

The City Record

Official Publication of the Council of the City of Cleveland

April 26, 2024



*Published weekly by the City Clerk, Clerk of Council
under authority of the Charter of the City of Cleveland*

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

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Official Proceedings City Council

Cleveland, Ohio
Monday, April 22, 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, Kerry McCormack, Michael D. Polensek, Jasmin Santana, Charles Slife, Jenny Spencer.

Also present were: Mayor Bibb; Chiefs Abonamah, Davy, Fernando, Griffin, Pomerantz, Pryor-Jones, Teeuwen; Directors Cole, Crowe, DeRosa, Drummond, Francis, Hernandez, Keane, Martin O'Toole, McNamara, Mitchell, 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 Kazy, the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Council Member Hairston.

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:

Santana	Res. No. 439-2024	Gilmarie Lopez
Gray	Res. No. 449-2024	Elizabeth Carol Walker
Maurer	Res. No. 450-2024	Marcella “Marcy” B. Shannon
Howse-Jones	Res. No. 455-2024	Clark Nelson
Howse-Jones	Res. No. 456-2024	Dajah Monae Thaxton
Hairston	Res. No. 457-2024	Imani J. Fletcher
Jones	Res. No. 458-2024	Barry Bennett

Resolutions of Congratulations

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

Griffin	Res. No. 451-2024	Rosa Lee Bell Williams Thomas
Slife	Res. No. 452-2024	Reverend Robert C. Ramser

Resolutions of Recognition

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

Griffin	Res. No. 453-2024	Arab American Bar Association of Ohio
Polensek	Res. No. 454-2024	Michael F. Cavotta

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, April 22, 2024, and referred to the appropriate City departments and Council Committees for review.

Click on an ordinance below to read it:

[Ord. No. 440-2024](#)

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

[Ord. No. 442-2024](#)

[Ord. No. 443-2024](#)

Ordinance No. 440-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance authorizing the Director of Finance to employ one or more consultants, computer software developers, or vendors or one or more firms of consultants, computer software developers, or vendors necessary to implement various technology projects, services, and upgrades to existing systems under the 2024 ITS Capital Project Plan, other related professional services to implement the Plan; and to enter into various contracts to implement this ordinance.

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, provided this Council authorizes and the City sells bonds in 2023 for purposes that include this ordinance, the Director of Finance 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 various technology projects, services, and upgrades to existing systems under the 2024 ITS Capital Project Plan (the “Plan”) and to purchase any associated hardware and appurtenances that are non-competitive, cannot be secured from any other source and that are necessary for upgrade, replacement, or maintenance of any components of the Plan. Components of the Plan include, but are not limited to: Website Optimization; Route Optimization; Artificial Intelligence Tools and Services; Learning Management Solution; Payroll Processing and Onboarding Software; fiber optic installation; Computer Refresh Project; Social Services Software; Data Center Network and Server Upgrades and enhancements migrating physical servers to power efficient, sustainable Blade Chassis and Virtual Servers; SharePoint system upgrade; Software as a Service; Platform as a Service; Low Code No Code Solution; Record Management System; Computer Aid Dispatch System upgrade; WorkOrder Management; AVL System Upgrade; Camera System; Accela System Upgrade; Voice over Internet Protocol (VoIP) telephone system; WIFI installation in City-owned and City- leased facilities; installation of Pen-based devices; Business Intelligence/Data Management systems; and all associated hardware and appurtenances for the foregoing.

Professional services needed to implement the Plan include, but are not limited to: project management; business analysis; network installation; support services; software implementation and configuration; end user and technical staff training; system design; data conversion; report development and implementation; testing; technical administration; tuning; maintenance services; upgrades; backup systems and services; system disaster alleviation and remediation; business continuity; technical support; network administration; implementation; programming; maintenance; and other

support for operation and enhancement of systems, integrations, data exchange, migration, installation, design, interfacing, repair, upgrades and enhancements; and other related professional services.

Section 2. That, provided this Council authorizes and the City sells bonds in 2023 for purposes that include this ordinance, the Director of Finance is authorized to employ by contract or contracts one or more consultants, computer software developers or vendors 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 to acquire one or more software licenses and city-wide applications, including implementation, training, and technical support related to the software or applications necessary to implement the Plan, which are not obtained under a professional services contract authorized in Section 1 of this ordinance.

