

The City Record

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Official Proceedings City Council

Cleveland, Ohio
Monday, May 20, 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, Deborah A. Gray, Blaine A. Griffin, Anthony T. Hairston, Kris Harsh, Stephanie D. Howse-Jones, Joseph T. Jones, Brian Kazy, Danny Kelly, Rebecca Maurer, Kerry McCormack, Michael D. Polensek, Charles Slife, Jenny Spencer, Richard A. Starr.

Also present were: Mayor Bibb; Chiefs Davy, Griffin, Johnson, Pomerantz, Teeuwen; Directors Crowe, DeRosa, Drummond, Hernandez, Keane, Margolius, Martin O'Toole, McNair, McNamara, O'Keeffe, 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 Harsh, the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Council Member Starr.

Communications

File No. 598-2024

From Mayor Justin M. Bibb. Appointing Anastasia Elder to the Board of Trustees of the Greater Cleveland Regional Transit Authority, term ending March 2026. Received.

File No. 611-2024

From Council President Blaine Griffin. Designating, without objection by Council, Va'Kedia Stiggers as Clerk pro Tempore for the Council Meeting of May 20, 2024, and for all matters requiring the Clerk's signature May 17-27, 2024. Received.

Ordinances and Resolutions

Ceremonial Resolutions

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

Resolutions of Condolence

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

Jones	Res. No. 599-2024	William “Bill” Strawbridge
Starr	Res. No. 600-2024	James L. Herron
Hairston	Res. No. 609-2024	Joyce Marie Jackson

Resolutions of Congratulations

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

Hairston	Res. No. 601-2024	Bishop Jon Walden
Jones	Res. No. 602-2024	Dorothy E. Ferrell

Resolutions of Recognition

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

Conwell	Res. No. 603-2024	Brittney Alexandria Smith
Gray	Res. No. 604-2024	Global Cleveland
Griffin	Res. No. 605-2024	Open Door Missionary Baptist Church
Griffin	Res. No. 606-2024	Reverend Dr. Stephen Rowan
Hairston	Res. No. 607-2024	Shirley C. Tucker
Polensek	Res. No. 608-2024	Republic of Slovenia Statehood Day

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, May 16, 2024, and referred to the appropriate City departments and Council Committees for review.

Click on an ordinance below to read it:

[Ord. No. 577-2024](#)

[Ord. No. 585-2024](#)

[Ord. No. 578-2024](#)

[Ord. No. 586-2024](#)

[Ord. No. 579-2024](#)

[Ord. No. 587-2024](#)

[Ord. No. 580-2024](#)

[Ord. No. 592-2024](#)

[Ord. No. 581-2024](#)

[Ord. No. 593-2024](#)

[Ord. No. 582-2024](#)

[Ord. No. 594-2024](#)

[Ord. No. 583-2024](#)

[Ord. No. 595-2024](#)

[Ord. No. 584-2024](#)

Ordinance No. 577-2024

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

An emergency ordinance authorizing the Director of Public Works to enter into one or more agreements with Changeover, or its designee, to allow and accept improvements to four tennis courts at Thurgood Marshall Recreation Center, as a gift to the City.

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 agreements with Changeover, or its designee, to allow and accept improvements to four tennis courts at Thurgood Marshall Recreation Center, as a gift to the City, in the estimated amount of \$35,339. The agreements shall be prepared by the Director of Law and shall contain additional terms and conditions that the Director deems necessary to protect and benefit the public interest.

Section 2. That 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. 578-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance authorizing the Director of Finance to enter into one or more contracts with Global Cleveland to provide services to immigrants, refugees, international students, and new citizens of Cleveland, for a period of one year, with two one-year options to renew, exercisable by the Director of Finance.

WHEREAS, Global Cleveland is a unique organization that attracts, welcomes and connects international newcomers to economic, social and educational opportunities in Cleveland; and

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

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

Section 1. That the Director of Finance is authorized to enter into one or more contracts with Global Cleveland to provide services to immigrants, refugees, international students, and new citizens of Cleveland, for a period of one year, with two one-year options to renew, exercisable by the Director of Finance.

Section 2. That the agreement(s) authorized shall be prepared by the Director of Law and shall contain terms and conditions as the director deems necessary to protect and benefit the City of Cleveland.

Section 3. That the cost of the agreement(s) shall be paid from Fund No. 01-9998-6234. (RQS 1501, RL 2024-62)

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

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

Ordinance No. 579-2024

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

An emergency ordinance to amend Section 139.17 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 107-2023, passed April 3, 2023, relating to customer facility charge for on-airport car rental customers.

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 139.17 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 107-2023, passed April 3, 2023, is amended to read as follows:

Section 139.17 Customer Facility Charge for On-Airport Car Rental Customers

(a) For purposes of this section, the following definitions shall apply:

- (1) “Airport” shall mean Cleveland Hopkins International Airport.
- (2) “Customer Facility Charge” or “CFC” shall mean the charge imposed by the City upon a rental car customer arriving at the Airport and renting a vehicle, which will be collected and remitted by the RACs.
- (3) “Indenture” shall mean the Amended and Restated Trust Indenture (Seventeenth Supplemental Trust Indenture dated as of November 1, 2011) by and between the City and The Bank of New York Mellon Trust Company, N.A., as trustee, as the same may be amended, modified or supplemented by any amendments or modifications thereof and supplements thereto entered into in accordance with the provisions thereof.
- (4) “Rental Car Company” or “RAC” shall mean any rental car company or business that enters into an agreement or is otherwise authorized to operate a rental car concession at and from Cleveland Hopkins International Airport.
- (5) “Rental Car Facility” or “Rental Car Facilities” shall mean the consolidated rental car facility and all related equipment and facilities to be located on Airport property from which all RACs would operate and all rental car customers would pick up and return their cars.
- (6) “Special Facility” or “Special Facilities” shall mean any hangar, maintenance buildings, or any other facility, improvement, or structure to be

acquired or constructed on the Airport System, the cost of construction, acquisition, maintenance and operation of which are financed by Special Revenue Bonds and user charges.

(7) “Special Revenue Bond” or “Special Facility Bonds” shall mean revenue bonds or other obligations of the City which may be authorized and issued for the purpose of acquiring, constructing or improving a Special Facility to be leased to, or contracted for operation by, any person or entity, including the City, with the income therefrom to be used for the payment of sums adequate to pay all principal, interest, redemption premiums, if any, and reserves, if any, as required in the legislation authorizing such Special Revenue Bonds and all operating expenses incurred in the operation of the Special Facility. Special Revenue Bonds are not issued under or secured by the Indenture.

(8) “Transaction Day” shall mean a 24-hour period or fraction thereof for which a rental car customer is provided the use of a rental vehicle for compensation or otherwise, and regardless of the duration or length of the rental term.

(b) All persons entering into a rental car transaction with Rental Car Company, which originates at Cleveland Hopkins International Airport, shall be charged a Customer Facility Charge per each Transaction Day. The amount of the CFC shall be set by the Board of Control of the City and may be amended from time to time by the Board of Control. The Director of Port Control shall provide not less than 30 days’ notice to each Rental Car Company of the adjusted changes to the CFC approved by the Board of Control for the costs and expenses of financing, planning, designing, constructing, equipping, operating and maintaining the Rental Car Facilities and related infrastructure; provided, however, the CFC shall not, without further legislative action, exceed the costs to finance, plan, design, construct, equip, operate and maintain the Rental Car Facilities, related facilities, and purposes that the Director deems appropriate to support and operate the Rental Car Facilities.

(c) Each Rental Car Company shall:

(1) Impose and collect the CFC authorized by the City;

(2) Hold such CFCs collected in trust for the benefit of the City, and that the City, or a trustee on its behalf, shall have complete possessory and ownership rights to such CFCs;

(3) Remit the CFCs collected to the City, without offset, in the manner described in an agreement with the RAC, or as the City may otherwise direct; and

(4) Comply with all City rules or requirements, as established by the Director of Port Control from time to time or included within the agreement with the Rental Car Company, regarding the collection and remittance of CFCs.

(d) In addition to all other remedies available to the City, any Rental Car Company who fails to collect and/or timely remit the CFC may be barred from using Cleveland Hopkins International Airport or its facilities for conduct of any commercial activity whatsoever.

(e) *Use.* Proceeds of the Customer Facility Charge shall be deposited by the Airport into a segregated account for the collection of the CFCs and separate from Airport Revenues, to be used solely for:

(1) The planning, development, financing, construction and operation of the Rental Car Facility, Rental Car Facility improvements and repairs, and related infrastructure, which are or will be deemed as a Special Facility or Special Facilities by the Airport.

(2) Rental Car Facility operations and maintenance expenses.

(f) *Pledge.* The Airport may pledge Customer Facility Charge revenues for any of the following:

(1) To support the payment of Special Revenue Bonds or Special Facility Bonds issued by the City to finance any use authorized under division (e) of this section.

(2) The creation and maintenance of reasonable reserves and for the payment of debt service associated with any Special Revenue Bonds or Special Facility Bonds issued for any use authorized under division (e) of this section.

(3) To support payment of the cost of contract or contracts authorized under division (g) of this section, to be paid out of CFCs collected under division (c) of this section.

Capitalized terms used herein and not otherwise defined herein have the meaning given to such terms as in the Indenture.

(g) The Director of Port Control is authorized to enter into agreements with the RAC necessary for any use authorized under division (e) of this section.

Section 2. That existing Section 139.17 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 107-2023, passed April 3, 2023, 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 Port Control; Finance; and Law;
Committee on Transportation and Mobility; and Finance,
Diversity, Equity and Inclusion.**

Ordinance No. 580-2024

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

An emergency ordinance to amend Section 1 of Ordinance No. 671-2023, passed June 5, 2023, as amended, relating to authorizing the Director of Community Development to provide financial assistance to projects providing housing in the City of Cleveland.

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 1 of Ordinance No. 671-2023, passed June 5, 2023, as amended by Ordinance No. 1254-2023, passed December 4, 2023, is amended to read as follows:

Section 1. That the Director of the Department of Community Development is authorized to enter into one or more contracts with various entities for the Projects, not to exceed \$5,000,000 per Project, described in File No. ~~671-2023-D~~ 671-2023-E following the appropriate state, local, and/or federal requirements governing the use of Strategic Priority Subfund, General Fund, Residential Neighborhoods Improvement Bond Funds, and/or HOME-ARPA funds. Additional legislative authority is required to authorize the Director to enter into one or more contracts with an entity included in the yellow-coded Projects in the file.

Section 2. That existing Section 1 of Ordinance No. 671-2023, passed June 5, 2023, as amended by Ordinance No. 1254-2023, passed December 4, 2023, 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 Community Development; Finance; and Law; Committee on Development Planning and Sustainability; and Finance, Diversity, Equity and Inclusion.

Ordinance No. 581-2024

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

An emergency ordinance to amend the title and Sections 1 and 5 of Ordinance No. 683-2021, passed September 27, 2021, and to supplement the ordinance by adding new Sections 5a, 5b, and 5c, relating to authorizing the Director of Capital Projects to apply for and accept funding from the Ohio Department of Transportation for the preliminary study of the Lakefront Pedestrian Bridge and authorizing contracts.

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

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

Section 1. That the title and Sections 1 and 5 of Ordinance No. 683-2021, passed September 27, 2021, are amended to read as follows:

AN EMERGENCY ORDINANCE Authorizing the Director of Capital Projects to apply for and accept funding from the Ohio Department of Transportation for the preliminary alternative study of the Lakefront Pedestrian Bridge; authorizing the Director to apply for and accept gifts, grants, and other funding from other entities; to enter into contract with Osborn Engineering Company for traffic modeling and engineering services; authorizing other agreements; determining the method of making the public improvement of constructing the bridge; and authorizing the Director to enter into one or more public improvement contracts for the making of the improvement. and authorizing the Commissioner of Purchases and Supplies to acquire, accept, and record for right-of-way purposes real property and easements.

Section 1. That the Director of Capital Projects is authorized to apply for and accept state funding from the Ohio Department of Transportation (“ODOT”) for the following infrastructure preliminary alternative study and design and engineering services for the construction of a land bridge and other associated infrastructure to support project development; CUY 2-15.26 – Lakefront Pedestrian Bridge Connector to the Lakefront (the “Project”); that the Director is authorized to file all papers and execute all documents necessary to receive the funds; and that the funds are appropriated for the purposes described in this ordinance.

Section 5. That the Director of Capital Projects is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary ~~to implement the Project, including but not limited to, providing~~

~~representation for the City, and performing management services for the Project and for the Improvement described below.~~

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

Section 2. That the existing title and Sections 1 and 5 of Ordinance No. 683-2021, passed September 27, 2021, are repealed.

Section 3. That Ordinance No. 683-2021, passed September 27, 2021, is supplemented by adding new Sections 5a, 5b and 5c to read as follows:

Section 5a. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of constructing the Lakefront Pedestrian Bridge and other associated infrastructure (“Improvement”) 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 5b. That the Director of Capital Projects is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder or bidders after competitive bidding for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract for a gross price. On request of the director, the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of the improvement.

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

Referred to Directors of Capital Projects; City Planning Commission; Finance; and Law; Committee on Municipal Services and Properties; and Finance, Diversity, Equity and Inclusion.

Ordinance No. 582-2024

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

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to BERGES, LLC to encroach into the public right-of-way of Follett Court by installing, using and maintaining a private sanitary sewer line and a private storm sewer line.

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

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

Section 1. That the Director of Capital Projects is authorized to issue a permit to BERGES, LLC to encroach into the public right-of-way of Follett Court by installing, using and maintaining a private 6" sanitary sewer line and a private 6" storm sewer line at the following described location:

ENCROACHMENT

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Follett Court in the in the Susan K. and Samuel Follett's Re-Subdivision of part of Original Brooklyn Township Lot 69 as shown by the recorded plat in Volume 7 of Page 10 of Cuyahoga County Map Records and further bounded and described as follows:

Beginning at a 5/8" iron pin found at the intersection of the southerly right of way of Follett Court (14 feet wide) and the westerly right of way of said court, also being the northwesterly most corner of the Follett Homes Subdivision Phase 2 as shown on the plat recorded in AFN. 201904040083 of Cuyahoga County Records and the Principal Place of Beginning of the encroachment area herein described;

Course 1: Thence North 00°00'16" West along the westerly right of way of Follett Court, 14.00 feet to a 5/8" iron pin found on the northerly right of way of said Court at the southwesterly most corner of land conveyed to Kenneth Kovash by the deed recorded in AFN. 202304270242 of Cuyahoga County Deed Records;

Course 2: Thence South 89°59'57" East along the northerly right of way of Follett Court and the southerly line of land so conveyed to Kenneth Kovah, 7.00 feet to a point;

Course 3: Thence South 00°00'16" East, 14.00 feet to the southerly right of way of Follett Court;

Course 4: Thence North 89°59'57" West along the southerly right of way of Follett Court, 7.00 feet to the Principal Place of Beginning and containing 98 square feet of land, as described by Peter John Gauriloff, P.S. No. 8646 of The Riverstone Company in April 2024, subject to all legal highways, restrictions, reservations and easements of record.

Legal Descriptions approved by Eric B. Westfall, Section Chief, Plats, Surveys and House Numbering Section.

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

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

Section 4. That the permit shall reserve to the City reasonable right of entry to the encroachment locations.

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

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

Ordinance No. 583-2024

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of rock salt, for the Division of Streets, Department of Public Works, for a period of one year.

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 requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one (1) year of the necessary items of rock salt, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Streets, Department of Public Works. Bids shall be taken in a manner that permits an award to be made for all items as a single contract or by separate contracts for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 7016, RL 2024-21)

Section 3. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of 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 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; Committee on Municipal Services and Properties; and Finance, Diversity, Equity and Inclusion.

