate under the Charter, the Mayor, Director of Finance, Director of Law, Clerk of Council and other appropriate officers of the City are, and each of them is, authorized to take such actions as are necessary, appropriate and in the best interest of the City to establish the terms and requirements for delivery of the Refunding Bonds and to make such arrangements as are necessary with the Original Purchaser in order to establish the date, location, procedure, and conditions for the delivery of the Refunding Bonds to the Original Purchaser, to give all appropriate notices and certificates, to cause a true transcript of proceedings with reference to the issuance of the Refunding Bonds to be delivered to the Original Purchaser, to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance and to take all steps necessary to effect the due execution, authentication and delivery of the Refunding Bonds. The Director of Finance is further authorized to sign and deliver on behalf of the

City a bond purchase agreement between the City and the Original Purchaser (the "Bond Purchase Agreement"), approved as to form by the Director of Law, setting forth the terms and conditions on which the City agrees to sell the Refunding Bonds and the Original Purchaser agrees to buy the Refunding Bonds, which shall be consistent with this Ordinance and the Indenture, that are not substantially adverse to the City, and approved by the Director of Finance and the Director of Law on behalf of the City, all of which shall be conclusively evidenced by the signing of the Bond Purchase Agreement or amendments to the Bond Purchase Agreement by the Director of Finance. It is determined that the terms of the Refunding Bonds, as provided in this Ordinance and as may be provided in or pursuant to the Certificate of Award, the Indenture and the Supplemental Indenture, are in the best interest of the City and in compliance with all legal requirements.

Section 5. Escrow Agreement. The Director of Finance is authorized to sign and deliver, in the name and on behalf of the Issuer, an agreement (the "Escrow Agreement") between the City and the Escrow Agent, providing for the investment and holding in escrow of the proceeds of the Refunding Bonds to be applied to the refunding of the Refunded Bonds and for the application of the moneys derived from such investments, in accordance with the General Bond Ordinance and this Ordinance and as otherwise directed by law. Notice of the advance refunding of any of the Refunded Bonds and any direction for the redemption of Refunded Bonds prior to stated maturity shall be given in accordance with the terms of the Refunded Bonds and as further provided in the Escrow Agreement. The Refunded Bonds shall be retired at stated maturity or redeemed prior to maturity as provided in the Certificate of Award and in accordance with the ordinance authorizing the respective Refunded Bonds and the Escrow Agreement. The Director of Finance shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Escrow Agreement from money lawfully available and appropriated or to be appropriated for that purpose. The Director of Finance is authorized to obtain the services of an independent accounting firm of national reputation to provide a verification report as to the adequacy of the escrow fund to pay the Refunded Bonds on the dates set forth in the Escrow Agreement. The Director of Finance and other appropriate City officials shall execute all documents and take all other actions necessary or appropriate on the part of the City to effect the refunding of the Refunded Bonds in accordance with the General Bond Ordinance and this Ordinance and as otherwise directed by law, and to cause the Refunded Bonds to be deemed paid and discharged.

If U.S. Treasury Securities State and Local Government Series are to be purchased for the Escrow Fund, the Escrow Agent is authorized to file, on behalf of the City, subscriptions for the purchase and issuance of those Securities. If those Securities are not timely available for purchase, or if in the judgment of the Director of Finance, an open-market purchase of direct obligations of the United States of America for the Escrow Fund is in the best interest of and financially advantageous to the City, the Director of Finance may purchase and deliver those obligations, engage the services of a bidding agent or similar entity for the purpose of facilitating the bidding, purchase and delivery of such obligations for, and any related structuring of, the Escrow Fund, execute such instruments as are deemed necessary to engage such services for such purpose, and

provide further for the payment of the cost of obtaining such services from the proceeds of the Refunding Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose.

Section 6. Pledge and Covenant to Maintain Income Tax. So long as Bonds are outstanding under the Indenture, the City pledges the municipal income taxes of the City and grants a lien thereon, subordinate to the lien granted in the General Bond Ordinance as security for the General Obligation Bonds of the City issued and outstanding under the General Bond Ordinance, to the full extent required to meet debt charges payable on the Bonds issued and outstanding, from time to time, under the Indenture. The City covenants to appropriate annually sufficient amounts from the income taxes to pay all debt charges on the General Obligation Bonds, the Bonds outstanding under the Indenture, any Parity Obligations and the Unrestricted Income Tax Obligations (each as defined in the Indenture). The City further covenants that so long as any Bonds are outstanding under the Indenture, the City shall not repeal or amend, or suffer the repeal of, any ordinance for the levy or collection of its income taxes in any manner or to such extent that the City would not be able to meet its obligations to the holders of the Bonds.

Section 7. Defeasance.

(a) Release of Ordinance. If the City shall pay or cause to be paid and discharged all the outstanding Refunding Bonds, or there shall otherwise be paid to the holders of the outstanding Refunding Bonds all debt charges due or to become due thereon, and provision shall also be made for paying all other sums payable hereunder, then and in that event this Ordinance (except for Section 7(b) hereof) shall cease to be of further effect, and the covenants, agreements and other obligations of the City under this Ordinance shall be discharged and satisfied, and thereupon the Trustee shall at the request of the City execute and deliver to the City such instruments in writing as shall discharge the lien hereof and enter on the record such discharge of the lien and such other instruments as may be reasonably required by the City.

(b) Payment and Discharge of Refunding Bonds. Outstanding Refunding Bonds shall be deemed to have been paid and discharged within the meaning of this Ordinance, including without limitation, Section 7(a) hereof, if:

(i) the Escrow Agent or Paying Agent shall hold in special accounts or sub-accounts, in trust for and irrevocably committed solely thereto, sufficient moneys; or

(ii) the Escrow Agent shall hold in special accounts or subaccounts, in trust for and irrevocably committed solely thereto, direct obligations of the United States certified by an independent public accounting firm of national reputation to be of such maturities and interest payment dates and to bear such interest, without further investment or reinvestment of either the principal amount thereof or the interest earnings therefrom (likewise to be held in trust and committed, except as hereinafter provided), as will be sufficient, together with moneys referred to in (i) above, for the payment, at their maturities or redemption dates, of all debt charges on the

Refunding Bonds to their date of maturity or redemption, as the case may be, or if default in such payment shall have occurred on such date then to the date of the tender of such payment; provided, that if any Refunding Bonds are to be redeemed prior to the maturity thereof, notice of such redemption shall have been duly given or irrevocable provision satisfactory to the Trustee shall have been duly made for the giving of such notice. Any moneys held by the Escrow Agent in accordance with the provisions of this Section shall be invested by the Escrow Agent in direct obligations of the United States of America maturing, or redeemable at the option of the holder, at times and in amounts sufficient to meet payment of debt charges on the Refunding Bonds, as directed by the Director of Finance. Any income or interest earned by, or increment to, the investments held under this Section shall, to the extent determined from time to time by the Escrow Agent to be in excess of the amount required to be held by it for the purposes of this Section, be transferred at the time of such determination as provided in the Indenture for unclaimed funds held by a Paying Agent. In the event of nonpresentment of any Refunding Bond as described in the Indenture, the moneys held pursuant to this Section shall be held and paid as provided in the Indenture for unclaimed funds held by a Paying Agent.

Section 8. Supplemental Indenture. The Director of Finance is authorized to sign and deliver on behalf of the City a supplemental trust indenture (the "Supplemental Indenture"), supplementing the Indenture to provide procedures for the authentication, registration and transfer of the Refunding Bonds, redemption of Refunding Bonds, payments under any Credit Support Instrument authorized by Section 11, application of the proceeds of the Refunding Bonds, defeasance of the Refunding Bonds and other terms consistent with this Ordinance and the Certificate of Award and approved by the Director of Finance as not substantially adverse to the City. The Supplemental Indenture shall be approved as to form by the Director of Law. The determination by the Director of Finance that the provisions of the Supplemental Indenture are not substantially adverse to the City shall be conclusively evidenced by the Director's signing of the Supplemental Indenture. As appropriate under the Charter, the Mayor, the Director of Finance, the Director of Law, the Clerk of Council and other appropriate officers of the City are, and each of them is, authorized to sign, acknowledge and deliver, in the name and on behalf of the City, such documents, certifications and instruments in addition to the Indenture and Supplemental Indenture as may be necessary or appropriate to issue and sell the Refunding Bonds and to consummate the transactions authorized by this Ordinance.

Section 9. **Official Statement; Continuing Disclosure**. If, in the judgment of the Director of Finance, a disclosure document (each, an "Official Statement") is appropriate or necessary in connection with the sale of the Refunding Bonds, the Director of Finance is authorized to prepare or cause to be prepared on behalf of the City an Official Statement with respect to the Refunding Bonds, as the case may be, and any necessary supplements and to authorize the use and distribution of each Official Statement and any supplements. The Director of Finance is authorized to sign on behalf of the City and in his or her official capacity each Official Statement and any supplements approved by him. The Director of Finance is authorized to sign and deliver on behalf of the City and in his or her official capacity such certificates in connection

with the accuracy of each Official Statement and any supplements as may, in his judgment, be necessary or appropriate. The Director of Finance is also authorized to determine and certify on behalf of the City that such disclosure document is "deemed final" by the City within the meaning of Securities and Exchange Commission Rule 15c2-12 the "SEC Rule." The Director of Finance is authorized to contract for services for the production and distribution of preliminary and final Official Statements, including by printed and electronic means.

For the benefit of the holders and beneficial owners from time to time of the Refunding Bonds, the City agrees, in accordance with, and as the only obligated person with respect to the Refunding Bonds under the SEC Rule, to provide or cause to be provided such financial information and operating data and notices, in such manner as may be required for purposes of the SEC Rule. In order to describe and specify certain terms of the City's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Director of Finance is authorized to prepare, or cause to be prepared, and to sign and deliver, in the name and on behalf of the City, a continuing disclosure agreement or certificate, which shall constitute the continuing disclosure agreement made by the City for the benefit of the holders and beneficial owners of the Refunding Bonds, as the case may be, in accordance with the SEC Rule. The performance of that agreement shall be subject to the availability of funds and their annual appropriation to meet costs the City would be required to incur to perform it. The Director of Finance is further authorized to establish procedures in order to ensure compliance by the City with its continuing disclosure agreement, including the timely provision of information and notices.

Section 10. Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Tax-Exempt Refunding Bonds in such manner and to such extent as may be necessary so that (a) the Tax-Exempt Refunding Bonds will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Internal Revenue Code of 1986, as amended (the Code) or (ii) be treated other than as bonds to which Section 103(a) of the Code applies, and (b) the interest thereon will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Tax-Exempt Refunding Bonds to be and to remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Tax-Exempt Refunding Bonds to the governmental purpose of the borrowing, (ii) restrict the yield on investment property acquired with those proceeds, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Director of Finance, as the fiscal officer, or any other officer of the City having responsibility for issuance of the Refunding Bonds is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the City with respect to the Tax-Exempt Refunding Bonds as the City is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in Section 148(f)(4)(C) of the Code or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Tax-Exempt Refunding Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing rebate amounts or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Tax-Exempt Refunding Bonds, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Refunding Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Refunding Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Tax-Exempt Refunding Bonds.

Each covenant made in this section with respect to the Tax-Exempt Refunding Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Tax-Exempt Refunding Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Tax-Exempt Refunding Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this section to take with respect to the Tax-Exempt Refunding Bonds.

Section 11. Credit Facilities and Ratings. If, in the judgment of the Director of Finance, based on the written advice of a Municipal Advisor, the filing of an application for a rating on one or more Series of Refunding Bonds by one or more nationally recognized rating agencies is in the best interests of the City, the Director of Finance is authorized to prepare and submit those applications and to provide to each such agency such information as may be required for the purpose. The Director of Finance is authorized to contract for one or more Credit Support Instruments for any Series of Refunding Bonds or designated portions thereof if the Director determines, based on the written advice of a Municipal Advisor, that the Credit Support Instruments will result in debt service savings to the City. As used in this section, "Credit Support Instrument" means an insurance policy, surety, letter of credit, or other instrument used to enhance or provide for the security of Refunding Bonds. The cost of obtaining each rating and the cost of obtaining each Credit Support Instrument, except to the extent paid by the Original Purchasers in accordance with the Bond Purchase Agreement, shall be paid from the proceeds of Refunding Bonds or funds appropriated for that purpose.

Section 12. Municipal Advisor. The Director of Finance may obtain the services of one or more municipal advisors (the "Municipal Advisor"), from time to time, to assist the Director of Finance in making any of the determinations required by this Ordinance to be determined by the Director of Finance. Any such Municipal Advisor shall be registered with the SEC and the Municipal Securities Rulemaking Board as a municipal advisor. The Director of Finance may rely on the written advice of any Municipal Advisor so retained. Any Municipal Advisor employed under the authority of this Ordinance shall have a fiduciary duty to the City, be disinterested in the transaction, and be independent of the Original Purchaser and any other party interested in the transaction. Any references to "financial advisor" in any transaction documents related to the issuance of subordinate lien income tax bonds or general obligations (including any subordinate lien income tax bonds or general obligations issued prior to the Refunding Bonds authorized in this Ordinance) shall have the same meaning as "Municipal Advisor" as used in this Ordinance.

Section 13. Open Meeting Determination. It is found and determined that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken, and that all deliberations of this Council and any of its committees that resulted in these formal actions were held in meetings open to the public, in compliance with all legal requirements, including, without limitation, Section 121.22 of the Revised Code.

Section 14. Findings and Recitals of Validity. It is hereby determined, represented and recited that all acts, conditions and things necessary to be done precedent to and in the issuing of the Refunding Bonds in order to make them legal, valid and binding obligations of the City have happened, been done and been performed in regular and due form as required by law; and that no limitation of indebtedness or taxation, either statutory or constitutional, will have been exceeded in the issuance of the Refunding Bonds. It is further found and determined, and is represented and recited, that the provisions of Sections 28, 29, 32, 33 (including the provisions of Section 33 with respect to readings on three separate days or dispensing with such readings by a two-thirds vote of all members of the Council), 36, 37, 48 and all other applicable provisions of the City's Charter and the rules of this Council have been fully complied with and this Ordinance was passed in conformity therewith.

Section 15. Delivery to County Fiscal Officer. The Director of Finance is directed to forward a certified copy of this Ordinance and of the Certificate of Award for the Refunding Bonds to the County Fiscal Officer of Cuyahoga County and to secure a receipt therefor.

Section 16. Severability. Each section and each part of each section of this Ordinance is declared to be an independent section or part of a section and, notwithstanding any other evidence of legislative intent, it is declared to be the controlling legislative intent that if any such section or part of a section or any provision thereof, or the application thereof to any person or circumstance, is held to be invalid, the remaining sections or parts of sections and the application of such provisions to any

other person or circumstance, other than those as to which it is held invalid, shall not be affected thereby, and it is declared to be the legislative intent that the other provisions of this Ordinance would have been passed independently of such section, or parts of a section, so held to be invalid.

Section 17. Captions. The captions or headings in this Ordinance are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections of this Ordinance.

Section 18. Legislative Intent. All terms, conditions, pledges, covenants or agreements on the part of the City provided for in this Ordinance are made by the voluntary act of the City under its lawful authority, including its authority under its Charter and Article XVIII of the Constitution of Ohio. Any provisions of the Codified Ordinances of the City which are inconsistent with the provisions of this Ordinance shall not apply to the Refunding Bonds authorized herein.

Nothing in this Ordinance is intended to, and no provision hereof shall be applied in any manner as would, impair the obligation of contract of the City with respect to any outstanding bonds, notes, certificates of indebtedness, other obligations, trust indentures, trust agreements, or other agreements or contracts made or entered into by the City and for which consideration was duly received by the City prior to the passage of this Ordinance or the General Bond Ordinance.

Section 19. Sunset of Authorization. The authority granted by this Ordinance for the issuance and sale of Refunding Bonds shall expire three years from the effective date of this Ordinance. If a preliminary official statement with respect to the issuance of a series of Refunding Bonds is distributed under the authority of this Ordinance at any time within the three-year period following its effective date, then the authority granted by this Ordinance shall not expire as to that series of Refunding Bonds. The Director of Finance shall notify the Chairman of the Finance Committee and the Clerk of this Council of the initiation of the issuance of any Refunding Bonds under the authority of this Ordinance.

Section 20. Emergency Measure. 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, Diversity, Equity and Inclusion.

Ordinance No. 318-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance authorizing the issuance and sale of water revenue obligations to refund outstanding water revenue obligations; authorizing agreements related to the obligations; authorizing a tender and/or exchange program with respect to the refunding of water revenue obligations and providing for the appointment of professionals and authorizing documents with respect thereto; and authorizing and approving related matters.

WHEREAS, the City of Cleveland, Ohio, a municipal corporation and political subdivision of the State of Ohio, is authorized under Article XVIII of the Ohio Constitution and the Charter of the City, among other things: (a) to own and operate the public utility referred to as the Waterworks System; (b) to make, from time to time, improvements to the Waterworks System; and (c) to borrow money for the purpose of paying costs of those improvements and refunding outstanding obligations issued for that purpose; and

WHEREAS, pursuant to that authority the City has issued Bonds, from time to time, under the terms of the Amended and Restated Trust Indenture, effective as of October 5, 2001, as supplemented and amended from time to time, between the City and U.S. Bank Trust Company, National Association, as successor trustee (the "Indenture"), and the Bonds are secured thereunder by a pledge of and lien on the Net Revenues of the Waterworks System and the Pledged Funds, each as defined in the Indenture; and

WHEREAS, this Council has determined to authorize the issuance from time to time by the City of Refunding Bonds under the Indenture for the purpose of refunding Outstanding Revenue Bonds, as defined and provided in this Ordinance, to obtain debt service savings, to stabilize interest rates or minimize risks of increased interest expense on Outstanding Revenue Bonds that bear interest at variable rates, or to eliminate or modify covenants that are unduly restrictive, or otherwise to obtain a more favorable debt service structure; and

WHEREAS, this Ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department and providing for the immediate preservation of public peace, property, health or safety, in that authorizing the issuance and sale of obligations to refund the Outstanding Bonds and authorizing related agreements is necessary to enable the City to respond to market conditions on a timely basis for the benefit of the Waterworks System; now, therefore,

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

Section 1. Definitions. In addition to the words and terms defined in the Indenture, the following words and terms shall have the following meanings, unless the context or use clearly indicates another or different meaning or intent:

"Bonds" or "Water Revenue Bonds" means all Bonds or Subordinate Bonds issued and outstanding under the Indenture.

"Bond Purchase Agreement" means, as to each Series of Refunding Bonds, the purchase agreement between the City and the Original Purchasers authorized by Section 4 with respect to that Series.

"Certificate of Award" means, as to each Series of Refunding Bonds, the certificate determining the final terms of the Refunding Bonds of that Series, consistent with the requirements of this Ordinance, including, without limitation, Section 4.

"Continuing Disclosure Agreement" means, as to each Series of Refunding Bonds, any continuing disclosure agreement authorized by Section 14.

"Credit Support Instrument" means an insurance policy, surety, letter of credit, standby bond purchase agreement or other credit enhancement, support or liquidity facility used to enhance or provide for the security or liquidity of Refunding Bonds, or any Hedge Agreements.

"Escrow Agreement" means one or more agreements between the City and the Trustee, in its capacity as Escrow Agent, authorized by Section 7 or Section 17.

"Escrow Fund" means the fund, including the account or accounts therein, required to be maintained with the Trustee, in its capacity as Escrow Agent pursuant to an Escrow Agreement.

"Hedge Agreement" means any agreement defined as such in Section 11.

"Indenture" means, as applicable, (i) the Senior Indenture or (ii) the Subordinate Indenture.

"Municipal Advisor" means any financial advisory firm or firms retained by the Director of Finance of the City, from time to time, in connection with the Revenue Bonds or any Hedge Agreement. This term was previously defined as "Financial Advisor" in prior legislation related to the Outstanding Revenue Bonds.

"Original Indenture" means the Amended and Restated Trust Indenture, effective October 5, 2001, between the City and U.S. Bank Trust Company, National Association, as successor trustee, delivered under authority of Ordinance No. 2011-95, passed by the Council of the City on April 1, 1996, and with the consent of the owners of 66⅔% of the applicable Outstanding Revenue Bonds under the Indenture of Mortgage dated as of November 1, 1977.

"Original Purchasers" means, with respect to each Series of Refunding Bonds, the financial institutions identified in the applicable Certificate of Award.

"Outstanding Revenue Bonds" means Water Revenue Bonds of the City issued and outstanding, from time to time, under the Indenture. On the date of introduction of this Ordinance the following Bonds are Outstanding: Series Y (currently outstanding in the amount of $17,875,000), Series BB (currently outstanding in the amount of $13,170,000), Series CC (currently outstanding in the amount of $22,010,000), Series DD (currently outstanding in the amount of $31,225,000), Series EE (currently outstanding in the amount of $15,285,000), Series FF (currently outstanding in the amount of $70,270,000), Series GG (currently outstanding in the amount of $98,305,000) and Second Lien Series B (currently outstanding in the amount of $26,760,000).

"Refunded Bonds" means, as to each Series of Refunding Bonds, the Outstanding Revenue Bonds designated in the Certificate of Award as the Water Revenue Bonds to be refunded with proceeds of that Series of Refunding Bonds.

"Refunding Bonds" means the obligations authorized by this Ordinance to be issued in one or more Series as additional Water Revenue Bonds under the Indenture for the purpose of refunding one or more Series of Outstanding Revenue Bonds, or designated maturities thereof, or one or more Series of Refunding Bonds.

"Senior Indenture" means the Original Indenture as previously supplemented and amended and as it may be further supplemented and amended by Supplemental Indentures consistently with the Original Indenture as previously amended and supplemented.

"Subordinate Indenture" means the Subordinate Bonds Trust Indenture, dated as of October 1, 2012, between the City and U.S. Bank Trust Company, National Association, as successor trustee, delivered under authority of Ordinance No. 919-12, passed by the Council of the City on August 8, 2012, as it may be supplemented and amended by Supplemental Indentures consistently with its terms.

"Supplemental Indenture" means, as to each Series of Refunding Bonds, the Supplemental Indenture or Supplemental Subordinate Indenture, as applicable, between the City and the Trustee securing that Series of Refunding Bonds as authorized under Section 7.

"Taxable Obligations" means any Refunding Bonds the interest on which is intended to be included in gross income for federal income tax purposes.

"Tax-Exempt Obligations" means any Refunding Bonds the interest on which is intended to be excluded from gross income for federal income tax purposes.

"Tender and/or Exchange Program" means a tender and/or exchange program established in connection with the refunding of any of the Outstanding Revenue Bonds in accordance with Section 10.

Any reference herein to a fund or funds or to any debt service reserve requirements created or established pursuant to the Senior Indenture shall include, as applicable, any counterpart fund, funds or debt service reserve requirements created or established pursuant to the Subordinate Indenture.

Section 2. Authorization of the Refunding Bonds. This Council authorizes the City to issue the Refunding Bonds from time to time in one or more Series for the purpose of refunding one or more Series of Outstanding Revenue Bonds, or designated portions thereof, to obtain aggregate net present value debt service savings of at least three percent (3%), to eliminate or modify covenants that are unduly restrictive, or otherwise to obtain a more favorable debt service structure or more favorable terms under Credit Support Instruments. With respect to Outstanding Revenue Bonds that are short-term or variable-rate obligations, this Council authorizes the City to issue Refunding Bonds to refund such Outstanding Revenue Bonds, or designated portions thereof, on the further basis that the Director of Finance has determined, based on the written advice of a Municipal Advisor, that such Outstanding Revenue Bonds are subjecting the City to undesirably high rates of interest or undesirable fluctuations in rates of interest or risks or expenses associated with Credit Support Instruments that can economically be avoided or mitigated through refunding. The principal amount of each Series of Refunding Bonds is to be the amount set forth in the Certificate of Award authorized in Section 4 and determined by the Director of Finance, based on the written advice of a Municipal Advisor, to be necessary (i) to refund the Refunded Bonds to be refunded by that Series, (ii) to fund any deposit to the Debt Service Reserve Fund required under the Indenture or any special reserve fund for that Series separate from the Debt Service Reserve Fund, (iii) to pay costs of any Credit Support Instruments, (iv) to pay any amounts owed under Hedge Agreements, and (v) to pay costs of issuing the Refunding Bonds and refunding the Refunded Bonds. The proceeds from the sale of each Series of Refunding Bonds shall be allocated, deposited and applied as provided in Section 5.

The Refunding Bonds may be issued in one or more separate Series, each bearing a distinctive designation, provided that the Refunding Bonds of each Series satisfy the requirements of this Ordinance. Separate Series of Refunding Bonds may be issued at the same or different times. The Refunding Bonds of each Series shall be designated as provided in the applicable Certificate of Award and shall include in the designation reference to the calendar year in which the applicable Series is issued. A separate Certificate of Award and a separate Supplemental Indenture shall be delivered for each Series.

Section 3. Variable Rate Refunding Bonds. In the event that a Series of Refunding Bonds bear interest at variable interest rates, then the Director of Finance is authorized to determine the method and procedure by which the variable rate of interest to be borne by the Refunding Bonds of that Series shall be determined, whether by

reference to a market index, by a remarketing agent or otherwise; provided that no variable rate Refunding Bonds may bear interest at a rate in excess of twenty-five percent (25%) per year (including any Refunding Bonds held by a provider of a Credit Support Instrument). The Director of Finance may determine that the terms of a variable rate Series of Refunding Bonds may or may not permit the holders to tender their variable rate Refunding Bonds for purchase by the City. The Director of Finance shall also designate in the Certificate of Award for those variable rate Refunding Bonds (and may designate others, from time to time, in substitution therefor) the tender agent or agents and the remarketing agent or agents, which designations shall be based on the determination of the Director of Finance, based on the written advice of a Municipal Advisor, that the parties so designated possess the requisite resources and experience to provide the services required of them and that the terms on which the designated parties have agreed to provide such services are fair and commercially reasonable. The Director of Finance is authorized to enter into agreements in connection with the delivery of each Series of variable rate Refunding Bonds, and from time to time thereafter so long as the variable rate Refunding Bonds of that Series are outstanding, with providers of Credit Support Instruments, tender agents (which may be the Trustee), remarketing agents (which may be any of the Original Purchasers), purchasers of tendered Refunding Bonds, and others as may be determined by the Director of Finance, based on the written advice of a Municipal Advisor, to be necessary or appropriate to provide for (i) the method of determining the variable interest rates, (ii) the rights and procedures for tender, (iii) liquidity or credit support, (iv) repayment by the City of any amounts drawn under the Credit Support Instrument, (v) the direct purchase of tendered Refunding Bonds, and (vi) other arrangements in the best interests of the City. The Director of Finance is further authorized to terminate any such agreements if the Director of Finance determines, based on the written advice of a Municipal Advisor, that the City's best interests will be served by such termination. The Director of Finance is further authorized to enter into agreements, from time to time so long as the variable rate Refunding Bonds are outstanding, supplementing or amending the applicable Supplemental Indenture for a series of Refunding Bonds as provided in Section 9. The Director of Finance is authorized to pay any fees associated with agreements entered into or terminated pursuant to this Section from proceeds of Refunding Bonds, to the extent permitted by the Indenture, and from the Net Revenues of the Utility.

Section 4. Award and Sale of Refunding Bonds. The Director of Finance shall sign and deliver a Certificate of Award for the Refunding Bonds. In the event the Refunding Bonds are issued in more than one series sold at different times, a separate Certificate of Award shall be signed and delivered for each separately delivered series. The sale of the Refunding Bonds shall be awarded to the Original Purchaser selected by the Director of Finance and identified in the Certificate of Award. In the case of Refunding Bonds to be underwritten in a public offering, the Director of Finance shall select the Original Purchaser based on his evaluation, in consultation with a Municipal Advisor, of the qualifications and relevant experience of firms that have proposed to underwrite the Refunding Bonds. Alternatively, the Director of Finance may determine, in consultation with a Municipal Advisor, that more advantageous terms for the Refunding Bonds may be obtained by the private placement of the Refunding Bonds

with an investor or investors (including financial institutions) purchasing for their own account and not for resale, in which case the Director of Finance may designate such investor or investors as the Original Purchaser. In addition, each Certificate of Award shall determine the following, based on the written advice of a Municipal Advisor, consistent with this Ordinance and the Indenture:

(a) the aggregate principal amount of Refunding Bonds issued;

(b) the purchase price to be paid to the City by the Original Purchasers, which amount shall be not less than: (i) 97% of the amount determined by adding to the aggregate principal amount of the Refunding Bonds any aggregate original issue premium and subtracting from the amount any aggregate original issue discount, plus
(ii) any accrued interest on the Refunding Bonds from their date to the date of their delivery to the Original Purchasers;

(c) whether any Refunding Bonds are to be subject to redemption prior to maturity, and, if so, the redemption date for those Refunding Bonds subject to prior redemption and the redemption price, which may be determined as a percentage of the principal amount redeemed or by a formula intended to make the bondholder whole for the loss of the investment resulting from the early redemption or by other methodology;

(d) the dates on which and amounts in which principal of the Refunding Bonds is to be paid, which shall be not later than thirty (30) years from their respective dates of issuance, with an identification of whether the payment is due by stated maturity or by mandatory sinking fund redemption of Refunding Bonds of a particular maturity;

(e) the interest rates to be borne by Refunding Bonds bearing interest at a fixed rate, the weighted average of which shall not exceed seven percent (7%) as to Refunding Bonds of any Series that are Tax-Exempt Obligations or eight percent (8%) as to Refunding Bonds of any Series that are Taxable Obligations, or the method by which the interest rate is to be determined for Refunding Bonds bearing interest at variable rates, consistent with Section 3;

(f) the particular Outstanding Revenue Bonds or portions thereof to be Refunded Bonds, and the date or dates on which the Refunded Bonds shall be called for redemption or otherwise retired;

(g) the title and Series designation for the Refunding Bonds;

(h) the amount, if any, and source of any money to be deposited in the Debt Service Reserve Fund in order to cause the balance therein to equal the Debt Service Reserve Requirement, if and to the extent required by the applicable Supplemental Indenture, and any determination as to whether there shall be a special reserve fund for the Refunding Bonds of any Series, separate from the Debt Service Reserve Fund, and any determination as to whether a Credit Support Instrument shall be provided in lieu of cash in the Debt Service Reserve Fund or such special reserve fund;

(i) the Paying Agent;

(j) whether any Refunding Bonds are to be secured by or payable from any Credit Support Instruments; and

(k) whether the refunding of the Outstanding Revenue Bonds will be accomplished through a Tender and/or Exchange Program.