Section 3. The selection of the consultants, computer software developers, or vendors for the services, software licenses, city-wide applications and related services referred to in Section 2 of this ordinance and/or to provide necessary associated hardware, appurtenances, and all other items described in Sections 1 and 2, shall be made by the Board of Control on the nomination of the Director of Finance and, if applicable, shall be from a list of qualified consultants, computer software developers, or vendors 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, hardware, appurtenances, and licenses and applications 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 4. That, provided this Council authorizes and the City sells bonds in 2024 for purposes that include this ordinance, the Director of Finance is authorized to make one or more written standard purchase or lease contracts and one or more written requirement purchase or lease contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of requirements to be determined by the Director, for the necessary items of the purchase, lease, or license of computer and network hardware; replacement parts with labor if necessary; software; software licenses; software upgrades; appurtenances; supplies; related furniture, building equipment and restoration; training materials; insurance; and other materials, equipment, supplies, and services necessary to implement the Plan which are not obtained under a contract authorized in Sections 1 and 2 of this ordinance, including labor and materials; training and training materials; maintenance; and installation if necessary; to be purchased or procured by the Commissioner of Purchases and Supplies on a unit basis for the Division of Information Technology and Services, Department of Finance. 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 5. That the costs of the requirement contract or contracts shall be paid from the fund or funds to which are credited the proceeds of the sale of future bonds if authorized for this purpose, and shall also be charged against the proper appropriation

accounts and the Director of Finance shall certify the amount of any purchase or procurement under the contract or contracts, each of which purchases or 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.

Section 6. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Finance may sign all documents that are necessary to make the purchases and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 7. That the total cost of the contracts and other expenditures authorized in this ordinance shall be paid from Fund Nos. 01-1511-6945, 11 SF 006, 52 SF 001, 54 SF 001, 58 SF 001, 60 SF 001, 81 SF 001, from the fund or funds to which are credited the proceeds of the sale of future bonds if issued for this purpose, and any other funds approved by the Director of Finance. (RQS 1511, RL 2024-47)

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

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

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.

WHEREAS, under the authority of Ordinance No. 1044-2022, passed November 7, 2022, the Director of Port Control entered into 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; and

WHEREAS, Ordinance No. 1044-2022 requires further legislation before exercising the second option to renew on this contract; and

WHEREAS, for the use of the Leased premises, Paratus Air 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 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. This ordinance constitutes the additional legislative authority required by Ordinance No. 1044-2022 to exercise this option.

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

Referred to Directors of Port Control; Finance; and Law; Committees on Transportation and Mobility; and Finance, Diversity, Equity and Inclusion.

Ordinance No. 442-2024

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

An emergency ordinance authorizing the Directors of Public Works and Finance to enter into one or more contracts with the Cleveland Metropolitan School District to conduct recreational, cultural and extracurricular programs for the benefit of school children during the 2023-24 school year.

WHEREAS, under Ordinance No. 1025-A-95, passed June 28, 1995, tax revenues from levying the parking facility tax and increases in the motor vehicle lessor tax and the admission tax can be used to fund recreational, cultural and extracurricular programs within the Cleveland Metropolitan School District; 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 Directors of Public Works and Finance are authorized to enter into one or more contracts with the Cleveland Metropolitan School District to conduct various recreational, cultural and extracurricular programs for the benefit of City school children during the 2023-24 school year, under the program description contained in **File No. 442-2024-A**. The cost of the contract or contracts shall not exceed \$950,000 and shall be paid from Fund No. 11 SF 035. (RQS 7001, RL 2024-5)

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

Ordinance No. 443-2024

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

An emergency ordinance determining the method of making the public improvement of constructing the Panna Lane Pump Station, Belvidere Avenue, Mannering Avenue, Courtland Avenue/Victory Boulevard, West 50th Street, Lawnview Avenue and Capitol Avenue Area sewer improvements, including but not limited to, installing manholes and catch basins; authorizing the Director of Public Utilities to enter into one or more public improvement contracts to construct the improvement; and authorizing the director to employ one or more professional consultants necessary for the improvement; and to apply for and accept funding.

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

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

Section 1. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of constructing the Panna Lane Pump Station, Belvidere Avenue, Mannering Avenue, Courtland Avenue/Victory Boulevard, West 50th Street, Lawnview Avenue and Capitol Avenue Area sewer improvements, including but not limited to, installing manholes and catch basins (the “Improvement”), for the Division of Water Pollution Control, Department of Public Utilities, 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 2. That the Director of Public Utilities is authorized to enter into one or more contracts for the making of the Improvement with the lowest responsible bidder or bidders 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 3. That the Director of Public Utilities is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

Section 4. That the Director of Public Utilities 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 for the Improvement.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Utilities from a list of qualified consultants

available for employment as may be determined after a full and complete canvass by the Director of Public Utilities 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 Utilities, and certified by the Director of Finance.

Section 5. That the Director of Public Utilities is authorized to apply for and accept funding from the Northeast Ohio Regional Sewer District (“NEORS”) for Community Cost-Share Program and Member Community Infrastructure Program to implement the Improvement; that the appropriate 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 6. That the Director of Public Utilities and/or the Director of Finance are authorized to apply for and accept one or more Water Pollution Control Loan Fund (“WPCLF”) loans from the Ohio Environmental Protection Agency (“EPA”) or Ohio Water Development Authority, or other agencies; 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.