Ordinance No. 584-2024

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

An emergency ordinance authorizing the Director of Capital Projects to employ one or more professional consultants or one or more firms of consultants to perform various construction activities for roads, bridges and City facilities, not to exceed a total term of thirty months.

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

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

Section 1. That the Director of Capital Projects is authorized to 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 perform various construction activities for roads, bridges and City facilities, including but not limited to, services for construction engineering, construction oversight, construction management material testing, and environmental testing, not to exceed a total term of thirty months.

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

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

Section 3. That the cost of the contract or contracts authorized shall be paid from Fund Nos. 20 SF 568, 20 SF 574, 20 SF 579, 20 SF 586, 20 SF 592, 20 SF 597, 20 SF 702, 20 SF 712, 20 SF 718, and from the fund or funds to which are credited the proceeds from the sale of future bonds, if issued for this purpose. (RQS 0103, RLA 2024-49)

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 Capital Projects; Finance; and Law; Committee on Municipal Services and Properties; and Finance, Diversity, Equity and Inclusion.

Ordinance No. 585-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance authorizing the Director of Finance to employ one or more professional consultants, computer software developers, or vendors to acquire licenses for a grant management software system to manage and implement grants, including related services, for the Division of Financial Reporting and Control, Department of Finance, for a period of three years with two one-year options to renew, exercisable by the Director of Finance.

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

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

Section 1. That the Director of Finance is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants, computer software developers, or vendors for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to acquire licenses for a grant management system, including installing, configuring, training, implementing, testing, maintaining, technical support, and other related services for the Division of Financial Reporting and Control, Department of Finance, for a period of three years with two one-year options to renew, 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 and approved and certified by the Director of Finance.

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

Section 3. That the cost of the contract or contracts authorized shall be paid from Fund No. 11 SF 006. (RQS 1510, RL 2024-58)

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 Finance; and Law; Committee on Finance, Diversity, Equity and Inclusion.

Ordinance No. 586-2024

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

An emergency ordinance authorizing the procurement by one or more requirement contracts for the rental of various types of heavy-duty equipment, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control of the Department of Public Utilities and for the Department of Public Works, for a period of two years.

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

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

Section 1. That the Directors of Public Utilities and Public Works are authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a two-year period of the necessary items of the rental of various types of heavy duty equipment, in the approximate amount as procured during the preceding term, to be procured by the Commissioner of Purchases and Supplies on a unit basis for the Divisions of Water, Cleveland Public Power, and Water Pollution Control of the Department of Public Utilities and for the Department of Public Works. Bids shall be taken in a manner that permits an award to be made for all items as a single contract or by separate contracts for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any procurement under the contract, each of which procurements shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 2002, RL 2024-11)

Section 3. That under Section 108(b) of the Charter, the procurements authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Directors of Public Utilities and Public Works may sign all documents that are necessary to make the procurements and may enter into one or more contracts with the vendors selected through that cooperative process.

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

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

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

Ordinance No. 587-2024

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary for analysis, identification, storage, remediation, transportation, clean-up, emergency response, recycling, and disposal of various chemicals, hazardous waste products, and other non-hazardous and recyclable waste materials, routine industrial cleaning, and required training, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities and the Department of Public Works for a period of two years, with two one-year options to renew, exercisable by the Director of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years, with two one-year options to renew, for the necessary items of labor and materials necessary for analysis, identification, storage, remediation, transportation, clean-up, emergency response, recycling, and disposal of various chemicals, hazardous waste products, and other non-hazardous and recyclable waste materials, routine industrial cleaning, and required training for Department of Public Utilities' and the Department of Public Works' employees whose work involves these products and materials, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities and the Department of Public Works for a period of two years, with two one-year options to renew, exercisable by the Director of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 2002, RL 2024-17)

Section 3. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Utilities may sign all documents that are necessary to make the purchases and may enter into one or more contracts with the vendors selected through that cooperative process.

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

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

Ordinance No. 592-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance to authorize the Director of Finance to enter into an amendment to Contract No. 61386 with ADP, Inc. for licenses and services for an integrated payroll and human resources information system to extend the term of the contract for up to one year, with one or more options to renew for an additional total term not to exceed two years, exercisable by the Director of Finance.

WHEREAS, under Ordinance No. 400-2021, passed June 7, 2021, the Director of Finance entered into a seventh amendment to Contract No. 61386 with ADP, Inc. to acquire licenses and services for an integrated payroll and human resources information system; and

WHEREAS, additional services are required; and

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

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

Section 1. That the Director of Finance is authorized to enter into an amendment to Contract No. 61386 with ADP, Inc. for licenses and services for an integrated payroll and human resources information system to extend the term of the contract for up to one year, with one or more options to renew for an additional total term not to exceed two years, exercisable by the Director of Finance. All other terms and conditions of the contract shall remain the same.

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

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

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

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

Ordinance No. 593-2024**By Council Members:** Kazy

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio 1976 by amending Section 459.11, as amended by Ordinance No. 1693-06, passed October 9, 2006, related to parking infraction fines.

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

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

Section 1. That the Codified Ordinances of the City of Cleveland, Ohio are supplemented by amending Section 459.11 as amended by Ordinance No. 1693-06, passed October 9, 2006, to read as follows:

Section 459.11 Parking Infraction Fines

(a) The fine for committing a parking infraction, unless another fine is established by divisions (b) or (c) of this section, is hereby established to be twenty-five dollars (\$25.00), except that the fine for a rush hour parking infraction shall be thirty-five dollars (\$35.00).

(b) The fine for violating each of the following sections of the Codified Ordinances of Cleveland, Ohio, 1976, whether or not committed during rush hour, is hereby established to be fifty dollars (\$50.00):

451.03	Statutory Prohibited Standing or Parking Places, division (d), division (e) and division (j) only
451.15	Fire Lanes on Public and Private Property, division (b) and division (c) only
451.22	Between Sidewalk and Setback Line
451.23	Tree Lawn and Private Driveway, division (a) only
451.241	Parking Vehicles on Vacant Lots Prohibited, division (b) only
451.25	Abandoned Vehicles
451.17	Snow Emergency
451.18	Bus Stops and Taxicab Stands, division (b) only

(c) The fine for violating each of the following section of the Codified Ordinances of Cleveland, Ohio, 1976, whether or not committed during rush hour, is hereby established to be one hundred dollars (\$100.00):

451.21	Trucks and Commercial Vehicles, division (b) only
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(d) The fine for violating the following section of the Codified Ordinances of Cleveland, Ohio, 1976, whether or not committed during rush hour, is hereby established to be two hundred dollars (\$200.00):

451.23	<u>Tree Lawn and Private Driveway, division (a) only</u>
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~~(d)~~ (e) The fine for violating the following section of the Codified Ordinances of Cleveland, Ohio, 1976, whether or not committed during rush hour, is hereby established to be two hundred and fifty dollars (\$250.00):

451.041	Physically Handicapped Parking, division (b) only
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Section 2. That Section 459.11 as amended by Ordinance No. 1693-06, passed October 9, 2006, is repealed.

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

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

Ordinance No. 594-2024

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

An emergency ordinance authorizing the Director of Capital Projects to apply for and accept a grant from the United States Department of Transportation for the 2024 Safe Streets and Roads for All Grant; authorizing the Director of Capital Projects, or appropriate Director, to enter into contracts to implement the grant; determining the method of making the public improvement of constructing safety improvements on Lee Road, Lorain Avenue and East 93rd Street and through quick-build demonstration projects on Kinsman Road, Superior Avenue and Denison Avenue; authorizing contracts to make the improvement; to apply for and accept any gifts or grants from any public or private entity; authorizing the Commissioner of Purchases and Supplies to acquire, accept and record real property and easements that are necessary for the improvement; and authorizing other agreements.

WHEREAS, the City Planning Commission adopted the Cleveland Vision Zero Action Plan on September 2, 2022, containing recommendations for reaching zero roadway deaths and serious injuries by 2032, and as directed by that plan, the City of Cleveland is seeking additional resources for its implementation; 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 Capital Projects is authorized to apply for and accept a grant in the approximate amount of \$10,000,000.00 from the United States Department of Transportation, and any other funds from public or private entities that may become available during the grant term, to conduct the 2024 Safe Streets and Roads for All Grant; that the director is authorized to file all papers and execute all documents necessary to receive the funds; and that the funds are appropriated for the purposes described in the legislative summary for the grant contained in the file described below.

Section 2. That the legislative summary for the grant, **File No. 594-2024-A**, made a part of this ordinance as if fully rewritten, including the obligation of the City of Cleveland to provide \$2,500,000.00 in cash matching funds payable from Fund Nos. 20 SF 568, 20 SF 574, 20 SF 579, 20 SF 586, 20 SF 592, 20 SF 597 20 SF 701, 20 SF 712, 20 SF 718, from the fund or fund to which are credited any other grant and gift proceeds accepted under this ordinance and other funds approved by the Director of Finance, is approved in all respects and shall not be changed without additional legislative authority. (RQS 0103, RLA 2024-58)

Section 3. That the Director of Capital Projects is authorized to extend the term of the grant during the grant term.

Section 4. That the Director of Capital Projects, City Planning and/or Public Works, are 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, including but not limited to, design, engineering, supplemental planning, and other services necessary for project management, Vision Zero Action Plan implementation, and the Improvement described below.

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

Section 5. That under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of constructing safety improvements on Lee Road, Lorain Avenue and East 93rd Street and quick-build demonstration projects on Kinsman Road, Superior Avenue and Denison Avenue (the "Improvement"), for the Director of Capital Projects by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement.

Section 6. That the Director of Capital Projects is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder after competitive bidding on a unit basis for the Improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

Section 7. That the Director of Capital Projects, or appropriate Director, 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 8. That the Director of Capital Projects, City Planning and/or Public Works, are authorized to make one or more written standard purchase contracts and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of requirements to be determined by the appropriate Director, for the necessary items of materials, equipment, supplies, and services needed to implement the grant, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Office of Capital Projects, or appropriate department. Bids shall be taken in a manner that permits an award to be made for all items as a single contract,

or by separate contract for each or any combination of the items as the Board of Control determines.

Section 9. That under Section 108(b) of the Charter, the purchases and/or services authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Capital Projects, City Planning and/or Public Works may sign all documents that are necessary to make the purchases and/or obtain such services, and may enter into one or more contracts with the vendors and/or consultants selected through that cooperative process.

Section 10. That the Director of Capital Projects is authorized to accept right-of-entries from private property owners within the Improvement locations where access to private property is necessary for the Improvement.

Section 11. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is authorized to acquire, accept, and record for right-of-way purposes any real property and easements necessary to make the Improvement, including but not limited to gift, fee simple acquisitions, temporary and permanent easements, and work agreements. The consideration to be paid for the property and easements shall not exceed fair market value to be determined by the Board of Control.

Section 12. That the Director of Capital Projects is authorized to execute, on behalf of the City, all documents necessary to acquire, accept, and record the property and easements and to employ and pay all fees for title companies, surveys, escrows, appraisers, and all other costs necessary for the acquisition of the property and easements.

Section 13. That the Director of Capital Projects is authorized to file all papers and execute all documents necessary to receive the funds under this ordinance; and that the funds are appropriated for the purposes described in the ordinance.

Section 14. That the Director of Capital Projects is authorized to apply for and accept any gifts or grants for the Improvement from any public or private entity; and that the Director is authorized to file all papers and execute all documents necessary to receive the funds; and that the funds are appropriated for the purposes described in this ordinance.

Section 15. That the Director of Capital Projects is authorized to enter into any agreements necessary to implement this ordinance.

Section 16. That the cost of the contract or contracts authorized in this ordinance shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance, the cash match, Fund Nos. 20 SF 568, 20 SF 574, 20 SF 579, 20 SF 586, 20 SF 592, 20 SF 597 20 SF 701, 20 SF 712, 20 SF 718, from the fund or fund to which are credited any other grants received and gift proceeds accepted under this ordinance, and other funds approved by the Director of Finance.

Section 17. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ordinance No. 595-2024

By Council Members: McCormack, Howse-Jones and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Finance to enter into one or more contracts with Clutch Consulting Group, the Cleveland Mediation Center, and various non-profit organizations for the purpose of developing and implementing direct-to-housing encampment resolution practices to eliminate unsheltered homelessness in the City of Cleveland as part of “A Home for Every Neighbor: A Vision For Housing Our Unsheltered Community” initiative, for the Department of Finance, for a period not to exceed eighteen months.

WHEREAS, the City of Cleveland wishes to implement “A Home for Every Neighbor: A Vision For Housing Our Unsheltered Community” to end unsheltered homelessness by rehousing approximately 150 unsheltered persons by implementing a housing-focused outreach and engagement strategy in geographically-targeted areas of the City followed by rapid rehousing placements using existing and new City-sponsored housing resources, which is known as “housing central command” or “direct-to-housing encampment resolution” (the “Initiative”); and

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

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

Section 1. That the Director of Finance is authorized to enter into one or more contracts with Clutch Consulting Group to implement the Initiative, including but not limited to development and management of a plan, using existing and new City-sponsored related resources, on the basis of its proposal dated May 7, 2024, for the Department of Finance, for a period not to exceed eighteen months.

Section 2. That the Director of Finance is authorized to enter into one or more contracts with Cleveland Mediation Center to support the Initiative by providing housing assistance placement services, including but not limited to, outreach, administration, mediation, assessment, collaboration, disbursing funds, and other housing-related direct client assistance services, for the Department of Finance, for a period not to exceed eighteen months.

Section 3. That the Director of Finance is authorized to enter into one or more contracts with various non-profit organizations that participate in workshops provided by Clutch Consulting Group to implement the Initiative and performing related services, for Department of Finance, for a period not to exceed eighteen months.

Section 4. That under Section 108(b) of the Charter, the services authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Finance may sign all documents that are necessary to obtain such services and may enter into one or more contracts with the consultants selected through that cooperative process.

Section 5. The contract or contracts shall not exceed an aggregate amount of \$2,000,000 and shall be paid from Fund No. 01-9997-6985. (RQS 1501, RL 2024-57)

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

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, May 16, 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. 589-2024

Ord. No. 597-2024

Ordinance No. 589-2024

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the U.S. Department of Health and Human Services, Health Resources and Services Administration for a Healthy Start Initiative grant to carry out various MomsFirst project services; authorizing the purchase or lease of television and radio advertising time and other media; professional services to acquire case management software; and to enter into one or more contracts with various agencies entities, and individuals, to implement the project.

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

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

Section 1. That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$1,100,000 annually for a period of five years, and any other funds as they may become available during the grant term, from the U.S. Department of Health and Human Services, Health Resources & Services Administration for a Healthy Start Initiative grant to carry out various MomsFirst project services; that the Director of Public Health is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes set forth in the executive summary for the grant.

Section 2. That the executive summary for the grant, **File No. 589-2024-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. (RQS 5008, RLA 2024-52)

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

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

Section 5. That the Director of Public Health is authorized to enter into one or more contracts with various agencies, entitles, and individuals, including but not limited to, Birthing Beautiful Communities, Case Western Reserve University, Friendly Inn Settlement, Inc., Lexington Bell, Merrick House, The MetroHealth System, St. Martin De Porres Catholic Charities, Ronald K White dba Transparency Program (Fatherhood), and West Side Community House to provide MomsFirst services to women at risk of poor birth outcomes, during the grant term.

Section 6. That the Director of Public Health is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the purchase of lease, during the grant term, of television and radio advertising time and other media, for the Department of Public Health.