It is determined that the terms of the Refunding Bonds as so determined within the limitations set forth in this Ordinance and as so specified and set forth in the Certificate of Award will be in the best interest of the City and consistent with all legal requirements.

The Director of Finance may enter into a Bond Purchase Agreement with the Original Purchasers of each Series of Refunding Bonds setting forth the conditions for delivery of the Refunding Bonds that are consistent with this Ordinance, the Certificate of Award, and the Indenture and that are determined by the Director of Finance, based on the written advice of a Municipal Advisor, to be customary for water revenue bonds issued by governmental entities, including, without limitation, representations as to the accuracy and completeness of information contained in the Official Statement of the City described in Section 14.

Section 5. Application of Proceeds of Refunding Bonds. The proceeds of the sale of each Series of Refunding Bonds shall be deposited as provided in the applicable Supplemental Indenture, including:

(a) to the payment of any providers of any Credit Support Instruments, the fees and expenses required to be paid by the City to obtain the Credit Support Instrument;

(b) to the Trustee, for deposit to the credit of the Interest Account in the Debt Service Fund, the amount, if any, received by the City upon delivery of the Refunding Bonds as accrued interest on any Refunding Bonds from their dated date to the date of the delivery of and payment for those Refunding Bonds;

(c) to the Trustee, for deposit to the credit of the Debt Service Reserve Fund or any special reserve fund, any amount identified in the Certificate of Award as required to be deposited in the Debt Service Reserve Fund or such special reserve fund from the proceeds of the Refunding Bonds;

(d) to the Trustee, for payment to the holders of the Refunded Bonds or for deposit to the credit of any Escrow Fund established pursuant to any Escrow Agreement or to the Debt Service Fund, proceeds to be applied to refund the Refunded Bonds;

(e) to the counterparty under any Hedge Agreement, any payment determined by the Director of Finance to be paid from the proceeds of the Refunding Bonds, including any termination payment in the event that the Director of Finance determines it is in the

best interests of the City to terminate a Hedge Agreement relating to Outstanding Revenue Bonds; and

(f) to the Costs of Issuance Fund, to be created under the applicable Supplemental Indenture, such amounts as are needed to pay costs of issuing the Refunding Bonds and refunding the Refunding Bonds.

Provision shall be made in the Supplemental Indentures for the application of any amounts held in the funds and accounts established under the Indenture and no longer required for the security of Outstanding Revenue Bonds as a result of the Refunded Bonds' no longer being Outstanding, or any amounts that otherwise are in excess of the required balances. Provisions may be made in the Supplemental Indentures for the creation of separate accounts within the funds established under the Indenture or Supplemental Indentures.

The proceeds from the sale of each Series of Refunding Bonds are appropriated and shall be used for the purpose for which those Refunding Bonds are issued as provided in this Ordinance.

Section 6. Terms and Provisions Applicable to the Refunding Bonds.

(a) Form; Exchange and Transfer. All Refunding Bonds shall be issued in fully registered form and may be delivered in book-entry form. If delivered in book-entry form, Refunding Bonds shall be registered in the name of the Depository (as defined in the Indenture) or its nominee, as registered owner, and immobilized in the custody of the Depository, and shall not be transferable or exchangeable (except for transfer to another Depository or its nominee) without further action by the City pursuant to the provisions of the Supplemental Indenture.

(b) Dates; Denominations. The Refunding Bonds of each Series shall be dated as of the date or dates provided in the Certificate of Award and shall be issued in the denominations permitted in the applicable Supplemental Indenture.

(c) Interest and Place of Payment. The Refunding Bonds of each Series shall bear interest at their respective interest rates specified in the Certificate of Award (or, in the case of variable rate Refunding Bonds, determined pursuant to the Supplemental Indenture). The Refunding Bonds of the same Series and same maturity may bear interest at different interest rates. The Refunding Bonds of each Series shall bear interest from the most recent date to which interest has been paid or duly provided for or, if no interest has been paid or duly provided for, from their date. The principal and any redemption premium and the interest payable on each Refunding Bond of a Series shall be payable at the times, to the persons and in the manner set forth in, or referenced by, the applicable Supplemental Indenture, including, without limitation, provisions thereof permitting special arrangements for payments to the Depository.

(d) Maturities. The Refunding Bonds of each Series shall mature on the dates and in the respective principal amounts provided in the Certificate of Award, consistent with this Ordinance and the Indenture.

(e) Optional and Mandatory Redemption. The Refunding Bonds of each Series may be subject to redemption prior to maturity at the option of the City, if and to the extent provided in the Certificate of Award. Any Refunding Bonds so determined to be subject to optional redemption and maturing by their stated terms after the earliest optional redemption date shall be subject to redemption at the option of the City on or after the earliest optional redemption date in whole or in part on any date at the redemption prices provided in the Certificate of Award and in accordance with the applicable Supplemental Indenture and the Indenture. The Refunding Bonds designated in the Certificate of Award as term bonds subject to mandatory sinking fund redemption shall be redeemed prior to maturity on each mandatory redemption date designated in the Certificate of Award in the aggregate amount of the sinking fund installment to be paid on such mandatory redemption date, all as provided in the Certificate of Award and in accordance with the Supplemental Indenture.

(f) Purchase in Lieu of Redemption. The Refunding Bonds of each Series may be subject to purchase by the City in lieu of optional redemption if and to the extent provided in the Certificate of Award and the applicable Supplemental Indenture.

(g) Execution. The Refunding Bonds of each Series shall be signed by the persons and in the manner set forth in the Indenture.

(h) Numbering. The Refunding Bonds of each Series shall be numbered as determined by the Director of Finance.

Section 7. Authorization of Supplemental Indentures; Escrow Agreement.

In order to secure the payment of the principal of and any premium and interest on the Refunding Bonds, the Mayor, Director of Finance and Director of Public Utilities, or any two of them, are authorized to sign and deliver to the Trustee, in trust for the Original Purchasers and subsequent holders of each Series of the Refunding Bonds, a Supplemental Indenture, approved as to form by the Director of Law, not inconsistent with this Ordinance, the Certificate of Award and the Indenture and not substantially adverse to the City as may be approved by the officers signing the same on behalf of the City. The determination by those officers that a Supplemental Indenture is not substantially adverse to the City shall be conclusively evidenced by the signing and delivery of that Supplemental Indenture by those officers. Subject to the Original Indenture as theretofore amended, any Supplemental Indenture may contain amendments to the Original Indenture, as theretofore amended, or amend and restate the Original Indenture, to permit the City to obtain a Credit Support Instrument or to permit increased flexibility for the use of financial or credit structures and techniques determined by the Director of Finance, based on the written advice of a Municipal Advisor, to be in the best interests of the City.

In order to cause the proceeds of each Series of Refunding Bonds and any funds of the City deposited in an Escrow Fund or in the Debt Service Fund to be invested as permitted under Section 9.02 of the Indenture so that the Refunded Bonds are deemed paid and discharged, and in order to cause the amount to be deposited to be dedicated and applied to the payment of the principal of and interest and any redemption premium on the Refunded Bonds as and when due, to and including the applicable redemption date, the Director of Finance is authorized to sign and deliver one or more Escrow Agreements between the City and the Trustee as Escrow Agent, approved as to form by the Director of Law, providing for the establishment of each Escrow Fund as a trust fund in the custody of the Trustee and for the investment, dedication and application of the moneys deposited in the accounts therein and further providing for the payment of the fees and expenses of the Trustee for the performance of its duties as Escrow Agent. Each Escrow Agreement shall provide for the redemption of the Refunded Bonds identified in the applicable Certificate of Award to be called for redemption prior to maturity and shall provide irrevocable instruction to the Trustee to effect such redemption in accordance with the Indenture. The Director of Finance is authorized to take such other actions as may be necessary or appropriate to accomplish the refunding of Refunded Bonds, including without limitation, the retention of an independent public accounting firm to verify that the securities to be in an Escrow Fund are of such maturities or redemption dates and interest payment dates, and bear such interest, as will be sufficient, together with any cash in an Escrow Fund, for the payment of debt service on the Refunded Bond to which the Escrow Fund relates and to make any determinations required for the interest on the Refunding Bonds to be excluded from gross income for federal income tax purposes.

Section 8. Rebate Fund. There is established and ordered to be maintained a separate account for each Series of Refunding Bonds that are Tax-Exempt Obligations within the Rebate Fund held in the custody of the Trustee under the Indenture. The Rebate Fund is not pledged to the payment of debt service and is free and clear of any pledge or lien given under the Indenture as security for the Refunding Bonds or the Outstanding Revenue Bonds. Calculations of excess earnings that may be due and payable to the federal government pursuant to the Code and deposits to those accounts of the Rebate Fund shall be made as provided in the applicable Supplemental Indenture.

Section 9. Remarketing. In the event that the Director of Finance determines, based on the written advice of a Municipal Advisor, that it is advantageous to the City to convert the interest on any short-term or variable rate Outstanding Revenue Bonds or Refunding Bonds to fixed interest rates for a period of time or to maturity, or to convert the interest on any short-term or variable rate Outstanding Revenue Bonds or Refunding Bonds to a different variable rate period or mode, or to terminate or take other actions with respect to any existing Credit Support Instrument that will require a tender and remarketing of any Outstanding Revenue Bonds or Refunding Bonds under the Indenture (any such conversion or other action or tender or remarketing being collectively referred to in this Section as "remarketing"), the City shall undertake the remarketing in accordance with the Indenture. In connection with any remarketing of Bonds, the Director of Finance is authorized to take such actions that he determines, based on the written advice of a Municipal Advisor, will facilitate the remarketing of the

Bonds or otherwise be in the best interests of the City, including without limitation, obtaining one or more Credit Support Instruments, terminating any Credit Support Instrument, and entering into agreements with one or more purchasers for their direct purchase of the remarketed Bonds in lieu of a public offering of the Bonds by a remarketing agent. In the event the Director of Finance determines, based on the written advice of a Municipal Advisor, that it is necessary to supplement or amend the Supplemental Indenture applicable to a Series of Bonds to be remarketed in order to address current market conditions or to permit the use of or to terminate a Credit Support Instrument or otherwise obtain financing arrangements advantageous to the City, the Mayor, the Director of Finance and the Director of Public Utilities, or any two of them, are authorized to sign and deliver an amendment of that Supplemental Indenture, or an amended and restated Supplemental Indenture, approved as to form by the Director of Law, subject to the Original Indenture as theretofore amended. The Director of Finance is further authorized to satisfy any Debt Service Reserve Requirement or any special reserve fund requirement for the Series of Bonds to be remarketed, by the deposit of a Credit Support Instrument in lieu of cash, as permitted and more specifically provided in the Indenture, and to apply cash released from the Debt Service Reserve Fund or such special reserve fund to the payment of costs of remarketing or other purposes permitted by applicable laws. To the extent the costs of remarketing are not paid from any cash released from the Debt Service Reserve Fund or such special reserve fund, those costs shall be paid from funds of the Water Division, which are appropriated for that purpose.

The Director of Finance and the Director of Public Utilities are authorized to prepare one or more disclosure documents in connection with any remarketing of Bonds under the same terms and conditions as set forth in Section 14 of this Ordinance with respect to the issuance of Refunding Bonds. The Director of Finance, the Director of Public Utilities or any other officer of the City, as appropriate under the Charter, is authorized to take such actions or cause to be taken such actions as are necessary to maintain the applicable tax status of such Bonds, and the covenants and authorizations in Section 12 of this Ordinance shall apply to such Bonds. The Mayor, the Director of Finance, the Director of Public Utilities and other City officials, as appropriate under the Charter, are authorized to sign and deliver such instruments, certificates and documents as are necessary or appropriate to consummate the transactions authorized by this Section.

The Director of Finance, the Director of Public Utilities, the Director of Law and other City officials, as appropriate under the Charter, are authorized to make the necessary arrangements on behalf of the City to establish the date, location, procedure and conditions for the remarketing of any Bonds and to take all actions necessary to effect the remarketing of any Bonds under the terms of this Ordinance and the Indenture. The Clerk of Council or other appropriate official of the City shall furnish the Trustee a true transcript of proceedings certified by the Clerk or other official, of all proceedings had with reference to the remarketing of any Bonds along with such information for the records as is necessary to determine the validity of the remarketing.

Section 10. Tender and/or Exchange Program. To the extent it is determined to be financially beneficial to the City by the Director of Finance and will result in debt

service savings to the City or the elimination or modification of covenants that are unduly restrictive or a more favorable debt service structure or more favorable terms under Credit Support Instruments or other advantages to the City, based on the written advice of a Municipal Advisor, the City is authorized to undertake the Tender and/or Exchange Program in connection with the refinancing, restructuring or refunding of any of the Outstanding Revenue Bonds under which the City would offer to purchase all or portions of Outstanding Revenue Bonds for cash funded from the proceeds of the Refunding Bonds and any other available moneys and/or in exchange for Refunding Bonds or, with or without cash from the proceeds of the Refunding Bonds and any other available moneys, by an exchange of Refunding Bonds for Outstanding Revenue Bonds. The Director of Finance is hereby authorized to take all actions with respect to the Tender and/or Exchange Program, including (1) the determination of the terms of, and which Outstanding Revenue Bonds would be subject to, the Tender and/or Exchange Program, (2) the appointment of necessary professionals, including without limitation one or more dealer managers and/or tender and exchange agents, which may be appointed from among the Underwriters, and an information agent, and (3) after consultation with the bond counsel, to approve the form of and distribution of an offer to tender and exchange and the forms of and to execute and deliver all necessary documents in connection with the Tender and/or Exchange Program, the execution and delivery of such documents to be conclusive evidence of the approval of such documents. The Director of Finance is authorized to prepare disclosure documents relating to the terms and conditions of the Tender and/or Exchange Program and containing information about the City and the Waterworks System and to authorize the use and distribution of those disclosure documents.

Section 11. Authorization of Hedging Arrangements. This Council finds that by engaging in interest rate hedging arrangements with respect to Bonds the City may reduce its cost of borrowing by optimizing the relative amounts of its fixed and variable rate obligations or minimizing the risk of variations in its debt service costs or obtaining savings by confirming rates of interest on Bonds in advance of their issuance. To permit the City to have the flexibility to undertake with respect to Bonds interest rate swap, swaption, rate cap, rate collar and other hedging transactions, from time to time, and to establish the procedures for approving those transactions, this Council authorizes the signing and delivery of one or more agreements, including amendments or supplements to existing agreements (each, a "Hedge Agreement"), and any related agreements necessary for the consummation of the transactions contemplated by each Hedge Agreement. The authorizations in this Section are supplemental to and not in derogation of any authority provided by any other ordinance of this Council concerning hedging arrangements.

Upon the determination of the Director of Finance, based on the written advice of a Municipal Advisor, that it is to the financial advantage of the City and in the City's best interests that a hedging arrangement be undertaken by the City with respect to any Bonds issued or to be issued under the Indenture, the Director of Finance may authorize one or more interest rate hedge transactions in accordance with the applicable Hedge Agreement; provided that (a) the counterparty shall be rated at the time of signing the Hedge Agreement not lower than "A" by at least one rating agency or its obligations

under the Hedge Agreement shall be guaranteed or insured by an entity rated at the time of signing the Hedge Agreement not lower than "A" by at least one rating agency, with such rating in either case determined without regard to a gradation by numerical or plus or minus or other modifier and (b) the term of each hedge transaction shall not exceed the final maturity of the Bonds to which the hedge relates.

The Director of Finance shall negotiate the terms of each Hedge Agreement with a counterparty satisfying the credit criteria in this Ordinance. The City shall receive a written opinion of a Municipal Advisor that the payments to be made by the counterparty to the City, or by the City to the counterparty, shall be fair value for the Hedge Agreement, considering, among other things, the credit of the City and the counterparty and the terms and conditions of the Hedge Agreement. The Director of Finance shall determine the terms and conditions of the Hedge Agreement, including without limitation, the rates to be paid by the counterparty to the City and by the City to the counterparty under the Hedge Agreement, the time or times and procedures for the exercise by the counterparty or the City, as the case may be, of any option under the Hedge Agreement, and whether the obligations of the City under the Hedge Agreement shall be secured by a Credit Support Instrument. The approval of each interest rate hedge transaction by the Director of Finance shall be conclusively evidenced by the signing and delivery of the applicable Hedge Agreement by the Director of Finance.

The Director of Finance is authorized to terminate any Hedge Agreements in whole or in part or any Credit Support Instrument securing a Hedge Agreement if the Director of Finance determines, based on the written advice of a Municipal Advisor, that the City's best interests will be served by such termination. The Director of Finance is further authorized to enter into amendments, novations, assignments or modifications of a Hedge Agreement or any Credit Support Instrument securing a Hedge Agreement determined by the Director of Finance, based on the written advice of a Municipal Advisor, that the City's best interests will be served by such amendment or modification.

The City's obligations under any Hedge Agreement shall be payable from the Net Revenues of the Utility and may be payable also from other funds permitted by law to be used for the purpose, as identified by the Director of Finance in the Hedge Agreement. Those payments may be secured by a pledge of Net Revenues that may be subordinate to the pledge of Net Revenues for the Bonds, to the extent permitted by the Indenture, all as determined by the Director of Finance and set forth in the Hedge Agreement. The obligation of the City to make payments under any Hedge Agreement does not and shall not represent or constitute a general obligation, debt, bonded indebtedness or a pledge of the faith and credit of the City or the State of Ohio. Nothing gives any party to any Hedge Agreement the right to have excises, ad valorem or other taxes levied by the City or the State of Ohio for the payment of any amounts due under any Hedge Agreement.

Section 12. Covenants of the City. The City, by issuance of each Series of Refunding Bonds, covenants and agrees with the Holders of that Series of Refunding Bonds, that:

(a) The City will use the proceeds of the Refunding Bonds for the purposes specified in Section 2.

(b) The Clerk, or other appropriate officer of the City, will furnish to the Original Purchasers and to the Trustee a true transcript of proceedings, certified by the Clerk or other officer, of all proceedings had with reference to the issuance of the Refunding Bonds, together with information from the City's records as is necessary to determine the regularity and validity of the issuance of the Refunding Bonds.

(c) The City will, at any and all times, cause to be done all such further acts and things and cause to be signed and delivered all further instruments as may be necessary to carry out the purpose of the Refunding Bonds and this Ordinance or as may be required by Article XVIII of the Constitution of Ohio or the Charter of the City or the Indenture or the applicable Supplemental Indenture and will comply with all requirements of law applicable to the Waterworks System and the operation thereof.

(d) The City will observe and perform all its agreements and obligations provided for in the Refunding Bonds, this Ordinance, the Indenture and each Supplemental Indenture. All of the obligations under this Ordinance and the Indenture and each Supplemental Indenture are hereby established as duties specifically enjoined by law and resulting from an office, trust or station upon the City within the meaning of Section 2731.01, Ohio Revised Code.

(e) The City will use, and will restrict the use and investment of, the proceeds of the Refunding Bonds that are issued as Tax-Exempt Obligations in such manner and to such extent as may be necessary so that (a) the Refunding Bonds will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Code or (ii) be treated other than as bonds to which Section 103(a) of the Code applies, and (b) the interest thereon will not be treated as an item of tax preference under Section 57 of the Code.

(f) The City covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Refunding Bonds that are issued as Tax-Exempt Obligations to be and to remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Refunding Bonds to the governmental purpose of the borrowing, (ii) restrict the yield on investment property acquired with those proceeds, (iii) make timely rebate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

Each covenant made in this section with respect to the Refunding Bonds is also made with respect to all issues for which any portion of the debt service is paid from proceeds of the Refunding Bonds (and, if different, the original issue and any refunding issues in

a Series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Refunding Bonds that are issued as Tax-Exempt Obligations from gross income for federal income tax purposes, and the Director of Finance, or any other officer having responsibility with respect to the Refunding Bonds, is authorized to take such actions with respect to those issues as they are authorized in this section to take with respect to the Refunding Bonds.

The Mayor, the Director of Finance or any other officer of the City, as appropriate under the Charter, is authorized (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the City with respect to the Refunding Bonds as the City is permitted or required to make or give under the federal income tax laws, including, without limitation, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting the favorable tax treatment or status of the Refunding Bonds that are issued as Tax-Exempt Obligations or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amount or payments, as determined by that officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Refunding Bonds that are issued as Tax-Exempt Obligations, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Refunding Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Refunding Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment or status of the Refunding Bonds and interest thereon.

If the Director of Finance determines, based on the written advice of a Municipal Advisor, and so specifies in the Certificate of Award that the best interests of the City would be served by issuing a Series of Refunding Bonds as Taxable Obligations, then the tax-related covenants in this Section shall not apply to or be required to be made with respect to the Refunding Bonds of that Series.

Section 13. Ratings; Credit Enhancement. If, in the judgment of the Director of Finance, based on the written advice of a Municipal Advisor, the filing of an application for a rating on one or more Series of Outstanding Revenue Bonds or Refunding Bonds by one or more nationally recognized rating agencies is in the best interests of the City, the Director of Finance is authorized to prepare and submit those applications and to provide to each such agency such information as may be required for the purpose. The Director of Finance is authorized to contract for one or more Credit Support Instruments for any Series of Outstanding Revenue Bonds or Refunding Bonds or designated portions thereof if the Director determines, based on the written advice of a Municipal Advisor, that the Credit Support Instruments will result in debt service savings to the City, or will stabilize interest rates on those Bonds or will minimize the risk of increased interest expense on those Bonds. The Director of Finance is further

authorized to terminate any such contract if the Director of Finance determines, based on the written advice of a Municipal Advisor, that the City's best interests will be served by such termination. The cost of obtaining each rating and the cost of obtaining or terminating each Credit Support Instrument, except to the extent paid by the Original Purchasers in accordance with the Bond Purchase Agreement, shall be paid from the proceeds of Refunding Bonds or funds of the Water Division, which are appropriated for that purpose.

Section 14. Official Statements; Continuing Disclosure. The Mayor, the Director of Finance, the Director of Public Utilities, the Commissioner of Water, or other City officials, as appropriate under the Charter, each is authorized, on behalf of the City and in their official capacities, to (i) prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, disclosure documents in the form of a preliminary official statement relating to the issuance of Refunding Bonds of one or more Series, and (ii) determine, and certify or otherwise represent, when each preliminary official statement as so prepared is a "deemed final" official statement (except for permitted omissions) by the City as of its date for purposes of Securities and Exchange Commission ("SEC") Rule 15c2-12(b)(1). The distribution and use of one or more preliminary official statements are authorized and approved.

Those officers and each of them are also authorized, on behalf of the City and in their official capacities, as appropriate under the Charter, to complete each preliminary official statement with such modifications, changes and supplements as those officers shall approve or authorize for the purpose of preparing and determining, and to certify or otherwise represent, that the official statement as so revised is a final official statement for purposes of SEC Rule 15c2-12(b) (3) and (4). Those officers each are further authorized to use and distribute, or authorize the use and distribution of, one or more final official statements and supplements thereto in connection with the original issuance of each Series of Refunding Bonds as may, in their judgment, be necessary or appropriate. Those officers each are further authorized to sign and deliver, on behalf of the City and in their official capacities, each final official statement and such certificates regarding the accuracy of each preliminary official statement and each final official statement and any amendments thereto as may, in their judgment, also be necessary or appropriate. The Director of Finance is authorized to contract for services for the production and distribution of preliminary and final official statements, including by printed and electronic means.

For the benefit of the holders and beneficial owners from time to time of each Series of Refunding Bonds, the City agrees, in accordance with, and as an obligated person with respect to the Refunding Bonds under, SEC Rule 15c2-12, to provide or cause to be provided such financial information and operating data and notices, in such manner, as may be required for purposes of SEC Rule 15c2-12. In order to describe and specify certain terms of the City's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the Director of Finance and the Director of Public Utilities are authorized to prepare, or cause to be prepared, and to sign and deliver, in the name and on behalf of the City, a continuing disclosure agreement or certificate, which shall

constitute the continuing disclosure agreement made by the City for the benefit of the holders and beneficial owners of the Refunding Bonds of that Series in accordance with SEC Rule 15c2-12. The performance of that agreement shall be subject to the availability of funds and their annual appropriation to meet costs the City would be required to incur to perform it.

Section 15. Authorization of Other Documents. Each of the Mayor, the Director of Finance, the Director of Public Utilities and other City officials, as appropriate under the Charter, is authorized to sign and deliver such instruments, certificates and documents as are necessary or appropriate to consummate the transactions authorized by this Ordinance, the Bond Purchase Agreements, the Supplemental Indentures, the Indenture, any Escrow Agreements and any Hedge Agreements.

Each of the Mayor, the Director of Finance, the Director of Public Utilities, the Director of Law and other City officials, as appropriate under the Charter, is authorized to make the necessary arrangements on behalf of the City to establish the date, location, procedure and conditions for the delivery of each Series of Refunding Bonds to the Original Purchasers and to take all actions necessary to effect due signing, authentication and delivery of each Series of Refunding Bonds under the terms of this Ordinance, the Supplemental Indentures, the Bond Purchase Agreements and the Indenture. The Clerk of Council or other appropriate official of the City shall furnish the Original Purchasers a true transcript of proceedings certified by the Clerk or other official, of all proceedings had with reference to the issuance of each Series of Refunding Bonds along with such information for the records as is necessary to determine the regularity and validity of the issuance of those Refunding Bonds.

The Director of Finance is also authorized, notwithstanding any other previously imposed limitations on redemption provisions for such Outstanding Revenue Bonds, to enter into agreements with any holder of any Outstanding Revenue Bonds to extend, in consideration of payment, the earliest optional redemption date of those Bonds, provided that the Director of Finance receives written advice of a Municipal Advisor that the consideration being received by the City fairly compensates the City for such extension of the redemption date. Any amounts received with respect to such extensions shall be deposited in the Additions and Improvements Fund.

Section 16. Lien of Pledge. The Net Revenues of the Utility are subject to the lien of the pledge under the Indenture without any physical delivery of the Net Revenues or further act, and the lien of such pledge is valid and binding against all parties having claims of any kind against the City (irrespective of whether such parties have notice of such pledge and create a perfected security interest for all purposes of Chapter 1309, Ohio Revised Code) without the necessity for separation of delivery of the Net Revenues or for the filing or recording of the Indenture or any other resolution or instrument by which such pledge is created or any certificate, statement or other document with respect to such pledge. The pledge of the Net Revenues under the Indenture shall be effective and the money therefrom and thereof may be applied to the purposes for which pledged without necessity for any further act of appropriation.

Section 17. Other Provisions for Payment of Outstanding Revenue Bonds. The City may, from time to time, deposit legally available funds, other than the proceeds of Bonds issued for that purpose, in trust with the Trustee under the Indenture or an Escrow Agreement for the payment of debt service requirements on any Outstanding Revenue Bonds if, in the judgment of the Director of Finance and the Director of Public Utilities, based on the written advice of a Municipal Advisor, doing so will improve the debt service coverage ratio of the Waterworks System (being the ratio of Net Revenues to Annual Debt Service Requirements, as defined in the Indenture). The Director of Finance is authorized to make such deposits, from time to time, from moneys in the Additions and Improvements Fund under the Indenture (Fund No. 52-300 of the Water Division), with the actual amount of any deposit to be determined by the Director of Finance in consultation with the Director of Public Utilities. In order to cause any amounts so deposited to be dedicated and applied solely to the payment of the principal of and interest and any redemption premium on the designated Outstanding Revenue Bonds, as and when due at maturity or upon prior redemption, the Mayor, the Director of Finance and the Director of Public Utilities, or any two of them, are authorized, in the name and on behalf of the City, to sign and deliver one or more Escrow Agreements approved as to form and correctness by the Director of Law, providing for the establishment of an Escrow Fund as a trust fund in the custody of the Trustee and the investment, dedication and application of the moneys deposited therein and further providing for the payment to the Trustee of fees and expenses for its performance of its duties under the Escrow Agreement. The officers signing the Escrow Agreement on behalf of the City shall determine that the agreement satisfies the requirements of this Section, and that determination shall be conclusively evidenced by the signing of the Escrow Agreement by those officers. The Mayor, the Director of Finance and the Director of Public Utilities, or any two of them, are authorized, in the name and on behalf of the City, to sign and deliver agreements, approved as to form and correctness by the Director of Law, with one or more institutions, including agreements which will enable the City to more efficiently structure any escrow funds established pursuant to this Section, and thereby maximize debt service savings and minimize negative arbitrage. The Director of Finance is authorized to take such other actions as may be necessary or appropriate to accomplish any defeasance of the designated Outstanding Revenue Bonds to be paid from any escrow fund, including without limitation, the retention of a firm of independent certified public accountants to verify that the securities to be deposited in escrow are of such maturities or redemption dates, and interest payment dates, and bear such interest, as will be sufficient, together with any available moneys, for the payment of debt service on the designated Outstanding Revenue Bonds.