The Director of Public Utilities and/or the Director of Finance, as appropriate, are authorized to enter into one or more loan agreements with the Ohio EPA or Ohio Water Development Authority, or other appropriate agency, for one or more WPCLF loans, which loan agreement or agreements shall contain additional terms that are acceptable to the Director of Law to protect the public interest. Upon execution of the WPCLF loan agreement or agreements, the Director of Public Utilities and/or the Director of Finance are authorized to repay the loan funds to the WPCLF in accordance with the terms and conditions of the WPCLF loan agreement or agreements, from the operating revenues of the Division of Water Pollution Control.

Section 7. That the Director of Public Utilities and/or the Director of Finance is authorized to apply for and accept grants as they become available and other funding from the United States of America and its federal agencies, the state of Ohio and its state agencies, and public agencies and/or pass-through entities approved by the governmental entity and that the appropriate Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant or grants; and that the funds are appropriated for the purposes described in this ordinance.

Section 8. That the cost of the contracts and other expenditures authorized shall be paid from Fund No. 54 SF 001, from the fund or funds to which are credited the proceeds from funding received through the Community Cost-Share Program, the Member Community Infrastructure Program, WPCLF loans, the fund or funds to which are credited the proceeds of grants received or from the sale of bonds authorized by Ordinance No. 898-2023, passed September 18, 2023, if the City sells such bonds and are issued for this purpose, from the sale of future bonds if issued for this purpose, and from any other funds approved by the Director of Finance. (RQS 2003, RLA 2024-02)

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

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

Ordinances and Resolutions

First Reading Emergency Ordinances Read in Full and Passed

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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, April 22, 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. 448-2024

Ordinance No. 448-2024**By Council Members:** McCormack

An emergency ordinance authorizing the Director of the Department of City Planning to enter into agreement with Metro West Community Development Organization for the Stockyard Neighborhood Community Plan through the use of Ward 3 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 City Planning is hereby authorized to enter into agreement with Metro West Community Development Organization for the public purpose of providing the Stockyard Neighborhood Community Plan project through the use of Wards 3 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$30,000.00 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 3	\$30,000.00	G24654

Section 3. That the Law Department has reviewed and approved this proposal on March 22, 2024. The Department has reviewed and approved the proposal on March 22, 2024. Project shall begin as of March 1, 2024.

Section 4. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

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

The rules were suspended. Yeas 15. Nays 0.

Read second time.

Read third time in full. Passed. Yeas 15. Nays 0.

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

Voting Nay: None.

Absent: Maurer, Starr.

Ordinances and Resolutions

First Reading Ordinances Referred

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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, April 22, 2024, and referred to the appropriate City departments and Council Committees for review.

Click on an ordinance below to read it:

Ord. No. 446-2024

Ord. No. 447-2024

Ordinance No. 446-2024

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

An ordinance to amend Sections 535.04, 535.05 and 535.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 178-2021, passed October 25, 2021, relating to water rates, affordability programs, and fees and charges for water service.

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

Section 1. That the rates, rules and regulations of the Division of Water, Department of Public Utilities, for water services, fixed by the Board of Control by Resolution No. _____, adopted _____ are approved.

Section 2. That Sections 535.04, 535.05, and 535.06, of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 178-2021, passed October 25, 2021, are amended to read as follows:

Section 535.04 Water Rates

(a) *Water Rates.*

*(1)Monthly Water Rate Schedule for Direct Service Accounts.**

Meter Size	2022	2023	2024
5/8 in. to 1 in. Meter	\$9.20	\$9.20	\$9.50
1-1/2 in. to 2 in. Meter	\$18.05	\$18.05	\$18.70
3 in. to 4 in. Meter	\$61.35	\$61.35	\$63.50
6 in. Meter	\$109.05	\$109.05	\$112.90
8 in. Meter	\$163.55	\$163.55	\$169.30
10 in. Meter	\$207.85	\$207.85	\$215.10
12 in. Meter	\$248.75	\$248.75	\$257.50
Homestead	\$5.80	\$5.80	\$6.00

* Fixed charge for compound meters is based upon the larger size. Also, fixed charges are not prorated but apply to all monthly bills generated in a specific calendar year.