Section 7. That the Director of Public Health is authorized to enter into one or more contracts with Go Beyond, Inc. for the acquisition of one or more licenses and services required under the grant, including but not limited to installation, design, training, testing, technical support and software maintenance during the grant period, for the Department of Public Health.

Section 8. That under Section 108(b) of the Charter, the services authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Health may sign all documents that are necessary to obtain such services and may enter into one or more contracts with the consultants selected through that cooperative process.

Section 9. That the cost of the contract or contracts shall be paid from the fund or funds which are credited the grant proceeds accepted under this ordinance.

Section 10. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

The rules were suspended. Yeas 16. Nays 0.

Read second time.

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

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

Voting Nay: None.

Absent: Santana.

Ordinance No. 597-2024**By Council Members:** Gray

An emergency ordinance authorizing the Director of the Department of Economic Development to enter into agreement with Henry's Dry Cleaners & Care Center, Inc. for business parking lot and pocket park improvement project through the use of Ward 4 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Economic Development is hereby authorized to enter into agreement with Henry's Dry Cleaners & Care Center for the business parking lot and pocket park improvement project for the public purpose of business development and public improvement through the use of Wards 4 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$5,000.00 and shall be paid from Fund No. 10 SF 188 using the fund and project number from the following Ward:

<u>Ward</u>	<u>Amount</u>	<u>Project Number</u>
Ward 4	\$5,000.00	G24667

Section 3. That the Law Department has reviewed and approved this proposal on May 17, 2024. The Department has reviewed and approved the proposal on May 17, 2024. Project shall begin as of May 20, 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 Harsh to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Starr.

The rules were suspended. Yeas 16. Nays 0.

Read second time.

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

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

Voting Nay: None.

Absent: Santana.

Ordinances and Resolutions

First Reading 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, May 16, 2024, and referred to the appropriate City departments and Council Committees for review.

Click on an ordinance below to read it:

Ord. No. 588-2024

Ordinance No. 588-2024

By Council Members: McCormack and Spencer

An ordinance to supplement the Codified Ordinances of the City of Cleveland, 1976 by enacting new Sections 686B.01 through 686B.11 and 686B.99 related to Short-Term Rentals, and by amending Sections 193.01, 193.02, 193.03 and 193.021 as amended by various ordinances related to the Transient Occupancy Tax, and by amending Section 337.02, as amended by Ordinance No. 586-16, passed July 13, 2016 related to One-Family Districts, and repealing Section 337.251, as amended by Ordinance No. 1444-16, passed January 23, 2017, related to Limited Lodging in Residence Districts.

WHEREAS, the increase in the number of persons and entities desiring to rent their residential properties on a short-term basis has led to the rise in transient and vacation rental uses within City neighborhoods that originally were planned, approved and constructed solely for residential use; and

WHEREAS, residential properties used by individuals for short periods of time (“short-term rentals”) can negatively impact the neighborhoods’ residential character that first encouraged people to purchase homes in that neighborhood; transient visitors taking the place of permanent residents can destroy the unity, communication and accountability between permanent residents; and

WHEREAS, the increase of substitute land uses for residential property contributes to the shortage of affordable housing for homeowners and long-term renters; and

WHEREAS, this Council has received numerous complaints from neighbors seeking to resolve issues with parking, noise, safety, and other adverse effects related to the operation of short-term rentals in residential areas; and

WHEREAS, regulating the use and operation of short-term rentals is intended to prevent continued negative impacts on pre-existing and stable neighborhoods and advance this Council’s commitment to preserving the residential quality of the City’s neighborhoods; and

WHEREAS, this Council believes that the licensing procedure and regulations set forth herein will permit the successful operation of short-term rentals in residential neighborhoods, are necessary to protect the health, safety and welfare of property owners, residents and transient guests, and will ensure such operations do not continue to negatively impact the residential character of neighborhoods; now, therefore,

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

Section 1. That the Codified Ordinances of Cleveland Ohio, 1976, are supplemented by enacting new Sections 686B.01, 686B.02, 686B.03, 686B.04, 686B.05, 686B.06,

686B.07, 686B.08, 686B.09, 686B.10, 686B.11 and 686B.99 to read, respectively, as follows:

Section 686B.01 Purpose

This Council recognizes that, while short-term rentals can provide community benefits, the proliferation of short-term rentals in residential neighborhoods can adversely impact the health, safety, property, density and residential character of a neighborhood.

The purpose of this chapter is to establish a licensing process and health and safety standards for short-term rental units, while ensuring that such rental use does not create adverse impacts to residential neighborhoods due to excessive traffic, noise, density, and safety concerns, among other adverse effects.

Section 686B.02 Definitions

As used in this chapter:

- (a) "Accessory use" shall have the same meaning as defined in Section 325.02.
- (b) "Bedroom" means a room intended for sleeping purposes, separated from other spaces in a dwelling unit by one or more functional doors, and not used as a kitchen, bathroom, living room, closet, hallway, utility space, entry way, garage, patio or breezeway.
- (c) "Booking agent" means any person or entity that facilitates reservations or collects payment for short-term rental accommodations on behalf of or for an owner or operator, through a website, mobile application or by other similar means. Merely publishing an advertisement for short-term rental accommodation does not make the publisher a booking agent.
- (d) "City block" shall have the same meaning as defined in Section 510.01.
- (e) "Commissioner" means the City Commissioner of Assessments and Licenses, unless stated otherwise.
- (f) "Dwelling unit" shall have the same meaning as defined in Section 325.20.
- (g) "Local contact" means an individual designated to serve as the local representative for the owner or operator, and who shall respond to any complaints regarding the condition, operation or maintenance of the short-term rental. The local contact must at all times be available in person or by phone while transient guests are on the premises of a short-term rental. If contacted, the local contact must be able to be present at the premises within one (1) hour of receiving a call. The local contact must be authorized to make decisions regarding the premises and the transient guests.
- (h) "Operator" means the owner or local responsible party designated to manage a short-term rental property on behalf of the owner. The operator shall be the person designated to receive legal notice from the city related to operation of the short-term rental.

(i) “Owner” means the individual or entity that owns a property operating as a short-term rental, or a tenant of that property who has written authorization through a lease agreement to operate a short-term rental.

(j) “Short-term rental” means the temporary rental for compensation of a dwelling unit by the owner, operator, or through a booking agent, for the accommodation of transient guests where such accommodation to any transient guest is for not more than thirty (30) consecutive days or not less than twenty-four (24) hours.

(k) “Transient guest” means the person who is the renter of a short-term rental premises and has mere use without actual or exclusive possession of the premises.

Section 686B.03 Short-Term Rental License Required; Application; Fee

(a) No owner or operator shall operate, rent, lease, sublease, license or sublicense a dwelling unit as a short-term rental without a short-term rental license from the Commissioner.

(b) Short-term rental license applications shall be made on forms supplied by the Commissioner for that purpose and shall include:

(1) the name, street address, mailing address, email address, and telephone or cell phone number of the owner of the dwelling to be used for short-term rental purposes;

(2) the name, street address, mailing address, email address, and telephone or cell phone number of the operator of the dwelling, if any, to be used for short-term rental purposes;

(3) the name, address, email address and telephone or cell phone number of a local contact who can be contacted regarding immediate concerns and complaints about the short-term rental property;

(4) the street address of the dwelling to be used for short-term rental purposes;

(5) a dimensioned floor plan of the proposed short-term rental showing the proposed maximum number of transient guests, number of bedrooms, other living spaces, locations of safety features, and emergency evacuation routes;

(6) a parking plan of the premises identifying the location and quantity of parking spaces to be used in conjunction with the short-term rental;

(7) proof of liability insurance for the short-term rental, or proof that the short-term rental and the short-term owner or operator are named insured under a booking agent’s liability of insurance, with limits not less than Three Hundred Thousand Dollars (\$300,000.00);

(8) if applicant is a tenant, proof of possession of the dwelling unit by a valid lease agreement that allows for subleasing, or other verification of the tenant’s right to possession of the premises. Evidence of a prohibition to sublease the dwelling unit shall be grounds for denial of a short-term rental license;

(9) proof of payment of all applicable taxes, including real estate taxes and transient occupancy taxes, due as of the date of submission of the application;

(10) proof of a certificate of occupancy issued pursuant to Section 3105.11 for the short-term rental premises; and

(11) any other information that the Commissioner deems necessary in his or her discretion.

(c) All information required under division (b) for a short-term rental license application shall be updated within seven (7) days of a change in status, including any changes in the contact information of the operator and local contact.

(d) Every short-term rental license application shall be accompanied by a fee of \$150.00. Every license issued shall be given a license number. Licenses shall be valid for one year commencing on December 1, and shall expire on November 30 of the following year, unless sooner revoked by the Commissioner. The fees for the initial licensing year shall be prorated from the month of issuance until November 30 of that year. Licenses issued under this section are not transferrable from one person to another or from one premises to another.

(e) Licenses may be renewed, on a form supplied by the Commissioner, for the following year provided all requirements of this chapter are met and no changes have been made from the previously approved application. The license renewal fee shall be \$150.00. An application for renewal of a license shall be filed no sooner than September 1 and no later than November 1 of the year of license expiration.

Section 686B.04 Short-Term Rental License Approval/Denial Standards; Issuance; Suspension; Revocation

(a) The Commissioner shall transmit the application for a license or a license renewal, along with the required documentation, to the Department of Building and Housing, the Division of Health, the Division of Police and the Division of Fire for verification and approval. In addition, the Commissioner shall provide written notice of the application, including the information provided pursuant to division (b)(1)-(4) of Section 686B.03, to the member of Council in whose ward the short-term rental is proposed.

(b) No license shall be issued unless the above department and divisions have determined that the dwelling meets all health, fire, safety and building code standards. Consideration shall be made as to whether the owner has violated, does not meet, or has failed to comply with, any of the terms and conditions of the license, this chapter, or any applicable city or state laws, rules, regulations or executive orders, including, but not limited to the Zoning Code, as well as any evidence regarding nuisances or illegal activity concerning the owner or the subject property and, in particular, any recorded violations. The Commissioner may deny a license on consideration of such evidence, in accordance with rules and regulations established by the Commissioner pursuant to Section 686B.10. If the Commissioner denies a license, the applicant may appeal the Commissioner's action to the Board of Zoning Appeals, in writing within ten (10) days

from the date of the Commissioner's action. The Board may sustain, disapprove, or modify the Commissioner's action.

(c) Upon verification and approval by the City department and divisions as required in divisions (a) and (b), the Commissioner shall issue a license which shall indicate:

- (1) the license number;
- (2) the street address of the short-term rental;
- (3) the name, street address, mailing address, email address, and telephone or cell phone number of the owner of the dwelling to be used for short-term rental purposes;
- (4) the name, street address, mailing address, email address, and telephone or cell phone number of the operator of the dwelling, if any, to be used for short-term rental purposes;
- (5) the name, address, email address and telephone or cell phone number of a local contact who can be contacted regarding immediate concerns and complaints about the short-term rental property, who will be present at the premises within one (1) hour of receiving a call and who is authorized to make decisions regarding the premises and the transient guests; and
- (6) the maximum number of occupants.

(d) The Commissioner may suspend or revoke a license if the applicant makes any false statement in connection with the application, or upon the recommendation of the Department of Building and Housing, the Division of Health, the Division of Police or the Division of Fire, as appropriate, because the premises covered by the license is no longer in compliance with the requirements of this chapter or any applicable provisions of this Code, or if the licensee has failed to comply with any applicable city or state laws, rules, regulations or executive orders. The decision whether to suspend or revoke a license shall be made in accordance with rules and regulations established by the Commissioner pursuant to Section 686B.10. If the Commissioner suspends or revokes a license, the licensee may appeal the Commissioner's action to the Board of Zoning Appeals, in writing within ten (10) days from the date of the Commissioner's action. The Board may sustain, disapprove or modify the Commissioner's action. If a license is suspended or revoked, the licensee may not operate the dwelling unit as a short-term rental while the decision to suspend or revoke the license is on appeal.

Section 686B.05 General Conditions of Short-Term Rental Licenses

- (a) No owner or operator shall advertise, cause to be advertised, or offer for rent a short-term rental that does not have the license required under this chapter. The owner shall cause the license number to be clearly displayed on the face of the advertisement. Such advertisements shall also include occupancy limits and parking standards.
- (b) No person or entity, including a booking agent, shall complete reservations of any short-term rental that does not have a license required under this chapter.

- (c) No owner or operator shall fail to prominently display the short-term rental license inside the main entrance of the short-term rental unit.
- (d) Notwithstanding Chapter 365, short-term rentals are not required to have a certificate of rental registration provided the dwelling unit remains a short-term rental.
- (e) A dwelling unit that is operated as a short-term rental is not eligible for tax abatement.

Section 686B.06 Regulations and Standards for Short-Term Rentals

- (a) No owner may rent or lease a short-term rental for a period of more than 30 days or less than twenty-four (24) hours.
- (b) The maximum number of persons permitted overnight in a short-term rental is two (2) per bedroom, plus two (2) additional persons.
- (c) Transient guests are subject to all applicable parking requirements of these Codified Ordinances.
- (d) Each bedroom of a short-term rental shall have interior access to a bathroom, whether private or shared, such that a transient guest has access to a bathroom without exiting the dwelling.
- (e) A room located below grade shall not be used as a bedroom, unless it meets the requirements for habitable rooms below grade as set forth in Section 369.02 of these Codified Ordinances.
- (f) Every short-term rental must be equipped with:
 - (1) working smoke alarms adjacent to each sleeping area in each dwelling unit as required in Chapter 392; and
 - (2) one or more carbon monoxide detection devices which shall be installed and maintained as close to the center of the dwelling unit and within close proximity to the living and sleeping areas of the dwelling unit; and
 - (3) one or more A/B/C classified fire extinguishers located at least in the kitchen and located, recharged, and maintained in accordance with Section 389.35, NFPA 10 and other applicable laws.
- (g) Excessive or unnecessary noise in violation of these Codified Ordinances, including but not limited to Section 605.10, is prohibited at all times on the short-term rental property;
- (h) The owner or operator shall provide proper trash and recycling containers for the transient guests and shall notify transient guests of the trash and recycle collection days for the property as well as any applicable rules and regulations regarding leaving or storing trash on the exterior of the property.
- (i) An owner or operator shall provide to every transient guest, the name and contact information, including telephone or cell phone number, of the local contact with the

responsibility to take action to resolve any complaints regarding the condition, operation or maintenance of the short-term rental. The local contact must be available in person or by phone at all times while transient guests are on the premises of a short-term rental. If contacted, the local contact must be able to be present at the premises within one (1) hour of receiving a call. The local contact must be authorized to make decisions regarding the premises and the transient guests.

(j) Every owner, operator and transient guest shall comply with all other applicable city and state laws, rules, regulations, and executive orders.

Section 686B.07 Short-Term Rental Density Limitation; Variance

(a) *Density Limitation.* In any residential district, short-term rentals are limited to at least one or no more than 15% of the total residential units on the block or in a multi-unit building, whichever is greater. For purposes of this chapter, “multi-unit building” means any Class A multiple dwelling, as defined in Section 325.50, containing three (3) or more dwelling units.

(b) *Exception.* In order to obtain a license for a short-term rental that would exceed the density limitation in division (a) of this section, an owner or operator may apply to the Board of Zoning Appeals (Board) for a variance. The Board may consider the following factors when determining whether to permit the variance:

(1) whether the operation as a short-term rental in excess of the density limitation will adversely impact the residential quality of the neighborhood in which the property is located;

(2) whether the dwelling was previously operated as a short-term rental;

(3) whether any prior operation as a short-term rental was the subject of documented complaints;

(4) whether such operation is likely to disrupt adjacent owners’ right to the quiet enjoyment of their property;

(5) whether such operation will substantially impact parking on the street fronting the short-term rental property and/or on nearby streets, including whether the property provides only limited off-street parking;

(6) whether the applicant seeks to operate an entire residence as a short-term rental or whether the short-term rental use is limited to a portion of the residence;

(7) whether other short-term rentals in excess of the density limitation are already operating on the block; and

(8) such other factors as the Board deems necessary to aid in its decision.