Section 18. Municipal Advisors and Consultants. The Director of Finance may obtain the services of one or more Municipal Advisors, from time to time, to assist the Director of Finance in making any of the determinations required by this Ordinance to be determined by the Director of Finance or to negotiate any Hedge Agreements. Any such Municipal Advisor shall be registered with the SEC and the Municipal Securities Rulemaking Board as a municipal advisor. The Director of Finance may rely on the written advice of any Municipal Advisor so retained. The Director of Finance may obtain the services of one or more feasibility consultants, from time to time, to provide reports

in connection with the issuance and sale of any Refunding Bonds or the delivery of any Hedge Agreements concerning the utilization and operation of the Utility, debt service coverage, rates and charges or other matters. Any Municipal Advisor or consultant employed under the authority of this Ordinance shall have a fiduciary duty to the City, be disinterested in the transaction, and be independent of the Original Purchaser and any other party interested in the transaction.

Section 19. Appointment of Successor Trustee. The Director of Finance is authorized to appoint a successor Trustee in the event that the current Trustee, U.S. Bank Trust Company, National Association, shall resign or be removed, or be dissolved or otherwise become incapable of acting as Trustee under the Indenture, or in case it shall be taken under the control of any public officer or officers or of a receiver appointed by a court, in accordance with the provisions of Section 6.05 of the Original Indenture.

Section 20. Captions, Headings, and Section References. The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit, or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs, or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

Section 21. Severability. Each section of this Ordinance and each subdivision or paragraph of any section is hereby declared to be independent and the finding or holding of any section or any subdivision or paragraph of any section to be invalid or void shall not be deemed or held to affect the validity of any other section, subdivision or paragraph of this Ordinance.

Section 22. Interpretation. Any provisions of the Codified Ordinances of the City which are inconsistent with the provisions of this Ordinance shall not apply to the Refunding Bonds or matters authorized herein. Nothing in this Ordinance is intended to, and no provision hereof shall be applied in any manner as would, impair the obligation of contract of the City with respect to any outstanding bonds, certificates of indebtedness, other obligations, indentures or other agreements or contracts made or entered into by the City.

Section 23. Validity. This Council finds and determines that this Ordinance was passed in compliance with all applicable provisions of the City's Charter and the rules of this Council. This Council further finds and determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Refunding Bonds in order to make them legal, valid, and binding special obligations of the City have been performed and have been met, or will at the time of delivery of the Refunding Bonds have been performed and have been met, in regular and due form as required by law**,** and that no limitation of indebtedness or taxation, either statutory or constitutional, is applicable to the issuance of the Refunding Bonds.

Section 24. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

Section 25. Sunset of Authorization. The authority granted by Section 2 of this Ordinance to issue Refunding Bonds shall expire three years from the effective date of this Ordinance. If a preliminary official statement with respect to the Refunding Bonds is distributed under the authority of this Ordinance at any time within the three-year period following its effective date, then the authority granted by Section 2 of this Ordinance shall not expire as to those Refunding Bonds. The Director of Finance shall notify the Chairman of the Finance Committee and the Clerk of this Council of the initiation of the issuance of any Refunding Bonds under the authority of this Ordinance.

Section 26. Emergency. 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, Diversity, Equity and Inclusion.

Ordinance No. 319-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance authorizing the establishment of and issuance by the City of Airport System subordinated indebtedness in the form of revolving lines of credit and/or a commercial paper program in an aggregate principal amount not to exceed one hundred and seventy-five million dollars ($175,000,000) at any one time to pay costs of improving the Airport System; authorizing one or more revolving credit agreements, reimbursement agreements, official statements, dealer agreements, supplemental indentures, notes evidencing subordinated indebtedness and other agreements related to subordinated indebtedness; and authorizing and approving related matters.

WHEREAS, under authority of the Constitution of the State of Ohio and the Charter of the City of Cleveland, Ohio (the "City"), this Council has by ordinance authorized the issuance of Revenue Bonds, from time to time, for the Airport System under the terms and security of the Amended and Restated Trust Indenture (Seventeenth Supplemental Trust Indenture), effective as of January 31, 2012 (the "Trust Indenture"), between the City and The Bank of New York Mellon Trust Company, N.A., as trustee (the "Trustee"); and

WHEREAS, this Council has determined to authorize the issuance by the City of Subordinated Indebtedness in the form of establishing a revolving line or lines of credit (as further defined herein, the "2024 Revolving Line of Credit") and/or a commercial paper program (as further defined herein, the "2024 Commercial Paper Program") under the terms and security of the Trust Indenture, as supplemented and amended, for the purpose of paying costs of improving the facilities of the Airport System; and

WHEREAS, this Ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department and providing for the immediate preservation of the public peace, property, health or safety in that authorizing the 2024 Revolving Line of Credit and 2024 Commercial Paper Program is necessary to fund contracts for improvements to the Airport System needed for the provision of air services to the public; now, therefore,

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

Section 1. Definitions. In addition to the words and terms defined in the Trust Indenture, as amended and supplemented, and as to be further amended and supplemented as provided in this Ordinance, the following words and terms shall have the following meanings, unless the context or use indicates a contrary meaning or intention.

"2024 Commercial Paper Program" means the program for the issuance and sale of commercial paper notes authorized by Sections 6 and 7 hereof.

"2024 Revolving Line of Credit" means one or more revolving lines of credit authorized by Sections 4 and 5 hereof.

"2024 Subordinated Indebtedness" means the Revolving Loan Notes and the Commercial Paper Notes, either or both of which the City may issue as authorized by this Ordinance.

"Available Commitment" means, on any date, an initial amount equal to $175,000,000 and thereafter such initial amount adjusted from time to time as follows: (a) downward in an amount equal to any draw or advance pursuant to the Revolving Credit Agreement or Reimbursement Agreement, as applicable; (b) upward in an amount equal to the principal amount of any 2024 Subordinated Indebtedness that is repaid or prepaid in the manner provided by the Revolving Credit Agreement or Reimbursement Agreement, as applicable; and (c) downward upon the expiration, termination or reduction of available loans or credit support pursuant to any Revolving Credit Agreement or Reimbursement Agreement; provided, that, after giving effect to any of the foregoing adjustments the Available Commitment shall never exceed $175,000,000 at any one time.

"Bank" means the bank that is providing interim financing through loans under the provisions of a Revolving Credit Agreement.

"Book–entry form" or "book–entry system" means with respect to Commercial Paper Notes, a form or system, as applicable, under which (a) the ownership of beneficial interests in Commercial Paper and debt charges thereon may be transferred only through a book–entry, and (b) physical Commercial Paper Notes in fully registered form, in the form of the Master Commercial Paper Note Certificate registered only in the name of a Depository or its nominee as holder in fully registered form. The book–entry system is maintained by and is the responsibility of the Depository and not the City or the Trustee. The book–entry is the record that identifies, and records the transfer of the interest of, the owners of beneficial (book–entry) interests in the Commercial Paper Notes.

"Certificate of Award" means one or more certificates delivered by the Director of Finance pursuant to Section 2 providing for the final terms of the establishment of the 2024 Revolving Line of Credit and/or the 2024 Commercial Paper Program.

"Code" means the Internal Revenue Code of 1986, as amended, including, when appropriate, the statutory predecessor of the Code and all applicable Treasury regulations.

"Commercial Paper Notes" means the commercial paper notes issued by the City from time to time under the 2024 Commercial Paper Program in an aggregate principal amount not to exceed the Available Commitment.

"Dealer" means the dealer of commercial paper notes named in the Dealer Agreement.

"Dealer Agreement" means a commercial paper dealer agreement to be entered into by and between the City and a dealer of commercial paper notes for the purchase of the Commercial Paper Notes by the dealer from the City or the arrangement by the dealer for the purchase of Commercial Paper Notes by other investors.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, with its participants or otherwise, a book entry system to record beneficial ownership of Commercial Paper and debt service charges thereon, and to effect transfers of Commercial Paper, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Indenture" means the Trust Indenture as amended and supplemented by the Eighteenth Supplemental Trust Indenture dated as of February 1, 2012, the Nineteenth Supplemental Trust Indenture dated as of April 1, 2013, the Twentieth Supplemental Trust Indenture dated as of February 1, 2014, the Twenty-First Supplemental Trust Indenture dated as of February 23, 2016, the Twenty-Second Supplemental Trust Indenture dated as of October 4, 2016, the Twenty-Third Supplemental Trust Indenture dated as of October 4, 2018 and the Twenty-Fourth Supplemental Trust Indenture dated as of October 1, 2019 as the same may be further amended, supplemented or restated from time to time.

"Letter of Credit" means the direct-pay or revolving letter of credit to be issued by the Letter of Credit Bank to support the issuance of the Commercial Paper Notes.

"Letter of Credit Bank" means the bank that provides credit enhancement and liquidity support for payment of the Commercial Paper Notes through a Letter of Credit.

"Master Commercial Paper Note Certificate" means the master note certificate held by a Depository in the form attached to applicable Supplemental Indenture or Reimbursement Agreement for the 2024 Commercial Paper Program as further authorized and described in Section 6.

"Municipal Advisor" means any financial advisory firm or firms retained by the Director of Finance of the City, from time to time, in connection with the 2024 Subordinated Indebtedness. This term is used as "Financial Advisor" in prior legislation and documentation related to the Outstanding Revenue Bonds.

"Official Statement" means an official statement or offering memorandum relating to the issuance of the Commercial Paper Notes.

"Outstanding Revenue Bonds" as used in this Ordinance, means Revenue Bonds issued and outstanding, from time to time, under the Indenture.

"Project" means (i) improvements to the Airport System comprising the Terminal Modernization Development Program and the acquisition of any interests in real property necessary therefor, related design, planning, environmental studies, environmental remediation and regulatory compliance costs, site preparation, construction management services, and appurtenant improvements; (ii) such additional or different improvements to the Airport System as the Director of Port Control deems necessary, provided that (A) all conditions for the inclusion of the cost of any such improvements in the calculation of Landing Fees or Rentals under Section 8.07 of the Use Agreements shall have been met, and (B) in the event that proceeds of a series of Tax–Exempt Subordinated Indebtedness are to be used to pay costs of such improvements, the City shall have obtained the opinion of nationally recognized bond counsel that the expenditure of proceeds of such Tax-Exempt Subordinated Indebtedness to pay costs of such improvements will not adversely affect the exclusion from gross income for federal income tax purposes of the interest on such Tax-Exempt Subordinated Indebtedness.

"Reimbursement Agreement" means the agreement between the City and the Letter of Credit Bank, including any promissory notes, to evidence the provision of a Letter of Credit to support the payment of the Commercial Paper Notes.

"Revenue Bonds" means Outstanding Revenue Bonds and any Additional Revenue Bonds issued under the Indenture.

"Revolving Credit Agreement" means the agreement entered into by the City and the Bank to evidence interim financing through the provision of loans in the form of Revolving Loan Notes.

"Revolving Loan Notes" means the notes issued by the City as Subordinated Indebtedness under a Revolving Credit Agreement and designated as (Tax-Exempt AMT), (Tax-Exempt Non-AMT) or (Taxable), as appropriate, evidencing a revolving line of credit as authorized and further described in Section 4 hereof.

"Supplemental Indenture" means each Supplemental Trust Indenture delivered to supplement the Trust Indenture, to further provide for the terms and security of one or more issues of 2024 Subordinated Indebtedness, series of Revenue Bonds or to amend the Trust Indenture, as theretofore supplemented and amended.

"Taxable Subordinated Indebtedness" means any 2024 Subordinated Indebtedness the interest on which is included in gross income for federal income tax purposes including a Revolving Loan Note and/or Commercial Paper Note designated as Taxable.

"Tax-Exempt Subordinated Indebtedness" means the 2024 Subordinated Indebtedness designated "Tax-Exempt Non-AMT" or "Tax-Exempt AMT", the interest on which is not included in gross income for federal income tax purposes, including a Revolving Loan Note and/or Commercial Paper Note so designated.

"Terminal Modernization Development Program" means the Airport System's program of related improvements, that include among other projects, the (i) renovation and expansion of the terminal building and concourse areas at the Airport, (ii) relocation of the rental car facility, and (iii) construction of roadway access improvements. The Terminal Modernization Development Program may be amended from time to time and includes but is not limited to planning, design and engineering services, program management services, headhouse and new terminal enabling projects, parking improvements, building demolition, deicing facility upgrades, new ground support equipment facility, and new airline fueler facilities.

Section 2. Authorization of the 2024 Subordinate Indebtedness. This Council authorizes the City to issue the 2024 Subordinated Indebtedness in the form of the Commercial Paper Notes and/or the Revolving Loan Notes for the purpose of paying costs of the Project. The aggregate amount of the 2024 Subordinated Indebtedness authorized by this Ordinance shall not exceed the Available Commitment.

(a) The aggregate amount of the 2024 Revolving Line of Credit is to be the amount set forth in a Certificate of Award, determined by the Director of Finance, based on the written advice of a Municipal Advisor, to be the amount necessary, together with other funds available for the purpose to (i) finance the cost of the Project, including reimbursements to the City and (ii) pay costs of establishing the 2024 Revolving Line of Credit and of issuing the Revolving Loan Notes. The Director of Finance shall also determine in the Certificate of Award, based on the written advice of a Municipal Advisor, the Bank that will provide the 2024 Revolving Line of Credit, the determination of any interest rate (which shall not exceed 25%) and the number of years until expiration of the 2024 Revolving Line of Credit.

(b) The aggregate amount of the 2024 Commercial Paper Program is to be the amount set forth in a Certificate of Award, and determined by the Director of Finance, based on the written advice of a Municipal Advisor, to be the amount necessary, together with other funds available for the purpose to (i) finance the cost of the Project, including reimbursements to the City, and the rolling over of the Commercial Paper Notes, and (ii) pay costs of establishing the 2024 Commercial Paper Program and of issuing the Commercial Paper Notes. The Director of Finance shall also determine in the Certificate of Award, based on the written advice of a Municipal Advisor, the Letter of Credit Bank that will provide the Letter of Credit for the 2024 Commercial Paper Program, the determination of any interest rate (which shall not exceed 25%) and the number of years until expiration of the 2024 Commercial Paper Program.

A separate Certificate of Award and a separate Supplemental Indenture may be delivered for the establishment of each of the 2024 Revolving Line of Credit and the 2024 Commercial Paper Program. The 2024 Subordinated Indebtedness shall constitute Subordinated Indebtedness for all purposes of the Indenture.

This Council finds and determines that the issuance of the 2024 Subordinated Indebtedness for the purpose provided in this Ordinance serves a proper, public,

municipal purpose by providing, maintaining and improving air travel facilities serving the people of the City of Cleveland, thereby increasing and promoting commerce by providing necessary transportation for individuals and commercial enterprises purchasing and selling services and products in northeastern Ohio, and creating and preserving jobs and employment opportunities in the City and improving the economic welfare of the City.

Section 3. Terms of 2024 Subordinated Indebtedness. The 2024 Subordinated Indebtedness shall contain the terms provided in or determined pursuant to, the Indenture, this Ordinance, the applicable Certificate of Award and the applicable Supplemental Indenture. The 2024 Subordinated Indebtedness shall also contain the terms required by the Revolving Credit Agreement, Reimbursement Agreement, the Dealer Agreement and other agreements that the Director of Finance deems necessary to establish the 2024 Revolving Line of Credit and/or the 2024 Commercial Paper Program, to the extent applicable to such 2024 Subordinated Indebtedness.

(a) General. The Director of Finance is authorized to enter into agreements with others in connection with the delivery of the 2024 Subordinated Indebtedness, and from time to time thereafter so long as the 2024 Subordinated Indebtedness is outstanding, as may be determined by the Director of Finance to be necessary or appropriate to provide for (i) the method of determining variable interest rates, (ii) the rights and procedures for draws upon the Revolving Credit Agreement or Reimbursement Agreement, (iii) repayment by the City of any amounts drawn pursuant to a Revolving Credit Agreement or Reimbursement Agreement, and (iv) other arrangements in the best interests of the City. The Director of Finance is further authorized to terminate any such agreements if the Director of Finance determines, based on the written advice of a Municipal Advisor, that the City's best interests will be served by such termination. The Director of Finance is further authorized to enter into agreements, from time to time so long as the 2024 Subordinated Indebtedness is outstanding, supplementing or amending the applicable Supplemental Indenture for such 2024 Subordinated Indebtedness as provided in Section 9. To the extent that any fees and expenses associated with agreements entered into or terminated pursuant to this Section are not paid from proceeds of the 2024 Subordinated Indebtedness, those fees and expenses shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106, 60 SF 126, 60 SF 141 and 60 SF 145, as determined by the Director of Finance after consultation with the Director of Port Control.

(b) Form; Exchange and Transfer for Commercial Paper Notes. All Commercial Paper Notes shall be issued in fully registered form. The Commercial Paper Notes initially may be delivered in book–entry only form, registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository, and not transferable or exchangeable (except for transfer to another Depository or its nominee) without further action by the City pursuant to the provisions of the Trust Indenture.

If any Depository determines not to continue to act as a Depository for the Commercial Paper Notes of any series held in a book–entry system, the Director of Finance and the

Trustee may attempt to establish a securities depository/book–entry relationship with another qualified Depository. If the Director of Finance and the Trustee do not or are unable to do so, the Director of Finance and the Trustee, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Commercial Paper Notes of any series from the Depository, and authenticate and deliver a registered Master Commercial Paper Note Certificate to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of action or inaction of the City, of those persons requesting such issuance.

The Director of Finance is authorized to enter into any agreements determined by the Director of Finance to be necessary in connection with the book–entry system for the Commercial Paper Notes, after determining that those agreements will not endanger the funds or securities of the City under the Indenture (as evidenced by the Director of Finance's signing of those agreements).

(c) Signing. The Master Commercial Paper Note Certificate and the Revolving Loan Notes, and any promissory notes in connection with a Reimbursement Agreement and/or a Letter of Credit, shall be signed by the Mayor and the Director of Finance and approved as to form by the Director of Law. Any or all of the signatures of those officials may be facsimiles. The Master Commercial Paper Note Certificate and the Revolving Loan Notes, and, as necessary, and any promissory notes in connection with a Reimbursement Agreement and/or a Letter of Credit, shall bear the corporate seal of the City or a facsimile thereof.

Section 4. Draws or Advances upon the Revolving Loan Notes. The Revolving Loan Notes shall be issued in substantially the forms attached to the applicable Supplemental Indenture and/or the Revolving Credit Agreement.

The Revolving Loan Notes are authorized to be issued in an aggregate principal amount not to exceed the Available Commitment, but no principal amount shall be deemed outstanding until such time as a draw is made pursuant to the Revolving Credit Agreement and in accordance with the applicable Supplemental Indenture.

Each draw or advance authorized by the Revolving Credit Agreement shall be evidenced by the Director of Finance pursuant to a certificate as set forth in the Revolving Credit Agreement. The certificate for each draw or advance authorized by the Revolving Credit Agreement shall determine the following:

(a) the principal amount drawn or advanced;
(b) identify the proposed draw or advance as Tax-Exempt AMT, Tax-Exempt Non-AMT or Taxable, as appropriate; and
(c) any other information that may be required by the Revolving Credit Agreement.

It is determined that the terms of the Revolving Loan Notes as so determined within the limitations set forth in this Ordinance and as so specified and set forth in the Certificate

of Award will be in the best interest of the City and consistent with all legal requirements.

Section 5. Authorization of the 2024 Revolving Line of Credit and the Revolving Credit Agreement. The Director of Finance is authorized to establish the 2024 Revolving Line of Credit by executing a Certificate of Award and by contracting from time to time for one or more Revolving Credit Agreements and related Revolving Loan Notes thereunder if the Director of Finance determines, based on the written advice of a Municipal Advisor, that a Revolving Credit Agreement and related Revolving Loan Notes thereunder will be in the best interests of the City to finance the Project. The Director of Finance is further authorized to agree to the amendment, replacement, assignment or termination of any Revolving Credit Agreement and related Revolving Loan Notes thereunder if the Director of Finance determines, based on the written advice of a Municipal Advisor, that the City's best interests will be served by such amendment, replacement, assignment or termination. In the event the Director of Finance determines, based on the written advice of a Municipal Advisor, that it is necessary to supplement or amend the Trust Indenture or a Supplemental Indenture in order to permit the use of, or to amend, replace, assign or terminate, a Revolving Credit Agreement and related Revolving Loan Notes thereunder, the Director of Finance and the Director of Port Control are authorized to sign and deliver a Supplemental Indenture amending the Trust Indenture or an amendment of a Supplemental Indenture, approved as to form and correctness by the Director of Law. The cost of obtaining, amending, replacing, assigning or terminating each Revolving Credit Agreement and related Revolving Loan Notes thereunder, except to the extent paid from proceeds of the Revolving Loan Notes or otherwise, shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 106 and 60 SF 141 and/or passenger facility charges, as determined by the Director of Finance after consultation with the Director of Port Control.

Section 6. Issuance of Commercial Paper Notes. The Master Commercial Paper Note Certificate shall be issued in substantially the form attached to the applicable Supplemental Indenture and/or the Reimbursement Agreement.

The Commercial Paper Notes are authorized to be issued in an aggregate principal amount not to exceed the Available Commitment, but no principal amount shall be deemed outstanding until such time as an issuance request is made by the City to the Trustee and the Dealer pursuant to the applicable Supplemental Indenture.

Upon delivery of an issuance request by the Director of Finance to the Trustee, the Dealer and/or the Letter of Credit Bank as may be provided for in the Supplemental Indenture and/or the Reimbursement Agreement, the Commercial Paper Notes shall be issued at such times, be sold to such purchasers at such prices, bear interest payable at maturity, mature on such Business Days and otherwise have such terms and conditions as shall be determined by the Director of Finance in accordance with the applicable Supplemental Indenture; provided, however, that no Commercial Paper Note shall be issued with a maturity date later than 270 days from its date of issuance, and, unless otherwise determined in the Certificate of Award, each Commercial Paper Note must

have a maturity date at least five (5) days prior to the stated expiration date of the Letter of Credit.

It is determined that the terms of the Commercial Paper Notes as so determined within the limitations set forth in this Ordinance and as so specified and set forth in the Certificate of Award will be in the best interest of the City and consistent with all legal requirements.

Section 7. Authorization of the 2024 Commercial Paper Program, Letter of Credit, Dealer Agreement and Reimbursement Agreement. The Director of Finance is authorized to establish the 2024 Commercial Paper Program by executing a Certificate of Award and by contracting from time to time for one or more Letter of Credit, Dealer Agreement and/or Reimbursement Agreements for the Commercial Paper Notes if the Director of Finance determines, based on the written advice of a Municipal Advisor, that the Letter of Credit, Dealer Agreement and/or Reimbursement Agreements are in the best interests of the City for the financing of the Project. The Director of Finance is further authorized to agree to the amendment, replacement, assignment or termination of any Dealer Agreement or Reimbursement Agreement if the Director of Finance determines, based on the written advice of a Municipal Advisor, that the City's best interests will be served by such amendment, replacement, assignment or termination. In the event the Director of Finance determines, based on the written advice of a Municipal Advisor, that it is necessary to supplement or amend the Trust Indenture or a Supplemental Indenture in order to permit the use of, or to amend, replace, assign or terminate, a Dealer Agreement or Reimbursement Agreement, the Director of Finance and the Director of Port Control are authorized to sign and deliver a Supplemental Indenture amending the Trust Indenture or an amendment of a Supplemental Indenture, approved as to form and correctness by the Director of Law. The cost of obtaining, amending, replacing, assigning or terminating each Dealer Agreement or Reimbursement Agreement, except to the extent paid from proceeds of the Commercial Paper Notes or otherwise, shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106, 60 SF 126, 60 SF 141 and 60 SF 145, as determined by the Director of Finance after consultation with the Director of Port Control.

Section 8. Application of Proceeds of 2024 Subordinated Indebtedness. The proceeds or draws, as applicable, from the 2024 Subordinated Indebtedness shall be applied as provided in the applicable Supplemental Indenture, including:

(a) to the Subordinated Indebtedness Costs of Issuance Fund, to be created under the applicable Supplemental Indenture, such amounts as are needed to pay costs of issuing the 2024 Subordinated Indebtedness;
(b) to a fund established pursuant to the 2024 Commercial Paper Program, any proceeds to be deposited to pay the principal of and any premium and interest on any Commercial Paper Notes to be rolled over with proceeds of new Commercial Paper Notes; and

(c) to the Construction Fund, the balance of such proceeds [with designations for (Tax-Exempt AMT), (Tax-Exempt Non-AMT) or (Taxable) projects as further provided in the in the applicable Supplemental Indenture].

The proceeds from the sale of the 2024 Subordinated Indebtedness are appropriated and shall be used for the purpose for which the 2024 Subordinated Indebtedness is issued as provided in this Ordinance.

Section 9. Authorization of Supplemental Indentures and Amendments of Indenture. In order to establish the 2024 Revolving Line of Credit and 2024 Commercial Paper Program and to secure the payment of the principal of and any premium and interest on the 2024 Subordinated Indebtedness, the Mayor, the Director of Finance and the Director of Port Control, or any two of them, are authorized, in the name and on behalf of the City, to sign and deliver to the Trustee, in trust for the original purchasers and subsequent holders of the 2024 Subordinated Indebtedness, one or more Supplemental Indentures, approved as to form and correctness by the Director of Law, not inconsistent with this Ordinance, the Certificates of Award and the Indenture and not substantially adverse to the City as may be approved by the officers signing the same on behalf of the City. The determination by those officers that a Supplemental Indenture is not substantially adverse to the City shall be conclusively evidenced by the signing and delivery of that Supplemental Indenture by those officers. Subject to the requirements of Article XIII of the Trust Indenture, any Supplemental Indenture may contain amendments to the Trust Indenture to permit the City increased flexibility for the use of financial or credit structures and techniques determined by the Director of Finance, based on the written advice of a Municipal Advisor, to be in the best interests of the City.

Section 10. Tax Covenants.

(a) Tax–Exempt Subordinated Indebtedness. With respect to any 2024 Subordinated Indebtedness that is to be issued as Tax-Exempt Subordinated Indebtedness, the City covenants that:

(i) it will use, and will restrict the use and investment of, the proceeds of the Tax-Exempt Subordinated Indebtedness in such manner and to such extent as may be necessary so that (a) the interest on the Tax-Exempt Subordinated Indebtedness will be excluded from gross income for federal income tax purposes, and (b) in the case of any Tax–Exempt Subordinated Indebtedness qualifying as bonds, the interest on which is not treated as an item of tax preference under Section 57 of the Code ("Non–AMT Subordinated Indebtedness"), such Tax–Exempt Subordinated Indebtedness will be treated as Non–AMT Subordinated Indebtedness.

(ii) (A) it will take or cause to be taken such actions that may be required of it for the interest on the Tax–Exempt Subordinated Indebtedness to be and to remain excluded from gross income for federal income tax purposes, (B) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (C) it, or persons acting for it, will, among other acts of compliance, (1) apply the

proceeds of the Tax–Exempt Subordinated Indebtedness to the governmental purposes of the borrowing, (2) restrict the yield on investment property, (3) make timely and adequate payments to the federal government, (4) maintain books and records and make calculations and reports, and (5) refrain from certain uses of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

(b) Further Actions. The Director of Finance, or any other officer of the City having responsibility for issuance of the 2024 Subordinated Indebtedness, is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the City with respect to the 2024 Subordinated Indebtedness as the City is permitted or required to make or give under the federal income tax laws, any of the elections provided for in or available under the Code for the purpose of assuring, enhancing or protecting the favorable tax treatment or status of the 2024 Subordinated Indebtedness or interest thereon, or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments of penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the 2024 Subordinated Indebtedness, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the 2024 Subordinated Indebtedness, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the 2024 Subordinated Indebtedness, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the 2024 Subordinated Indebtedness.

Section 11. Additional Documents. The Mayor, the Director of Finance, the Director of Port Control, the Director of Law and other City officials as appropriate under the Charter are authorized to sign and deliver such instruments, certificates and documents as are necessary or appropriate to consummate the transactions authorized by this Ordinance, the Letter of Credit and/or Reimbursement Agreement, the Revolving Credit Agreement, the Supplemental Indentures, the Indenture, the Dealer Agreement and any other agreements the Director of Finance deems necessary to establish the 2024 Revolving Line of Credit or the 2024 Commercial Paper Program.