	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>
Monthly Fixed Charges*						
5/8 in. – 1 in. Meter	<u>\$9.50</u>	<u>\$9.85</u>	<u>\$9.90</u>	<u>\$9.90</u>	<u>\$9.90</u>	<u>\$9.90</u>
1-1/2 in. and 2 in. Meter	<u>\$18.70</u>	<u>\$19.35</u>	<u>\$19.45</u>	<u>\$19.45</u>	<u>\$19.45</u>	<u>\$19.45</u>
3 in. and 4 in. Meter	<u>\$63.50</u>	<u>\$65.70</u>	<u>\$66.05</u>	<u>\$66.05</u>	<u>\$66.05</u>	<u>\$66.05</u>

6 in. Meter	<u>\$112.90</u>	<u>\$116.85</u>	<u>\$117.45</u>	<u>\$117.45</u>	<u>\$117.45</u>	<u>\$117.45</u>
8 in. Meter	<u>\$169.30</u>	<u>\$175.25</u>	<u>\$176.15</u>	<u>\$176.15</u>	<u>\$176.15</u>	<u>\$176.15</u>
10 in. Meter	<u>\$215.10</u>	<u>\$222.65</u>	<u>\$223.75</u>	<u>\$223.75</u>	<u>\$223.75</u>	<u>\$223.75</u>
12 in. Meter	<u>\$257.50</u>	<u>\$266.50</u>	<u>\$267.85</u>	<u>\$267.85</u>	<u>\$267.85</u>	<u>\$267.85</u>
Homestead	<u>\$6.00</u>	<u>\$6.20</u>	<u>\$6.25</u>	<u>\$6.25</u>	<u>\$6.25</u>	<u>\$6.25</u>

* Fixed charges are not prorated. The charge used will correspond with the bill period end date.

Monthly Consumption Charge**			
	2022	2023	2024
Cleveland			
0 to 0.2 MCF	\$21.85	\$21.85	\$22.65
Additional MCFs	\$37.14	\$37.14	\$38.49
Homestead	\$14.20	\$14.20	\$14.72
Low / 1st High			
0 to 0.2 MCF	\$28.41	\$28.41	\$29.45
Additional MCFs	\$48.28	\$48.28	\$50.04
Homestead	\$18.46	\$18.46	\$19.13
2nd High			
0 to 0.2 MCF	\$34.96	\$34.96	\$36.23
Additional MCFs	\$59.44	\$59.44	\$61.61
Homestead	\$22.72	\$22.72	\$23.55
3rd High ***			
0 to 0.2 MCF	\$40.42	\$40.42	\$41.89
Additional MCFs	\$68.72	\$68.72	\$71.22
Homestead	\$26.27	\$26.27	\$27.23

** Water consumption charges are prorated if a billing cycle covers a multi-year period.

*** Includes all direct service communities in Medina, Summit and Geauga Counties.

Monthly Consumption Charge						
	2024	2025	2026	2027	2028	2029
Usage Rates (per MCF)**						
Cleveland						
0 to 0.2 MCF	\$22.65	\$23.44	\$24.32	\$25.23	\$26.18	\$27.16
Additional MCFs	\$38.49	\$39.84	\$41.33	\$42.88	\$44.49	\$46.16
Homestead	\$14.72	\$15.24	\$15.81	\$16.40	\$17.02	\$17.66
Low / 1st High						
0 to 0.2 MCF	\$29.45	\$30.48	\$31.62	\$32.81	\$34.04	\$35.32
Additional MCFs	\$50.04	\$51.79	\$53.73	\$55.74	\$57.83	\$60.00
Homestead	\$19.13	\$19.80	\$20.54	\$21.31	\$22.11	\$22.94
2nd High						
0 to 0.2 MCF	\$36.23	\$37.50	\$38.91	\$40.37	\$41.88	\$43.45

Additional MCFs	\$61.61	\$63.77	\$66.16	\$68.64	\$71.21	\$73.88
Homestead	\$23.55	\$24.37	\$25.28	\$26.23	\$27.21	\$28.23
3rd High***						
0 to 0.2 MCF	\$41.89	\$43.36	\$44.99	\$46.68	\$48.43	\$50.25
Additional MCFs	\$71.22	\$73.71	\$76.47	\$79.34	\$82.32	\$85.41
Homestead	\$27.23	\$28.18	\$29.24	\$30.34	\$31.48	\$32.66

** Water consumption charges are prorated if a billing cycle covers a multi-year period.

*** Includes all direct service communities in Medina, Summit and Geauga Counties.

(2) *Monthly Master Meter Water Rate Schedule.*

Master Meter Charge (per MCF)			
Community	2022	2023	2024
Bedford	\$36.69	\$36.69	\$37.97
Chagrin Falls	\$42.42	\$42.42	\$43.90
Gauga County	\$42.60	\$42.60	\$44.09
Lakewood	\$29.81	\$29.81	\$30.85
Portage County*			

* Portage County shall pay the negotiated rate usage with the Division of Water, which shall be adjusted annually based on the Consumer Price Index and shall also pay the Division of Water's annual impact fee set forth in the then existing contract between the City and the County.