(c) No owner or operator shall operate a short-term rental exceeding the density limitation set forth herein unless a variance is granted pursuant to this section.

(d) A dwelling unit in a residential district that has been in operation as limited lodging under Section 337.251 for a period of at least one year prior to the effective date of this ordinance is not subject to the density limitation of this section so long as the limited lodging operation was at all times in full compliance with these Codified Ordinances, and there are no recorded complaints against the property when operated as limited lodging. An owner's or booking agent's records confirming that the property was operated as limited lodging for the period of time required herein shall be considered evidence of operation as limited lodging.

Section 686B.08 Booking Agent Registration Required

(a) *Registration.* A booking agent of short-term rentals shall register with the Commissioner on a form provided by the Commissioner which form shall include:

(1) The name, mailing address, street address, telephone or cell phone number, and e-mail address of the booking agent;

(2) The name, mailing address, street address, telephone or cell phone number, and e-mail address of at least one person authorized to:

A. Accept service of process on behalf of the booking agent;

B. Manage issues related to the collection and remittal of taxes and fees under Chapter 193 of the Codified Ordinances; and

C. Take remedial action to address any violation of an owner's or operator's responsibilities under this or any other relevant chapter of the Codified Ordinances.

(3) Any other information deemed necessary by the Commissioner in the Commissioner's discretion.

(b) *Registration renewal; updated contact information.* The registration required under this section shall be renewed annually, on a schedule set by the Commissioner. The booking agent shall notify the Commissioner immediately of any changes in the contact information of the authorized person required under this section.

(c) *Compliance with Chapter 193.* Booking agents shall comply with all requirements of Chapter 193 of these Codified Ordinances.

Section 686B.09 Discrimination Prohibited

No owner or operator shall

(a) Decline a short-term rental to a transient guest based on race, religion, color, sex, sexual orientation, gender identity or expression, national origin, age, disability, ethnic group or Vietnam-era or disabled veteran status;

(b) Impose different terms or conditions on a short-term rental based on race, religion, color, sex, sexual orientation, gender identity or expression, national origin, age, disability, ethnic group or Vietnam-era or disabled veteran status; or

(c) Advertise a short-term rental that discourages or indicates a preference for or against a transient guest based on race, religion, color, sex, sexual orientation, gender identity or expression, national origin, age, disability, ethnic group or Vietnam-era or disabled veteran status.

Section 686B.10 Rules and Regulations

The Commissioner shall promulgate rules and regulations to carry out the intent of this chapter, including but not limited to, establishing specific grounds and processes for the approval, denial, suspension and revocation of a license. Such rules and regulations shall be effective seven (7) days after publication in the City Record.

Section 686B.11 Severability

The provisions of this chapter are deemed to be severable and if any of its provisions are held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the remaining provisions shall not be invalidated.

Section 686B.99 Civil Penalties

(a) *Failure to obtain a license.* Any owner or operator who offers a short-term rental without a valid license in violation of Section 686B.03 shall be fined one hundred and fifty dollars (\$150.00) for the first offense and five hundred dollars (\$500.00) for a second and any subsequent offense. Each day of a continuing violation or non-compliance constitutes a separate violation.

(b) *Advertising without a license.* Any owner or operator that advertises, or causes to be advertised, a short-term rental without clearly displaying the valid license number on the face of the advertisement in violation of division (a) of Section 686B.05 shall be fined one hundred fifty dollars (\$150.00) per violation. Each day an advertisement appears without displaying a valid license number shall constitute a separate violation.

(c) *Completing a reservation without a license.* Any person or entity, including a booking agent, that completes a reservation for a short-term rental that does not have the license required under division (b) of Section 686B.05 shall be fined one hundred and fifty dollars (\$150.00) for the first offense and five hundred dollars (\$500.00) for a second and any subsequent offense.

(d) *Failure to display license.* Any owner or operator that fails to prominently display the short-term rental license at the main entrance of the short-term rental unit in violation of division (c) of Section 686B.05 shall be fined one hundred fifty dollars (\$150.00) per violation. Each day of non-compliance constitutes a separate violation.

(e) *Offering a short-term rental in violation of Section 686B.06.* Any owner or operator, with a valid license, who otherwise offers a short-term rental in violation of the regulations and standards set forth in Section 686B.06 shall be fined not more than five hundred dollars (\$500.00) for the first offense and one thousand dollars (\$1,000.00) for a second and any subsequent offense.

(f) *Operation without a variance.* Any person operating a short-term rental without a variance in violation of Section 686B.07 shall be fined one thousand dollars (\$1,000.00). Each day of a continuing violation of non-compliance constitutes a separate violation.

(g) *Failure to register.* Any booking agent that violates Section 686B.08 shall be fined five hundred dollars (\$500.00). Each year of non-compliance constitutes a separate offense.

(h) The fines charged under this section shall be in addition to, and not in lieu of, any other penalties, civil or criminal, that may be charged against any person for a violation of these Codified Ordinances, including but not limited to penalties under Chapter 193 and Chapter 630.

(i) The Commissioner or designee, the Director of Building and Housing or designee, and the Director of Public Safety or designee, as may be applicable, have the authority to charge the civil penalties under this section.

Section 2. That the Codified Ordinances are supplemented by amending Section 193.01, as amended by Ordinance No. 252-A-83, passed June 15, 1983; Sections 193.02 and 193.121, as amended by Ordinance No. 30-16, passed June 6, 2016; Section 193.03, as amended by Ordinance No. 597-13, passed May 20, 2013; and Section 337.02, as amended by Ordinance No. 586-16, passed July 13, 2016 to read, respectively, as follows:

Section 193.01 Intent of Tax

It is the intent of the City to levy the excise tax of three percent (3%) on transactions by which lodging is or is to be furnished by a hotel or a short-term rental to transient guests as referred to and authorized by ~~RC 5739.02(C)~~. RC 5739.08. Accordingly, this chapter shall be construed to effectuate that purpose and so as to be consistent with any requirement of law, compliance with which is a prerequisite to the validity of the tax intended to be levied hereby.

Section 193.02 Definitions

As used in this chapter:

(a) "Administrator" means the Commissioner of Assessments and Licenses or his or her authorized representative.

(b) "Booking agent" means any person or entity that facilitates reservations or collects payment for hotel or short-term rental accommodations on behalf of or for a vendor.

through a website, mobile application, or by other similar means. Merely publishing an advertisement for accommodations does not make the publisher a booking agent.

(c) "Hotel" means every establishment kept, used, maintained, advertised, or held out to the public to be a place where lodging is offered to guests in one (1) or more rooms, regardless of use of keyed entry, whether such rooms are in one (1) or several structures, and whether the rooms are located in different structures or on different parcels of land if the structures are not identified in advertisements of the accommodations as distinct establishments.

(d) "Transaction price" means the total amount of consideration, including money or any other value, paid, or to be paid, or given by, or on behalf of, a transient guest to a hotel, short-term rental, or booking agent in exchange for lodging. The transaction price is the amount advertised or published to the public inclusive of any fees built into the advertised or published price; however, service fees or booking fees, if separately stated, shall not be included in the transaction price.

(e) "Transient guest" or "transient guests" means a person or persons occupying a room or rooms, or a short-term rental dwelling for lodging for less than thirty (30) consecutive days.

(f) "Vendor" means the person who is the owner or operator of the hotel or short-term rental and who furnishes the lodging.

(g) "Short-term rental" means the temporary rental for compensation of a dwelling unit by the owner, operator, or through a booking agent, for the accommodation of transient guests where such accommodation to any transient guest is for not more than thirty (30) consecutive days or not less than twenty-four (24) hours.

Section 193.03 Purpose, Rate and Application of Tax

(a) There is hereby levied an excise tax of three percent (3%) on transactions by which lodging by a hotel or short-term rental is, or is to be, furnished to transient guests.

(b) The excise tax levied under this chapter shall provide revenue for the purposes of general municipal operations, procurement of fixed assets or permanent improvements, payment of debt charges, the elimination of deficits in City funds and for all other lawful purposes. To carry out such purposes, the receipts of the tax levied under this chapter shall be deposited to the credit of the General Fund.

(c) The tax, which shall be known as the transient occupancy tax, applies and is collectible at the time the lodging is furnished, regardless of the time when the price is paid. The tax shall not apply to transactions by which lodging is furnished to:

- (1) the Federal government, the State or any of its political subdivisions; or
- (2) a person maintaining occupancy for a period of thirty (30) or more consecutive days; provided, however, that except in the case of employees of the same employer, no occupancy may be used in combination with the occupancy of another, regardless of the source of payment, to exempt a transaction under this division.

(d) For the purpose of the proper administration of this chapter and to prevent the evasion of the tax, it shall be presumed that all lodging furnished by hotels and short-term rentals in the City to transient guests is subject to the tax until the contrary is established.

Section 193.121 Booking Agents

(a) Any booking agent, that facilitates transactions for one (1) or more hotels or one (1) or more short-term rentals in the City and that does not collect or remit the tax on behalf of all the vendors of such hotels or short-term rentals, shall provide the City quarterly within thirty (30) days of the end of each calendar quarter a transaction report. The transaction report shall consist of all listings by the vendors during the preceding calendar quarter, including, but not limited to, the dates of occupancy for each lodging and the amount paid for each completed transaction, if any.

(b) Any booking agent that lists one (1) or more hotels or one (1) or more short-term rentals in the City shall:

(1) at the time any vendor first lists a hotel or short-term rental with it, notify the vendor of the vendor's tax and license obligations to the City; and

(2) annually provide all vendors of one (1) or more hotels or one (1) or more short-term rentals with a reminder of their tax and license obligations to the City.

In both cases, the booking agent shall use language provided or approved by the Administrator.

Section 337.02 One-Family Districts

In a One-Family District, the following buildings and uses and their accessory buildings and uses are permitted:

(a) Dwelling houses, each occupied by not more than one (1) family and not more than two (2) roomers or boarders;

(b) Playgrounds, parks;

(c) The extension of existing cemeteries;

(d) Railroad rights-of-way, not including switching, storage or freight yards or industrial sidings;

(e) Agricultural uses, subject to the regulations of Section 337.25 and Section 347.02;

(f) Short-term rentals, as defined in Chapter 686B, subject to the density limitations set forth in that chapter.

~~(f)~~ (g) The following buildings and uses, if located not less than fifteen (15) feet from any adjoining premises in a Residence District not used for a similar purpose:

(1) Churches and other places of worship, but not including funeral chapels or mortuary chapels;

(2) Telephone exchanges and static transformer stations, provided there is no public business office or any storage yard or storage building operated in connection therewith;

(3) Bus turn-around and layover areas operated by a public transit agency provided that no buildings other than a passenger shelter and restroom are located at each site, and provided, further, that any layover space accommodates no more than two (2) buses.

~~(g)~~ (h) The following buildings and uses, if approved by the Board of Zoning Appeals after public notice and public hearing, and if adequate yard spaces and other safeguards to preserve the character of the neighborhood are provided, and if in the judgment of the Board such buildings and uses are appropriately located and designed and will meet a community need without adversely affecting the neighborhood:

(1) A temporary or permanent use of a building by a nonprofit organization for a dormitory, fraternity or sorority house, for the accommodation of those enrolled in or employed by an educational institution permitted in the District;

(2) Fire stations, police stations;

(3) The following buildings and uses, if located not less than thirty (30) feet from any adjoining premises in a Residence District not used for a similar purpose, and subject to the review and approval of the Board of Zoning Appeals as stated above:

A. Public libraries or museums, and public or private schools or colleges including accessory laboratories, provided such private schools or colleges are not conducted as a gainful business;

B. Recreation or community center buildings, parish houses and grounds for games and sports, except those of which a chief activity is one customarily carried on primarily for gain;

C. Day nurseries, kindergartens;

D. Hospitals, sanitariums, nursing, rest or convalescent homes, not primarily for contagious diseases nor for the care of drug or liquor patients, nor for the care of the insane or developmentally disabled;

E. Orphanages;

F. Homes for the aged or similar homes;

G. Charitable institutions not for correctional purposes.

(4) The following buildings and uses, if located not less than fifty (50) feet from adjoining premises in a Residence District not used for a similar purpose, and subject to the review and approval of the Board of Zoning Appeals as stated above.

A. Municipal recreation buildings;

B. Municipal swimming pools;

(5) Crematories in existing cemeteries, provided they are not less than three hundred (300) feet from any boundary that abuts a Residence District, and subject to the review and approval of the Board of Zoning Appeals as stated above.

~~(h)~~ (i) A residential facility, as defined in Chapter 325 of this Zoning Code, for one (1) to five (5) unrelated persons, provided it is located not less than one thousand (1,000) feet from another residential facility. Residential facilities shall comply with area, height, yard and architectural compatibility requirements of this Zoning Code applicable to residences in One-Family Districts.

Section 3. That Section 193.01, as amended by Ordinance No. 252-A-83, passed June 15, 1983; Sections 193.02 and 193.121, as amended by Ordinance No. 30-16, passed June 6, 2016; Section 193.03, as amended by Ordinance No. 597-13, passed May 20, 2013; and Section 337.02, as amended by Ordinance No. 586-16, passed July 13, 2016, are repealed.

Section 4. That Section 337.251, as amended by Ordinance No. 1444-16, passed January 23, 2017, related to Limited Lodging in Residence Districts, is repealed.

Section 5. That the enactment of new Section 686B.01 through 686B.11, and 686B.99, the amendments to Section 337.02, as amended by Ordinance No. 586-16, passed July 13, 2016, and the repealing of Section 337.251, as amended by Ordinance No. 1444-16, passed January 23, 2017, shall take effect and be in force sixty (60) days after passage of this ordinance.

Section 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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

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, May 16, 2024, and referred to the appropriate City departments and Council Committees for review.

Click on a resolution below to read it:

[Res. No. 590-2024](#)

[Res. No. 591-2024](#)

Resolution No. 590-2024

By Council Members: Griffin (by departmental request)

An emergency resolution to adopt and declare a Tax Budget for the City of Cleveland for the year 2025 and submit it to the County Budget Commission as required by State Law, Chapter 5705 of the Revised Code.

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

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

Section 1. That the Council, under the provisions of Chapter 5705 of the Revised Code, after public hearings as required by law, does adopt the statements of the year 2025 requirements for the several funds of the City of Cleveland as being the budget required by state law to be submitted to the County Budget Commission, which requirements are contained in **File No. 590-2024-A**.

Section 2. That the Clerk of Council is directed to certify a copy of the resolution to the County Auditor of Cuyahoga County.

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

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

Resolution No. 591-2024

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

An emergency resolution appointing an assessment equalization board to hear objections to estimated assessments with respect to the creation of The University Circle Special Improvement District of Cleveland and the initial plan for public services for the District; and declaring an emergency.