The Mayor, the Director of Finance, the Director of Port Control, the Director of Law and other City officials, as appropriate under the Charter, are authorized to make the necessary arrangements on behalf of the City to establish the date, location, procedure and conditions for the delivery of the 2024 Subordinated Indebtedness and to take all actions necessary to effect due signing, authentication and delivery of the 2024 Subordinated Indebtedness under the terms of this Ordinance, the Supplemental Indentures, the Letter of Credit and/or Reimbursement Agreement, the Revolving

Credit Agreement, the Dealer Agreement, the Indenture, and any other agreements the Director of Finance deems necessary to establish the 2024 Revolving Line of Credit or the 2024 Commercial Paper Program. The Clerk of Council or other officials of the City as appropriate under the Charter shall furnish the Dealer, Bank, Letter of Credit Bank, and Trustee, as necessary, with a true transcript of proceedings certified by the Clerk or other official, of all proceedings had with reference to the issuance of the applicable 2024 Subordinated Indebtedness along with such information for the records as is necessary to determine the regularity and validity of the issuance of the 2024 Subordinated Indebtedness.

Section 12. Official Statement for the Commercial Paper Notes. The Mayor, the Director of Finance, the Director of Port Control and other City officials as appropriate under the Charter, are and each is authorized on behalf of the City to (i) prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, disclosure documents in the form of an Official Statement relating to the issuance of the Commercial Paper Notes of one or more series. The distribution and use of one or more Official Statements is hereby authorized and approved.

Each of those officers is also authorized, on behalf of the City and in their official capacities, to complete each Official Statement with such modifications, changes and supplements as those officers shall approve or authorize. Each of those officers is further authorized to use and distribute, or authorize the use and distribution of, one or more final Official Statements and supplements thereto in connection with the issuance of the Commercial Paper Notes as may, in their judgment, be necessary or appropriate. Each of those officers is further authorized to sign and deliver on behalf of the City and in their official capacities, each final Official Statement and such certificates in connection with the accuracy of each Official Statement, as may in their judgment also be necessary or appropriate. The Director of Finance is authorized to contract for services for the production and distribution of Official Statements, including by printed and electronic means.

Section 13. Lien of Pledge. The Airport Revenues are subject to the lien of the pledge under the Indenture without any physical delivery of the Airport Revenues or further act, and the lien of such pledge is valid and binding against all parties having claims of any kind against the City (irrespective of whether such parties have notice of such pledge and create a perfected security interest for all purposes of Chapter 1309, Ohio Revised Code) without the necessity for separation of delivery of the Airport Revenues or for the filing or recording of the Indenture or any other resolution or instrument by which such pledge is created or any certificate, statement or other document with respect to such pledge. The pledge of the Airport Revenues under the Indenture shall be effective and the money therefrom and thereof may be applied to the purposes for which pledged without necessity for any further act of appropriation.

Each draw or advance made by the City pursuant to a Revolving Credit Agreement or Letter of Credit and/or Reimbursement Agreement shall be Subordinated Indebtedness under the Indenture. The security for repayment of the 2024 Subordinated

Indebtedness shall be Airport Revenues (as defined in the Indenture), provided that such security shall be subordinate to the lien of and security interest granted by the Indenture and subordinate in right of payment out of Airport Revenues to the prior payment of the Bond service charges on Revenue Bonds. Only the subordinate lien on Airport Revenues may secure repayment of the 2024 Subordinated Indebtedness under the applicable Supplemental Indenture.

Section 14. Municipal Advisors and Consultants. The Director of Finance may obtain the services of one or more Municipal Advisors, from time to time, to assist the Director of Finance in making any of the determinations required by this Ordinance to be determined by the Director of Finance with respect to the 2024 Subordinated Indebtedness, Dealer Agreement, Revolving Credit Agreement and any Letter of Credit and/or Reimbursement Agreement. The Director of Finance may rely on the written advice of any Municipal Advisor so retained. The Director of Finance may obtain the services of one or more feasibility consultants, from time to time, to provide reports in connection with the issuance and sale of any 2024 Subordinated Indebtedness concerning the utilization and operation of the Airport System, debt service coverage, rates and charges or other matters. Any Municipal Advisor or consultant employed under the authority of this Ordinance shall be disinterested in the transaction and be independent of the underwriters or counterparties and any other party interested in the transaction.

Section 15. Appointment of Successor Trustee. The Director of Finance is hereby authorized to appoint a successor Trustee in the event that the current Trustee, The Bank of New York Mellon Trust Company, N.A., shall resign or be removed, or be dissolved or otherwise become incapable of acting as Trustee under the Indenture, or in case it shall be taken under the control of any public officer or officers or of a receiver appointed by a court, in accordance with the provisions of Section 12.08 of the Trust Indenture.

Section 16. **Authorization and Requirement of Declarations of Official Intent.** The Director of Finance, in consultation with the Director of Port Control, is authorized to prepare and sign declarations of official intent in the form required by United States Treasury Regulations §1.150-2 (the "Reimbursement Regulations") with respect to original expenditures to which the Reimbursement Regulations apply, to be made from money temporarily advanced for improvements to the Airport System and that is reasonably expected to be reimbursed from the proceeds of Tax-Exempt Subordinated Indebtedness or other obligations; to make appropriate reimbursement and timely allocations from the proceeds of the Tax-Exempt Subordinated Indebtedness or other obligations to reimburse such original expenditures; and to take any other actions as may be appropriate, all at the times and in the manner required under the Reimbursement Regulations in order for the reimbursement to be treated as an expenditure of such proceeds for purposes of Sections 103 and 141 to 150 of the Code. No advance from any fund or account or order for payment may be made for original expenditures (other than expenditures excepted from such requirement under the Reimbursement Regulations) that are to be reimbursed subsequently from proceeds of Tax-Exempt Subordinated Indebtedness or other obligations, unless a declaration of

official intent with respect thereto is made within the time required by the Reimbursement Regulations.

Section 17. Open Meeting Determination. It is found and determined that all formal actions of the Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all applicable legal requirements.

Section 18. Separability. Each section of this Ordinance and each subdivision of any section is declared to be independent, and the finding or holding of any section or subdivision of any section to be invalid or void shall not be deemed or held to affect the validity of any other section or subdivision of this Ordinance.

Section 19. Recitals. It is determined and recited that all acts, conditions and things necessary to be done precedent to and in the issuing of the 2024 Subordinated Indebtedness in order to make them legal, valid and binding special obligations of the City will have happened, been done and performed or will happen, be done and performed in regular and due form as required by law; and that no limitation of indebtedness or taxation, either statutory or constitutional, is applicable to the issuance of the 2024 Subordinated Indebtedness.

Section 20. Sunset of Authorization. The authority granted by Section 2 of this Ordinance to issue the 2024 Subordinated Indebtedness shall expire three years from the effective date of this Ordinance. If an Official Statement is distributed with respect to the establishment of the 2024 Commercial Paper Program under the authority of this Ordinance at any time within the three–year period following its effective date, then the authority granted by this Ordinance shall not expire as to that establishment of the 2024 Commercial Paper Program. The Director of Finance shall notify the Chairman of the Finance Committee and the Clerk of this Council of the initiation of the issuance of any 2024 Subordinated Indebtedness under the authority of this Ordinance.

Section 21. Emergency. 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, Diversity, Equity and Inclusion.

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, March 18, 2024, 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. 320-2024

Ordinance No. 320-2024

By Council Member: Spencer

An emergency ordinance authorizing the Director of the Department of Public Works to enter into agreement with Northwest Neighborhoods Community Development Corporation for the Cudell and Detroit Shoreway Neighborhood Tree Maintenance Project through the use of Ward 15 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Public Works is hereby authorized to enter into agreement with Northwest Neighborhoods Community Development Corporation for the public purpose of providing tree maintenance project through the use of Ward 15 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed $39,757.01 and shall be paid from Fund No. 10 SF 188 using the fund and project number from the following Ward:

Ward	Amount	Project Number
Ward 15	$39,757.01	G24651

Section 3. That the Law Department has reviewed and approved this proposal on March 15, 2024. The Department has reviewed and approved the proposal on March 15, 2024. Project shall begin as of May 1, 2024.

Section 4. 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 5. 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 Starr to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Spencer.

The rules were suspended. Yeas 14. Nays 0.

Read second time.

Read third time in full. Passed. Yeas 14. Nays 0.

Voting Yea: Bishop, Conwell, Griffin, Hairston, Harsh, Howse-Jones, Kazy, Kelly, Maurer, McCormack, Santana, Slife, Spencer. Voting Nay: Starr.

Voting Nay:

Absent: Gray, Jones, Polensek.

Ordinances and Resolutions

First Reading Emergency Resolutions Referred

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.

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

These resolutions were read for the first time on Monday, March 18, 2024, and referred to the appropriate City departments and Council Committees for review.

Click on a resolution below to read it:

Res. No. 321-2024

Res. No. 322-2024

Resolution No. 321-2024

By Council Members: Conwell, Hairston and Griffin (by departmental request)

An emergency resolution approving the creation of a new special improvement district in the City by University Circle Incorporated as an existing qualified non-profit corporation; approving the amendment to the Articles of Incorporation by University Circle Incorporated creating the special improvement district; accepting petitions from owners of property in the proposed district; approving the initial comprehensive services plan for the new district; declaring it necessary to provide police and safety services; providing for an assessment for the cost of such services upon benefited property in the district; and declaring an emergency.

WHEREAS, Chapter 1710 of the Ohio Revised Code (the "Code") authorizes the formation of a special improvement district within the boundaries of a municipality by an existing qualified non-profit corporation for the purpose of developing and implementing plans for public improvements and public services to benefit the proposed district; and

WHEREAS, University Circle Incorporated ("UCI"), as an existing qualified non-profit corporation has adopted an amendment to its Articles of Incorporation (the "Amendment") to create a new proposed special improvement district (the "District") and has filed that amendment, together with an initial plan for public services (the "Plan") to the Clerk of Council of the City with copies to the Mayor, as municipal executive of the City; and

WHEREAS, Owners of at least sixty percent of the front footage or seventy-five percent of the area of all qualifying real property located in the District have signed a petition (the "Petition") requesting that the City of Cleveland (the "City") approve the Petition and Plan; and

WHEREAS, the petitioners have requested the City to assess their properties for the services set forth in the Plan in proportion to the benefits; and

WHEREAS, the creation of the District is to be approved or disapproved by resolution of this Council within sixty days of the submission of the Amendment to the City and the Petition is to be approved or disapproved by resolution of this Council within sixty days after receiving it; and

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

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

Section 1. That the Amendment, the Plan and the Petition are accepted and approved, and are placed in **File No. 321-2024-A**.

Section 2. That, under Chapter 1710 of the Code, there is hereby established in the City a special improvement district to be known as "The University Circle Special Improvement District of Cleveland", whose boundaries shall be as set forth in the Amendment, Petition and Plan on file with the Clerk of Council.

Section 3. That it is determined and declared necessary and conducive to the public health, convenience and welfare of the City to provide police and safety services for the District as described in the Amendment, Petition and Plan on file with the Clerk of Council for a five-year period commencing after passage of the ordinance to levy the assessment.

Section 4. That it is determined that the property contained within the District will be specially benefited by the above described public services and shall be assessed to pay for the cost of the services, calculated in proportion to the benefits that should result from the services, as described in the Petition on file with the Clerk of Council.

Section 5. That the Plan placed in the above-mentioned file is approved at an estimated total cost in the amounts and years set forth as follows:

- 2025: $3,946,700
- 2026: $4,065,101
- 2027: $4,187,054
- 2028: $4,312,666
- 2029: $4,442,046

Section 6. That the cost of the Plan shall be paid by special assessment of the property in the District levied in proportion to the benefits that may result from the services within the District. The cost of the Plan may include the cost of printing, serving, and publishing notices, resolutions, and ordinances; the costs incurred in connection with the preparation, levy, and collection of the special assessments; the expenses of legal services; and the cost of labor, materials and all other necessary expenditures allowed by law.

Section 7. That no notes or bonds of the City shall be issued in anticipation of the levy or collection of the special assessments.

Section 8. That the Commissioner of Assessments and Licenses of the City (the "Commissioner") is authorized to prepare and separately file with the Clerk of Council estimated assessment amounts for each lot or parcel of land to be assessed, which are based on the estimated cost of the Plan. After the estimated special assessments have been filed, the Clerk of Council shall cause notice of the adoption of this resolution and the filing of the estimated special assessments to be served in the manner provided by law on the owners of all lots and parcels to be assessed.

Section 9. That the assessments to be levied shall be certified to the Cuyahoga County Fiscal Officer to be placed on the tax duplicate and collected the same as other taxes, as provided by law. The City shall be under no duty or obligation to separately bill or collect from property owners any amounts of special assessments provided for herein.

Section 10. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of the Council and that all deliberations of the Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 11. That, pursuant to Section 727.12 of the Revised Code, this resolution of necessity requires the affirmative vote of three-fourths of all the members elected to City Council for passage.

Section 12. That this resolution is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of City Planning Commission; Finance; and Law; Committees on Development Planning and Sustainability; and Finance, Diversity, Equity and Inclusion.

Resolution No. 322-2024

By Council Members: Conwell

An emergency resolution recognizing that colorectal cancer is the second most common cause of cancer death in the United States and encouraging people to begin colon cancer screening at age 45 as recommended by the American Cancer Society.

WHEREAS, in 2023, the American Cancer Society estimated there would be 153,020 new cases of colorectal (colon) cancer (CRC) diagnosed in the US and that 52,550 people will die from the disease, including 19,550 diagnoses and 3,750 deaths in individuals younger than 50 years of age; and

WHEREAS, during 2015-2019, the CRC incidence rate in the US was 33% higher in men than in women; the CRC incidence in the US is highest in people who are Alaska Native (88.5 per 100,000), American Indian (46.0), or Black (41.7) versus White (35.7); racial and ethnic disparities are similar for mortality (35.9, 17.5, and 17.6 per 100,000, respectively, versus 13.1; and

WHEREAS, incidences of CRC have declined during the 2000s, mostly in people ages 65 and older; since 2011 rates have been stable in ages 50-64 years but have increased by 2% per year in people younger than 50 years of age, as well as in people ages 50-54 years; and

WHEREAS, these incidence trends are rapidly shifting the patient population younger: 20% (1 in 5) of CRCs in 2019 were in people 54 years or younger, up from 11% (1 in 10) in 1995; CRC death rates increased by 1% annually in people younger than 50 years of age and by 0.6% annually in people ages 50-54 since about 2005; and

WHEREAS, the five-year relative survival for CRC ranges from 60% in Black people to 65% in White people and 67% in Asian American and Pacific Islander people; CRC death rates declined during 2011-2020 by about 2% annually in White, Hispanic, Asian American and Pacific Islander, and Native American persons and by 3% annually in Black persons; and

WHEREAS, a large proportion of CRC incidence and mortality is preventable through regular screening, surveillance, and high-quality treatment, and since 2018 the American Cancer Society has recommended that CRC screening begin at age 45 and the US Preventive Services Task Force concurred in their 2021 update; according to the National Health Interview Survey, up-to-date CRC screening prevalence among adults ages 45 and older reached 59% in 2021; and

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

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

Section 1. That this Council recognizes that colorectal cancer is the second most common cause of cancer death in the United States and encourages people to begin colon cancer screening at age 45 as recommended by the American Cancer Society.

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

Referred to Director of Law; Committee on Finance, Diversity, Equity and Inclusion.

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, March 18, 2024, 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. 314-2024

Resolution No. 314-2024

By Council Members: McCormack

An emergency resolution withdrawing objection to the transfer of ownership of a D5 and D6 Liquor Permit at 620 Frankfort Avenue, and repealing Resolution No. 37-2020 objecting to said permit.

WHEREAS, this Council objected to a transfer of ownership of a D5 and D6 Liquor Permit to Down River Specialties, LLC, 620 Frankfort Avenue, Cleveland, Ohio 4413, Permit No. 2289881 by Resolution No. 37-2020 adopted by the Council on January 6, 2020; and

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

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

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

Section 1. That objection to the transfer of ownership of a D5 and D6 Liquor Permit to Down River Specialties, LLC, 620 Frankfort Avenue, Cleveland, Ohio 4413, Permit No. 2289881 by Resolution No. 37-2020, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

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

The rules were suspended. Yeas 14. Nays 0.

Read second time.

Read third time in full. Passed. Yeas 14. Nays 0.

Voting Yea: Bishop, Conwell, Griffin, Hairston, Harsh, Howse-Jones, Kazy, Kelly, Maurer, McCormack, Santana, Slife, Spencer. Voting Nay: Starr.

Voting Nay: None.

Absent: Gray, Jones, Polensek.

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:

Griffin	Res. No. 288-2024	Bonita Joletta Jeffery
Griffin	Res. No. 289-2024	Rev. Freddie James Graves, Sr.
Griffin	Res. No. 290-2024	Mother Beatrice Bannerman
Howse-Jones	Res. No. 291-2024	Jessica Barbara Horne
Jones	Res. No. 292-2024	Bernice Tufts
Jones	Res. No. 293-2024	Elie Fayez Abboud
Polensek	Res. No. 294-2024	Cecelia Flonnoy
Santana	Res. No. 295-2024	Ramona Falcon
Griffin	Res. No. 324-2024	Kevin Bell, Sr.
Bishop	Res. No. 325-2024	Larry Salisbury

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

Conwell	Res. No. 296-2024	Thelma Mae Seward
Gray	Res. No. 297-2024	Louis Moore
Griffin	Res. No. 298-2024	Worshipful Prince Hall Grand Lodge - 175th Anniversary
McCormack	Res. No. 299-2024	Terry Joyce
Polensek	Res. No. 300-2024	Sophie Matuch

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

Santana	Res. No. 301-2024	Nathan Kelly
Starr	Res. No. 302-2024	Bridgette Smith Jackson
Griffin & Santana	Res. No. 303-2024	Alfred “Butch” Lee, Jr.

Communications

File No. 274-2024
Oath of office for Dornat A. Drummond, Interim Director, Department of Public Safety, City of Cleveland. Received.

File No. 275-2024
Oath of office for Dorothy A. Todd, Chief of Police, Division of Police, Department of Public Safety, City of Cleveland. Received.

File No. 276-2024
From Council President Blaine A. Griffin. Designating, without objection by Council, Allan Dreyer to serve as Clerk of Council Pro Tempore for all matters requiring the Clerk's signature between March 7, 2024, and March 15, 2024. Received.

File No. 277-2024
Oath of office for Diana M. Cyganovich, Member, Civilian Police Review Board, City of Cleveland. Received.

File No. 278-2024
Oath of office for David Gatian, Member, Civilian Police Review Board, City of Cleveland. Received.

File No. 279-2024 *[printed in full starting on page 148]*
Pursuant to Section 301.05 (a) of the Codified Ordinances of Cleveland, Ohio, "Transportation Demand Management Program Standards", as approved by Cleveland City Planning Commission on March 15, 2024. Received.

File No. 280-2024
From Julie Collier, Vice President of Development, Flaherty & Collins Properties. Notice of intent to apply to Ohio Housing Finance Agency for multifamily funding programs for the development known as West Park Apartments at 14510 Lorain Avenue (Ward 17), Cleveland, Ohio. Received.

File No. 281-2024
From Vulcraft/Nucor Sales Corporation. Notice of Furnishing regarding work on stadium ramp at 100 Alfred Lerner Way, Cleveland, Ohio. Received.

File No. 282-2024
From John O. Anoliefo, Executive Director, Famicos Foundation. Notice of intent to apply to Ohio Housing Finance Agency for multifamily funding programs for the development known as Park Village at about 9221 Hough Avenue (Ward 7), Cleveland, Ohio. Received.

File No. 283-2024
From Scott Skinner, Vice President of Development, The NRP Group. Notice of intent to apply to Ohio Housing Finance Agency for multifamily funding programs for the

development known as Churchill Gateway II at 10700 Churchill Avenue (Ward 9), Cleveland, Ohio. Received.

File No. 286-2024 *[printed in full starting on page 140]*
From Division of Treasury, Department of Finance, City of Cleveland. City of Cleveland Cash Management and Investment Policy (March 27, 2015). Received, pursuant to Section 178.14 of the Codified Ordinances of Cleveland, Ohio, 1976.

File No. 323-2024
From Cuyahoga County Fiscal Office. Notice of filing by the property owner of an application for placement of farmland in an Agricultural District (pursuant to Ohio Revised Code Sect. 929.02), regarding property on Nottingham Road in Cleveland, Ohio (Ward 10). Received.

From Ohio Division of Liquor Control

File No. 284-2024
#0491421. New License Application, C1. Bartlett Convenient LLC, 13709 Bartlett Avenue (Ward 4). Received.

File No. 285-2024
#3564830. Stock Application, C2 C2X. Hana 1 LLC, 9807 Lorain Avenue (Ward 11). Received.

File No. 287-2024
#30612130125. Transfer of License Application, C2. GB License LLC, 3228 West 65th Street (Ward 14). Received.

File No. 286-2024

Department of Finance
Division of Treasury

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Purpose
The purpose of this document is to identify the policy that will govern the investment activities of the Treasurer's Office of the City of Cleveland. This policy has been adopted by, and, if necessary, will be revised on an annual basis by, the Director of Finance, This policy is designed to ensure prudent management of public funds, conformance to Chapter 178 of the Codified Ordinances of the City of Cleveland, availability of operating and capital funds when needed, and an investment return competitive with comparable funds and financial market indices.

All participants in the investment process shall act responsibly as custodians of the public trust. Investment officials shall recognize that the investment portfolio is subject to public review and evaluation. The overall program shall be designed and managed with a degree of professionalism that is worthy of the public trust.

Scope of the Investment Policy
This policy applies to the investment of all moneys of the City of Cleveland under the custody and/or control of the Division of Treasury. Any practice not clearly authorized under this policy is prohibited. The guidance set forth herein is to be strictly followed by all those responsible for any aspect of the management or administration of these funds. The City's investments shall be segregated into distinct portfolios, including portfolios for the General Fund, and the Divisions of Water, Airport, Utilities, Cemeteries, Safety, and Railroads. Total Average Portfolio, as defined in this policy, shall mean the average of the month-end market values for the prior twelve (12) month period of an individual portfolio.

The City of Cleveland bond proceeds shall be invested in the eligible securities as established by the applicable bond indentures.

Investment Objectives
All Portfolios shall be managed to accomplish the following hierarchy of objectives:

1. *Preservation of Principal* - The single most important objective of the City of Cleveland investment program is the preservation of principal of those funds within the Portfolio.

2. *Maintenance of Liquidity* - The Portfolio shall be managed in such a manner that assures that funds are available as needed to meet those immediate and/or future operating requirements of the City of Cleveland.

3. *Maximize Return* - The Portfolio shall be managed in such a fashion as to attain a market-average rate of return throughout budgetary and economic cycles, within the context and parameters set forth by objectives 1 and 2 above.

Delegation of Authority
The Treasurer is responsible for the prudent investment of the City of Cleveland Treasury and shall oversee the establishment of investment procedures consistent with this policy. Such procedures shall include explicit delegation of authority to persons

responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Treasurer. The Treasurer shall be responsible for all trades undertaken, and shall establish a system of controls to regulate the activities of subordinate officials and shall exercise control over that staff. Investment staff shall be bonded in amounts appropriate to levels of responsibility and portfolio characteristics.

The City's Internal Auditor will review the investment program to ensure compliance with this policy.

Standard of Prudence
The standard of prudence to be applied to the investment of the City of Cleveland shall be the industry standard "Prudent Investor Rule", which states:

> *"Investments shall be made with judgment and care, under circumstances then prevailing which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived."*

Treasury staff acting in accordance with this policy or any other written procedures pertaining to the administration and management of the City of Cleveland and who exercise the proper due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided that these deviations are reported immediately to the Treasurer and that appropriate action is taken to control and prevent any further adverse developments.

Ethics and Conflict of Interest
Employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Further, no employee involved in the investment process shall use the authority to influence of office or employment to secure anything of value or the promise or offer of anything of value that would create an improper influence upon the public official or employee with respect to that person's duties.

Employees and investment officials shall comply fully with the reporting and disclosure requirements of Chapter 102 of the Ohio Revised Code.

Authorized Instruments
The Treasurer is authorized to invest the funds of the City of Cleveland in instruments as described in Section 178.12 of the Codified Ordinances as summarized and restricted below:

A. **U.S. Treasury Obligations.** United States Treasury bills, notes, or any other obligation or security issued by the United States Treasury or any other obligation guaranteed as to principal and interest by the United States.

B. **Federal Agency Obligations.** Bonds, notes, debentures, or other obligations or securities issued by any federal government agency or instrumentality.

C. **State and Municipal Bonds and Notes.** Bonds and notes of the State of Ohio, and any municipal corporation, village, county, township, or other political subdivision of Ohio for which the full faith and credit of the subdivision is pledged, so long as such subdivision has not defaulted in the payment of principal or interest on its bonds or notes within the last ten (10) years.

D. **State Pool.** State of Ohio Local Agency Investment Pool (STAR Ohio) authorized under section 135.45 of the Ohio Revised Code.

E. **Bank Deposits.** Time certificates of deposit (not to exceed one [1] year) or savings or deposit accounts in an eligible institution as defined in Chapter 178 of the Codified Ordinances of the City of Cleveland. Collateralization is required on all deposits of City funds as stated in Chapter 178 of the Codified Ordinances of the City of Cleveland.

F. **U.S. Government money market mutual funds.** Issued by open ended investment companies registered with the SEC, with an average maturity of one hundred twenty (120) days or less, which have the objective of maintaining a constant net asset value per share, and which invest exclusively in U.S. Treasury Obligations, Federal Agency Obligations, and repurchase agreements secured by such obligations.

G. **Repurchase Agreements.** Specific agreements shall not exceed a term of one (1) year with any eligible depository or designated securities broker/dealer which has entered into a master repurchase agreement pursuant to Codified Ordinance Section 178.12, division (c), under the terms of which agreement the City Treasurer purchases for the City, and such eligible depository or securities broker/dealer agrees to unconditionally repurchase, any of the securities listed in Section 178.12, divisions (b)(1), (b)(2), or (b)(3), of the Codified Ordinances of the City of Cleveland.

Diversification
Each Portfolio shall be structured to diversify investments to reduce the risk of loss resulting from over-concentration of assets in a specific maturity, a specific issuer or a specific type of security. The maximum percentage of the Total Average Portfolio permitted in each security is as follows:

A. U.S. Treasury	100% maximum
B. Federal Agency (Fixed Rate)	100% maximum
C. Federal Agency (Callable)	55% maximum
D. Certificates of Deposit	25% maximum
E. Repurchase Agreements	25% maximum
F. State Bonds and Notes	10% maximum
G. Municipal Bonds and Notes	10% maximum

H. STAR Ohio	75% maximum
I. Money Market Mutual Funds	75% maximum

Each Portfolio will be further diversified to limit the exposure to any one issuer. No more than 2% of the Total Average Portfolio will be invested in the securities of any single issuer with the following exceptions:

U.S. Government Obligations	100% maximum
Money Market Mutual Funds	10% maximum
Repurchase Agreements Counterparties	5% maximum

Maximum Maturity
Maintenance of adequate liquidity to meet the cash flow needs of the City is essential. Accordingly, each Portfolio will be structured in a manner that ensures sufficient cash is available to meet anticipated liquidity needs. Selection of investment maturities must be consistent with the cash requirements in order to avoid the forced sale of securities prior to maturity.

Assets will be invested in permitted investments with a stated maturity of no more than five (5) years from the date of purchase unless the security is matched to a specific obligation or debt of the City. To control the volatility of the assets, the Treasurer of the City will determine a duration target, not to exceed three (3) years.

Notwithstanding these limitations, in no case will the assets in any Portfolio be invested in securities with a term to maturity that exceeds the expected disbursement date of those funds.

Prohibited Investments and Investment Practices
The Treasurer is expressly prohibited from the following investments and investment practices. This is not an exclusive list.

1. Short sales (selling a specific security before it has been legally purchased);

2. Investment in complex derivatives such as range notes, dual index notes, inverse floating rate notes and deleveraged notes, or notes linked to lagging indices or to long-term indices;

3. Collateralized mortgage obligations (CMOs) and real estate mortgage investment conduits (REMICs);

4. Investing in any security not specifically permitted by this Policy.

Monitoring and Adjusting the Portfolio
Those responsible for the day-to-day management of the Portfolios will routinely monitor the contents of each Portfolio, the available markets and the relative values of competing instruments, and will adjust each Portfolio as necessary to meet the investment objectives listed above. It is recognized and understood that this non-

speculative active management of Portfolio holdings may cause a loss on the sale of an owned investment. It is the policy of the City of Cleveland to charge any such loss against the interest income account during the month in which the loss was realized.

The Division of Financial Reporting & Control, on a monthly basis, allocates the net income/losses earned on investments of pooled/commingled funds. The earnings are allocated based on each participating fund's cash balance in proportion to total pooled/commingled cash.