Master Meter Customer (per MCF)						
Community	2024	2025	2026	2027	2028	2029
Bedford	\$37.97	\$39.30	\$40.77	\$42.30	\$43.89	\$45.53
Chagrin Falls	\$43.90	\$45.44	\$47.14	\$48.91	\$50.75	\$52.65
Gauga County	\$44.09	\$45.63	\$47.34	\$49.12	\$50.96	\$52.87
Lakewood	\$30.85	\$31.93	\$33.13	\$34.37	\$35.66	\$37.00
Portage County*						

* Portage County shall pay the negotiated rate usage with the Division of Water, which shall be adjusted annually based on the Consumer Price Index and shall also pay the Division of Water's annual impact fee set forth in the then existing contract between the City and the County.

(3) *Additional Transition Rate to Be Charged to Customers of Cleveland Heights' Water System Converting to Cleveland Direct Service* (Customers shall also be charged Cleveland's Suburban Direct Service First and Second High Rates, as appropriate):

Community	Regular Transition Rate	Homestead/Affordability Transition Rate
------------------	--------------------------------	--

	Rate (\$/MCF)	Duration	Rate (\$/MCF)	Duration
Customers within Cleveland Heights Proper	\$38.91	2017 – 2021	\$15.56	2018 – 2021
Cleveland Heights' Customers in University Heights	\$11.81	2017 - 2026	\$4.72	2018 - 2026
All other Cleveland Heights' Customers	\$30.74	2017 – 2021	\$12.30	2018 – 2021

(4) *Emergency Stand By Water Rate Schedule.*

Emergency Stand By Charge (per MCF)			
Community	2022	2023	2024
Berea	\$36.69	\$36.69	\$37.97
Lake County	\$29.81	\$29.81	\$30.85
Medina County	\$42.60	\$42.60	\$44.09
Hudson	\$42.60	\$42.60	\$44.09
Portage County	\$42.60	\$42.60	\$42.60

Emergency Stand By Charge (per MCF)						
Community	2024	2025	2026	2027	2028	2029
Berea	\$37.97	\$39.30	\$40.77	\$42.30	\$43.89	\$45.54
Lake County	\$30.85	\$31.93	\$33.13	\$34.37	\$35.66	\$37.00
Medina County	\$44.09	\$45.63	\$47.34	\$49.12	\$50.96	\$52.87
Hudson	\$44.09	\$45.63	\$47.34	\$49.12	\$50.96	\$52.87
Portage County	\$42.60	\$44.09	\$45.74	\$47.46	\$49.24	\$51.09

(b) *For Master Meter Communities.* All bills for water furnished shall be rendered monthly to the municipality or district to which water is so furnished, and if not paid within fifteen (15) days after the date of billing by the City of Cleveland, such bills shall be subject to a penalty of five percent (5%) each month to all past due balances. In the event that any monthly bill is not paid within four (4) months after written notice is given by the City of Cleveland, the City of Cleveland may, at its option, cease to furnish water to such municipality or district pending payment of any overdue amount.

(c) *Rates for Standby Emergency Water Service.* The rates to be charged for standby emergency water service shall consist of a monthly fee of three hundred dollars (\$300.00) in addition to the charge for consumption provided in division (a) of this section. Standby fees for standby emergency water service shall be payable in advance. All bills for water furnished under this section shall be rendered upon the termination of customer's emergency period or, if the duration of the emergency is longer than thirty

(30) days, in thirty (30) day intervals. Any outstanding balance not paid within fifteen (15) days after the date of billing by the City of Cleveland, such bills shall be subject to a penalty of five percent (5%) each month to all past due balances. In the event that any standby fee is not paid in advance or any consumption bill is not paid within four (4) months after written notice is given by the City of Cleveland, the City of Cleveland may at its option, cease to furnish standby emergency water service to such customer pending payment of any overdue amount.

(d) *Large Industrial Customers.* All water used in excess of sixty-two million five hundred thousand (62,500,000) cubic feet during a three (3) month billing period shall be charged at a rate of seventy-five percent (75%) of the rate prescribed in this section for water used at the additional mcf rate.

(e) Water rates shall be charged based on the location of the water meter when determining whether a water account is located within City of Cleveland or a suburban community, or whether it is located within Cuyahoga County.

(f) ~~All~~ The rates in this section ~~shall be~~ are effective ~~on~~ beginning January 1 of each year.

Section 535.05 Affordability Programs

(a) *Homestead Rate.* Homestead rates are eligible for single family residential property owned and occupied by a person sixty-five (65) years of age or older whose total annual income does not exceed the annual income limits set by the Director of Public Utilities starting with the ~~2021~~ 2024 year with an annual income of ~~thirty-four thousand five hundred dollars (\$34,500.00)~~ forty thousand eight hundred dollars (\$40,800.00). Income limits shall increase annually based on the Consumer Price Index (CPI) annual inflation, but shall not exceed three percent (3%) annually. Eligible properties approved shall be charged the homestead rate established for the service district in which the homestead is located under Section 535.04 of these Codified Ordinances. The Director of Public Utilities shall prescribe the application form for the homestead rates and have final approval of all applications.