WHEREAS, by Resolution No. 321-2024, adopted April 15, 2024, this Council approved the creation of The University Circle Special Improvement District of Cleveland (the “District”); accepted petitions from owners of property in the proposed District; approved the amended Articles of Incorporation of University Circle Incorporated; approved the initial plan for public services; declared it necessary to provide police and safety services for the District; and provided for the assessment of the cost of such services upon benefited property in the District; and

WHEREAS, under the above resolution the estimated assessments for the services have been prepared and placed on file in the Office of the Clerk of Council; and

WHEREAS, notice of the adoption of the resolution and of the filing of the estimated assessments was duly served on all property owners to be assessed in the manner provided by law; and

WHEREAS, written objections to the estimated assessments may be filed by affected property owners; and

WHEREAS, under Section 727.16 of the Revised Code, this Council shall appoint an assessment equalization board to hear objections to the proposed assessments by affected landowners, and shall fix the time and place for the hearing by such board of such objections, and the Clerk of Council shall notify, by certified mail, any persons so objecting of the time and place of such hearing; 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 Robert Cahill, Michelle Felder, and David Sharkey, three disinterested freeholders of the City, and Danielle Morris and Joel Wimbiscus, two alternate disinterested freeholders of the City, are appointed as an assessment equalization board to hear and determine all written objections filed under the law to the estimated assessments heretofore filed with the Clerk of Council under Resolution No. 321-2024, adopted April 15, 2024 by this Council.

Section 2. That the assessment equalization board shall meet at 2:00 p.m. on Tuesday, July 23, 2024, at Cleveland City Hall, 601 Lakeside Avenue, Room 514, for the purpose mentioned above, and on completion of the hearing and any adjournments shall report to this Council its recommendations, including any changes which should be made to the estimated assessments.

Section 3. That the Clerk of Council is authorized and directed to notify, or cause to be notified, by certified mail, each person who has timely filed written objection to the estimated assessments. Such notice shall state the time, date and place of the hearing of the assessment equalization board and shall be mailed at least five days before the date of such hearing.

Section 4. 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.

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, May 16, 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. 596-2024

Resolution No. 596-2024**By Council Members:** Griffin**An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 11543-45 Mt. Carmel Avenue, lower level.**

WHEREAS, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Oscar G. Smith, Jr., DBA Mountain Top Grocery, 11543-45 Mt. Carmel Avenue, lower level, Cleveland, Ohio 4104, Permit No. 8303228 to Lashawnda Smith, DBA Mountain Top Grocery, 11543-45 Mt. Carmel Avenue, lower level, Cleveland, Ohio 44104, Permit No. 8291715; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from Oscar G. Smith, Jr., DBA Mountain Top Grocery,

11543-45 Mt. Carmel Avenue, lower level, Cleveland, Ohio 4104, Permit No. 8303228 to Lashawnda Smith, DBA Mountain Top Grocery, 11543-45 Mt. Carmel Avenue, lower level, Cleveland, Ohio 44104, Permit No. 8291715; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 16. Nays 0.

Read second time.

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

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

Voting Nay: None.

Absent: Santana.

Ordinances and Resolutions

Second Reading Emergency Ordinances Passed

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

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

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

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

These ordinances were read for the second time on Monday, May 16, 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. 369-2024](#)

[Ord. No. 407-2024](#)

[Ord. No. 370-2024](#)

[Ord. No. 418-2024](#)

[Ord. No. 402-2024](#)

[Ord. No. 441-2024](#)

[Ord. No. 403-2024](#)

[Ord. No. 471-2024](#)

[Ord. No. 404-2024](#)

[Ord. No. 477-2024](#)

[Ord. No. 405-2024](#)

[Ord. No. 525-2024](#)

Ord. No. 545-2024

Ord. No. 553-2024

Ordinance No. 369-2024

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

An emergency ordinance to amend Section 3 of Ordinance No. 531-2021, passed August 18, 2021, relating to accepting funding from the United States Treasury Department for purposes of implementing the Emergency Rental Assistance Program established under the American Rescue Plan Act of 2021 and authorizing contracts to implement.

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

1. In the title, line 3, after “2021”, strike the comma and insert “; and to supplement the ordinance by adding new Sections 3a and 3b”.
2. In Section 1, at amended Section 3, line 3, strike “, various entities, and”; and in line 5, at the end, insert “(RQS 8006, RL 2024-43)”.
3. Insert new Section 3 to read as follows:

“Section 3. That Ordinance No. 531-2021, passed August 18 2021 is supplemented by adding new Sections 3a and 3b to read as follows:

“Section 3a. That the Director of Community Development shall provide all members of Council a quarterly report detailing how the funds were spent.

Section 3b. That any notice sent to residents who are receiving assistance under this ordinance shall include a provision that the assistance is provided through a partnership with the City of Cleveland, Cleveland City Council, and the Biden-Harris Administration.”

4. Renumber existing Section 3 to new “Section 4”.

Approved by the Directors of Community Development; Finance; and Law; Committees on Development Planning and Sustainability; and Finance, Diversity, Equity and Inclusion.

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

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

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

Voting Nay: None.

Absent: Santana.

Ordinance No. 370-2024

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

An emergency ordinance to amend the first whereas clause and Section 1 of Ordinance No. 1253-2019, passed October 21, 2019; repeal the third whereas clause; and supplement the ordinance by adding new Section 1a; relating to authorizing the Director of Community Development to be a co-applicant and co-Grantee with Cuyahoga Metropolitan Housing Authority which will allow CMHA to accept HUD funding to implement the Choice Neighborhoods Implementation Grant.

Approved by the Directors of Community Development; Finance; and Law; Committees on Development Planning and Sustainability; and Finance, Diversity, Equity and Inclusion.

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

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

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

Voting Nay: None.

Absent: Santana.

Ordinance No. 402-2024

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

An emergency ordinance authorizing the Director of Port Control to execute a deed of easement granting to The East Ohio Gas Company, dba Dominion Energy Ohio certain easement rights in property located at Cleveland Hopkins International Airport; and declaring that the easement rights granted are not needed for the City's public use.

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

1. In the title, line 4, and in the first Whereas clause, line 1, strike "Dominion Energy Ohio" and insert "Enbridge Gas Ohio" in both places.
2. In the first Whereas clause line 2, strike "(("Dominion"))" and insert "(("Enbridge"))".
3. In the second Whereas clause, line 1; in Section 2, line 3; and in Section 4, lines 3 and 4, strike "Dominion" and insert "Enbridge" in all four places.

Approved by the Directors of Port Control; City Planning Commission; Finance; and Law; Committees on Transportation and Mobility; and Municipal Services and Properties.

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

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

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

Voting Nay: None.

Absent: Santana.

Ordinance No. 403-2024

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

An emergency ordinance authorizing the Directors of Public Works and Capital Projects to execute various deeds of permanent, temporary, and subterranean easement granting to the Northeast Ohio Regional Sewer District certain easement rights at or under several City-owned properties for NEORSD's Southerly Tunnel and Consolidation Project and declaring the easement rights not needed for the City's public use.

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

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

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

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

Voting Nay: None.

Absent: Santana.

Ordinance No. 404-2024

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

An emergency ordinance authorizing the Director of Public Works to enter into a license agreement with The Convention and Visitors Bureau of Greater Cleveland, Inc., dba Destination Cleveland, or its designee, to install and maintain graphic art on City-owned property at 205 West St. Clair Avenue, for a period of five years automatically renewing from year to year.

Approved by the Directors of Public Works; City Planning Commission; Finance; and Law; Committees on Municipal Services and Properties; and Finance, Diversity, Equity and Inclusion.

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

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

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

Voting Nay: None.

Absent: Santana.

Ordinance No. 405-2024

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of trees, and labor and materials needed for urban forestry services, including but not limited to, maintaining and planting trees, and removing trees, stumps, and tree waste material, for the Division of Park Maintenance and Properties, Department of Public Works and the Departments of Aging and Community Development, for a period of one year, with a one-year option to renew, exercisable by the Director of Public Works.

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

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

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

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

Voting Nay: None.

Absent: Santana.

Ordinance No. 407-2024

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

An emergency ordinance authorizing the Mayor and the Commissioner of Purchases and Supplies to sell certain City-owned property no longer needed for the City's public use located at the southeast corner of Grovewood Avenue and East 164th Street to Greater Cleveland Habitat for Humanity, Inc., or its designee, for purposes of future development.

Approved by the Directors of Public Works; City Planning Commission; Finance; and Law; Committees on Municipal Services and Properties; and Finance, Diversity, Equity and Inclusion.

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

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 15. Nays 0. Recusal 1.

Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, Polensek, Slife, Spencer, Starr.

Voting Nay: None.

Recusal: McCormack.

Absent: Santana.

Ordinance No. 418-2024

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

An emergency ordinance to vacate a portion of Curtis Avenue N.E., east of East 59th Street.

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

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

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

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

Voting Nay: None.

Absent: Santana.

Ordinance No. 441-2024

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

An emergency ordinance authorizing the Director of Port Control to exercise the second option to renew Contract No. CT 3001 LS2023-0003 with Paratus Air for the lease of City-owned space located in the Terminal Building at Burke Lakefront Airport at 1501 North Marginal Road to support its helicopter tour services, for the Department of Port Control.

Approved by the Directors of Port Control; Finance; and Law; Committees on Transportation and Mobility; and Finance, Diversity, Equity and Inclusion.

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

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

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

Voting Nay: None.

Absent: Santana.

Ordinance No. 471-2024

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

An emergency ordinance to authorize the Director of Capital Projects to enter into an agreement with the Chagrin River Watershed Partners to participate in their grant from the National Fish and Wildlife Foundation for the “Engaging Dugway Brook Communities in Designing Stream and Wetland Restoration Project” by providing in-kind services.

Approved by the Directors of Capital Projects; Finance; and Law; Committees on Municipal Services and Properties; and Finance, Diversity, Equity and Inclusion.

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

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

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

Voting Nay: None.

Absent: Santana.

Ordinance No. 477-2024

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of various pharmaceuticals, medical supplies and medical equipment, for the Division of Emergency Medical Service, Department of Public Safety, for a period of one year, with two one-year options to renew, exercisable by the Director of Public Safety.

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

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

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

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

Voting Nay: None.

Absent: Santana.

Ordinance No. 525-2024

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

An emergency ordinance authorizing the Director of the Community Relations Board to enter into a contract with The Presidents' Council Business Chambers, fiscal agent for The Mt. Pleasant Ministerial Alliance, ICONS, and Children at Play Edutainment for professional services necessary to develop and implement young adult violence intervention and prevention programs and strategies to reduce violent activity on streets in high "hot spot" areas, and for other community violence intervention work, for one year with three one-year options to renew, exercisable by the Director of the Community Relations Board.

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

1. Insert new Section 2 to read as follows:

"Section 2. That the Director of the Community Relations Board shall provide all members of Council a quarterly report on the role of each agency paid and the amount, the numbers of young adults and youth served, the address of each agency, and a contact name with contact information for each agency."

2. Renumber existing Section 2 as new "Section 3".

Approved by the Directors of Community Relations Board; Finance; and Law; Committees on Safety; and Finance, Diversity, Equity and Inclusion.

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

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

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

Voting Nay: None.

Absent: Santana.

Ordinance No. 545-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance to amend Section 3 of Ordinance No. 905-2022 and Section 3 of Ordinance No. 906-2022, passed September 19, 2022, relating to allocating a portion of the City's Coronavirus Local Fiscal Recovery Funds for the agreements with Child Care Resource Center of Cuyahoga County, dba Starting Point, to assist with the Early Childhood Recovery Initiative.

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

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

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

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

Voting Nay: None.

Absent: Santana.

Ordinance No. 553-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance authorizing the Director of Finance and Mayor to terminate the On-Site Parking Garage (Gateway East) Base Lease as no longer needed for public use and appropriating certain funds to satisfy the City's capital repair obligations.

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

1. In the title, strike lines 4, 5, and 6 in their entirety and insert “East) Base Lease no longer needed for the City’s use and convey the property for the purpose of creating and preserving jobs and employment opportunities in the City, and appropriating certain funds to satisfy the City’s contribution to capital repairs on the property.”.
2. In the second whereas clause, line 3, between “public use” and the semicolon, insert “by the City and which shall be conveyed to the Cleveland-Cuyahoga County Port Authority (the “Port Authority”) for the purpose of creating and preserving jobs and employment opportunities that are available to residents or otherwise promote economic development within its jurisdiction as authorized by Article VIII Section 13 of the Ohio Constitution (the “Conveyance”)”.
3. Strike the third whereas clause in its entirety and insert:

“WHEREAS, in connection with the Conveyance, the City, the Port Authority and the Cleveland Guardians Baseball Company, LLC will enter into a cooperative agreement (the “Cooperative Agreement”) to enable the lease and operation of Gateway East and payment to the City of approximately \$2,000,000 per full year for 13 years, said payment to fund the City’s required contribution to repayment of Ballpark Improvement Project Bonds and to the extent not needed for bond debt service payments, for capital repairs at Progressive Field, pursuant to the Term Sheet attached to the agreement entered into among the City, the County of Cuyahoga, Gateway Economic Development Corporation of Greater Cleveland, and the Cleveland Guardians as authorized by Ordinance No. 844-2021, passed November 29, 2021 (the “Term Sheet”); and”.
4. In Section 1, line 3, strike “the On-Site Gateway Parking Garage (Gateway East)” and insert “Gateway East”; and in line 4, after “public use” insert “by the City and its Conveyance will further promote economic development within the City as authorized by Article VIII Section 13 of the Ohio Constitution”.
5. In Section 2, lines 3 and 4 strike “the On-Site Gateway Parking Garage (Gateway East)” and insert “Gateway East”.

6. In Section 3, line 2, after “expenses, insert “for Gateway East”; and in line 3, strike “No.” and insert “Nos. 65 SF 001 and”.
7. Strike Section 4 in its entirety and insert:

“Section 4. That the Director of Finance is authorized to receive payment of approximately \$26,000,000 in total, subject to acceleration in certain cases, to be paid as (i) approximately \$2,000,000 per full year for 13 years and (ii) additional payments from the Port Authority pursuant to the Cooperative Agreement, to the extent permitted by law, relating to the lease, operation, including any sale of sponsor signage, and the sale of Gateway East. The payments received pursuant to (i) above are to be placed into Fund No. 65 SF 001, and this Council hereby appropriates said funds to be used to pay the City’s required contribution pursuant to the Term Sheet. The payments received pursuant to (ii) above are to be placed into Fund No. 65 SF 001.”.
8. In Section 5, line 2, strike “a cooperative agreement” and insert “the Cooperative Agreement”; in line 4, between “all” and “approved” insert “to be”; and in line 5, strike “File No. 553-2024” and insert “File No. 553-2024-B”.

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

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

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 14. Nays 2.

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

Voting Nay: Kazy, Polensek.

Absent: Santana.

Official Proceedings Adjournment City Council

Cleveland, Ohio
Monday, May 20, 2024

MOTION

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

The Council Meeting adjourned at 8:02 p.m. to the call of the chair. The next Council Meeting will be Monday, June 3, 2024, at 7:00 p.m. in the Council Chamber.

*Va’Kedia Stiggers
Clerk of Council pro Tempore*

Council Committee Meetings

Monday, May 20, 2024

9:30 a.m.

Municipal Services and Properties Committee

Present: Bishop, Chair; Starr, Vice Chair; Hairston, Jones, Kazy, Kelly, Maurer

Also Present: Griffin

2:00 p.m.

Finance, Diversity, Equity and Inclusion Committee

Present: Griffin, Chair; McCormack, Vice Chair; Bishop, Conwell, Hairston, Kazy, Polensek, Spencer

Authorized Absence: Santana

Also Present: Starr, Maurer

Tuesday, May 21, 2024

8:30 a.m.

Development, Planning and Sustainability (Zoning) Committee

Present: Hairston, Chair; Harsh, Howse-Jones, Jones, McCormack, Spencer

Authorized Absence: Santana

Also Present: Slife

Wednesday, May 22, 2024

10:00 a.m.

Transportation and Mobility Committee

Present: McCormack, Chair; Slife, Vice Chair; Bishop, Gray, Kazy, Maurer, Santana

Authorized Absence: Santana

Thursday, May 23, 2024

10:00 a.m.