Internal Controls
The City Treasurer is responsible for monitoring a system of internal controls governing the administration and management of the Portfolio which include a review of all investment activity, trade reconciliation, and targeting cash balances. Such controls are designed to prevent and control losses of the City funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by any personnel. The internal controls address: control of collusion, separation of duties, separating transaction authority from accounting and record keeping, custodial safekeeping, clear delegation of authority, written confirmation of telephone transactions, minimizing the number of authorized investments officials and documentation of investment transactions.

Eligible Banks and Broker/Dealers
The Director of Finance will establish and the Treasurer will maintain a list of eligible brokers, dealers, and banks with which investment transactions can be made, as described in Section 178.11 of the Codified Ordinances of the City of Cleveland. Qualified firms will be limited to "primary" dealers and other dealers that qualify under Securities and Exchange Commission Rule 15C3-I (uniform net capital rule) that are registered with the Ohio Department of Commerce to do business in the State of Ohio. All financial institutions and broker dealers must provide the following information, on an annual basis:

1. Sworn statement pledging to adhere to "Capital Adequacy Standards"

2. Annual financial statements for the most recent year showing the amount of liquid capital

3. A written statement from a certified public accountant certifying no weakness in the internal systems of controls of the dealer or broker were found

4. A completed "Broker/Dealer Request for Information" and all documentation required by Section 178.12 of the Codified Ordinances of the City of Cleveland.

Preference will be given to banks and broker/dealers who are headquartered or maintain a presence in the City of Cleveland.

Financial institutions and broker/dealers will be required to comply with this policy and to pledge to offer for sale only appropriate securities.

Competitive Selection of Investment Instruments
It will be the policy of the Treasurer to transact all security purchases/sales only with approved financial institutions through a competitive process. The City shall accept the offer which (a) has the highest rate of return within the maturity required; and (b) optimizes the investment objective of the overall portfolio. When selling a security, the Treasurer will select the bid that generates the highest sale price.

Primary fixed price Federal Agency offerings may be purchased from the list of qualified broker/dealers without competitive solicitation.

In making investment decisions, all other things being equal and subject to compliance with any applicable Internal Revenue Code requirements for bond proceeds, investment in corporations and financial institutions doing business in the City of Cleveland will be given preference over other investment options.

Safekeeping and Custody
All investment securities purchased by the Treasurer or held as collateral on deposits or investments shall be held in third-party safekeeping at the Federal Reserve Bank or at a secured and insured depository as required by Chapter 178 of the City of Cleveland Codified Ordinance and Section 113.05 of the Ohio Revised Code.

All securities in the Portfolio shall be held in the name of the Treasurer of the City of Cleveland and will be free and clear of any lien. Further, all investment transactions will be conducted on a delivery-vs.-payment basis. The depository shall issue a safekeeping receipt to the Treasurer listing the specific instrument, rate, maturity and other pertinent information.

Appropriate Treasury officials and representatives of the depository responsible for, or in any manner involved with, the safekeeping and custody process of the City of Cleveland shall be bonded in such a fashion as to protect the City from losses from malfeasance and misfeasance.

Performance Standards
The investment portfolios shall be designed and managed with the objective of obtaining a market rate of return throughout budgetary and economic cycles, commensurate with the investment risk constraints and cash flows needs of the City.

Reporting
The City Treasury shall maintain accurate, complete, and timely records of all investment activities. Each business day, the Treasurer shall provide the Commissioner of Accounts and the City Controller a sworn statement (Daily Treasurer's Report) showing the total amount deposited in and withdrawn from each depository from the preceding business day. Within fifteen (15) business days of the end of the month, the City Treasurer shall submit an investment report to the Director of Finance. This report shall include: (i.) a listing of the existing po1tfolios in terms of investment securities, book value, maturity date, return, market value, and other features deemed relevant, (ii.) a listing of all transactions executed during the month. The City Treasurer will also

prepare annual reports in sufficient detail to provide full disclosure of all investment activities to the Director of Finance.

Conflict of Law
In the event that any portion of this policy is in conflict with any City, State, or Federal law, that law will prevail.

Investment Policy Effective Date
This policy is adopted this 27th day of March 2015 and shall remain in effect until rescinded or amended by the Director of Finance.

James Hartley
Acting Director of Finance

CITY of CLEVELAND
MAYOR JUSTIN M. BIBB

CITY PLANNING

FILE NO. 279-2024

TRANSPORTATION DEMAND MANAGEMENT

CLEVELAND CITY PLANNING COMMISSION

PROGRAM STANDARDS

Approved by Cleveland City Planning Commission on March 15, 2024.
Published in The City Record *of March 15, 2024, pursuant to Section 301.05 (a) of the Codified Ordinances of Cleveland, Ohio.*

CITY of CLEVELAND
MAYOR JUSTIN M. BIBB

CITY PLANNING

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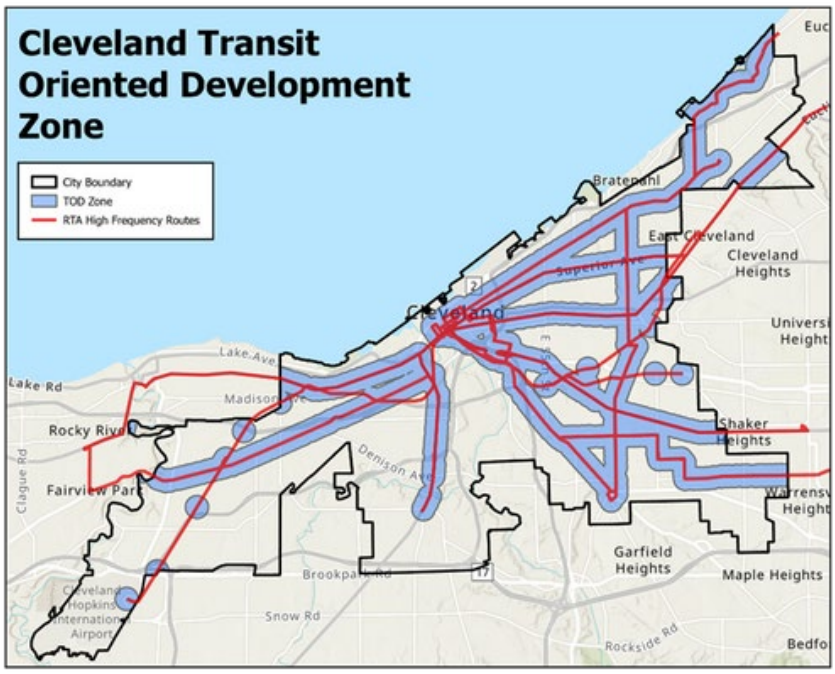
PROGRAM STANDARDS

INTRODUCTION

The City of Cleveland is implementing a 15-Minute City planning framework where people are at the center of urban revitalization. In this model, essential services are available within a 15-minute walk, bike ride, or transit trip. By prioritizing and facilitating travel by these modes, Cleveland creates more opportunities for those who are not able to drive and provides more options for everyone. By organizing city land use and transportation policy around proximity, we begin to reverse harm caused by decades of automobile-centric planning and address racial and economic disparities present in the systems that shape our city and built environment.

The Transportation Demand Management (TDM) Program aims to maximize traveler choice, improve transportation infrastructure and service to support future development, reduce traffic congestion and parking demand, and create an integrated, multimodal transportation system that is accessible to all users. The Program achieves this by making sure new developments are designed to make it easier for residents, tenants, employees, and visitors to get around by sustainable transportation modes such as transit, walking, biking, scooting, and rolling. The Program also contributes to the city's Vision Zero goal of eliminating traffic deaths and serious injuries by faciliating a system of transportation that supports all modes, helping to provide access to safe, healthy, and equitable mobility for all.

TDM Program requirements apply to any development projects within the TOD Zone, ¼ mile from any high-frequency transit stop, that are more than 5,000 square feet. (See Figure 1)



DEFINITIONS

Director – Director of the City Planning Commission.

Headways – The distance or duration between vehicles in a transit system measured in space or time.

High Frequency Transit Station – Any bus or rail stop with service headways of fifteen (15) minutes or less at any given time of day.

Single Occupancy Vehicle Trips (SOV) – A measure of the number of trips from an origin to a destination conducted by a sole occupant of a motor vehicle.

Transportation Demand Management (TDM) – Design features, incentives, and tools implemented by a Transit Oriented Development Project to meet the City's goals stated in Chapter §301.03 of the City of Cleveland's Code of Ordinances.

TDM Menu – The specific TDM options available to TOD Projects to comply with the requirements of the TDM Program, as established and maintained in the TDM Program Standards.

TDM Program – The requirements that Transit Oriented Development Projects incorporate Transportation Demand Management in the proposed projects.

TDM Program Standards – All the rules and requirements as adopted by the City Planning Commission pursuant to Chapter §301.05 of the City of Cleveland's Codified Ordinances.

TDM Tier – The category assigned based on the characteristics of a TOD Project as defined by the TDM Program Standards.

Transit Oriented Development (TOD) Project – Any land use development, including new construction, which changes or expands the use(s) on a parcel of land entirely or partially within the TOD Zone.

TOD Zone – The area within ¼ mile radius of a High Frequency Transit Station and that is depicted in the TDM Program Standards. This is estimated as a 5-minute walk.

Vehicle Miles Traveled (VMT) – A measure of the distance in miles traveled in a personal automobile via expected trips generated by a TOD Project and more fully described in the TDM Program Standards adopted by the City Planning Commission.

PROGRAM STANDARDS

APPLICABILITY

Any development project qualified at tier 1or higher located within the City's TOD Zone is required to submit a TDM Plan and register their plan with Division of Assessments and Licenses.

There are 5 TDM tiers delineated by project characteristics describing the size of your development project. The number of dwelling units, retail square footage, and/or the number of on-site employees should be used to determine your project tier.

TDM Tiers	Applicability		Project Characteristics			TDM Points required
	New Construction	Change of Use/Expansion	Dwelling units	Retail SF	On-site Employees[i]	
Tier 1	X		≥10	≥5,000	≥10	**10 points**
Tier 2	X	X	>20	>10,000	>20	**15 points**
Tier 3	X	X	>30	>15,000	>30	**20 points**
Tier 4	X	X	>40	>20,000	>40	**30 points**
Tier 5	Gross square footage >50,000 sq. ft.					**60 points**

The project's tier is determined by any project attribute crossing that tier's threshold.

[1] "On-site employees" is a total count of all employees physically present at the proposed project location at least 3 days a week.

TDM PROCESS

STEP	ACTION	BY WHOM	DESCRIPTION
PHASE ONE - TDM PLAN DEVELOPMENT			
1	Determine Applicability	Property owner or responsible party	Project owner or the project's responsible party (applicant) determines If their project is within the TOD Zone. If so, they must submit a TDM plan along with their building permit application to Building & Housing. Applicants should correspond with the City Planning Commission (CPC) staff prior to assembling their building permit application package.
2	Fill out Application	Property owner or responsible party	Project owner completes a TDM plan and application and submits as part of their building permit application package. Application and plan are routed to the CPC.
PHASE TWO - TDM PLAN REVIEW			
3	TDM Plan Review by City	City Planning Commission	City staff review the application package for completeness and compliance. Other reviews may be required (such as zoning or design review).
PHASE THREE - TDM PROJECT ENTITLEMENT AND APPROVAL			
5	TDM Plan Approved	City Planning Commission	The CPC preliminarily approves the TDM plan and application, and the project proceeds through any remaining city approvals.
PHASE FOUR - TDM PLAN REGISTRATION, MONITORING, AND REPORTING			
6	TDM Plan Registration	Property owner or responsible party	Near the end of or immediately after construction, the property owner must register their TDM Plan with the City's Division of Assessments and Licenses (DAL). This can be done online via Accela. Applicants must complete the online registration and upload their final TDM plan. DAL will collect the registration fee and transmit the final TDM plan to CPC for final approval. Once CPC approves, DAL shall issue the registration.
7	Pre-Occupancy Site Inspection	City Planning Commission TDM Coordinator	City staff and the property owner will conduct a site visit to verify TDM plan elements are included as planned prior to the issuance of a final certificate of occupancy.
8	Registration Renewal, Monitoring, and Reporting	City Planning Commission TDM Coordinator AND property owner or responsible party	Post-occupancy, the property owner will need to renew their registration annually for the first three years, then triennially afterwards. Registration renewals must include a report of programmatic TDM options. City Staff will review the registration application to ensure compliance and enforcement measures will be taken, if necessary, in the case of non-compliance.
9	Annual Data Reporting Form	Property owner or responsible party	Each year by the October 31st, the property owner or responsible party shall submit the Annual Data Reporting form to report requested data about occupant utilization of TDM measures.
10	TDM Plan Update (Optional)	Property owner or responsible party	At any time after registration approval the property owner may voluntarily initiate the approval of Plan revisions by filling out a TDM Plan Update Application.

CITY OF CLEVELAND
Mayor Justin M. Bibb
CITY PLANNING

ENTITLEMENT PROCESS

Project

Once an applicant has decided to undergo a development project involving new construction, expansion of an existing use, or to change an existing use, applicants need to follow the below steps in order to receive a permit to begin construction.

Applicant's must apply for a permit through the City of Cleveland's Building and Housing Department. Before applying, we recommend applicants discuss their project with a neighborhood planner.

Apply for Permit with Building & Housing

To apply for a building permit, applicants must apply with the City of Cleveland's Building and Housing Department via online application through Accela or in person at 601 Lakeside Avenue, Room 505, located on the fifth floor.

City Planning Project Review

Building and Housing will route your application to the City Planning or Landmarks Commission if it is a new construction project, a project within a local design review district, or within the Transit-Oriented Development (TOD) Zone. It will be assigned to a neighborhood planner, who is your point of contact.

Entitlements or Construction

The neighborhood planner will review the package and inform applicants of any necessary reviews.

Projects are subject to Design Review if they are new construction or are located in a Design Review District and consist of significant exterior alterations.

For projects involving areas designated as Landmark Districts or individually designated landmarks, a separate design review process is administered by the Cleveland Landmarks Commission.

In some instances, projects may not be permitted by the zoning code, and require an exception to the code to be permitted. This exception is called a variance. Property owners can request a variance from the Board of Zoning Appeals.

If a project falls within the Transit Oriented Development (TOD) Zone and due its size qualifies as a Tier 1 project or above, the applicant will need to create a Transportation Demand Management (TDM) Plan to submit along with their building permit application to Building & Housing, or as a supplement to the CPC if not initially included in the permit application.

Projects involving the streetscape or public right of way will be processed through the Planning, Engineering, Traffic Engineering, and Bureau of Traffic (PetBOT) prior to construction. New construction and renovation, townhome projects, and large-scale development projects are commonly reviewed at PetBOT.

Tree preservation plans should be included for projects that are situated on 1 or more acres of land, and for apartment, townhome, or condominium projects of 4 or more units situated on any size parcel of land. Tree Preservation Plans shall be submitted as part of the building permit application and will be routed to the Division of Urban Forestry for review.

Following the entitlement processes and final building code review by Building & Housing, construction may begin.

TDM Plan Registration

Projects subject to TDM must register their TDM plan with the Division of Assessments and Licenses (DAL) after approval but prior to completion. DAL collects the registration fee and transmits the application (including a copy of the final TDM plan) to the CPC. The CPC staff review the application and the final TDM plan, and schedule a Pre-Occupancy Site Inspection.

Pre-Occupancy Site Inspection and Close-Out

Prior to the issuance of a final certificate of occupancy, City staff and the property owner will conduct a pre-occupancy site visit to verify TDM plan elements are included as planned.

After City staff verifies that the project is compliant with its TDM plan, the TDM Plan Registration is approved. Registrations must be renewed annually for the first three years, and then every three years afterwards.

CITY of CLEVELAND
MAYOR JUSTIN M. BIBB

CITY PLANNING

TDM Strategy Menu

Starred bicycle strategy items may be bundled for additional points. Select 3 of 6 available strategies to earn 10 bonus points for your development project.

TDM Tiers	Applicability		Project Characteristics			TDM Points required
	New Construction	Change of Use/Expansion	Dwelling units	Retail SF	On-site Employees[i]	
Tier 1	X		≥10	≥5,000	≥10	**10 points**
Tier 2	X	X	>20	>10,000	>20	**15 points**
Tier 3	X	X	>30	>15,000	>30	**20 points**
Tier 4	X	X	>40	>20,000	>40	**30 points**
Tier 5	Gross square footage >50,000 sq. ft.					**60 points**

The project's tier is determined by any project attribute crossing that tier's threshold.

[1] "On-site employees" is a total count of all employees physically present at the proposed project location at least 3 days a week.

STRATEGY	STRATEGY SUMMARY	STRATEGY DESCRIPTION	TDM POINTS EARNED
TRANSIT-A	**Subsidize transit passes at 100%**	Transit passes shall be offered to residential tenants and employees at a 100% subsidy in partnership with RTA.	**20**
TRANSIT-B	**Subsidize transit passes at 75%**	Transit passes shall be offered to residential tenants and employees at a 75% subsidy in partnership with RTA.	**15**
TRANSIT-C	**Subsidize transit passes at 50%**	Transit passes shall be offered to residential tenants and employees at a 50% subsidy in partnership with RTA.	**10**
TRANSIT-D	**Subsidize transit passes 25%**	Transit passes shall be offered to tenants and employees at a 25% subsidy in partnership with RTA.	**5**
TRANSIT-E	**Transit stop investments**	Requires transit stop amenity improvements at a transit stop within ¼ mile radius of the development project, approximately a 10-minute walk from the	**10**

		project. Examples of transit stop improvements include benches, shelters, and real-time transit information. This strategy includes long-term maintenance and up-keep of the improved amenities.	
INFORMATION-A	**Transportation information kiosk**	The property owner shall provide information for relevant alternative transportation options at a transportation kiosk and/or digital display that provides bike maps, trail maps, shared mobility information, car share information, and real-time transportation information tied to RTA's General Transit Feed Specifications (GTFS).	**1**
INFORMATION-B	**Pedestrian and cyclist wayfinding**	The property owner shall provide signs, directions, and maps that point residents, tenants, employees, and visitors to nearby alternative transportation routes such as transit, shuttle services, bicycle and pedestrian paths, and nearby areas of interest.	**1**
ACTIVE-A	**Streetscape improvements (minor)**	The property owner will implement and fund streetscape improvements connecting the development project to the nearest priority transit station as identified by the Cleveland City Planning Commission. Final scope and budget will be determined in partnership with the city. Minor improvements include but are not limited to: additional trees; improved sidewalk connections resulting in shorter or more direct paths; removal of unnecessary concrete and replacement with landscaping. In selecting streetscape designs and strategies, the project manager shall reference any adopted	**5**

		local streetscape and/or neighborhood plans for the area.	
ACTIVE-B	**Streetscape improvements (major)**	The property owner will implement and fund streetscape improvements connecting the development project to the nearest priority transit station as identified by the Cleveland City Planning Commission. Final scope and budget will be determined in partnership with the city. Major improvements include but are not limited to: multi-use path connection or separated bicycle facility as a part of the project scope; burying of overhead utilities that otherwise impede pedestrian/bicycle traffic; new pathways/connections through project site. In selecting streetscape designs and strategies, the project manager shall reference any adopted local streetscape and/or neighborhood plans for the area.	**10**
ACTIVE-C*	**Bicycle parking**	The project should include bicycle parking for residents, visitors, and employees alike. Bicycle parking requirements will be specific to the project and bicycle parking types.	**5**
ACTIVE-D*	**Long-term bicycle facilities**	Non-residential uses that implement long-term bicycle parking and are greater than or equal to 25,000 sq. ft. in gross floor area shall provide long-term bicycle facilities that support infrastructure and user amenities for active transportation modes such as, but not limited to, parking, shower, and storage facilities.	**5**
ACTIVE-E	**Host shared mobility hub**	The property owner shall host a shared mobility hub on site. Multiple hubs are permitted per site, where appropriate. Each hub is worth 1 TDM point.	**1**

ACTIVE-F*	**Bicycle repair station**	The property owner shall provide a bicycle repair station that is accessible to all residents/employees and includes bicycle repair tools, air pumps, bike repair stands, and adequate space to maintenance a bicycle. The repair station should be in a secure area within the building, such as near bike storage facilities or in the garage. For retail and commercial projects, the bicycle repair station should be in a safe and protected designated area that is easily accessible to employees and customers.	**5**
ACTIVE-G*	**Bicycle maintenance services**	The property owner shall provide bicycle maintenance services to each dwelling unit and/or employee, at least once annually and for the life of the project. This can be fulfilled by the property owner by hiring an on-call bike mechanic for the development, or through vouchers to nearby bicycle shops.	**5**
ACTIVE-H*	**Bicycle fleet**	The development project shall provide a supply of bicycles for residents, employees, and visitors to borrow and return in encouraging active transportation to and from the project site. There shall be 1 bike for every 10 dwelling units and/or 1 bike for every 2,500 square feet of occupied floor area. There shall be a minimum of 5 bikes provided in the fleet.	**5**
ACTIVE-I*	**Bicycle valet**	For projects that will have events with an anticipated number of attendees that exceed 1,000 people, the property owner shall have a designated area for monitored bicycle parking that will accommodate at least 20% of the attendees of an event.	**5**

PARKING-A	**Parking supply reduction**	The developer shall reduce the parking supply below the previously established mandatory off-street parking minimums as defined in Chapter §349.04 of the City of Cleveland Code of Ordinances. Points for this strategy are determined by the ratio of reduction multiplied by the total possible points (10). For example, if the code otherwise required 100 off-street parking spaces, and a project provides 10, the project may receive 9 points ((1-(10/100)) * 10).	**10**
PARKING-B	**Unbundle parking**	All parking spaces shall be leased or sold separately from rental and purchase fees for residential, office, and retail uses.	**5**
PARKING-C	**Parking cash out: non-residential**	This allows non-residential tenants/ employees who would otherwise receive free parking the option to "cash out" the value of their space instead of parking.	**8**
PARKING-D	**Short-term parking provision**	The development shall only provide short-term daily and/or hourly parking. Weekly, monthly, and annual parking passes will be prohibited. The daily and hourly rates for parking should not be less than the current market value for the area.	**5**
PARKING- E	**Shared parking**	Shared parking among different land uses or tenants within a mixed-use development. 2 points for every 20% of parking spots available to occupants during effective shared parking hours.	**10**
PARKING-F	**Parking removal**	The developer shall remove some combination of the site's existing parking, road space, and driveways to improve walkability, bikeability and activation of land use. Points for this strategy are determined by the ratio of reduction multiplied by the total possible points (10).	**10**

		For example, if a project site has 100 off-street parking spaces, and a project removes 90, the project may receive 9 points ((90/100) * 10).	
CAR-A	**Car-share**	The project manager shall either provide parking spaces for an identified certified car-share organization or provide their own certified car-share organization and program.	**3**
CAR-B	**Car-share membership**	Provide parking spaces and subsidized memberships for each dwelling unit and employee at the project site.	**5**
HOV-A	**Enrollment in NOACA's Gohio Commute Program**	For Office/Retail projects with at least 25 employees, the property owner will connect with NOACA to coordinate use of their Gohio program as a company benefit included with employment. This can be utilized for organizing a formal vanpool, coordinate carpooling between employees, guaranteed ride home, and communicate active transportation options for commuting. To contact NOACA for enrollment, call 1-800-825-RIDE or email them at mcaputo@mpo.noaca.org.	**13**
HOV-B	**Shuttle services**	A frequent and reliable shuttle bus service shall be made available to residents/workers that transports them to high-frequency transit nodes and to relevant job hubs	**6**
HOUSING-A	**10% low-income units or 5% very low-income units**	Projects that provide affordable housing are eligible to use this strategy. Property owners must provide 10% low-income units (>80% AMI) or 5% very low-income units (>50% AMI).	**15**
HOUSING-B	**20% low-income units or 10% very low-income units**	Projects that provide affordable housing are eligible to use this strategy. Property owners must provide 20% low-income	**20**

		units (>80% AMI) or 10% very low-income units (>50% AMI).	
HOUSING-C	**30% low-income units or 15% very low-income units**	Projects that provide affordable housing are eligible to use this strategy. Property owners must provide 30% low-income units (>80% AMI) or 15% very low-income units (>50% AMI).	**30**
HOUSING-D	**100% of units are affordable**	To fulfill this strategy, property owners must offer 100% affordable units.	**40**
HOUSING-E	**Senior housing**	All housing units in the project are reserved for residents over 55 years of age.	**40**
FAMILY-A	**On-site child-care**	The property owner shall provide an on-site childcare facility, lease a space within the building to a childcare facility, or provide transportation to a childcare facility, to reduce commute distances for residents in their childcare needs.	**2**
FAMILY-B	**Childcare-adjacent site location**	The site location is within a 10-minute walk of an existing childcare facility.	**2**
FAMILY-C	**Family amenities and storage**	The property manager shall provide personal car seats, strollers, and collapsible shopping carts as well as secure storage for the shared family amenities near off-street car-share parking spaces.	**5**
FAMILY-D	**Public outdoor play area**	The property owner shall incorporate a designated public outdoor play area as a part of the site plan.	**5**
DELIVERY-A	**Delivery area**	A designated area and delivery hub should be identified, planned, and incorporated into the site plans. The delivery area should accommodate one of the following: temporary storage for package deliveries, laundry deliveries, etc., or temporary temperature-controlled storage for grocery and food deliveries. The property	**8**

		owner may identify a delivery service to partner with to use their infrastructure.	
BUILDING-A	**Parking location**	Unless otherwise required by the zoning code, the site design shall locate parking behind building structures, hiding parking from the street, and creating continuous street fronts that invite pedestrian use.	**2**
BUILDING-B	**Underground parking**	The site design shall locate parking under buildings and structures, preserving valuable surface space for activation and human use.	**10**
BUILDING-C	**Entrance and sidewalk orientation**	The design shall orient the entrance and sidewalk network towards an existing sidewalk, to create ease of use for transit-users.	**2**

APPLICATION

SUPPORTING DOCUMENTATION

Strategy Summary	Description	Acceptable Documentation
Subsidize transit passes	Subsidize transit passes at 100%; Subsidize transit passes at 75%; Subsidize transit passes at 50%; Subsidize transit passes 25%-49%. For residential projects, tenants must be offered the opportunity to opt-in to monthly passes as a part of their lease. We recommend property owners/managers require tenants to opt-in for their entire 12-month lease. We recommend owners/managers purchase passes monthly or annually based on usage or preference.	Contract with RTA; RTA bulk purchase form and receipt
Transit stop investments	Requires transit stop amenity improvements at a transit stop within a 10-minute walk of the project. Examples of transit stop improvements include benches, shelters, and real-time transit information. This strategy includes long-term maintenance and up-keep of the improved amenities.	Site plan with written RTA approval
Host shared mobility	The property owner shall host a shared mobility hub on site. Multiple hubs are permitted per site, where appropriate. Each hub is worth 1 TDM point.	Site plan
Bicycle maintenance services	The property owner shall provide bicycle maintenance services to each dwelling unit and/or employee, at least once annually and for the life of the project. This can be fulfilled by the property owner by hiring an on-call bike mechanic for the development, or through vouchers to nearby bicycle shops.	Proof of purchase of services
Bicycle valet	For projects that will have events with an anticipated number of attendees that exceed 1,000 people, the property owner shall have a designated area for monitored bicycle parking that will accommodate at least 20% of the attendees of an event.	Contract with valet
Unbundle parking	All off-street parking spaces shall be leased or sold separately, and at market rates, from rental and purchase fees for residential, office, and retail uses. The City Planning Commission shall maintain a table of market rates for off-street parking.	Copy of lease
Parking cash out: non-residential	This allows non-residential tenants/employees who would otherwise receive free parking the option to “cash out” the value of their space instead of parking.	Copy of contract with employees; Copy of employee benefits package

Strategy Summary	Description	Acceptable Documentation
Shared parking	Shared parking among different land uses or tenants within a mixed-use development. 2 points for every 25% of parking spots available to occupants during effective shared parking hours. This must be demonstrated via the leases provided by the developer to tenants.	Contract with all companies sharing a parking lot; Copy of lease
Car share	The project manager shall either provide parking spaces for an identified certified car-share organization or provide their own certified car-share organization and program.	Contract with car share provider
Car share membership	Provide parking spaces and subsidized memberships for each dwelling unit and employee at the project site.	Contract with car share provider or their own certified car-share membership program
Gohio Commute	For Office/Retail projects with at least 25 employees, the property owner will contact NOACA to coordinate the creation of a subsite to host the Gohio program for use by employees as a company benefit included with employment. This can be utilized for organizing other TDM items, such as a parking cashout, vanpool, carpool, guaranteed ride home, and communicating active transportation options for commuting. To enroll, contact NOACA at 1-800-825-RIDE or via email at mcaputo@mpo.noaca.org.	Confirmation from NOACA of membership and participation
Shuttle services	A frequent and reliable shuttle bus service shall be made available to residents/workers that transports them to high-frequency transit nodes and to relevant job hubs	Contract with Shuttle provider lease; Purchase agreement for Shuttle
Low- and very low-income units	Projects that provide affordable housing are eligible to use this strategy. Property owners must provide a percentage of low-income or very low-income units.	Copy of lease
Senior housing	Housing tailored to support or be leased to senior residents with assistive programs.	Copy of lease
On-site child-care	The property owner shall provide an on-site childcare facility, or provide transportation to a childcare facility, to reduce commute distances for residents in their childcare needs.	Contract for employment with daycare employees; Contract with transportation provider; Copy of lease
Delivery services	The property manager shall provide delivery services for the projects tenants/employees with the goal of reducing the need for individual delivery trips. The provided service may include deliveries by any mode of transport, with the exception that vehicle deliveries be intended to make multiple stops.	Copy of contract with delivery provider; Copy of contract with employee(s)/contractor responsible for delivery services

Official Proceedings
Adjournment
City Council

Cleveland, Ohio
Monday, March 18, 2024

MOTION

On the motion of Council Member Starr, the absences of Council Members Deborah A. Gray, Joseph T. Jones, and Michael D. Polensek are hereby authorized. Seconded by Council Member Spencer.