(b) The Director of Public Utilities may establish an affordability program to provide assistance to eligible low-income customers. The program ~~may will~~ will offer a ~~reduction of forty percent (40%)~~ rates equal to the Homestead Rate from the water bill with an annual income that does not exceed two hundred percent (200%) of the Federal Poverty Income Guideline Level. The Director of Public Utilities shall set the guidelines for administering the affordability program and have final approval of all applications.

Section 535.06 Fees and Charges

For all fees and charges listed in this section, if the size is not listed, the fee will be assessed based on the next size larger on the schedule.

Fee Description**—(a) Account Setup—**

Tap/Connection	2022	2023	2024
1 in. or smaller	\$235	\$241	\$248
1-1/2 in.	\$491	\$504	\$518
2 in.	\$1,217	\$1,249	\$1,283
4 in.	\$1,561	\$1,603	\$1,647
6 in.	\$1,643	\$1,687	\$1,733
8 in.	\$1,848	\$1,898	\$1,949
10 in.	\$2,200	\$2,259	\$2,320
12 in.	\$3,080	\$3,162	\$3,248
16 in.	\$4,120	\$4,230	\$4,344

Prices assume tap is a ductile iron pipe. For concrete pipe, a fifty-five percent (55%) surcharge shall be added.

(a) Account Setup*

	2024	2025	2026	2027	2028	2029
Tap Connection						
1 in. or smaller	\$248	\$253	\$261	\$270	\$278	\$287
1 ½ in.	\$518	\$529	\$546	\$564	\$582	\$601
2 in.	\$1,283	\$1,311	\$1,354	\$1,397	\$1,442	\$1,488
4 in.	\$1,647	\$1,683	\$1,737	\$1,793	\$1,850	\$1,910
6 in.	\$1,733	\$1,771	\$1,828	\$1,887	\$1,947	\$2,010
8 in.	\$1,949	\$1,992	\$2,056	\$2,122	\$2,190	\$2,261
10 in.	\$2,320	\$2,371	\$2,447	\$2,526	\$2,607	\$2,691
12 in.	\$3,248	\$3,320	\$3,426	\$3,536	\$3,650	\$3,767
16 in.	\$4,344	\$4,440	\$4,583	\$4,730	\$4,882	\$5,039

*Prices assume tap is a ductile iron pipe. For concrete pipe, a fifty-five percent (55%) surcharge shall be added.

(b) Direct Tap/Tapping Sleeve Installation—

Tap/Connection	2022	2023	2024
1 in. or smaller	\$178	\$182	\$187
1-1/2 in.	\$373	\$383	\$394
2 in.	\$923	\$948	\$973
4 in.	\$1,183	\$1,215	\$1,248
6 in.	\$1,245	\$1,279	\$1,313
8 in.	\$1,400	\$1,438	\$1,477
10 in.	\$1,667	\$1,712	\$1,758
12 in.	\$2,334	\$2,397	\$2,461

16 in. or larger (deposit + cost)*	\$3,123	\$3,207	\$3,293
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* Fee listed is a deposit; actual final cost of labor and materials shall be assessed.

Prices assume tap is a ductile iron pipe. For concrete pipe, a fifty-five percent (55%) surcharge shall be added.

(b) Direct Tap / Tapping Sleeve Installation Fee.*

	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>
<u>Tap / Connection</u>						
1 in. or smaller	\$187	\$191	\$197	\$203	\$210	\$217
1 ½ in.	\$394	\$401	\$414	\$428	\$441	\$456
2 in.	\$973	\$992	\$1,024	\$1,057	\$1,091	\$1,126
4 in.	\$1,248	\$1,272	\$1,313	\$1,355	\$1,399	\$1,444
6 in.	\$1,313	\$1,338	\$1,381	\$1,426	\$1,472	\$1,519
8 in.	\$1,477	\$1,505	\$1,554	\$1,604	\$1,655	\$1,708
10 in.	\$1,758	\$1,792	\$1,850	\$1,909	\$1,971	\$2,034
12 in.	\$2,461	\$2,509	\$2,589	\$2,673	\$2,758	\$2,847
16 in. or larger (deposit + cost)**	\$3,293	\$3,357	\$3,465	\$3,576	\$3,691	\$3,801

* Prices assume tap is a ductile iron pipe. For concrete pipe, a fifty-five percent (55%) surcharge shall be added.