Utilities Committee

Present: Kazy, Chair; Spencer, Vice Chair; Bishop, Gray, Harsh, Kelly, Polensek

Board of Control

Wednesday, May 22, 2024

The meeting of the Board of Control convened in the Mayor's office on Wednesday, May 22, 2024, at 3:02 p.m. with Acting Director Michele Comer presiding.

Members Present: Acting Director Comer, Director Abonamah, Acting Directors Graham, Gilmartin, Laird, Interim Director Drummond, Directors Hernandez, Cole, Acting Director Bourdeau-Small, Director McNamara, Acting Director Majeski

Absent: Mayor Bibb, Director Margolius

Others Present: Tiffany Dandy, Contract Compliance Officer
Office of Equal Opportunity

Sherry Ulery, Project Manager
Finance

Macoy Pizzute, Fiscal Manager
Building & Housing

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 3:15 p.m.

Jeffrey B. Marks
Secretary – Board of Control

Resolution No. 252-24

Adopted 5/22/24

By Director Abonamah

BE IT RESOLVED by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 313-2024 passed by the Cleveland City Council on April 22, 2024, Case Western Reserve University is selected as the firm to be employed by contract to supplement the regularly employed staff of several departments of the City to provide the professional services necessary to continue the work of transforming the Neighborhood Resource and Recreation Centers through professional development training of staff members on trauma-informed care and a progress monitoring tool, for a term of one year, with one, one-year option to renew, exercisable by the Director of Finance.

BE IT FURTHER RESOLVED that the Director of Finance is authorized to enter into contract with Case Western Reserve University, based on its proposal dated April 30, 2024, which contract shall be prepared by the Director of Law, shall provide for the furnishing of the professional services described in the proposal, for a fee not to exceed \$199,962 for each of the initial one-year term and the optional one-year renewal term, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

BE IT FURTHER RESOLVED that the employment of the following subcontractor to Case Western Reserve University for services to be performed under the above-authorized contract is approved:

Dr. Dakota King-White	\$24,975	12%
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Yeas: Acting Director Comer, Director Abonamah, Acting Directors Graham, Gilmartin, Laird, Interim Director Drummond, Directors Hernandez, Cole, Acting Director Bourdeau-Small, Director McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Director Margolius

Resolution No. 253-24

Adopted 5/22/24

By Director Abonamah

BE IT RESOLVED by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 313-2024 passed by the Cleveland City Council on April 22, 2024, Cray Consulting Group is selected from a list of firms determined after a full and complete canvass by the Director of Finance as the firm to be employed by contract to supplement the regularly employed staff of several departments of the City to provide the professional services necessary to conduct the parenting program and circuit training class, for a term of one year, with one, one-year option to renew, exercisable by the Director of Finance.

BE IT FURTHER RESOLVED that the Director of Finance is authorized to enter into contract with Cray Consulting Group, Inc, based on its proposal dated December 1, 2023, which contract shall be prepared by the Director of Law, shall provide for the furnishing of the professional services described in the proposal, for a fee not to exceed \$56,232 for each of the initial one-year term and the optional one-year renewal term, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

BE IT FURTHER RESOLVED that the employment of the following subcontractor to Case Western Reserve University for services to be performed under the above-authorized contract is approved:

Fit Circuit, LLC	\$ 39,120	70%
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Yeas: Acting Director Comer, Director Abonamah, Acting Directors Graham, Gilmartin, Laird, Interim Director Drummond, Directors Hernandez, Cole, Acting Director Bourdeau-Small, Director McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Director Margolius

Resolution No. 254-24

Adopted 5/22/24

By Director Abonamah

BE IT RESOLVED by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 313-2024 passed by the Cleveland City Council on April 22, 2024, Recess Cleveland is selected from a list of firms determined after a full and complete canvass by the Director of Finance as the firm to be employed by contract to supplement the regularly employed staff of several departments of the City to provide the professional services necessary to conduct supervised games, for a term of one year, with one, one-year option to renew, exercisable by the Director of Finance.

BE IT FURTHER RESOLVED that the Director of Finance is authorized to enter into contract with Recess Cleveland, based on its proposal dated November 30, 2023, which contract shall be prepared by the Director of Law, shall provide for the furnishing of the professional services described in the proposal, for a fee not to exceed \$45,760 for each of the initial one-year term and the optional one-year renewal term, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Acting Director Comer, Director Abonamah, Acting Directors Graham, Gilmartin, Laird, Interim Director Drummond, Directors Hernandez, Cole, Acting Director Bourdeau-Small, Director McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Director Margolius

Resolution No. 255-24

Adopted 5/22/24

By Director Abonamah

BE IT RESOLVED by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 313-2024 passed by the Cleveland City Council on April 22, 2024, Teen Enterprise LLC is selected from a list of firms determined after a full and complete canvass by the Director of Finance as the firm to be employed by contract to supplement the regularly employed staff of several departments of the City to provide the professional services necessary to conduct the Entrepreneurship Program, for a term of eighteen months, with one eighteen-month option to renew, exercisable by the Director of Finance.

BE IT FURTHER RESOLVED that the Director of Finance is authorized to enter into contract with Teen Enterprise LLC, based on its proposal dated December 1, 2024, and the revised budget dated March 19, 2024, which contract shall be prepared by the Director of Law, shall provide for the furnishing of the professional services described in the proposal, for a fee not to exceed \$149,450 for each of the initial eighteen-month term and the optional eighteen-month renewal term, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Acting Director Comer, Director Abonamah, Acting Directors Graham, Gilmartin, Laird, Interim Director Drummond, Directors Hernandez, Cole, Acting Director Bourdeau-Small, Director McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Director Margolius

Resolution No. 256-24

Adopted 5/22/24

By Director Francis

WHEREAS, under Ordinance No. 410-2021, passed by the Cleveland City Council June 7, 2021, and Board of Control Resolution No. 472-21, adopted November 24, 2021, the City, through the Director of Port Control entered into City Contract No. PS2022*030 ("Agreement") with SP Plus Corporation to provide professional parking operations and management services at Cleveland Hopkins International and Burke Lakefront Airports for a term of five years with one five-year option to renew; and

WHEREAS, Section 6.8 of the Agreement recognizes and affirms the authority of the Director of Port Control to set the rates for use of the parking facilities at Cleveland Hopkins International Airport and Burke Lakefront Airport; now, therefore,

BE IT RESOLVED by the Board of Control of the City of Cleveland that all prior Board of Control resolutions setting rates for use of the parking facilities at Cleveland Hopkins International Airport are rescinded.

Yeas: Acting Director Comer, Director Abonamah, Acting Directors Graham, Gilmartin, Laird, Interim Director Drummond, Directors Hernandez, Cole, Acting Director Bourdeau-Small, Director McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Director Margolius

Resolution No. 257-24

Adopted 5/22/24

By Director Hernandez

WHEREAS, Board of Control Resolution No. 37-24, adopted January 17, 2024, authorized the sale and development of Permanent Parcel Nos. 111-12-114 and 111-12-115 to Joseph Toney for new single family home construction project for consideration of \$5,800.00 for the parcels, as part of the City Land Reutilization Program established under Ordinance No. 2076-76, passed by the Cleveland City Council on October 25, 1976; and

WHEREAS, Joseph Toney no longer wishes to purchase and develop Permanent Parcel No. 111-12-115; now, therefore,

BE IT RESOLVED by the BOARD OF CONTROL of the CITY OF CLEVELAND that Resolution No. 37-24, adopted by this Board January 17, 2024, authorizing the sale of Permanent Parcel Nos. 111-12-114 and 111-12-115 to Joseph Toney for new single family home construction project, is amended by deleting Permanent Parcel No. 111-12-115 where it appears in the resolution and by deleting "\$5,800.00" where appearing in the resolution and inserting "\$2,800.00" in its place.

BE IT FURTHER RESOLVED that all other provisions of Resolution No. 37-24 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Acting Director Comer, Director Abonamah, Acting Directors Graham, Gilmartin, Laird, Interim Director Drummond, Directors Hernandez, Cole, Acting Director Bourdeau-Small, Director McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Director Margolius

Resolution No. 258-24

Adopted 5/22/24

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. 120-05-120 located at 1395 East 120th 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 City of Cleveland Land Reutilization Program parcels; and

WHEREAS, Famicos Foundation has proposed to the City to purchase and develop the parcel for new residential multi-family LIHTC project; 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 purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Famicos Foundation, for the sale and development of Permanent Parcel No. 120-05-120 located at 1395 East 120th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

BE IT FURTHER RESOLVED THAT the consideration for the sale of the parcel shall be \$200.00, which amount is determined to be not less than the fair market value of the parcels for uses according to the Program.

Yeas: Acting Director Comer, Director Abonamah, Acting Directors Graham, Gilmartin, Laird, Interim Director Drummond, Directors Hernandez, Cole, Acting Director Bourdeau-Small, Director McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Director Margolius

Resolution No. 259-24

Adopted 5/22/24

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. 015-08-054 located at 3622 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 City of Cleveland Land Reutilization Program parcels; and

WHEREAS, Jose Feliciano 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 purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Jose Feliciano, for the sale and development of Permanent Parcel No. 015-08-054 located at 3622 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 parcel shall be \$200.00, which amount is determined to be not less than the fair market value of the parcels for uses according to the Program.

Yeas: Acting Director Comer, Director Abonamah, Acting Directors Graham, Gilmartin, Laird, Interim Director Drummond, Directors Hernandez, Cole, Acting Director Bourdeau-Small, Director McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Director Margolius

Resolution No. 260-24

Adopted 5/22/24

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. 135-14-097 located at 11214 Martin Luther King Jr. Drive; 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 City of Cleveland Land Reutilization Program parcels; and

WHEREAS, Lateisha Ollison has proposed to the City to purchase and develop the parcel for yard expansion; and

WHEREAS, the following conditions exist:

1. The member of Council from Ward 2 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Lateisha Ollison, for the sale and development of Permanent Parcel No. 135-14-097 located at 11214 Martin Luther King Jr. Drive, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

BE IT FURTHER RESOLVED THAT the consideration for the sale of the parcel shall be \$200.00, which amount is determined to be not less than the fair market value of the parcels for uses according to the Program.

Yeas: Acting Director Comer, Director Abonamah, Acting Directors Graham, Gilmartin, Laird, Interim Director Drummond, Directors Hernandez, Cole, Acting Director Bourdeau-Small, Director McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Director Margolius

Resolution No. 261-24

Adopted 5/22/24

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. 134-02-059 located at 4081 East 74th 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 City of Cleveland Land Reutilization Program parcels; and

WHEREAS, Kevin M. Tabor has proposed to the City to purchase and develop the parcel for yard expansion; and

WHEREAS, the following conditions exist:

1. The member of Council from Ward 2 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Lateisha Ollison, for the sale and development of Permanent Parcel No. 135-14-097 located at 11214 Martin Luther King Jr. Drive, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

BE IT FURTHER RESOLVED THAT the consideration for the sale of the parcel shall be \$200.00, which amount is determined to be not less than the fair market value of the parcels for uses according to the Program.

Yeas: Acting Director Comer, Director Abonamah, Acting Directors Graham, Gilmartin, Laird, Interim Director Drummond, Directors Hernandez, Cole, Acting Director Bourdeau-Small, Director McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Director Margolius

Resolution No. 262-24

Adopted 5/22/24

By Director O'Toole

Whereas, Section 3143.04, Codified Ordinances of Cleveland, Ohio, 1976 ("C.O."), division (c)(2), provides that the Board of Control shall determine the amount of a fee to be paid by a parking garage owner filing an inspection report of the condition of the parking garage under C.O. Section 3143.04; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that the fee to be paid by a parking garage owner filing the parking garage condition inspection report required under C.O. Section 3143.04 is determined to be \$230.00.

Yeas: Acting Director Comer, Director Abonamah, Acting Directors Graham, Gilmartin, Laird, Interim Director Drummond, Directors Hernandez, Cole, Acting Director Bourdeau-Small, Director McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Director Margolius

Schedule of the Board of Zoning Appeals

**Monday, June 3, 2024
9:30 a.m.**

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 May 31, 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/UCB8qloJrhmpYIR1OLY68bw/>

Calendar No. 24-063: Stacy Morse's Appeal from the decision of the Cleveland Landmarks Commission

Stacy Morse, owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and division (d) of Section 329.02(d) of the Cleveland Codified Ordinances from the decision of the Cleveland Landmarks Commission to deny appellant's request to demolish structures at 4516 Clinton Ave.

**Calendar No. 24-067: 2115 -2221 East 90 Street and 2212-2222 East 93 Street (to be consolidated)
Ward 6 – Blaine Griffin**

Nurse Housing LLC. and prospective purchaser Circle Properties propose to erect three new three-story multi-unit buildings, with twelve units in each building (36 total units) in a Two-Family Residential District and Multi-Family Residential District. The applicant appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.03, which states that an apartment building is not permitted in Two-Family Residential District but is first permitted in Multi-Family Residential District (337.08).
2. Division (e) of Section 349.04, which states required accessory off-street parking for residential units are one accessory off-street parking space per dwelling unit; in this case 36 spaces are required, and 17 spaces are proposed.

3. Division (b) of Section 341.02, which states City Planning Commission review and approval is required before issuance of permit.

Calendar No. BZA24-068: Appeal of Charles Williams from the decision of the Commissioner of Assessments and Licenses regarding denial of Tow Truck Application LUOU24-00071

Charles Williams appeals under the authority of division (b) of Section 76-6 of the Charter of the City of Cleveland and division (d) of Section 329.02 from the decision of the Commissioner of Assessments and Licenses to deny Tow Truck Driver application LUOU24-00071.

**Calendar No. 24-069: 7202 Hague Road
Ward 15 – Jenny Spencer**

Travis Tomlinson, owner, proposes to establish use as Motor Vehicle Service Garage in a C1 General Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 325.487, which states that “Motor Vehicle Service Garage” means a building or part thereof in which the motor vehicle servicing and repairs performed are limited to “minor repair” of motor vehicles as defined in Section 325.483.
2. Section 325.483, which states that “Motor Vehicle Minor Repair” means repairs and servicing that produce relatively low levels of noise, vibration and fumes and ,more specifically, include the following types of repairs to motor vehicles of a gross vehicle weight of no more than six thousand (6,000) pounds: (a) “motor vehicle maintenance” as defined in 325.482; (b) air conditioning, starting, and charging service; (c) brake repair and replacement; (d) engine oil change; exhaust system repair and replacements; (f) automotive electrical work other than audio system installation; (g) shock absorber, spring, and strut replacement; (h) upholstery work; (i) tire balancing; (j) windshield and glass installation; (k) tune-ups, diagnostics, spark plug replacement, emission control service; and (l) other repairs of similar nature with respect to impacts on nearby properties.
3. Division (a) of Section 343.14, which states that no motor vehicle service garage shall be located on a parcel that is within one hundred (100) feet of Residence District unless the following conditions are met: (1) a solid board-on-board wood fence or brick or stone wall at least 6 feet in height is placed along any property line abutting a Residence District, in addition to any otherwise required landscaping; and (2) No motor vehicle activity occurs within 10 feet of a residence district.
4. Section 352.08 through 352.12, which states that a six-foot frontage landscaped strip is required where the lot abuts a street. A ten-foot landscaped transition is required where property abuts a residence district. No landscaping is proposed.

Calendar No. 24-070: 7413 Lockyear Avenue

Ward 7 – Stephanie Howse-Jones

Yetta Peek, owner, proposed to use existing single-family residence as a Type “A” home daycare for a maximum of 12 children in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Division (b) of Section 337.03, which states that a daycare shall not be located less than 30 feet from any adjoining premises not used for a similar purpose.
2. Division (g)(3)(C) of 337.02, which states that Board of Zoning Appeals may approve the use variance after public notice and public hearing, and if adequate yard spaces and other safeguards to preserve the character of the neighborhood are provided, and if in the judgment of the Board such buildings and uses are appropriately located and designed and will meet a community need without adversely affecting the neighborhood.