The Council Meeting adjourned at 7:58 p.m. to meet on Monday, March 25, 2024, at 7:00 p.m. in the Council Chamber.

Patricia J. Britt
City Clerk, Clerk of Council

Council Committee Meetings

Monday, March 18, 2024
9:30 a.m.

Health, Human Services and the Arts Committee
Present: Conwell, Chair; Maurer, Vice Chair, Gray, Harsh, Howse-Jones, Slife, Starr

2:00 p.m.

Finance, Diversity, Equity and Inclusion Committee
Present: Griffin, Chair; McCormack, Vice Chair, Bishop, Conwell, Hairston, Kazy, Santana, Spencer
Authorized Absence: Polensek

Tuesday, March 19, 2024
9:30 a.m.

Development, Planning and Sustainability Committee
Present: Hairston, Chair; Santana, Vice Chair, Harsh, Howse-Jones, Jones, McCormack, Spencer
Also Present: Bishop, Conwell, Griffin, Starr

Wednesday, March 20, 2024
10:00 a.m.

Safety Committee
Present: Polensek, Chair; Gray, Howse-Jones, Kelly, Slife, Starr
Authorized Absence: Jones

Board of Control

Wednesday, March 6, 2024

The meeting of the Board of Control convened in the Mayor's office on Wednesday, March 20, 2024, at 3:01 p.m. with Mayor Justin Bibb presiding.

Members Present:	Mayor Bibb, Acting Director Comer, Directors Abonamah, Keane, Acting Directors Kramer, Laird, Director Margolius, Interim Director Drummond, Acting Director Wackers, Director Cole, Acting Director Bourdeau Small, Directors McNamara, Martin O'Toole
Absent:	None
Others Present:	James DeRosa, Director Mayor's Office of Capital Projects
	Michael Curry, Assistant Director Office of Equal Opportunity
	Matthew Rogonjic, Assistant Director Finance Department
	Tiffany White Johnson, Commissioner Division of Purchases & Supplies
	Tomasz Kacki, Paralegal 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 3:06 p.m.

Jeffrey B. Marks
Secretary – Board of Control

Resolution No. 140-24 Adopted 3/20/24
By Director Keane

BE IT RESOLVED by the Board of Control of the City of Cleveland that the employment of the following subcontractors by HomeServe USA Corp. under City Contract No. PS2020-265 to provide professional services necessary to develop, market, implement and manage a residential service contract and protection plan program, for the Divisions of Water and Water Pollution Control, Department of Public Utilities, is approved:

Subcontractors	**Work**	**Percentage**
Carlong Plumbing Solutions LLC (non-certified)	$100,000.00	0.00%
Houston ASAP Plumbing, LLC (non-certified)	$100,000.00	0.00%

Yeas: Mayor Bibb, Acting Director Comer, Directors Abonamah, Keane, Acting Directors Kramer, Laird, Director Margolius, Interim Director Drummond, Acting Director Wackers, Director Cole, Acting Director Bourdeau Small, Directors McNamara, Martin O'Toole

Nays: None

Absent: None

Resolution No. 141-24 Adopted 3/20/24
By Director DeRosa

WHEREAS, the City of Cleveland has been selected to host the 2024 NCAA Women's Final Four (WF4) and related events ('WF4 Events") which are scheduled to take place from April 5, 2024 to April 7, 2024; and

WHEREAS, the size and significance of the WF4 Events create unique challenges for the City that require special regulations to assist in promoting and protecting the general health, safety, and welfare of the residents and visitors of the City during the WF4 Events; and

WHEREAS, the City recognizes the compelling need to facilitate safe and orderly movement of vehicular and pedestrian traffic during the WF4 Events; and

WHEREAS, Section 697A.04 Codified Ordinances of Cleveland, Ohio, 1976 ('C.O.") authorizes the Director of Capital Projects to promulgate regulations, to be approved by the Board of Control, placing reasonable restrictions on the sale of goods, wares and merchandise during the WF4 Events and related events and other Major Qualifying Events as defined in C.O. Section 697A.0l, division (b), on public rights-of-way and public property in areas identified in the regulations; and

WHEREAS, due to the need to restrict access to certain areas of the City and the expected increase in pedestrian and vehicular traffic during the WF4 Events, the Director of Capital Projects desires to promulgate regulations to apply to all vendors in the Central Business District during the WF4 Events; now, therefore,

BE IT RESOLVED by the Board of Control of the City of Cleveland that under the authority of C.O. Section 697A.04, the following vendor regulations promulgated by the Director of Capital Projects to be effective during the WF4 Events for all vendors in the Central Business District of the City in order to promote and protect the general safety and welfare of the residents of and visitors to the City during the WF4 Events, are approved:

SPECIAL EVENT
VENDOR REGULATIONS
EFFECTIVE MARCH 31, 2024 to APRIL 8, 2024

Due to restricted access to certain areas of the City and an expected increase in pedestrian and vehicular traffic during the WF4 Events, the following Regulations are promulgated by the Director of Capital Projects under the authority of Section 697 A.04, Codified Ordinances of Cleveland, Ohio, 1976 ("C.O.") and shall apply to all vendors in the Central Business District during the effective period.

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

A. No person shall engage in vending upon or from a fixed location on a sidewalk within the Central Business District without a permit issued under C. 0. Section 675.06;

B. In addition to the above permit requirements, in order to engage in vending, a vendor must also obtain a vendor's license under C. 0. Section 675.02 from the Commissioner of Assessments and Licenses;

C. During the WF4 Events, these regulations shall apply to all vendors permitted to operate in the following established zones:

Zone 1 Vendors with a current permit to operate in Zone 1 shall be permitted to operate in those areas identified as Zones 1A and 1B on the map below.

Zone 2 Vendors with a current permit to operate in Zone 3 shall be permitted to operate at the locations identified in Zone 3 on the map below.

Zone 3 Vendors with a current permit to operate in Zone 4 shall be permitted to operate in the area identified in Zone 4 on the map below.

Mobile Vendors - No vendors are permitted to operate along the route identified as "Mobile Vendor Route" on the Mobile Vendor map below.
Vending is permitted only on sidewalks within the zone boundaries. Vending is not permitted on private property or on any property owned or controlled by the City of Cleveland, including streets, without a permit issued by the City;

D. No Vendor should operate from any restricted area shown in the map below;

E. To avoid undue pedestrian and vehicular congestion, only Vendors with a current permit issued under Codified Ordinance Chapters 508 or 675 may vend during the WF4 Events. The City will not accept new permit applications for the WF4 Events.

F. Vendors will be issued a Special Event Identification Badge, which shall be worn by the Vendor at all times that the Vendor is engaged in vending during the WF4 Events.

II. DEFINITIONS

Under C.O. Section 675.0G(a), the Director shall create zones within the Central Business District for the enforcement of the regulations upon Street and Mobile Vendors. For the WF4 Events, the following descriptions shall define the boundaries of Zone 1A and Zone 18, Zone 3, Zone 4, and the Mobile Vendor Route, all within the Central Business District, and as illustrated in the "Clean Zone Map" and the "Mobile Vendor Route Map" below.

A. "Central Business District" shall have the same meaning as in C.O. Section 325.12.

B. "Director" shall mean the Director of the Mayor's Office of Capital Projects.

C. "Street Vendor" or "Vendor" means any person who engages in street vending. "Vendor" does not include itinerant vendors or itinerant wholesale produce dealers licensed under C.O. Chapter 682 or food shops or food vehicles licensed pursuant to Chapter 241, unless such food shop or food vehicle licensed under Chapter 241 vends pre-packaged frozen desserts. (C.O. Section 675.ol(a)(3))

D. "Clean Zone" shall mean the areas that indicates where no vending will be allowed.

E. "Zone 1A" shall mean the area beginning at the intersection of the centerlines of West 9th Street and Lakeside Avenue West; thence northeasterly along said centerline of Lakeside Avenue West to its intersection with the centerline of West 3rd Street; thence southeasterly along said centerline of West 3rd Street to its intersection with the centerline of Superior Avenue West; thence southwesterly along said centerline of Superior Avenue West to its intersection with the centerline of West 9th Street; thence northwesterly along said centerline of West 9th Street to its intersection with said centerline of Lakeside Avenue West and the principal place of beginning;

F. "Zone 18" shall mean the area beginning at the intersection of the centerlines of East 6th Street and Lakeside Avenue East; thence northeasterly along said centerline of Lakeside Avenue East to its intersection with the centerline of East 9th Street; thence southeasterly along said centerline of East 9th Street to its intersection with the centerline of Superior Avenue East; thence southwesterly along said centerline of Superior Avenue East to its intersection with the centerline of East 6th Street; thence northwesterly along said centerline of East 6th Street to its intersection with said centerline of Lakeside Avenue East and the principal place of beginning;

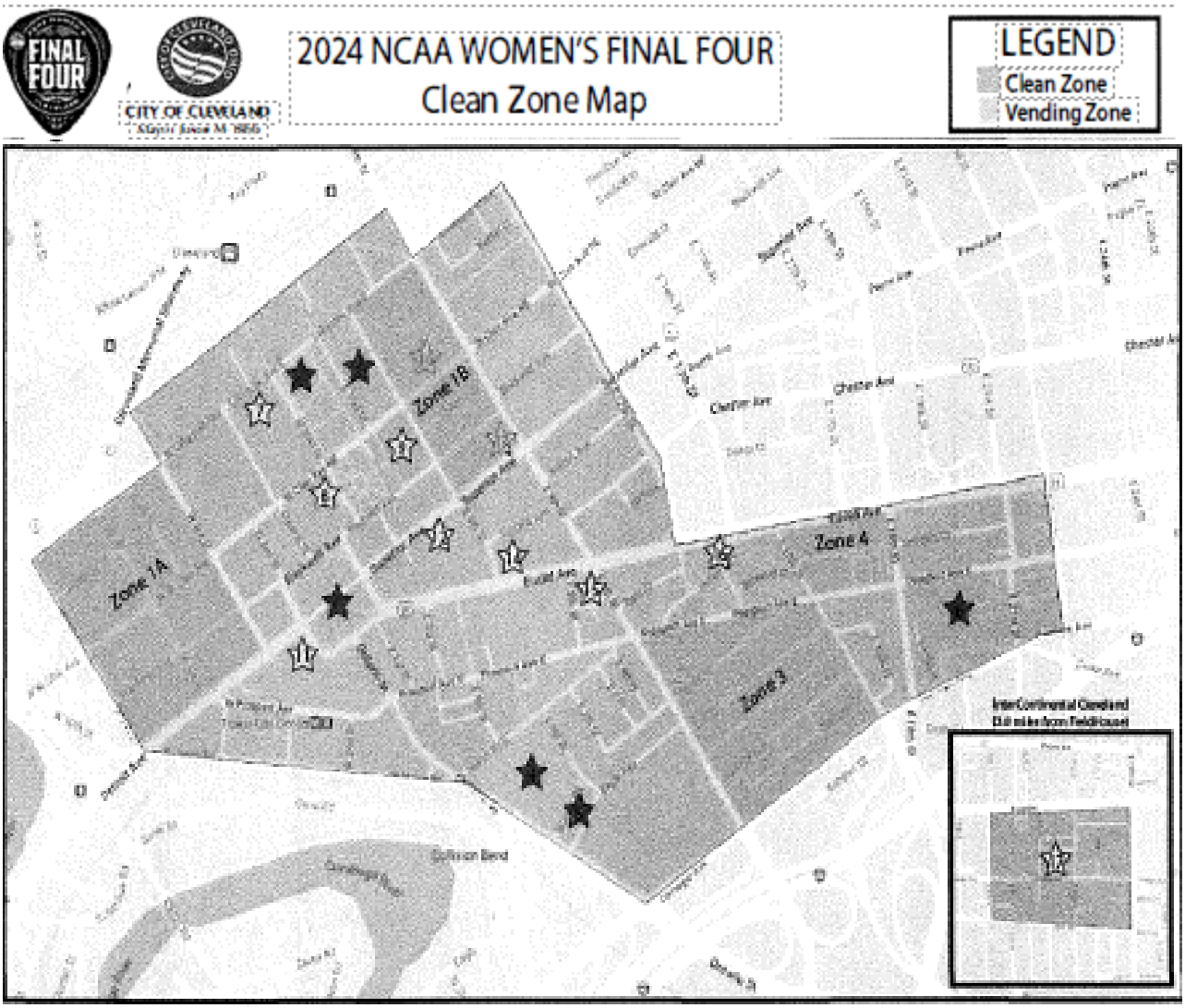
G. "Zone 3" shall mean the area beginning at the intersection of the centerlines of Prospect Avenue and East 9th Street; thence southeasterly along said centerline of East 9th Street to its intersection with the south right-of-way line of Carnegie Avenue; thence northeasterly along said south right-of-way line of Carnegie Avenue to its intersection with the centerline of East 14th Street; thence northwesterly along said centerline of East 14th Street to its intersection with the centerline of Prospect Avenue; thence southwesterly along said centerline of Prospect Avenue to its intersection with said centerline of East 9th Street and the principal place of beginning;

H. "Zone 4" shall mean the area beginning at the intersection of the centerlines of Euclid Avenue and East 14th Street; thence southeasterly along said centerline of East 14th Street to its intersection with the centerline of Prospect Avenue; thence northeasterly along said centerline of Prospect Avenue to its intersection with the centerline of East 18th Street; thence northwesterly along said centerline of East 18th Street to its intersection with the centerline of Euclid Avenue;; thence southwesterly

along said centerline of Euclid Avenue to its intersection with the centerline of said East 14th Street and the principal place of beginning.

I. "Mobile Vendor Route" shall mean the area beginning at the intersections of Main Avenue N.W. and West 10th Street; thence southeasterly along said West 10th Street to its intersection with West St. Clair Avenue N.W.; thence northeasterly along said West St. Clair Avenue N.W. to its intersection with West 9th Street; thence southeasterly along said West 9th Street to its intersection with West Superior Avenue N.W.; thence northeasterly along said West Superior Avenue N.W. to its intersection with West Huron Road N.W.; thence southeasterly along said West Huron Road N.W. to its intersection with Ontario Street; thence southeasterly along said Ontario Street to its intersection with Carnegie Avenue S.E.; thence northeasterly along said Carnegie Avenue S.E. to its intersection with East 30th Street; thence northwesterly along said East 30th Street to its intersection with St. Clair Avenue N.E.; thence southwesterly along said St. Clair Avenue N.E. to its intersection with East 26th Street; thence northwesterly along said East 26th Street to its intersection with Lakeside Avenue N.E.; thence southwesterly along said Lakeside Avenue N.E. to its intersection with Main Avenue N.W.; thence southwesterly along said Main Avenue N.W. to its intersection with said West 10th Street and the principal place of beginning.

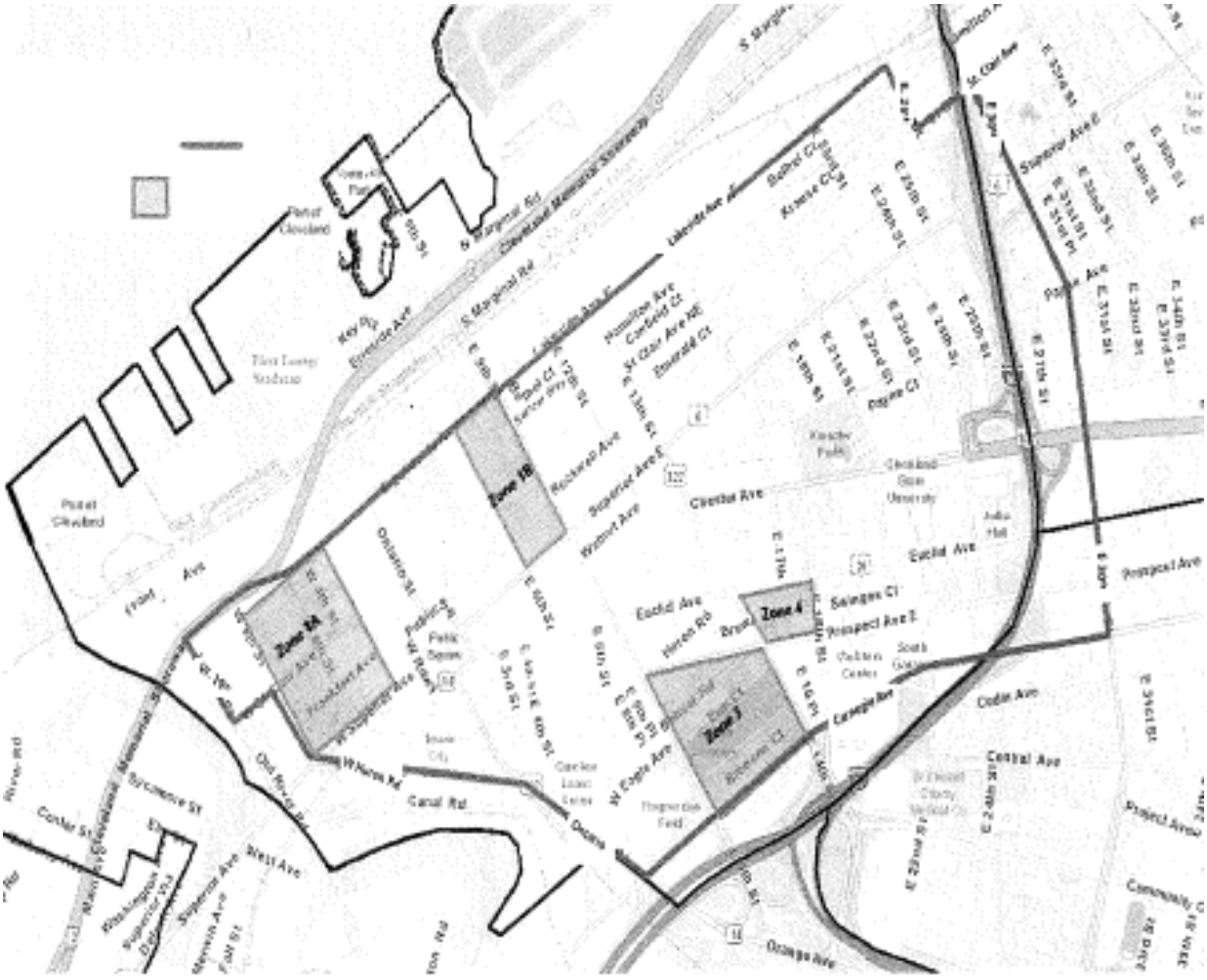
Clean Zone Map



1. Huntington Convention Center of Cleveland
2. Cleveland Public Auditorium
3. Public Square
4. Rocket Mortgage Fieldhouse
5. Gateway Plaza
6. Wolstein Center
7. Hilton Cleveland Downtown
8. Cleveland Marriott Downtown
9. Drury Plaza Hotel Cleveland
10. Westin hotel Cleveland
11. Renaissance Cleveland Hotel
12. Hyatt Regency Cleveland at The Arcade
13. Hampton Inn Cleveland-Downtown
14. Holiday Inn Express Cleveland
15. Kimpton Schofield Hotel

CITY OF CLEVELAND
Mayor Justin M. Bibb

Mobile Vendor Route Map:
Please note: No vendors are permitted to operate along the route identified as "Mobile Vendor Route" on the Mobile Vendor map below.



III. PRIVATE PROPERTY VENDING IN CENTRAL BUSINESS DISTRICT (applies to Mobile merchandise Vendors permitted under C.O. Section 675.05)

A. No vendor shall operate from any private property or on any property owned or controlled by the City of Cleveland, including streets, without first obtaining a permit under C.O. Section 675.05;

B. A vendor who has received a permit to vend upon private property shall not encroach into any street or sidewalk in any way.

IV. Regulations:

A. All Street Vendors shall comply with the following regulations:

1. No vendor should operate from any private property or on any property owned or controlled by the City of Cleveland, except for streets, without first obtaining a permit under C.O. Section 675.05;
2. No merchandise shall be displayed or sold to the occupants of vehicles stopped in traffic or displayed or sold from a vehicle stopped in traffic;
3. No merchandise shall be displayed or sold in a manner that blocks, obstructs or restricts the free passage of pedestrians or vehicles in the lawful use of the sidewalks or highways or ingress or egress to the abutting property;
4. No vendor shall sell or display merchandise:
    a. At any location where the sidewalk is less than ten (10) feet in width;
    b. Within twenty (20) feet of a crosswalk;
    c. Within twenty (20) feet of another location including vendors with multiple locations;
    d. Within twenty (20) feet of any doorway or the prolongation of any doorway width to the curb line;
    e. Within twenty (20) of any established valet and/or loading zones;
5. No vending vehicle, pushcart, stand, goods or any other item related to the operation of a vending business shall touch, lean against or be affixed permanently or temporarily to any building or structure including, but not limited to street planters, street furniture, mail boxes, traffic signal stanchions, fountains, trash receptacles, trees, lamp posts, light poles, or any other city-owned property or dug into the grass;
6. No vending pushcart, stand or goods shall be located against display windows of fixed location businesses, nor shall they be within twenty (20) feet from an entranceway to any building, store, theatre, movie house, sports arena or other place of public assembly;
7. No Street Vendor shall utilize a tent, canopy or any other overhanging device not completely attached and contained onto his or her vending device;
8. No vendor shall vend:
    a. within twenty (20) feet from sidewalk cafes; and
    b. within five (5) feet from (a) bus shelters, or (b) disabled access ramps;
9. Each vendor shall carry his or her license on his or her person and it shall be clearly displayed at all times to the public, including upon demand to any police officer or any authorized officer or employee of the City of Cleveland;
10. No vendor shall leave any conveyance unattended at any time or store, park, or leave same overnight on any city sidewalk, nor park, store or leave any vehicle other than in a lawful parking place;

11. Vendors are expected to be cordial to other vendors and pedestrians;
12. No Vendor operating pursuant to a permit granted under C.O. Section 675.06 shall employ more than one (1) salesperson in the operation of its vending device or display;
13. Vendors with a salesperson shall be responsible for their employees' violations of
14. C.O. Chapter 675 and these Vendor Regulations;
15. No vendor shall use any conveyance, device or thing whatsoever which, when fully loaded with merchandise, cannot be easily moved and maintained under control by the licensee, his employee or attendant;
16. Vendor's display stand, cart or container shall not be larger than 6 (six) feet in length and 3 (three) feet in width, must be on wheels and capable of being moved by one person.
17. No vendor shall use a sound amplification device or make any loud or unreasonable noise for the purpose of advertising or drawing attention to merchandise or for any other purpose;
18. No license granted may be sold, leased, transferred or reassigned in any fashion;
19. No vendor shall allow any items relating to the operation of the vending business to be placed anywhere other than in, on, or under the cart from which the business is operated;
20. Vendors shall comply with all requirements of applicable federal, state, and local laws, including without limitation, the City's Fire Prevention Code and State of Ohio Fire Code;
21. A vendor who has received a permit pursuant to C.O. Sections 675.06 and 675.061 shall obey any lawful order of a police officer, authorized officer or employee of the City of Cleveland authorized to enforce Chapter 675 to remove himself or herself and his or her vending device entirely from the sidewalk to avoid congestion or obstruction during an emergency and/or any other lawful request pertaining to compliance with Chapter 675 and these Vendor Regulations;
22. Each vendor shall remove all merchandise, packaging, paper, containers, display stands or tables, or other materials brought to the location at the termination of sales each day. No permanent stands or displays will be permitted, and are on a first come first serve day by day basis;
23. Each vendor during the period of selling shall keep the area they are selling in free from all litter and debris arising from their operation and insure that the area is cleaned on departure from the peddling area;
24. Each vending device must be aesthetically appropriate (clean and free from damage, rust, and corrosion) for vending;
25. No vendor shall leave a vending device unattended at any time, leave a vending device on a sidewalk between the hours of midnight and 6:00 a.m., or conduct business on a sidewalk or from a vending device between those hours;
26. No Street Vendor shall fail to limit his or her occupancy to their licensed Zone(s) during events, beginning no earlier than three (3) hours prior to the event begin time and remaining no later than two (2) hours after the event end time.

V. VENDING DEVICES (applies to hotdog cart vendors permitted under Section SOS.OS)

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

VI. MOBILE FOOD SHOPS (applies to food trucks permitted under C.O. 241.36)

A. No vendor shall sell, offer for sale, or display food items from a vending device without first obtaining a permit under C. 0. Sections 241.36 and 241.38.
B. Under the authority of C.O. Section 241.37(e), holders of a permit issued under Section 241.36 may not operate in a location where on-street parking is prohibited. Vending is not permitted on private property or on any property owned or controlled by the City of Cleveland, including streets, without written permission from the property owner and, in the case of property owned by the City of Cleveland, written permission from the City Director of Public Works.
C. All vendors must comply with the mobile food shop regulations under C. 0. Chapter 241.
D. A vendor who has received a permit under C.O. Section 241.36 shall obey any lawful order of a police officer, authorized officer or employee of the City of Cleveland authorized to enforce Chapter 241 to remove himself or herself and his or her mobile food shop to avoid congestion or obstruction during an emergency and/or any other lawful request pertaining to the compliance of Chapter 241 and the Mobile Food Shop Rules and Regulations.

VII. EFFECTIVE PERIOD

These Regulations shall be effective from 12:01 a.m. Eastern Daylight Time on March 31, 2024 through 12:01 a.m. on April 8, 2024. In the event that the 2024 WF4 Events are delayed, the effectiveness of these Regulations shall automatically extend to 12:01 a.m. Eastern Daylight Time on the day after the conclusion of the WF4 Events.

VIII. CONFLICT PROVISION

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

Yeas: Mayor Bibb, Acting Director Comer, Directors Abonamah, Keane, Acting Directors Kramer, Laird, Director Margolius, Interim Director Drummond, Acting Director Wackers, Director Cole, Acting Director Bourdeau Small, Directors McNamara, Martin O'Toole

Nays: None

Absent: None

Resolution No. 142-24 Adopted 3/20/24
By Director DeRosa

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that the bid of

Sona Construction, LLC.,

for the public improvement of the Zelma George Recreation Center Locker Room Improvements, Base Bid Items A-D and Contingency Allowances 1-4, for the Division of Architecture and Site Development, Office of Capital Projects, received on January 11, 2024, under the authority of Ordinance No. 661-2023, passed July 12, 2023, for a gross price for the improvement in the aggregate amount of $662,270.00 is affirmed and approved as the lowest responsible bid, and the Director of Capital Projects is requested to enter into contract with the bidder.