** Fee listed is a deposit; actual final cost of labor and materials shall be assessed to customer.

(c) New Connection Rescheduling Fee (if not cancelled 24 hours prior to appointment):

<u>2022</u>	<u>2023</u>	<u>2024</u>
\$134	\$138	\$141

(c) New Connection Rescheduling Fee (if not cancelled 24 hours prior to appointment):

<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>
\$141	\$152	\$158	\$164	\$170	\$176

~~—(d) Curb Valves. Fee includes labor for installation only. Excavation, sheeting, testing, and restoration are the customer's responsibility.~~

	<u>2022</u>	<u>2023</u>	<u>2024</u>
1-1/2 in.	\$184	\$187	\$192

2 in.	\$184	\$187	\$192
3 in.	\$368	\$374	\$384
4 in.	\$368	\$374	\$384
6 in.	\$368	\$374	\$384
8 in.	\$368	\$374	\$384
10 in.	\$552	\$561	\$576
12 in.	\$552	\$561	\$576

(d) *Curb Valves*. Fee includes labor for installation only. Excavation, sheeting, testing, and restoration are the customer's responsibility.

	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>
Curb Valves						
1 ½ in.	\$192	\$192	\$192	\$194	\$201	\$207
2 in.	\$192	\$192	\$192	\$194	\$201	\$207
3 in.	\$384	\$384	\$384	\$388	\$402	\$414
4 in.	\$384	\$384	\$384	\$388	\$402	\$414
6 in.	\$384	\$384	\$384	\$388	\$402	\$414
8 in.	\$384	\$384	\$384	\$388	\$402	\$414
10 in.	\$576	\$576	\$576	\$582	\$603	\$621
12 in.	\$576	\$576	\$576	\$582	\$603	\$621

—(e) *Plugging Connections*. Fee only includes actual plugging of connection. Excavation and restoration shall be invoiced at cost.

	<u>2022</u>	<u>2023</u>	<u>2024</u>
Smaller than 2 in.	\$2,080	\$2,142	\$2,205
2 in. to 12 in.	\$2,772	\$2,855	\$2,939
Larger than 12 in.	\$3,465	\$3,568	\$3,673
Connection Containment Fee	\$199	\$204	\$210
Connection Reinstatement	\$144	\$149	\$155

(e) *Plugging Connections*. Fee only includes actual plugging of connection. Excavation and restoration shall be invoiced at cost to the customer.

	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>
Plugging Connections						
Smaller than 2 in.	\$2,205	\$2,830	\$2,915	\$3,003	\$3,094	\$3,187
2 in. to 12 in.	\$2,939	\$3,764	\$3,877	\$3,994	\$4,115	\$4,239
Larger than 12 in.	\$3,673	\$4,726	\$4,868	\$5,015	\$5,167	\$5,322
Connection Containment	\$210	\$216	\$223	\$229	\$236	\$243
Connection Reinstatement	\$155	\$161	\$168	\$174	\$181	\$189

~~—(f) Assembling Meter Settings for Vault Meters (Fee includes labor only).~~

	2022	2023	2024
1-1/2 in.	\$330	\$338	\$348
2 in.	\$330	\$338	\$348
3 in.	\$330	\$338	\$348
4 in.	\$429	\$439	\$452
6 in.	\$966	\$991	\$1,018
8 in.	\$1,250	\$1,283	\$1,318
10 in.	\$1,590	\$1,632	\$1,677
12 in.	\$1,931	\$1,982	\$2,037

(f) *Assembling Meter Settings for Vault Meters.* Fee includes labor only.

	2024	2025	2026	2027	2028	2029
Meter Size						
1 ½ in.	\$348	\$348	\$348	\$357	\$369	\$381
2 in.	\$348	\$348	\$348	\$357	\$369	\$381
3 in.	\$348	\$348	\$348	\$357	\$369	\$381
4 in.	\$452	\$452	\$452	\$464	\$480	\$495
6 in.	\$1,018	\$1,018	\$1,018	\$1,049	\$1,083	\$1,119
8 in.	\$1,318	\$1,318	\$1,318	\$1,357	\$1,401	\$1,448
10 in.	\$1,677	\$1,677	\$1,677	\$1,728	\$1,784	\$1,842
12 in.	\$2,037	\$2,037	\$2,037	\$2,098	\$2,166	\$2,237

~~—(g) Install / Replace Meters.~~

	2022	2023	2024
1 in. or smaller - inside setting	\$330	\$337	\$344
1 in. or smaller - vault setting	\$376	\$383	\$391
1-1/2 in. - inside setting	\$559	\$568	\$577
1-1/2 in. - vault setting	\$559	\$568	\$577
2 in.	\$628	\$637	\$646
3 in.	\$1,435	\$1,462	\$1,489
4 in.	\$1,507	\$1,534	\$1,561
6 in.	\$2,502	\$2,540	\$2,579
8 in.	\$2,907	\$2,945	\$2,984
10 in.	\$3,607	\$3,645	\$3,684
12 in.	\$4,752	\$4,790	\$4,829
2 in. compound	\$2,112	\$2,150	\$2,189
3 in. compound	\$2,437	\$2,475	\$2,514
4 in. compound	\$2,667	\$2,705	\$2,744
6 in. compound	\$3,427	\$3,465	\$3,504
8 in. compound	\$4,952	\$4,990	\$5,029
10 in. compound	\$7,629	\$7,666	\$7,705