Calendar No. 24-071: 4505 Broadview Rd.**Ward 12 – Rebecca Maurer**

Refuge Community Church, owner, proposes to establish a church and daycare in a C1 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Division (e) of Section 349.04, which states that 37 off-street parking spaces are required; none proposed.

Calendar No. 24-074: 12400 Crossburn Avenue**Ward 16 – Brian Kazy**

Euerle Group, LLC, proposes to establish use of an existing warehouse to an indoor and outdoor pickleball facility in a B1 Semi-Industry District and General Industry District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 347.12, which states that amusement and recreation uses, as described in division (L) of 343.11 shall not be established within five hundred (500) feet of a residential district or day care center, kindergarten, elementary or secondary school, public library, church, playground, public or nonprofit recreation center or community center; and no such use shall be established within 500 feet of another such use. Proposed use directly adjacent to a Two-Family Residential District.
2. Section 349.04, which states that 262 accessory off-street parking spaces are required, and the appellant is proposing 60 accessory off-street parking spaces.
3. Division (a) of Section 349.07, which states that accessory off-street parking spaces, driveways and maneuvering areas shall be properly graded for drainage so that all water is drained within the lot providing such parking

spaces, surfaced with concrete, asphaltic concrete, asphalt, or other surfacing materials approved by the Director of Building and Housing, maintained in good condition and free of debris and trash; proposing gravel lot.

4. Division (b) of Section 349.07, which states accessory off street parking spaces shall be provided with wheel or bumper guards that are so located that no part of a parked vehicle will extend beyond such parking space and none are provided.

Calendar No. 24-072: 18332 and 18338 Ferncliffe Ave.

Ward 17 – Charles Slife

Cleveland Muslim Community Center, owner, proposes to construct a parking lot in a Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.03, which states that in a Two-Family District a “Parking Lot” as a standalone use, is not permitted.
2. Division (c) of Section 349.13, which states that the Board of Zoning Appeals may permit, temporarily or permanently, the use of land in a Residence District, other than Limited One-Family District, for a parking lot when the best interests of the community will be served, and provided that:
 - (1) The lot is to be used only for the parking of passenger automobiles of employees, customers or guests of the person or firm controlling and operating the lot, who shall be responsible for its maintenance.
 - (2) No charge is to be made for parking on the lot.
 - (3) The lot is not to be used for sales, repair work or servicing of any kind.
 - (4) Entrance to and exit from the lot are to be located so as to do the least harm to the Residence District.
 - (5) No advertising signs or materials are to be located on the lot.
 - (6) All parking is to be kept back of the setback building line by barrier unless specifically authorized otherwise by the Board.
 - (7) The parking lot and that portion of the driveway back of the building line are to be adequately screened from the street and from adjoining property in a Residence District by a hedge, slightly fence or wall not less than four feet six inches high and not more than five feet high located back of the setback building line. All lighting is to be arranged so that there will be no glare that is annoying to the occupants of adjoining property in a Residence District, and the surface of the parking lot is to be smoothly graded, hard surface and adequately drained.

- (8) which states the building permit number under which the lot is established is to be posted.
- (9) which states that such other and further conditions may be imposed as the Board may deem necessary in specific case to reduce the adverse effect of the proximity of a parking lot upon the character, development and maintenance of the Residence District in which the parking lot is to be located.

Calendar No. 24-073: 18319 and 18325 Fairville Avenue

Ward 17 – Charles Slife

Cleveland Muslim Community Center, owner, proposes to construct a parking lot in Two-Family zoning District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 337.03, which states that in a Two-Family District a “Parking Lot” as a standalone use, is not permitted.
2. Division (c) of Section 349.13, which states that the Board of Zoning Appeals may permit, temporarily or permanently, the use of land in a Residence District, other than Limited One-Family District, for a parking lot when the best interests of the community will be served, and provided that:
 - (1) The lot is to be used only for the parking of passenger automobiles of employees, customers or guests of the person or firm controlling and operating the lot, who shall be responsible for its maintenance.
 - (2) No charge is to be made for parking on the lot.
 - (3) The lot is not to be used for sales, repair work or servicing of any kind.
 - (4) Entrance to and exit from the lot are to be located so as to do the least harm to the Residence District.
 - (5) No advertising signs or materials are to be located on the lot.
 - (6) All parking is to be kept back of the setback building line by barrier unless specifically authorized otherwise by the Board.
 - (7) The parking lot and that portion of the driveway back of the building line are to be adequately screened from the street and from adjoining property in a Residence District by a hedge, slightly fence or wall not less than four feet six inches high and not more than five feet high located back of the setback building line. All lighting is to be arranged so that there will be no glare that is annoying to the occupants of adjoining property in a Residence District, and the surface of the parking lot is to be smoothly graded, hard surface and adequately drained.

- (8) which states the building permit number under which the lot is established is to be posted.
- (9) which states that such other and further conditions may be imposed as the Board may deem necessary in specific case to reduce the adverse effect of the proximity of a parking lot upon the character, development and maintenance of the Residence District in which the parking lot is to be located.
- 3. Division (a) of Section 339.02, which states that accessory off-street parking shall be located no closer than ten feet to any adjacent residential building.
- 4. Section 349.07, which states all accessory off-street parking spaces shall be provided with wheel or bumper guards that are so located that no part of a parked vehicle will extend beyond such parking spaces.

Report of the Board of Zoning Appeals

Monday, May 20, 2024

At the meeting of the Board of Zoning Appeals on Monday, May 20, 2024, the following appeals were scheduled for hearing before the Board and;

The following appeals were **APPROVED**:

Calendar No. 24-061: 1596 East 82nd Street

Stephanie Sanders, owners, proposes to establish use as Type “A” Home Daycare in a residence located in a D2 Multi-Family Residential District.

Calendar No. 24-062: 3221 West 25th Street

The Egg Carton LLC, owner, proposes to change of use from commercial building to a two-story, masonry, single-family residence in a C2 Local Retail Business District and a Pedestrian Retail Overlay District.

Calendar No. 24-064: 2805 Seymour Avenue (Conditionally)

Gladys Vargas, owner, proposes to install six banners in a B1 Two-Family Residential District.

Calendar No. 24-065: 2325 Kinkel Avenue

Rosemary DeJesus, owner, proposes to establish use as Limited Lodging (Airbnb) for more than 91 days per calendar year in a C1 Multi-Family Residential District.

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

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

The following appeals were **DISMISSED**:

Calendar No. 24-066: Appeal of Eben Reed from the decision of the Commissioner Assessment and Licenses regarding denial of Tow Truck Application LUOU24-00065

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 May 13, 2024, and Monday, December 18, 2023, and the decisions were adopted and approved on Monday, May 20, 2024:

Calendar No. 23-207: 16603 Harvard Avenue

LLB Dynamic LLC proposes to establish use as a Mental Health Center/ Drug Treatment Facility for inpatient/out-patient clients in a C1 Local Retail Business District.

Calendar No. 24-055: 8716 Meridian Avenue

Roy Jelks, owner, and Chanell Murray, lessee, proposes to establish a “Type A” daycare in a B1 Two-Family Residential District.

Calendar No. 24-056: 8720 Meridian Avenue

Chanell Murray, lessee, requesting to designate the vacant lot for use as a “Type A” daycare’s play area in a B1 Two-Family Residential District.

Calendar No. 24-057: 820 College Avenue

Sandy Banks LLC, owner, proposes to enclose patio of existing restaurant located in C1 General Retail Business District.

Calendar No. 24-058: 2281 Columbus Road

St. Wendelin Parish, owner, propose to install an electronic changeable copy monument sign in a B1 Multi-Family Residential District.

Calendar No. 24-059: 2417 Professor Street (PPN 004-16-027)

Alex Gaundo (new owner) proposes to establish use as a “Cilantro” restaurant in a C1 General Retail Business.

Calendar No. 24-060: 6005 Parkridge Avenue

Daniel Foster, owner, proposes to erect a two-story, single-family residence with detached garage in an A1 One-Family Residential District.

Agenda of the Board of Building Standards and Building Appeals

Wednesday, July 3, 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)

PUBLIC HEARINGS WILL BE STREAMED LIVE ON YOUTUBE:

<https://www.youtube.com/channel/UCB8qloJrhmpYIR1OLY68bw/>

BUILDING:

Docket A-23-24	7000 Central Avenue	WARD: 5 (Richard A. Starr)
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Christie Lites Cleveland LLC, Owner of the One F-1 Factory-Moderate Hazard (Combustibles) Four-Story Metal Frame Structure, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated January 11, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-23-24 has been **WITHDRAWN** per request of the appellant.

Docket A-28-24	2720 Van Aken Blvd	WARD: 4 (Deborah A. Gray)
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Bonwit Teller LLC, Owners of the B Business-Offices, Laboratories, Adult School Two

Story Masonry Frame Structure, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated January 9, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-29-24

6330 Lorain Avenue

**WARD: 15
(Jenny Spencer)**

John/Katherine Carey, Owners of the Two and a Half-Story Masonry walls/Wood floors Frame Structure, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated December 27, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-31-24

6404 Lorain Avenue

**WARD: 15
(Jenny Spencer)**

Edifice Properties LLC, Owner of the Two and a Half-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated January 2, 2024; appellant is requesting for time to complete abatement of the violations.

HOUSING:

Docket A-21-24

4617 Woburn Avenue

**WARD: 13
(Kris Harsh)**

Kenneth Passerallo, Owner of the Two Dwelling Units; Two- Family Residence; Two and a Half-Story Frame Property, appeals from a **NOTICE OF VIOLATION – HAZARDOUS CONDITIONS** dated January 16, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-22-24

12500 St. John Avenue

**WARD: 11
(Danny Kelly)**

Murad Alqudah, Owner of the One Dwelling Unit; Single -Family Residence; One-Story Frame Property, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE,, CONDEMNATION- SHED & FIRE DAMAGE** dated January 18, 2024 & January 22, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-24-24

3279 West 58th Street

**WARD: 3
(Kerry McCormack)**

Nathan Nickschinski, Owner of the Three Dwelling Units; Three-Family Residence; Two and a Half-Story Frame Property, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE,,** dated January 16, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-26-24 324 East 149th Street WARD: 8
(Michael D. Polensek)

Eileen A. Scott, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated January 9, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-27-24 1100 East 174th Street WARD: 8
(Michael D. Polensek)

Dawn Young, Owner of the One Dwelling Unit; Single Family Residence; One-Story Garage-Detached; Wood Frame Property, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated January 9, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-30-24 4065 East 79th Street WARD: 12
(Rebecca Maurer)

R&R Luxury Homes LLC, Owner of the Two Dwelling Units; Two Family Residence, Two and a Half-Story Frame Property, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE**,, dated January 12, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-32-24 10530 Woodland Avenue WARD: 6
(Blaine Griffin)

Joseph C. Beard, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated January 23, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-33-24 3410 West 94th Street WARD: 11
(Danny Kelly)

Brenda Lopez, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Wood Frame/Siding/Masonry Veneer Frame Property, appeals from a **NOTICE OF VIOLATION – FIRE DAMAGE**, dated February 12, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-34-24 3478 West 56th Street WARD: 14
(Jasmin Santana)

Samuel Mitchell, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – NO PERMIT & HAZARDOUS CONDITIONS**, dated January 10, 2024 & January 11, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-35-24 **2048 West 100th Street** **WARD: 15**
(Jenny Spencer)

Kyngs T8 LLC, Owner of the One Dwelling Unit; Single-Family Residence; Two and a Half-Story Frame Property, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated January 18, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-36-24 **1345 West Boulevard** **WARD: 11**
(Danny Kelly)

Muse Spaces LLC, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE, RENTAL REGISTRATION & UNAUTHORIZED ILLEGAL USE**, dated February 5, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-37-24 **3822 Newark Avenue** **WARD: 14**
(Jasmin Santana)

Jamie Scaggs, Owner of the One Dwelling Unit; Single-Family Residence; One-Story Garage-Detached; Wood Frame Property, appeals from a **NOTICE OF VIOLATION – FIRE DAMAGE**, dated January 26, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-38-24 **903 East 146th Street** **WARD: 10**
(Anthony T. Hairston)

Molmor LLC, Owner of the One Dwelling Unit; Single-Family Residence; One-Story Frame Property, appeals from a **NOTICE OF VIOLATION –INTERIOR/ EXTERIOR MAINTENANCE**, dated January 24, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-41-24 **3504 Independence Road** **WARD: 12**
(Rebecca Maurer)

Hype Investing LLC, Owner of the One Dwelling Unit; Single-Family Residence; One-Story Frame Property, appeals from a **NOTICE OF VIOLATION –INTERIOR/ EXTERIOR MAINTENANCE**, dated January 23, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-42-24 **3434 West Boulevard** **WARD: 11**
(Danny Kelly)

3434 West Blvd LLC, Owner of the Two Dwelling Units; Two-Family Residence; Two and a Half-Story Wood Frame/Siding/Masonry Veneer Frame Property, appeals from a

NOTICE OF VIOLATION – EXTERIOR MAINTENANCE & NO PERMIT, dated January 30, 2024 & February 6, 2024; appellant is requesting for time to complete abatement of the violations.

**Docket A-104-24 9707 Pierpont Avenue WARD: 9
(Kevin Conwell)**

Debra Taylor Smith, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Frame Property appeals from a **NOTICE OF VIOLATION – CONDEMNATION – MAIN STRUCTURE**, dated April 9, 2021, appellant is requesting for time to complete abatement of the violations.

**Docket A-107-24 2609 Hood Avenue WARD: 13
(Kris Harsh)**

RDG Properties LLC, Owner of the Two Dwelling Units; Two-Family Residence; Two and a Half-Story Frame Property, appeals from a **NOTICE OF VIOLATION – HAZARDOUS CONDITIONS**, dated April 17, 2024, appellant is requesting for time to complete abatement of the violations.

**Docket A-108-24 1714 Treadway Avenue WARD: 12
(Rebecca Maurer)**

Anthony Kushlak, Owner of the One Dwelling Unit; Single-Family Residence; One and a Half-Story Frame Property, appeals from a **NOTICE OF VIOLATION – HAZARDOUS CONDITIONS & VACATE**, dated April 26, 2024, appellant is requesting for time to complete abatement of the violations.

**Docket A-109-24 7305 Montgomery Avenue WARD: 5
(Richard A. Starr)**

Charlene Pruitt, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE**, dated April 12, 2024, appellant is requesting for time to complete abatement of the violations.

TIME EXTENSION

**Docket A-39-24 12721 Firsby Avenue WARD: 11
(Danny Kelly)**

Stephen Arisco, Owner of the One Dwelling Unit; Single-Family Residence; One and a Half-Story Frame Property, appeals from a **NOTICE OF VIOLATION – INTERIOR MAINTENANCE**, dated September 13, 2023; appellant is requesting for additional time under A-272-23 until February 8, 2024, to complete abatement of the violations.