BE IT FURTHER RESOLVED, by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Sona Construction, LLC., is hereby approved:

Subcontractor	**CSB/MBE/FBE**	**Amount**
Integrity Environmental Dev LLC	MBE/CSB/LPE (60% Supplier)	$79,200.00
McPhillips Plumbing & HVAC	N/A	$110,000.00
Miles Mechanical, Inc.	CSB/MBE/LPE	$42,500.00
The Midland Hardware	N/A	$42,000.00
Gratton Building Specialties, Inc.	N/A	$56,724.00
Patella Carpet & Tile	N/A	$188,000.00
The Fowler Company	N/A	$37,000.00

Yeas: Mayor Bibb, Acting Director Comer, Directors Abonamah, Keane, Acting Directors Kramer, Laird, Director Margolius, Interim Director Drummond, Acting Director Wackers, Director Cole, Acting Director Bourdeau Small, Directors McNamara, Martin O'Toole

Nays: None

Absent: None

Resolution No. 143-24 Adopted 3/20/24
By Director Hernandez

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

WHEREAS, under the Program, the City has acquired Permanent Parcel No. 106-20-035 located at 8112 Linwood Avenue; and

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

WHEREAS, ALM Landscaping, LLC has proposed to the City to purchase and develop a portion of Permanent Parcel No. 106-20-035 more fully described in Exhibit A to this resolution, for yard expansion; and

WHEREAS, the following conditions exist:

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

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

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with ALM Landscaping, LLC for the sale and development of the portion of Permanent Parcel No. 106-20-035 located at 8112 Linwood Avenue and more fully described in Exhibit A to this resolution, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

BE IT FURTHER RESOLVED THAT the consideration for the sale of the parcels shall be $200.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Exhibit A

Western Portion of PPN 106-20-035

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Su blot No. 4 in the E.C. Green's Re-Allotment, being pa1i of the Original I 00 Acre Lot No. 391 as shown by the plat recorded in Volume 15, Page 5 of Cuyahoga County Map Records and further bounded and described as follows:

Beginning at a drill hole in a stone monument found (0.38 feet east)at the centerline intersection of Linwood Avenue (formerly Linwood Street and Gould Street) (40 feet wide) and East 82nd Street (formerly Custead Street and Genesee Street) (66 feet wide);

Thence South 89°09'29" West along the centerline of Linwood Avenue, 408.98 feet to the centerline of East 81st Street (formerly Park Place and Princeton Street) (50 feet wide), referenced by a stone (with no drill hole) found in a monument at said intersection;

Thence South 00°04' I 5" East along the centerline of East 81 st Street, 20.00 feet to a point on the southerly right of way of Linwood Avenue;

Thence North 89°09'29" East along the southerly right of way of Linwood Avenue, 25.00 feet to a 5/8" iron pin found and capped (Hantel) (0.27 feet south and 0.00 feet east) at the intersection of the easterly right of way of East 81 st Street and said southerly right of way of Linwood A venue;

Thence North 89°09'29" East continuing along the southerly right of way of Linwood Avenue, 97.00 feet to a 5/8" iron pin found and capped (Hantel) (0.21 feet south arid 0.03 feet west) at the northeasterly corner of land conveyed to Anthony J. Forbes and recorded in AFN 202002140313 of Cuyahoga County Records and the Principal Place of Beginning of the premises herein described;

Thence North 89°09'29" East continuing along the southerly righfofway of Linwood Avenue, 16.50 feet to a 5/8" iron pin set;

Thence South 00°04' 15" East, 98.80 feet to a 5/8" iron pin set on the northerly line of land conveyed to ALM Landscaping LLC by the deed recorded in AFN 2017103103 78 of Cuyahoga County Records; Thence South 89°09'29" West along the northerly line of land so conveyed to ALM Landscaping LLC, I 6.50 feet to a 5/8" iron pin found and capped (Hantel) (0.08 feet south and 0.04 feet west) at the
southeasterly corner ofland so conveyed to Anthony J. Forbes;

Thence North 00°04' 15" West along the easterly line of land so conveyed to Anthony J. Forbes, 98.80 feet to the Principal Place of Beginning, containing 0.0374 acres as surveyed and described by Peter J. Gauriloff, P.S. No. 8646 of The Riverstone Company in January of2024 and subject to all legal
highways, restrictions, reservations and easements.

Note: All 5/8"x30" iron pins set and capped "Riverstone Company PS8646-PS8740"

Basis of Bearings:
The centerline of Hough Avenue N .E. as No11h 89°35'00" East as shown in the Plat of Consolidation of Hough Green Space as recorded in AFN. 202310160493 of Cuyahoga,County Records.

Deed of Reference:
Land conveyed to City of Cleveland Reutilization Program by the deed dated January 6, 2023 and recorded in AFN 202301060034 of Cuyahoga County Records.
(P.P.N. l 06-20-035)

Yeas: Mayor Bibb, Acting Director Comer, Directors Abonamah, Keane, Acting Directors Kramer, Laird, Director Margolius, Interim Director Drummond, Acting Director Wackers, Director Cole, Acting Director Bourdeau Small, Directors McNamara, Martin O'Toole

Nays: None

Absent: None

Resolution No. 144-24 Adopted 3/20/24
By Director Hernandez

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

WHEREAS, under the Program, the City has acquired Permanent Parcel No. 125-26-089 located 5849 Cable Avenue; and

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

WHEREAS, Tracey J. Brown and Dion Brown have proposed to the City to purchase and develop the parcel for yard expansion; and

WHEREAS, the following conditions exist:

1. The member of Council from Ward 5 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Tracey J. Brown and Dion Brown for the sale and development of Permanent Parcel No. 125-26-089 located 5849 Cable Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

BE IT FURTHER RESOLVED THAT the consideration for the sale of the parcels shall be $200.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Mayor Bibb, Acting Director Comer, Directors Abonamah, Keane, Acting Directors Kramer, Laird, Director Margolius, Interim Director Drummond, Acting Director Wackers, Director Cole, Acting Director Bourdeau Small, Directors McNamara, Martin O'Toole

Nays: None

Absent: None

Resolution No. 145-24 Adopted 3/20/24
By Director Hernandez

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

WHEREAS, under the Program, the City has acquired Permanent Parcel No. 06-20-035 located at 8112 Linwood Avenue; and

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

WHEREAS, Anthony J. Forbes has proposed to the City to purchase and develop a portion of Permanent Parcel No. 106-20-035 more fully described in Exhibit A to this resolution, for yard expansion; and

WHEREAS, the following conditions exist:

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

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

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Anthony J. Forbes for the sale and development of a po1tion of Permanent Parcel No. 106-20-035 located at 8112 Linwood Avenue and more fully described in Exhibit A to this Resolution, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

BE IT FURTHER RESOLVED THAT the consideration for the sale of the parcels shall be $200.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Exhibit A
Eastern Portion of PPN 106-20-035

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Su blot No. 4 in the E.C. Green's Re-Allotment, being part of the Original I 00 Acre Lot No. 391 as shown by the plat recorded in Volume 15, Page 5 of Cuyahoga County Map Records and further bounded and described as follows:

Beginning at a drill hole in a stone monument found (0.38 feet east) at the centerline intersection of Linwood Avenue (formerly Linwood Street and Gould Street) (40 feet wide) and East 82nd Street (formerly Custead Street and Genesee Street) (66 feet wide);

Thence South 89°09'29" West along the centerline of Linwood Avenue, 408.98 feet to the centerline of East 81 st Street (formerly Park Place and Princeton Street) (50 feet wide), referenced by a stone (with no drill hole) found in a monument at said intersection;

Thence South 00°04' 15" East along the centerline of East 81 st Street, 20.00 feet to a point on the southerly right of way of Linwood Avenue;
Thence North 89°09'29" East along the southerly right of way of Linwood Avenue, 25.00 feet to a 5/8" iron pin found and capped (Hantel) (0.27 feet south and 0.00 feet east) at the intersection of the easterly right of way of East 81 st Street and said southerly right of way of Linwood Avenue;

Thence North 89°09'29" East continuing along the southerly right of way of Linwood Avenue, 113.50 feet to a 5/8" iron pin set and the Principal Place of Beginning of the premises herein described;

Thence North 89°09'29" East continuing along the southerly right of way of Linwood Avenue, 16.50 feet to a point at the northwesterly corner of land conveyed to ALM Landscaping LLC and recorded in AFN 202 I 102703 J 5 of Cuyahoga County Records;
Thence South 00°04' 15" East along the westerly line of land so conveyed to ALM Landscaping LLC, 98.80 feet to a point on the no1therly line of land conveyed to ALM Landscaping LLC by the deed recorded in AFN 2017103103 78 of Cuyahoga County Records;

Thence South 89°09'29" West along the northerly line of land so conveyed to ALM Landscaping LLC, 16.50 feet to a 5/8" iron pin set;

Thence North 00°04'15" West, 98.80 feet to the Principal Place of Beginning, containing 0.0374 acres as surveyed and described by Peter J. Gauriloff, P.S. No. 8646 of The Riverstone Company in January of 2024 and subject to all legal highways, restrictions, reservations and easements.

Note: All 5/8"x30" iron pins set and capped "Riverstone CompanyPS8646-PS8740"

Basis of Bearings:

The centerline of Hough Avenue N.E. as North 89°35'00" East as shown in the Plat of Consolidation of Hough Green Space as recorded in AFN. 202310160493 of Cuyahoga County Records.

Deed of Reference:
Land conveyed to City of Cleveland Reutilization Program by the deed dated January 6, 2023 and recorded in AFN 20230 I 060034 of Cuyahoga County Records.
(P.P.N. 106-20-035)

Yeas: Mayor Bibb, Acting Director Comer, Directors Abonamah, Keane, Acting Directors Kramer, Laird, Director Margolius, Interim Director Drummond, Acting Director Wackers, Director Cole, Acting Director Bourdeau Small, Directors McNamara, Martin O'Toole

Nays: None

Absent: None

Resolution No. 146-24 Adopted 3/20/24
By Director Hernandez

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

WHEREAS, under the Program, the City has acquired Permanent Parcel No. 015-09-080 located at 3249 Trowbridge Avenue; and

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

WHEREAS, Madelline Garcia has proposed to the City to purchase and develop the parcel for yard expansion; and

WHEREAS, the following conditions exist:

1. The member of Council from Ward 14 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Madelline Garcia for the sale and development of Permanent Parcel No. 015-09-080 located at 3249 Trowbridge Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

BE IT FURTHER RESOLVED THAT the consideration for the sale of the parcels shall be $200.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Mayor Bibb, Acting Director Comer, Directors Abonamah, Keane, Acting Directors Kramer, Laird, Director Margolius, Interim Director Drummond, Acting Director Wackers, Director Cole, Acting Director Bourdeau Small, Directors McNamara, Martin O'Toole

Nays: None

Absent: None

Resolution No. 147-24 Adopted 3/20/24
By Director Hernandez

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

WHEREAS, under the Program, the City has acquired Permanent Parcel No. 109-09-145 located at 10307 Ostend Avenue; and

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

WHEREAS, Pamela J. Osborne has proposed to the City to purchase and develop the parcel for yard expansion; and

WHEREAS, the following conditions exist:

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

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

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Pamela J. Osborne for the sale and development of Permanent Parcel No. 109-09-145 located at 10307 Ostend Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

BE IT FURTHER RESOLVED THAT the consideration for the sale of the parcels shall be $200.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Mayor Bibb, Acting Director Comer, Directors Abonamah, Keane, Acting Directors Kramer, Laird, Director Margolius, Interim Director Drummond, Acting Director Wackers, Director Cole, Acting Director Bourdeau Small, Directors McNamara, Martin O'Toole

Nays: None

Absent: None

Resolution No. 148-24 Adopted 3/20/24
By Director Hernandez

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

WHEREAS, under the Program, the City has acquired Permanent Parcel No. 127-27-041 located at 34 72 East 116th Street; and

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

WHEREAS, Ricardo T. Wallace has proposed to the City to purchase and develop the parcel for yard expansion; and

WHEREAS, the following conditions exist:

1. The member of Council from Ward 4 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Ricardo T. Wallace for the sale and development of Permanent Parcel No. 127-27-041 located at 3472 East 116th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

BE IT FURTHER RESOLVED THAT the consideration for the sale of the parcels shall be $200.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Mayor Bibb, Acting Director Comer, Directors Abonamah, Keane, Acting Directors Kramer, Laird, Director Margolius, Interim Director Drummond, Acting Director Wackers, Director Cole, Acting Director Bourdeau Small, Directors McNamara, Martin O'Toole

Nays: None

Absent: None

Resolution No. 149-24 Adopted 3/20/24
By Director Hernandez

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

WHEREAS, under the Program, the City has acquired Permanent Parcel No. 108-13-084 located at 497 East 106th Street; and

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

WHEREAS, Samuel Young has proposed to the City to purchase and develop the parcel for yard expansion; and

WHEREAS, the following conditions exist:

1. The member of Council from Ward 10 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Samuel Young for the sale and development of Permanent Parcel No. 108-13-084 located at 497 East 106th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

BE IT FURTHER RESOLVED THAT the consideration for the sale of the parcels shall be $200.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Mayor Bibb, Acting Director Comer, Directors Abonamah, Keane, Acting Directors Kramer, Laird, Director Margolius, Interim Director Drummond, Acting Director Wackers, Director Cole, Acting Director Bourdeau Small, Directors McNamara, Martin O'Toole

Nays: None

Absent: None

Civil Service

PUBLIC NOTICE
– PLEASE BE ADVISED –

The Civil Service Commission meetings will be conducted virtually as well as broadcast live in accordance with Ohio's Open Meetings Laws and Section 101.021 of the Codified Ordinances of Cleveland, Ohio, 1976.

The public may observe meetings on YouTube Live:
https://www.youtube.com/@civilservicecommission3048.

Friday, April 12, 2024 – 8:30 a.m.
Friday, April 26, 2024 – 8:30 a.m.

Civil Service Commission

President: Pastor Gregory E. Jordan
Vice President: Michael Flickinger
Secretary: India Pierce Lee
Member: Cyrus Patton
General Counsel: Jason Shachner
General Counsel: Patty Aston

Staff
Rachon Long, Executive Director
Leeanne Guzman – Assistant to the Executive Director
Lila Abrams- Fitzpatrick – Administrative Manager
Chanine Scott-Chapman – Assistant Administrator
Patricia Donovan – Supervisor of Records
Teala Harris – Project Coordinator
Daryl Eatman – Examiner IV
Lanese Sims – Examiner III
Christopher Smith – Examiner III
Tamica Johnson-Tanner – Examiner II
Darrick McDaniel, Recruitment and Development

Schedule of the Board of Zoning Appeals

Monday, April 1, 2024

Under the conditions specified by law, the Board of Zoning Appeals will be conducting a hybrid in-person and virtual hearing using the WebEx Platform. IF YOU WISH TO PARTICIPATE AND OR GIVE TESTIMONY THROUGH WEBEX, contact the Board of Zoning Appeals office and request the link at 216-664-2580 by noon on March 29, 2024. You can also email us boardofzoningappeals@clevelandohio.gov.

The in-person hearing will be held in Room 514 in City Hall. Bring proper ID to enter the building.

Those individuals not planning to attend are encouraged to view one of the live streams:

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

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

Calendar No. 24-037: 3040 Quigley Road
Ward 3 – Kerry McCormack
CVDC. LLC., owner, proposes to install approximately 3104 linear feet of 10' high perimeter plus security fence in actual front yard, actual side yard and actual rear yard in an A5 Unrestricted Industry Zoning District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Division (a)(1) of Section 358.05 which states that in Unrestricted Industry a fence in actual front yard shall not exceed 6 feet in height and may be open or solid, and the appellant is proposing a 10-foot-high fence.

Calendar No. 24-040: 2009 West 17th Street
Ward 3 – Kerry McCormack
Hugh Fagan, owner, proposes to erect a three-story frame, L-shaped, single-family residence with front loaded attached garage in a C1 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 the Maximum Gross Floor Area shall not be greater than 50% lot area, or in this case 3,627 square feet, and the appellant is proposing 5,282 square feet.

2. Division (A)(2) of Section 337.23 which states that attached front loaded garage shall be located on rear half of lot, or in this case, at 55 feet back or more.

3. Division (b)(1) of Section 357.08 which states that the required Rear Yard shall not be less than height of main building 33 feet, or in this case, they are proposing 20.99 feet.

4. Division (b)(2)(C) of Section 357.09 which states that the Minimum Required Interior Side Yard is 3 feet, and the appellant is proposing 1.81 feet.

5. Division (b) of Section 341.02 which states that City Planning Approval is required before issuance of building permit.

Calendar No. 24-043: 13720 West Avenue
Ward 16 – Brian Kazy
Fawna Morris, owner, proposes to install a 5 and a half feet high fence in an A1 One-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Division (a) of Section 358.04 which states that fences in actual front yards and in actual side street yards shall not exceed 4 feet in height and shall be at least 50% open, except that, in an actual side street yard, a fence that is set back at least 4 feet from the side street property line may be a maximum of 6 feet in height and may be open or solid.

Calendar No. 24-044: 3024 Carroll Avenue
Ward 3 – Kerry McCormack
Timothy Diplacido, owner, proposes to erect one-story, detached, reverse gable 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. Section 353.05 which states that the required distance of garage from dwelling on adjoining lot is 12 feet and 8 inches where the appellant is proposing 5 feet.

2. Note: Landmarks Approval is required before issuance of permit.

Calendar No. 24-046: 3305 West 165th Street
Ward 16 – Brian Kazy
Robert and Colleen Lanning, owner, proposes to erect a 1 story single family residence with attached garage The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Division (6)(A)(2) of Section 337.23 which states that attached garages must be located on the rear half of lot or at 60 feet back.

2. Division (a) of Section 357.06 which states that the required front yard setback is 31 feet, and the appellant is proposing 20 feet. Please note that the Board of Zoning Appeals is limited in its ability to grant a front yard variance unless certain conditions exist per Section 329.04 of the Cleveland Codified Ordinances.

3. Division (b)(2)(B) of Section 357.09 which states that the required interior side yard is 11 feet, and the appellant is proposing 5 feet.

Note: City Planning Commission approval is required before issuance of permit.

Report of the Board of Zoning Appeals

Monday, March 18, 2024

At the meeting of the Board of Zoning Appeals on Monday, March 18, 2024, the following appeals were scheduled for hearing before the Board and;

The following appeals were **APPROVED:**

Calendar No. 24-032: 2158 West 6th Street
Matthew Dunn, owner, proposes to erect a four-story frame, two-family residence with attached garage in a B1 Multi-Family Residential District.

Calendar No. 24-033: 2439 Tremont Avenue
Michael Nance, owner, proposes to erect a three and a half-story, single-family residence with attached garage and rooftop deck on a proposed 7,060 square foot lot in a C2 General Retail Business District. (Granted Conditionally)

Calendar No. 24-034: 1840 West 47th Street
Sean Maciver & Sarah Filipic, owner, propose to construct an addition in a B1 Two-Family Residential District.

Calendar No. 24-041: 5008 Duke Avenue
Lori Switaj, owner, proposes to erect an 'L'-shaped, two-story frame, single-family residence with attached garage in a B1 Two-Family Residential District.

The following appeals were **DENIED:**

Calendar No. 24-029: 2893 East 117th Street/Public Works Invoice
Byron Nogueras, owner, proposes to install a 6-foot-high wood fence in an A1 One-Family Residential District. (Denied Conditionally)

Calendar No. 24-035: 14546 Lorain Avenue
Beth Hanna, LLC, owner, to establish use of a Motor Vehicle Repair Garage in an E1 General Retail Business District.

The following case was **WITHDRAWN:** **None**

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

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

The following cases were **POSTPONED:** **None**

The following cases were heard by the Board of Zoning Appeals on Monday, March 11, 2024, and the decisions were adopted and approved on Monday, March 18, 2024:

The following appeals were **APPROVED:**

Calendar No. 24-023: 2169 Columbus Road
Eric Kennedy proposes to erect a 550 square foot addition to existing residence and change use to restaurant in a G2 Limited Retail Business District and an Urban Form Overlay District.

Calendar No. 24-025: John Vinson's Appeal of Landmarks Commission Denial of Certificate of Appropriateness
John Vinson appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and division (d) of Section 329.02 of the Cleveland Codified Ordinances from the decision of the Cleveland Landmarks Commission to deny proposal to install vinyl siding at 3052 Albion Road in Case #23-124.

Calendar No. 24-026: 13505 Harvard Avenue
Barbara LaSalle, owner, proposes to change the use from a two-family dwelling to a three-family dwelling in a B1 Two-Family Residential District.

The following appeals were **DENIED:**

Calendar No. 23-030: 13809 Clifford Avenue
Byron Nogueras, owner, proposes to install a 6-foot-high wood fence in an A1 One-Family Residential District.

The following cases were heard by the Board of Zoning Appeals on Monday, March 4, 2024, and the decisions were adopted and approved on Monday, March 18, 2024:

Calendar No. 23-229: 2982 East 61st Street
ABA Enterprise Connect LLC, owner, proposes to operate a children's boarding home for 12 children in a B1 Two-Family Residential District.

Agenda of the Board of Building Standards and Building Appeals

Wednesday, March 13, 2024 - revised

Board of Building Standards and Building Appeals
Cleveland City Hall – Room 514 or WebEx at 9:30 a.m.
BBSA@clevelandohio.gov

Download the WebEx Desktop App or the mobile App from the WebEx website at https://www.webex.com/downloads.html/

Instructions to enable a browser plug-in for Chrome or Firefox can be found here: https://help.webex.com/en-us/WBX77970/How-Do-I-Enable-the-Webex-Plug-in-to-Join-aMeeting-Using-Chrome-or-Firefox

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).

PUBLIC HEARINGS WILL BE STREAMED LIVE ON 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.

Adjudication Order Building:
Docket A-15-24 **1865 West 22nd Street** **Ward: 3 (Kerry McCormack)**

1865 West 22nd Street LLC, Owner of the R-2 Residential - Permanent Housing (Shared Egress) Structure appeals **ADJUCICATION ORDER B23003286---03, 1.OBC 106.1.1 Information on Construction Documents (a,b,c,d,e,f,g,h,i,j,k,l,m,no,p,q,r,s,t,u,v,w,x,y,z,aa); 2. OBC 406.3.1 Classification; 3. OBC 905.8 Dry Standpipes; 4. OBC 1006.2.1 Egress Based on Occupant Load and Common Path of Egress Travel Distance; 5. OBC 1010.1.2.1 Direction of Swing; 6. OBC 1011.6 Stairway Landings; 7. OBC 1014.6 (a,b,c); Handrail Extensions; 8. OBC 1014.7 Clearance; 9. 1030.1 General; 10. OBC 1104.5 Location; 11. OBC 1106.1 Required; 12. OBC 3002.4 Elevator Car to Accommodate Ambulance Stretcher (a);13. OBC 3412.6.3 Compartmentation per Table 3412.6.3 Compartmentation Values; 14. OBC 3412.6.13 (a,i,ii); Maximum exit travel distance, OBC 1016.1 General ,OBC**

1006.2.1 Egress Based on Occupant Load and Common Path of Egress Travel Distance, 1006.3.1 Egress Based on Occupant Load; 15. OBC 3412.6.14 Elevator Control; 16. OBC 3412.6.17 Automatic Sprinklers; 17. OBC 3412.6.18 Standpipes; 18. OBC 3412.9 Evaluation of Building Safety (a), dated January 9, 2024, appellant is requesting a variance.

BUILDING:

Docket A-196-23 9212 Madison Avenue #4 AKA 1E WARD: 15 (Jenny Spencer)

Huriye Tugce Kirca, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 15, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-197-23 9212 Madison Avenue #6 AKA 3E WARD: 15 (Jenny Spencer)

Serdar Mutlu, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 14, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-198-23 9212 Madison Avenue #1 AKA 1D WARD: 15 (Jenny Spencer)

Huriye Tugce Kirca, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 14, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-199-23 9212 Madison Avenue #2 AKA 2D WARD: 15 (Jenny Spencer)

Oztemel LLC, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 16, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-200-23 9212 Madison Avenue #5 AKA 2E WARD: 15 (Jenny Spencer)

Oztemel LLC, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 14, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-201-23 9212 Madison Avenue #9 AKA 3F WARD: 15 (Jenny Spencer)

Serdar Mutlu, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 15, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-202-23 9212 Madison Avenue #12 AKA 3C WARD: 15 (Jenny Spencer)

Serdar Mutlu, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 13, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-203-23 9212 Madison Avenue #19 AKA 3A WARD: 15 (Jenny Spencer)

Serdar Mutlu, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 20, 2023; appellant is requesting for time to complete abatement of the
violations.

Docket A-204-23 9212 Madison Avenue #16 AKA 3B WARD: 15 (Jenny Spencer)

Serdar Mutlu, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 14, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-205-23 9212 Madison Avenue #17 AKA 1A WARD: 15 (Jenny Spencer)

Sarikurt LLC, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 16, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-206-23 9212 Madison Avenue #15 AKA 2B WARD: 15 (Jenny Spencer)

Duygu Kizilgunes, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 16, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-207-23 9212 Madison Avenue #14 AKA 1B WARD: 15 (Jenny Spencer)

Serhat Cetin, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 14, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-208-23 9212 Madison Avenue #18 AKA 2A WARD: 15 (Jenny Spencer)

Polat Tekay/Sinah Ozcan Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 15, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-209-23 9212 Madison Avenue WARD: 15 (Jenny Spencer)

Coastal Line Homes LLC, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – NO PERMIT,** dated June 20, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-210-23 9212 Madison Avenue #7 AKA 1F WARD: 15 (Jenny Spencer)

Sky Rock Investments LLC, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION –**

INTERIOR/EXTERIOR MAINTENANCE, dated June 16, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-211-23 9212 Madison Avenue EXTERIOR WARD: 15 (Jenny Spencer)

Coastal Lines Homes LLC, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 13, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-212-23 9212 Madison Avenue #8 AKA 2F WARD: 15 (Jenny Spencer)

Fatma Meltem Tursucu Kalyon, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 15, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-213-23 9212 Madison Avenue COMMON AREA WARD: 15 (Jenny Spencer)

Coastal Line Homes LLC, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 13, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-214-23 9212 Madison Avenue #10 AKA 1C WARD: 15 (Jenny Spencer)

Baris Alican Akca, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 13, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-215-23 9212 Madison Avenue #11 AKA 2C WARD: 6 (Blaine A. Griffin)

Ulkan Efe Yesil, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 14, 2023; appellant is requesting for time to complete abatement of the violations.

Approval of Resolutions

Docket/s:

A-396-23	PSC Bulkley Building LLC
A-25-24	Patrick Cummings

Approval of Minutes

February 28, 2024

MEMO

To: Tom Vanover, Commissioner/CBO

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

Date: March 1, 2024

Subject: Request for presence at board hearing

The Board of Building Standards and Building Appeals request 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, March 13, 2024, at approximately 9:30 a.m. via WebEx.

DOCKET NO.	ADDRESS	INSPECTOR/S
A-196-23	9212 Madison #4 AKA 1E	R. Derrett
A-197-23	9212 Madison #6 AKA 3E	G. Conwell
A-198-23	9212 Madison #1 AKA 1D	G. Conwell
A-199-23	9212 Madison #2 AKA 2D	R. Derrett
A-200-23	9212 Madison #5 AKA 2E	G. Conwell
A-201-23	9212 Madison #9 AKA 3F	G. Conwell
A-202-23	9212 Madison #12 AKA 3C	R. Derrett
A-203-23	9212 Madison #19 AKA 3A	R. Derrett
A-204-23	9212 Madison #16 AKA 3B	R. Derrett
A-205-23	9212 Madison #17 AKA 1A	R. Derrett
A-206-23	9212 Madison #15 AKA 2B	R. Derrett
A-207-23	9212 Madison #14 AKA 1B	R. Derrett
A-208-23	9212 Madison #18 AKA 2A	G. Conwell
A-209-23	9212 Madison	R. Derrett
A-210-23	9212 Madison #7 AKA 1F	R. Derrett
A-211-23	9212 Madison Exterior	R. Derrett
A-212-23	9212 Madison #8 AKA 2F	R. Derrett
A-213-23	9212 Madison Common Area	R. Derrett
A-214-23	9212 Madison #10 AKA 1C	R. Derrett
A-215-23	9212 Madison #11 AKA 2C	R. Derrett
A-15-24	1865 West 22	T. Vanover

Agenda of the Board of Building Standards and Building Appeals

Wednesday, April 24, 2024 - revised

Board of Building Standards and Building Appeals
Cleveland City Hall - Room 514 or via WebEx at 9:30 a.m. EST
BBSA@clevelandohio.gov

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

Download the WebEx Desktop App or the mobile App from the WebEx website at https://www.webex.com/downloads.html/

Instructions to enable a browser plug-in for Chrome or Firefox can be found here: https://help.webex.com/en-us/WBX77970/How-Do-I-Enable-the-Webex-Plug-in-to-Join-aMeeting-Using-Chrome-or-Firefox

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/

BUILDING:

Docket A-226-23 **5404 Broadway Avenue** **WARD: 5 (Richard A. Starr)**

Darold Alexander, Owner of the MXD Mixed Uses-Multiple Uses in One Building; Two-Story; Masonry walls/Wood floors Frame Structure, appeals from a **NOTICE OF VIOLATION – CONDEMNATION MAIN STRUCTURE** dated August 3, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-242-23 **12209 Corlett Avenue** **WARD: 4 (Deborah A. Gray)**

Field of Roses LLC, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); Four Dwelling Units; Two-Story Frame Structure, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE,** dated August 29, 2023; appellant is requesting for time to complete the abatement of the violations.

Docket A-247-23 **8003 Cedar Avenue** **WARD: 6**
(Blaine A. Griffin)

GGW Enterprises LLC, Owner of the MXD Mixed Uses- Multiple uses in one building; Two Dwelling Units; Two-Story; Masonry walls/Wood floors Frame Structure, appeals from a **NOTICE OF VIOLATION – FIRE DAMAGE** dated September 7, 2023; appellant is requesting for time to complete the abatement of the violations.

Docket A-269-23 **12708 Larchmere Boulevard** **WARD: 6**
(Blaine A. Griffin)

Bauhaus Investments LLC, Owner of the M Mercantile-Retail shops, Carry-out Food Shops; One-Story; Masonry Frame Structure, appeals from a **NOTICE OF VIOLATION – NO PERMIT** dated September 12, 2023; appellant is requesting for time to complete the abatement of the violations.

Docket A-274-23 **12701 Shaker Boulevard** **WARD: 6**
(Blaine A. Griffin)

Shaker Heights Apartment Owner LLC, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress;) High-Rise Building Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE** dated September 12, 2023, appellant is requesting for time to complete the abatement of the violations.

Docket A-337-23 **7812 Euclid Avenue** **WARD: 6**
(Blaine A. Griffin)

Calvary Presbyterian Church, Owner of the A-3 Assembly-Recreation or Religious Facilities; Two and a Half-Story; Masonry walls/Wood floors Frame Structure, appeals from a **NOTICE OF VIOLATION – HAZARDOUS CONDITIONS** dated September 22, 2023; appellant is requesting for time to complete the abatement of the violations.