Approval of Resolutions

Docket/s:

A-99-23	Lekecia Webb
A-173-23	Keith Marable
A-174-23	Charles Wilson
A-177-23	Laura Hasberry
A-181-23	Alexander/Kimberly Lacey
A-194-23	Barry Sullivan
A-216-23	Melissssa/David Figueroa
A-220-23	Contessa Smeralda INC
A-221-23	Linnette Robinson
A-224-23	Marie Ondercin (Manton)
A-238-23	Scatlet Oak Acquistion
A-12-24	Vladmir Fablis
A-13-24	Shawn White
A-14-24	Therence Manirakiza
A-16-24	Troy Reeves
A-17-24	Uneeda M. Calhoun
A-18-24	William D. Keyes Jr.
A-19-24	Dionne Underwood
A-20-24	Charles Ursitti

Approval of Minutes

June 5, 2024

MEMO

To: Tom Vanover, Commissioner/CBO

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

Date: May 22, 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, July 3, 2024, at approximately 9:30 a.m. via WebEx.

DOCKET NO.	ADDRESS	INSPECTOR/S
A-23-24	7000 Central	A. Cvitic
A-28-24	2720 Van Aken	M. Watson
A-29-24	6330 Lorain	J. Dedic
A-31-24	6404 Lorain	J. Dedic
A-21-24	4617 Woburn	J. Barkas
A-22-24	12500 St. John	S. Lang/Fzekaj
A-24-24	3279 West 58	T. Barisic
A-26-24	324 East 149	B. McClure
A-27-24	1100 East 174	B. McClure
A-30-24	4065 East 79	R. Catacutan
A-32-24	10530 Woodland	A. Cvitic
A-33-24	3410 West 94	C. Davis
A-34-24	3478 West 56	T. Barisic
A-35-24	2048 West 100	S. Lang
A-36-24	1345 West Blvd	A. Arnold
A-37-24	3822 Newark	T. Barisic
A-38-24	903 East 146	K. Lanum
A-41-24	3504 Independence	K. Lanum
A-42-24	3434 West Blvd	C. Davis
A-104-24	9707 Pierpont	F. Zekaj
A-107-24	2609 Hood	J. Barkas
A-108-24	1714 Treadway	M. Shockley
A-109-24	7305 Montgomery	M. Santillo
A-39-24	12721 Firsby	K. Lanum

Public Notice

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

Notice is hereby given, in accordance with Ohio Revised Code Section 121.22(F) and Cleveland Codified Ordinances Section 167.01(a), that the City Records Commission of the City of Cleveland will hold a public meeting on Friday, June 7, 2024, at 10:00 a.m., in Cleveland City Council's Mercedes Cotner Committee Room 217 in Cleveland City Hall, 601 Lakeside Avenue, Cleveland, Ohio, for the purpose of reviewing proposed records retention schedules and any other business with respect to records retention and disposal requests and questions.

Adopted Resolutions and Passed Ordinances

These resolutions were adopted, and ordinances were passed by City Council on Monday, May 13, 2024.

Click on a piece of legislation below to read it:

[Ord. No. 339-2024](#)

[Ord. No. 400-2024](#)

[Ord. No. 343-2024](#)

[Ord. No. 413-2024](#)

[Ord. No. 371-2024](#)

[Ord. No. 554-2024](#)

[Ord. No. 372-2024](#)

[Ord. No. 555-2024](#)

[Ord. No. 399-2024](#)

[Ord. No. 564-2024](#)

Ordinance No. 339-2024

By Council Members: Howse-Jones

An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with Lutheran Metropolitan Ministry, or its designee, to provide economic development assistance to partially finance the purchase of equipment, the lease or acquisition of warehouse space, and the construction of pilot houses, related to the development and implementation of an affordable housing program for low income or homeless people using 3D printing technology.

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

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

Section 1. That the Director of Community Development is authorized to enter into a grant agreement with Lutheran Metropolitan Ministry, or its designee, to provide economic development assistance to partially finance the purchase of equipment, the lease or acquisition of warehouse space, and the construction of pilot houses, related to the development and implementation of an affordable housing program for low income or homeless people using 3D printing technology.

Section 2. That the costs of the grant shall not exceed \$500,000 and shall be paid from Fund No. 10 SF 400. (RQS 8006, RL 2024-42)

Section 3. That the agreements and other appropriate documents needed to complete the transactions authorized by this legislation shall be prepared by the Director of Law.

Section 4. That the contract authorized in this legislation will require the recipient of financial assistance to work with The Workforce Investment Board for Workforce Area No. 3 to identify and solicit qualified candidates for job opportunities related to the City's contracts, and place special emphasis on the hard to employ, including but not limited to the disabled and persons who have been convicted of or have pled guilty to a criminal offense, unless the criminal conviction or circumstances relate to the duties for the particular job sought.

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

Passed May 13, 2024.

Effective May 16, 2024.

Ordinance No. 343-2024

By Council Members: Howse-Jones

An emergency ordinance authorizing the Director of Community Development to enter into a grant agreement with the United Way of Greater Cleveland, or its designee, to act as the City's agent to partially finance costs for the development, administration and the providing of small business and participant support associated with development of a Universal Basic Employment and Opportunity pilot program.

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

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

Section 1. That the Director of Community Development is authorized to enter into a grant agreement with the United Way of Greater Cleveland, or its designee, to act as the City's agent to partially finance costs for the development, administration and the providing of small business and participant support associated with development of a Universal Basic Employment and Opportunity pilot program.

Section 2. That the costs of the grant shall not exceed \$600,000 and shall be paid from Fund No. 10 SF 400. (RQS 8006, RL 2024-41)

Section 3. That the agreements and other appropriate documents needed to complete the transactions authorized by this legislation shall be prepared by the Director of Law.

Section 4. That the contract authorized in this legislation will require the recipient of financial assistance to work with The Workforce Investment Board for Workforce Area No. 3 to identify and solicit qualified candidates for job opportunities related to the City's contracts, and place special emphasis on the hard to employ, including but not limited to the disabled and persons who have been convicted of or have pled guilty to a criminal offense, unless the criminal conviction or circumstances relate to the duties for the particular job sought.

Section 5. That the Director of Community Development shall provide all members of Council a quarterly report regarding implementation, development and progress of the Universal Basic Employment and Opportunity pilot program.

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

Passed May 13, 2024.

Effective May 16, 2024.

Ordinance No. 371-2024

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

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. MA RCD2022-02 with Wausau Equipment Company, Inc. for services, maintenance, inspections, and parts necessary to maintain Wausau snow removal equipment for the Division of Airports, Department of Port Control.

WHEREAS, under the authority of Ordinance No. 915-2021, passed November 15, 2021, the Director of Port Control entered into Contract No. MA RCD2022-02 with Wausau Equipment Company, Inc. for services, maintenance, inspections, and parts necessary to maintain Wausau snow removal equipment for the Division of Airports, Department of Port Control; and

WHEREAS, Ordinance No. 915-2021 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 Port Control is authorized to exercise the first option to renew Contract No. MA RCD2022-02 with the Wausau Equipment Company, Inc. for services, maintenance, inspections, and parts necessary to maintain Wausau snow removal equipment for the for the Division of Airports, Department of Port Control. This ordinance constitutes the additional legislative authority required by Ordinance No. 915-2021 to exercise this option.

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

Passed May 13, 2024.

Effective May 16, 2024.

Ordinance No. 372-2024

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

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. LS 2023-001 with BP Products, North America, Inc., for the lease of City-owned property commonly known as the North Fuel Farm located at Cleveland Hopkins International Airport, for the purpose of operating an aviation fuel storage and handling facility.

WHEREAS, under the authority of Ordinance No. 83-2019, passed January 28, 2019, the Director of Port Control entered into Contract No. LS 2023-001 with BP Products, North America, Inc., for the purpose of operating an aviation fuel storage and handling facility; and

WHEREAS, Ordinance No. 83-2019 requires additional legislation to exercise the first option to renew; and

WHEREAS, for the use of the Leased premises, BP Products, North America, Inc., shall pay the City an annual fee as specified in the contract; and

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

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

Section 1. That the Director of Port Control is authorized to exercise the first option to renew Contract No. LS 2023-001 with BP Products, North America, Inc. for the purpose of operating an aviation fuel storage and handling facility. This ordinance constitutes the additional legislative authority required by Ordinance No. 83-2019 to exercise this option.

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

Passed May 13, 2024.

Effective May 16, 2024.

Ordinance No. 399-2024

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

An emergency ordinance to amend Section 1 of Ordinance No. 255-2023, passed April 10, 2023, relating to the design, installation, implementation, management and maintenance of a Neutral-Host Distributed Antenna System at Cleveland Hopkins International Airport.

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 1 of Ordinance No. 255-2023, passed April 10, 2023, is amended to read as follows:

Section 1. That, notwithstanding Section 183.03 or any other provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Port Control is authorized to enter a Lease by Way of Concession on the basis of competitive proposals to design, install, implement, manage, and maintain a Neutral-Host distributed antenna system at Cleveland Hopkins International Airport, for the Department of Port Control, for a period of ten years, with one five-year option to renew, which requires additional legislative authority. The selection of the concessionaire shall be made by the Board of Control, upon the nomination of the Director of Port Control. The concession fee to be paid to the City shall be fixed by the Board of Control.

Section 2. That existing Section 1 of Ordinance No. 255-2023, passed April 10, 2023, is repealed.

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

Passed May 13, 2024.

Effective May 16, 2024.

Ordinance No. 400-2024

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the Title X Program; authorizing the director to charge and accept fees; entering into one or more agreements to receive payments from Medicare, Medicaid, Medicaid HMOs, and other third-party insurers; and authorizing contracts with various entities, requirement contracts, professional services, and advertising contracts necessary to implement the grant.

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

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

Section 1. That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$650,000 and any other funds that may become available during the grant term, from the Ohio Department of Health to conduct the Title X 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 set forth in the executive summary for the grant contained in the file described below.

Section 2. That the executive summary for the grant, **File No. 400-2024-A**, made a part of this ordinance as if fully rewritten, including the obligation to devote program income from first and third-party billings, estimated at \$260,000, is approved in all respects and shall not be changed without additional legislative authority. (RQS 5005, RLA 2024-42)

Section 3. That the Director of Public Health is authorized to enter into one or more agreements necessary for the City to receive payments from Medicare, Medicaid, Medicaid HMOs, and other third-party insurers to implement the grant as described in the file.

Section 4. That the Director of Public Health is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements during the grant term of the necessary items of materials, equipment, supplies, and services, including lab services and medical supplies, needed to implement the grant as described in the file, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Public Health. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term

may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 5. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance.

Section 6. That the Director of Public Health is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to implement this ordinance.

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

Section 7. That, unless expressly prohibited by the grant agreement, under Section 108(b) of the Charter, purchases made under the grant agreement may be made through cooperative arrangements with other governmental agencies. The Director of Public Health may sign all documents and do all things that are necessary to make the purchases and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 8. That the Director of Public Health is authorized to charge and accept fees from participants of this program and to deposit those fees into a revolving fund which will be used to provide additional materials, equipment, supplies, and services under the program described in the file, and the funds are appropriated for that purpose.

Section 9. That the Director of Public Health is authorized to enter into one or more contracts with, including but not limited to the following, to implement the grant as described in the file: The MetroHealth System, a county hospital, organized under R.C. 339, the Cuyahoga County Board of Health, Lamar Advertising Company, Commuter Advertising, Inc., E-Clinical Works, and UpToDate Company, and other direct care service providers.

Section 10. That the Director of Public Health is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the purchase or lease, during the grant term, of television and radio advertising time and other media, for the Department of Public Health.

Section 11. That the Director of Public Health shall have the authority to extend the term of the grant during the grant term.

Section 12. That the Director of Public Health shall deposit the grant accepted under this ordinance into a fund or funds designated by the Director of Finance to implement the program as described in the file and appropriated for that purpose.

Section 13. That the cost of the contract or contracts authorized by this ordinance shall be paid from the fund or funds which are credited the grant proceeds, the first- and third-party billings, and from the reimbursements accepted under this ordinance.

Section 14. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed May 13, 2024.

Effective May 16, 2024.

Ordinance No. 413-2024

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

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 143.06 relating to applications for and acceptance of grants and other funding and services from any public or private entity to place fellows and interns in various City departments.

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 143.06 to read as follows:

Section 143.06 Applications for and Acceptance of Fellowship and Intern Grants and other Funding and Services from any Public or Private Entity

(a) The Director of Human Resources or other appropriate Director is authorized to apply for and accept grants and other funding and services from any public or private entity for programs to place fellows and interns in various City departments. The appropriate director is authorized to file all papers, execute all documents, and enter into any agreements necessary to apply for, accept, and/or receive the funds or services. Any funds received shall be appropriated for the purposes described in this section. The appropriate Director will notify the Council in writing where and when the fellows and interns are placed.

(b) The appropriate Director is further authorized to pay cash matching funds up to \$50,000 if required to receive grant funding. The matching funding shall be paid from funds appropriated for the use of the applicable City department. Any grant that requires a cash match over \$50,000 shall require additional legislative authority.

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

Passed May 13, 2024.

Effective May 16, 2024.

Ordinance No. 554-2024**By Council Members:** Hairston

An emergency ordinance to amend the title and Section 1 of Ordinance 346-2024, passed March 25, 2024, relating to an agreement with Cavotta's Garden Center.

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

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

Section 1. That the title and Section 1 of Ordinance 346-2024, passed March 25, 2024, are amended to read as follows:

An emergency ordinance authorizing the Director of the Department of Economic Development to enter into agreement with North Collinwood Farm, LLC dba Cavotta's Garden Center or designee for a restaurant equipment project through the use of Ward 10 Casino Revenue Funds.

Section 1. That the Director of the Department of Economic Development is hereby authorized to enter into agreement with North Collinwood Farm, LLC dba Cavotta's Garden Center or designee for a restaurant equipment project for the public purpose of creating new jobs through the use of Wards 10 Casino Revenue Funds.

Section 2. That the existing title and Section 1 of Ordinance 346-2024, passed March 25, 2024, are repealed.

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

Passed May 13, 2024.

Effective May 16, 2023.

Ordinance No. 555-2024**By Council Members:** Gray

An emergency ordinance authorizing the Director of the Department of Aging to enter into agreement with Union Miles Development Corporation for Senior Grass Cutting Program through the use of Ward 4 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Aging is hereby authorized to enter into agreement with Union Miles Development Corporation for the Senior Grass Cutting Program for the public purpose of senior resident grass cutting through the use of Ward 4 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$65,000.00 and shall be paid from Fund No. 10 SF 188 using the fund and project number from the following Ward:

<u>Ward</u>	<u>Amount</u>	<u>Project Number</u>
Ward 4	\$35,000.00	G24601

Section 3. That the Law Department has reviewed and approved this proposal on May 10, 2024. The Department has reviewed and approved the proposal on May 9, 2024. Project shall begin as of May 15, 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.

Passed May 13, 2024.

Effective May 16, 2024.

Ordinance No. 564-2024**By Council Members:** Gray

An emergency ordinance amending Section 4 of Ordinance No. 531-2023, passed May 31, 2023, authorizing the Director of Capital Projects and/or Port Control, as appropriate, to enter into one or more contracts with the Cleveland-Cuyahoga County Port Authority for the detailed design of the Early Implementation Phase of the Cleveland Harbor Eastern Embayment Resilience Strategy project; and authorizing the appropriate director to apply for and accept any gifts, grants or services from any public or private entity.

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 4 of Ordinance No. 531-2023, passed May 31, 2023, is amended to read as follows:

Section 4. That the cost of this ordinance shall not exceed \$1,575,000, and shall be paid from Fund No. 10 SF 400, from the fund or funds to which are credited any gift or grant funds accepted under this ordinance, and from any other funds approved by the Director of Finance. (RQS 0103, RL 2023-48)

Section 2. That the existing Section 4 of Ordinance No. 531-2023, passed May 31, 2023, is repealed.

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

Passed May 13, 2024.**Effective May 16, 2024.**

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

<i>Council Member</i>	<i>Ward</i>
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

10:00 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, 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

<i>Judge</i>	<i>Courtroom</i>
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/>