Docket A-361-23 **14921 Kinsman Road** **WARD: 1**
(Joseph T. Jones)

Johnny Waller Sr., Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress) Five Dwelling Units Two-Story Masonry Frame Structure appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE** dated September 25, 2023, appellant is requesting for time to complete the abatement of the violations.

BRIDGE:

Docket A-309-23
44 East 81 Street Cleveland, OH AKA North of Otter City Bridge

WARD: 6
(Blaine A. Griffin)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:531 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE,** dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-310-23
45 East of 83 Cleveland, OH AKA North of Fort Avenue City Bridge

WARD: 5
(Richard A. Starr)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:532 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE,** dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-311-23
46 East 90 Cleveland, OH AKA North of Holton Avenue City Bridge

WARD: 6
(Blaine A. Griffin)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:533 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE,** dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-312-23
47 East 92 Cleveland, OH AKA South of Buckeye Road City Bridge

WARD: 4
(Deborah A. Gray)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:534 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE,** dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-313-23

48 East 92 Cleveland, OH AKA North of Holton Avenue City Bridge

WARD: 6
(Blaine A. Griffin)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:535 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE,** dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-314-23
51 Harvard Cleveland, OH AKA East of Broadway City Bridge

WARD: 12
(Rebecca Maurer)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:542 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE,** dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-315-23
52 Holton Cleveland, OH AKA At East 84 Street City Bridge

WARD: 6
(Blaine A. Griffin)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:544 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE,** dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-316-23
53 Holton Cleveland, OH West of East 90 Street City Bridge

WARD: 6
(Blaine A. Griffin)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:545 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE,** dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-317-23
54 Commerce Cleveland, OH AKA (Hough) at East 43 City Bridge

WARD: 7
(Stephanie D. Howse-Jones)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:546 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE,** dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-318-23
55 Ivanhoe Cleveland, OH AKA North of Euclid Avenue City Bridge
WARD: 10
(Anthony T. Hairston)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:547 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE,** dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-319-23
56 Lake Cleveland, OH AKA At West 89 Street City Bridge
WARD: 15
(Jenny Spencer)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:549 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE,** dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-320-23
57 Lorain Cleveland, OH AKA At West 143 Street City Bridge
WARD: 16
(Brian Kazy)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:550 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE,** dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-321-23
58 Madison Cleveland, OH AKA At West 112 Street City Bridge
WARD: 11
(Danny Kelly)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:551 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE,** dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-324-23
59 Mayfield Cleveland, OH AKA At East 117 Street City Bridge

WARD: 9
(Kevin Conwell)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:553 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE,** dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-325-23
60 McCurdy Cleveland, OH AKA North of Holton Avenue City Bridge

WARD: 6
(Blaine A. Griffin)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:554 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE,** dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-326-23
63 Payne Cleveland, OH West of East 40 Street City Bridge

WARD: 7
(Stephanie D. Howse-Jones)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:557 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE,** dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3)

Approval of Resolutions

Docket/s:

A-291-23	Norfolk Southern Railway Company
A-292-23	Norfolk Southern Railway Company
A-293-23	Norfolk Southern Railway Company
A-294-23	Norfolk Southern Railway Company
A-295-23	Norfolk Southern Railway Company
A-296-23	Norfolk Southern Railway Company
A-297-23	Norfolk Southern Railway Company
A-298-23	Norfolk Southern Railway Company
A-299-23	Norfolk Southern Railway Company
A-300-23	Norfolk Southern Railway Company
A-301-23	Norfolk Southern Railway Company
A-302-23	Norfolk Southern Railway Company
A-303-23	Norfolk Southern Railway Company
A-304-23	Norfolk Southern Railway Company
A-306-23	Norfolk Southern Railway Company
A-308-23	Norfolk Southern Railway Company

Approval of Minutes

April 10, 2024

MEMO

To: Tom Vanover, Commissioner/CBO

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

Date: March 20, 2024

Subject: Request for presence at board hearing

The Board of Building Standards and Building Appeals request 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, April 8, 2024, at approximately 9:30 a.m.

DOCKET NO.	ADDRESS	INSPECTOR/S
A-226-23	5404 Broadway	K. Gudat
A-242-23	12209 Corlett	A. Arnold
A-247-23	8003 Cedar	K. Gudat
A-269-23	12708 Larchmere	A. Arnold
A-274.23	12701 Shaker	K. Lanum
A-337-23	7812 Euclid	A. Cvitic
A-361-23	14925 Kinsman	D. Turic
A-309-23	44 East 81	E. Elmi
A-310-23	45 East 83	E. Elmi
A-311-23	46 East 90	E. Elmi
A-312-23	47 East 92	E. Elmi
A-313-23	48 East 92	E. Elmi
A-314-23	51 Harvard	E. Elmi
A-315-23	52 Holton	E. Elmi
A-316-23	53 Holton	E. Elmi
A-317-23	54 Commerce	E. Elmi
A-318-23	55 Ivanhoe	E. Elmi
A-319-23	56 Lake	E. Elmi
A-320-23	57 Lorain	E. Elmi
A-321-23	58 Madison	E. Elmi
A-324-23	59 Mayfield	E. Elmi
A-325-23	60 McCurdy	E. Elmi
A-326-23	63 Payne	E. Elmi

Report of the Board of Building Standards and Building Appeals

Wednesday, March 13, 2024

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-15-24 – RE: Appeal of 1865 West 22ND Street LLC, Owner of the R-2 Residential-Permanent Housing (Shared Egress); Structure, located on the premises known as **1865 West 22nd Street,** appeals from an **ADJUCICATION ORDER B23003286---03,1.OBC 106.1.1 Information on Construction Documents (a, b, c, d, e, f, g, h, i, j, k, l, m, n, o, p, q, r, s, t, u, v, w, x, y, z, aa); 2. OBC 406.3.1 Classification; 3. OBC 905.8 Dry Standpipes; 4. OBC 1006.2.1 Egress Based on Occupant Load and Common Path of Egress Travel Distance; 5. OBC 1010.1.2.1 Direction of Swing; 6. OBC 1011.6 Stairway Landings; 7. OBC 1014.6 (a, b, c); Handrail Extensions; 8. OBC 1014.7 Clearance; 9. 1030.1 General; 10. OBC 1104.5 Location; 11. OBC 1106.1 Required; 12. OBC 3002.4 Elevator Car to Accommodate Ambulance Stretcher (a);13. OBC 3412.6.3 Compartmentation per Table 3412.6.3 Compartmentation Values; 14. OBC 3412.6.13 (a, i, ii); Maximum exit travel distance, OBC 1016.1 General ,OBC 1006.2.1 Egress Based on Occupant Load and Common Path of Egress Travel Distance, 1006.3.1 Egress Based on Occupant Load; 15. OBC 3412.6.14 Elevator Control; 16. OBC 3412.6.17 Automatic Sprinklers; 17. OBC 3412.6.18 Standpipes; 18. OBC 3412.9 Evaluation of Building Safety (a),** dated November 21, 2023, 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 **UPHOLD** the Adjudication Order as properly issued and to **GRANT** the appellant's request for a variance to the following items in Adjudication Order B23003286-03; Item 1 a. *i.* OBC 3001.2 Referenced Standards-granting travel distance from 25 feet to 32 feet and Item12. OBC 3002.4 Elevator Car to Accommodate Ambulance Stretcher-granting placards warnings for first responders as well as any occupants of the building that the elevator is not stretcher compliant,

BE IT FURTHER RESOLVED, this variance is granted with the understanding that all other items listed in this order will become compliant with the code, the property is REMANDED to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Bradley and seconded by Maschke.

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

* * *

Docket A-196-23 – RE: Appeal of Huriye Tugce Kirca, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, located on the premises known as **9212 Madison Avenue #4 AKA 1E,** appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 15, 2023; 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 two weeks, **March 27, 2024**, to clean-up graffiti, exterior debris and to install/replace all smoke detectors that are not in working order and to **GRANT** the appellate until **June 12, 2024,** to complete abatement of all violations, failure to meet any dates will **REMAND** the property immediately to the Department of Building and Housing for further action; 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 Jr.

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

* * *

Docket A-197-23 – RE: Appeal of Serdar Mutlu, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, located on the premises known as **9212 Madison Avenue #6 AKA 3E,** appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 14, 2023, 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 two weeks, **March 27, 2024**, to clean-up graffiti, exterior debris and to install/replace all smoke detectors that are not in working order and to **GRANT** the appellate until **June 12, 2024,** to complete abatement of all violations, failure to meet any dates will **REMAND** the property immediately to the Department of Building and Housing for further action; 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 Jr.

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

* * *

Docket A-198-23 – RE: Appeal of Huriye Tugce Kirca, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, located on the premises known as **9212 Madison Avenue #1 AKA 1D,** appeals from a **NOTICE OF VIOLATION –**

INTERIOR/EXTERIOR MAINTENANCE, dated June 14, 2023, 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 two weeks, **March 27, 2024**, to clean-up graffiti, exterior debris and to install/replace all smoke detectors that are not in working order and to **GRANT** the appellate until **June 12, 2024,** to complete abatement of all violations, failure to meet any dates will **REMAND** the property immediately to the Department of Building and Housing for further action; 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 Jr.

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

* * *

Docket A-199-23 – RE: Appeal of Oztemel LLC, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, located on the premises known as **9212 Madison Avenue #2 AKA 2D,** appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 16, 2023, 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 two weeks, **March 27, 2024**, to clean-up graffiti, exterior debris and to install/replace all smoke detectors that are not in working order and to **GRANT** the appellate until **June 12, 2024,** to complete abatement of all violations, failure to meet any dates will **REMAND** the property immediately to the Department of Building and Housing for further action; 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 Jr.

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

* * *

Docket A-200-23 – RE: Appeal of Oztemel LLC, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, located on the premises known as **9212 Madison Avenue #5 AKA 2E,** appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 14, 2023, 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 two weeks, **March 27, 2024**, to clean-up graffiti, exterior debris and to install/replace all smoke detectors that are not in working order and to **GRANT** the appellate until **June 12, 2024,** to complete abatement of all violations, failure to meet any dates will **REMAND** the property immediately to the Department of Building and Housing for further action; 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 Jr.

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

* * *

Docket A-201-23 – RE: Appeal of Serdar Mutlu, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, located on the premises known as **9212 Madison Avenue #9 AKA 3F,** appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 15, 2023, 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 two weeks, **March 27, 2024**, to clean-up graffiti, exterior debris and to install/replace all smoke detectors that are not in working order and to **GRANT** the appellate until **June 12, 2024,** to complete abatement of all violations, failure to meet any dates will **REMAND** the property immediately to the Department of Building and Housing for further action; 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 Jr.

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

* * *

Docket A-202-23 – RE: Appeal of Serdar Mutlu, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, located on the premises known as **9212 Madison Avenue #12 AKA 3C,** appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 13, 2023, 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 two weeks, **March 27, 2024**, to clean-up graffiti, exterior debris and to install/replace all smoke detectors that are not in working order and to **GRANT** the appellate until **June 12, 2024,** to complete abatement of all violations, failure to meet any dates will **REMAND** the property immediately to the Department of Building and Housing for

further action; 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 Jr.

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

* * *

Docket A-203-23 – RE: Appeal of Serdar Mutlu, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, located on the premises known as **9212 Madison Avenue #19 AKA 3A,** appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 20, 2023, 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 two weeks, **March 27, 2024**, to clean-up graffiti, exterior debris and to install/replace all smoke detectors that are not in working order and to **GRANT** the appellate until **June 12, 2024,** to complete abatement of all violations, failure to meet any dates will **REMAND** the property immediately to the Department of Building and Housing for further action; 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 Jr.

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

* * *

Docket A-204-23 – RE: Appeal of Serdar Mutlu, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, located on the premises known as **9212 Madison Avenue #16 AKA 3B,** appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 14, 2023, 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 two weeks, **March 27, 2024**, to clean-up graffiti, exterior debris and to install/replace all smoke detectors that are not in working order and to **GRANT** the appellate until **June 12, 2024,** to complete abatement of all violations, failure to meet any dates will **REMAND** the property immediately to the Department of Building and Housing for further action; 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 Jr.

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

* * *

Docket A-205-23 – RE: Appeal of Sarikurt LLC, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, located on the premises known as **9212 Madison Avenue #17 AKA 1A,** appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 16, 2023, 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 two weeks, **March 27, 2024**, to clean-up graffiti, exterior debris and to install/replace all smoke detectors that are not in working order and to **GRANT** the appellate until **June 12, 2024,** to complete abatement of all violations, failure to meet any dates will **REMAND** the property immediately to the Department of Building and Housing for further action; 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 Jr.

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

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Docket A-206-23 – RE: Appeal of Duygu Kizilgunes, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, located on the premises known as **9212 Madison Avenue #15 AKA 2B,** appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 16, 2023, 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 two weeks, **March 27, 2024**, to clean-up graffiti, exterior debris and to install/replace all smoke detectors that are not in working order and to **GRANT** the appellate until **June 12, 2024,** to complete abatement of all violations, failure to meet any dates will **REMAND** the property immediately to the Department of Building and Housing for further action; 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 Jr.

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

* * *

Docket A-207-23 – RE: Appeal of Serhat Cetin, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry

walls/Wood Floors Frame Structure, located on the premises known as **9212 Madison Avenue #14 AKA 1B,** appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 14, 2023, 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 two weeks, **March 27, 2024**, to clean-up graffiti, exterior debris and to install/replace all smoke detectors that are not in working order and to **GRANT** the appellate until **June 12, 2024,** to complete abatement of all violations, failure to meet any dates will **REMAND** the property immediately to the Department of Building and Housing for further action; 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 Jr.

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

* * *

Docket A-208-23 – RE: Appeal of Polat Tekay/Sinah Ozcan Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, located on the premises known as **9212 Madison Avenue #18 AKA 2A,** appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 15, 2023, 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 two weeks, **March 27, 2024**, to clean-up graffiti, exterior debris and to install/replace all smoke detectors that are not in working order and to **GRANT** the appellate until **June 12, 2024,** to complete abatement of all violations, failure to meet any dates will **REMAND** the property immediately to the Department of Building and Housing for further action; 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 Jr.

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

* * *

Docket A-209-23 – RE: Appeal of Coastal Line Homes LLC, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, located on the premises known as **9212 Madison Avenue,** appeals from a **NOTICE OF VIOLATION – NO PERMIT,** dated June 20, 2023, 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 two weeks, **March 27, 2024**, to clean-up graffiti, exterior debris and to install/replace all smoke detectors that are not in working order and to **GRANT** the appellate until **June 12, 2024,** to complete abatement of all violations, failure to meet any dates will **REMAND** the property immediately to the Department of Building and Housing for further action; 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 Jr.

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

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Docket A-210-23 – RE: Appeal of Sky Rock Investments LLC, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, located on the premises known as **9212 Madison Avenue #7 AKA 1F,** appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 16, 2023, 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 two weeks, **March 27, 2024**, to clean-up graffiti, exterior debris and to install/replace all smoke detectors that are not in working order and to **GRANT** the appellate until **June 12, 2024,** to complete abatement of all violations, failure to meet any dates will **REMAND** the property immediately to the Department of Building and Housing for further action; 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 Jr.

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

* * *

Docket A-211-23 – RE: Appeal of Coastal Lines Homes LLC, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, located on the premises known as **9212 Madison Avenue EXTERIOR,** appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 13, 2023, 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 two weeks, **March 27, 2024**, to clean-up graffiti, exterior debris and to install/replace all smoke detectors that are not in working order and to **GRANT** the appellate until **June 12, 2024,** to complete abatement of all violations, failure to meet any dates will

REMAND the property immediately to the Department of Building and Housing for further action; 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 Jr.

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

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Docket A-212-23 – RE: Appeal of Fatma Meltem Tursucu Kalyon, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, located on the premises known as **9212 Madison Avenue #8 AKA 2F,** appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 15, 2023, 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 two weeks, **March 27, 2024**, to clean-up graffiti, exterior debris and to install/replace all smoke detectors that are not in working order and to **GRANT** the appellate until **June 12, 2024,** to complete abatement of all violations, failure to meet any dates will **REMAND** the property immediately to the Department of Building and Housing for further action; 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 Jr.

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

* * *

Docket A-213-23 – RE: Appeal of Coastal Line Homes LLC, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, located on the premises known as **9212 Madison Avenue COMMON AREA,** appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 13, 2023, 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 two weeks, **March 27, 2024**, to clean-up graffiti, exterior debris and to install/replace all smoke detectors that are not in working order and to **GRANT** the appellate until **June 12, 2024,** to complete abatement of all violations, failure to meet any dates will **REMAND** the property immediately to the Department of Building and Housing for further action; 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 Jr.

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

* * *

Docket A-214-23 – RE: Appeal of Baris Alican Akca, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, located on the premises known as **9212 Madison Avenue #10 AKA 1C,** appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 13, 2023, 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 two weeks, **March 27, 2024**, to clean-up graffiti, exterior debris and to install/replace all smoke detectors that are not in working order and to **GRANT** the appellate until **June 12, 2024,** to complete abatement of all violations, failure to meet any dates will **REMAND** the property immediately to the Department of Building and Housing for further action; 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 Jr.

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

* * *

Docket A-215-23 – RE: Appeal of Ulkan Efe Yesil, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); 18 Dwelling Units; Three-Story Masonry walls/Wood Floors Frame Structure, located on the premises known as **9212 Madison Avenue #11 AKA 2C,** appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE,** dated June 13, 2023, 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 two weeks, **March 27, 2024**, to clean-up graffiti, exterior debris and to install/replace all smoke detectors that are not in working order and to **GRANT** the appellate until **June 12, 2024,** to complete abatement of all violations, failure to meet any dates will **REMAND** the property immediately to the Department of Building and Housing for further action; 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 Jr.

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

* * *

Approval of Resolutions

Separate motions were entered by Bradley and seconded by Denk Jr. 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-396-23 PSC Bulkley Building LLC
A-25-24 Patrick Cummings

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

* * *

Approval of Minutes

Separate motions were entered by Denk Jr. and seconded by Bradley 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):

February 28, 2024

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

* * *

Patrick Gallagher
Chairperson

Public Notice

Title: Request for Proposals for Storage of Vehicles – One Stop Non-Commercial for the Division of Police

Description: The City of Cleveland is soliciting proposals from qualified firms interested in providing storage of non-commercial vehicles – One Stop for the Cleveland Division of Police.

Opening Date/Time:	Wednesday, March 13, 2024, at 3:00 p.m.
Closing Date/Time:	Thursday, April 25, 2024, at 3:00 p.m.
Buyer Organization:	Public Safety/ Division of Police
Buyer Contact Name:	Sgt. Michael Donegan, Cleveland Division of Police
Buyer Contact Phone:	216-623-5066
Buyer Contact E-mail:	mdonegan@clevelandohio.gov
Meeting:	Yes, attendance is optional
Meeting Date/Time:	Thursday, April 11, 2024, at 2:00 p.m.
Meeting Location:	The pre-proposal meeting will be held in person in Cleveland City Hall Room 230
Documentation:	Posted to City of Cleveland website

Directory of City Officials

City Council

Cleveland City Hall
601 Lakeside Avenue, Room 220
Cleveland, Ohio, 44114
Phone: 216-664-2840
www.clevelandcitycouncil.org

President of Council – Blaine A. Griffin

City Clerk, Clerk of Council – Patricia J. Britt

Council Member	*Ward*
Joseph T. Jones	1
Kevin L. Bishop	2
Kerry McCormack	3
Deborah A. Gray	4
Richard A. Starr	5
Blaine A. Griffin	6
Stephanie D. Howse-Jones	7
Michael D. Polensek	8
Kevin Conwell	9
Anthony T. Hairston	10
Danny Kelly	11
Rebecca Maurer	12
Kris Harsh	13
Jasmin Santana	14
Jenny Spencer	15
Brian Kazy	16
Charles Slife	17

Permanent Schedule – Standing Committees of the Council 2022-2025

MONDAY – Alternating

9:30 a.m. – **Health, Human Services and the Arts Committee:** Conwell (CHAIR), Maurer (VICE-CHAIR), Gray, Harsh, Howse-Jones, Slife, Starr.

9:30 a.m. – **Municipal Services and Properties Committee:** Bishop (CHAIR), Starr (VICE-CHAIR), Hairston, Jones, Kazy, Kelly, Maurer.

MONDAY

2:00 p.m. – **Finance, Diversity, Equity and Inclusion Committee:** Griffin (CHAIR), McCormack (VICE-CHAIR), Bishop, Conwell, Hairston, Kazy, Polensek, Santana, Spencer.

TUESDAY

1:30 p.m. – **Workforce, Education, Training and Youth Development Committee:** Santana (CHAIR), Howse-Jones (VICE-CHAIR), Gray, Jones, Slife, Spencer, Starr.

TUESDAY – Alternating

9:30 a.m. – **Development, Planning and Sustainability Committee:** Hairston (CHAIR), Santana (VICE-CHAIR), Harsh, Howse-Jones, Jones, McCormack, Spencer.

WEDNESDAY – Alternating

10:00 a.m. – **Safety Committee:** Polensek (CHAIR), Jones (VICE-CHAIR), Gray, Howse-Jones, Kelly, Slife, Starr.

10:00 a.m. – **Transportation and Mobility Committee:** McCormack (CHAIR), Slife (VICE-CHAIR), Bishop, Gray, Kazy, Maurer, Santana.

THURSDAY

10:0 a.m. – **Utilities Committee:** Kazy (CHAIR), Spencer (VICE-CHAIR), Bishop, Gray, Harsh, Kelly, Polensek.

The following Committees meet at the Call of the Chair:

Mayor's Appointments Committee: Jones (CHAIR), Griffin, Hairston, Harsh, Starr.

Operations Committee: McCormack (CHAIR), Bishop, Conwell, Griffin, Maurer.

Rules Committee: Griffin (CHAIR), Conwell, Maurer, McCormack, Polensek.

City Departments

City Hall
601 Lakeside Avenue
Cleveland, OH 44114

MAYOR – Justin M. Bibb

Bradford J. Davy, Chief of Staff

Jeff Epstein, Chief of Integrated Development

Froilan Roy Fernando, Chief Technology and Innovation Officer

Sarah N. Johnson, Chief Communications Officer

Sonya Pryor-Jones, Chief of Youth and Family Success

Ryan M. Puente, Deputy Chief of Staff and Chief Government Affairs Officer

Bonnie Teeuwen, Chief Operating Officer

Michele Pomerantz, Chief of Education

AGING – Mary McNamara, Director

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS –

Carmella Davis, Secretary

Patrick M. Gallagher (Labor), Chair

Howard Bradley (Builder)

(Engineer)

Robert Maschke, Architect

Peggy Lipscomb, Alternate

BOARD OF ZONING APPEALS –

Elizabeth Kukla, Secretary

Members: Alanna Faith, Nina Holzer, Priscilla Rocha, Arleesha Wilson

BUILDING AND HOUSING –

Sally Martin O'Toole, Director

Divisions:

Navid Hussain, Commissioner, Construction Permitting
Richard Riccardi, Assistant Commissioner, Construction Permitting
Thomas E. Vanover, Commissioner, Code Enforcement

CITY AUDIT COMMITTEE –
Members: Laura Armstrong, Chair; Council President Blaine A. Griffin; Law Director Mark D. Griffin; Diane Downing; Sharon Dumas; Thomas Raguz.

CITY PLANNING COMMISSION – Joyce Pan Huang, Director
Members: Lillian Kuri, Chair, Gloria Jean Pinkney, Council Member Charles Slife, August Fluker, Denise McCray, Isabella McKnight, Andrew Sargeant.

CIVIL SERVICE COMMISSION – Rachon Long, Assistant Director
Gregory E. Jordan, President; Michael Flickinger, Vice President; India Pierce Lee, Secretary; Daniel J. Brennan, Member; Cyrus L. Patton, Member

COMMUNITY DEVELOPMENT – Alyssa Hernandez, 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 POLICE COMMISSION – Jason Goodrick, Interim Executive Director
Members: John Adams, Shandra Benito, James M. Chura, Charles Donaldson, Jr., Kyle Earley, Alana Garrett-Ferguson, Cait Kennedy, Gregory Reaves, Janice Ridgeway, Piet van Lier, Audrianna Rodriguez, Teri Wang, Sharena Zayed.

COMMUNITY RELATIONS BOARD – Angela Shute-Woodson, Executive Director;
Members: Mayor Justin M. Bibb, Chairman Ex-Officio; Rev. Dr. Charles P. Lucas, Jr., Vice-Chairman; Council Member Kevin L. Bishop, Daniel McNea, Stephanie

Morrison-Hrbek, Roland Muhammad, Luz Pellot, Robert Render, III, Gia Hoa Ryan, Council Member Richard Starr, Jay Westbrook, Peter Whitt.

ECONOMIC DEVELOPMENT – Thomas S. McNair, Director

FINANCE – Ahmed Abonamah, 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 –

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, Commissioner and Income Tax Administrator

Treasury – James Hartley, Treasurer

HUMAN RESOURCES – Matthew J. Cole, Director

Rachon N. Long, Assistant Director

LANDMARKS COMMISSION –

Members: Julie Trott-Heisey, Chair; Robert S. Strickland, Vice Chair; Michele Anderson; Allan Dreyer; Mark Duluk, City of Cleveland Architecture and Site Development; Councilwoman Deborah A. Gray; Cleveland City Planning Commission Director Joyce Huang; Christopher Loeser; Michael R. Sanbury; Raymond Tarasuck, Jr.; Dr. Regennia Williams.

LAW – Mark D. Griffin, Director

Michele Comer, Chief Counsel

Ronda Curtis, Chief Corporate Counsel
Elena Boop, Chief Trial Counsel
Aqueelah Jordan, Chief Prosecutor
Delanté Spencer Thomas, Chief Ethics Officer
John Skrtic, Law Librarian

MAYOR'S OFFICE OF CAPITAL PROJECTS – James D. DeRosa, Director

Divisions:

Architecture and Site Development – Carter Edman, Manager Engineering and Construction – Richard J. Switalski, Manager Real Estate – Susanne Degennaro, Commissioner

MAYOR'S OFFICE OF EQUAL OPPORTUNITY – Tyson Mitchell, Director

MAYOR'S OFFICE OF URBAN ANALYTICS AND INNOVATION – Elizabeth Crowe, Director

MAYOR'S OFFICE OF SUSTAINABILITY – Sarah O'Keeffe, Director

PORT CONTROL – Bryant L. Francis, Director

Divisions:

Cleveland Hopkins International Airport & Burke Lakefront Airport – Khalid Bahhur, Commissioner of Airports
Burke Lakefront Airport – Tony Campofredano, Airport Leader

PUBLIC HEALTH – David Margolius, M.D., Director

Divisions:

Air Quality – David Hearne, Interim Commissioner
Environment – Wallace L. Chambers, Jr., Commissioner
Health – Frances Mills, Commissioner
Health Equity and Social Justice – Lita Marie Wills, Commissioner
Vital Statistics – Andrea Kacinari, City Registrar

PUBLIC SAFETY – Dornat A. Drummond, Interim Director

Divisions:

Animal Control Services – Cory Keller, Chief Animal Control Officer

Emergency Medical Service – Orlando Wheeler, Commissioner

Emergency Operations Center – Nicole Carlton, Assistant Director

Fire – Anthony P. Luke, Chief

Police – Dorothy A. Todd, Chief

Professional Standards – Roger C. Smith, Administrator

PUBLIC UTILITIES – Martin J. Keane, Director

Divisions:

Cleveland Public Power – Ammon Danielson, Commissioner

Radio Communications – Brad Handke, Manager

TV 20 – Kathy Allen, General Manager

Utilities Fiscal Control – Catherine Troy, Chief Financial Officer

Water – Alex Margevicius, Commissioner

Water Pollution Control – Ramona Lowery-Ferrell, Commissioner

PUBLIC WORKS – Frank D. Williams, Director

Administration:

Administration – John Laird, Manager

Susie Claytor, Executive Commissioner, Public Auditorium

Kim Johnson, Interim Executive Commissioner, Prevention, Intervention and Opportunity for Youth and Young Adults

Divisions:

Motor Vehicle Maintenance – Jeffrey Brown, Commissioner

Neighborhood Resource and Recreation Centers – Samuel Gissentaner, Commissioner

Park Maintenance and Properties – Toi Porch, Interim 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 – Michelle Rose, Executive Director

Cleveland Municipal Court

Justice Center
1200 Ontario Street
Cleveland, Ohio, 44113
www.clevelandmunicipalcourt.org

Judge	*Courtroom*
Presiding and Administrative Judge Michelle D. Earley	14-C
Judge Marilyn B. Cassidy	13-A
Judge Mark R. Majer	12-B
Judge Lauren C. Moore	15-A
Judge Andrea Nelson Moore	12-A
Judge Michael L. Nelson, Sr.	15-C
Judge Ann Clare Oakar	14-A
Judge Charles L. Patton, Jr.	14-B
Housing Court Judge W. Moná Scott	13-B
Judge Suzan M. Sweeney	12-C
Judge Jazmin Torres-Lugo	13-C
Judge Shiela Turner McCall	13-D
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/