12 in. compound	\$12,325	\$12,363	\$12,402
Specialty meter (labor costs only – meter hardware invoiced at actual cost)	\$3,000	\$3,000	\$3,000
Remote Reading Device	\$120	\$124	\$128
Transmitter Wire	\$48	\$49	\$50

(g) *Install / Replace Meters*

	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>
Meter Size						
1 in. or smaller – Inside Setting	\$344	\$354	\$362	\$370	\$378	\$387
1 in. or smaller – Vault Setting	\$391	\$400	\$409	\$418	\$428	\$439
1 ½ in. – Inside Setting	\$577	\$603	\$614	\$625	\$636	\$648
1 ½ in. – Vault Setting	\$577	\$603	\$614	\$625	\$636	\$648
2 in.	\$646	\$659	\$670	\$681	\$692	\$704
3 in.	\$1,489	\$1,597	\$1,630	\$1,663	\$1,697	\$1,733
4 in.	\$1,561	\$1,684	\$1,717	\$1,750	\$1,784	\$1,820
6 in.	\$2,579	\$2,581	\$2,627	\$2,675	\$2,724	\$2,774
8 in.	\$2,984	\$3,231	\$3,277	\$3,325	\$3,374	\$3,424
10 in.	\$3,684	\$4,031	\$4,077	\$4,125	\$4,174	\$4,224
12 in.	\$4,829	\$5,646	\$5,692	\$5,740	\$5,789	\$5,839
2 in. Compound	\$2,189	\$2,311	\$2,357	\$2,405	\$2,454	\$2,504
3 in. Compound	\$2,154	\$2,514	\$2,557	\$2,605	\$2,654	\$2,704
4 in. Compound	\$2,744	\$2,771	\$2,817	\$2,865	\$2,914	\$2,964
6 in. Compound	\$3,504	\$3,681	\$3,727	\$3,775	\$3,824	\$3,874
8 in. Compound	\$5,029	\$5,881	\$5,927	\$5,975	\$6,024	\$6,074
10 in. Compound	\$7,705	\$9,270	\$9,316	\$9,364	\$9,413	\$9,463
12 in. Compound	\$12,402	\$15,188	\$15,234	\$15,282	\$15,331	\$15,381
Specialty meter (labor costs only – meter hardware involved at actual cost)	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000
Endpoint	\$128	\$105	\$108	\$111	\$115	\$118
Transmitter Wire	\$50	\$10	\$11	\$11	\$11	\$11

–(h) *Assembling Regulator Setting*. Fee includes labor for assembling setting only. Material, material delivery, excavation, sheeting, transporting the assembly, testing, installation, and restoration are the customer's responsibility.

	<u>2022</u>	<u>2023</u>	<u>2024</u>
8 in.	\$1,594	\$1,637	\$1,681

12 in.	\$2,656	\$2,727	\$2,800
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(h) Assembling Regulator Setting. Fee includes labor for assembling setting only. Material, material delivery, excavation, sheeting, transporting the assembly, testing, installation, and restoration are the customer's responsibility.

	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>
<u>Regulator Size</u>						
8 in.	<u>\$1,681</u>	<u>\$1,726</u>	<u>\$1,782</u>	<u>\$1,839</u>	<u>\$1,898</u>	<u>\$1,959</u>
12 in.	<u>\$2,800</u>	<u>\$2,883</u>	<u>\$2,975</u>	<u>\$3,071</u>	<u>\$3,170</u>	<u>\$3,271</u>

~~—(i) Regulator Controls Setup.~~ Fee includes labor for installation only. Excavation, sheeting, testing, and restoration are the customer's responsibility.

	<u>2022</u>	<u>2023</u>	<u>2024</u>
8 in.	<u>\$1,594</u>	<u>\$1,637</u>	<u>\$1,681</u>
12 in.	<u>\$2,656</u>	<u>\$2,727</u>	<u>\$2,800</u>

(i) Regulator Controls Setup. Fee includes labor for installation only. Excavation, sheeting, testing, and restoration are the customer's responsibility.

	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>
<u>Regulator Size</u>						
8 in.	<u>\$1,681</u>	<u>\$1,726</u>	<u>\$1,782</u>	<u>\$1,839</u>	<u>\$1,898</u>	<u>\$1,959</u>
12 in.	<u>\$2,800</u>	<u>\$2,883</u>	<u>\$2,975</u>	<u>\$3,071</u>	<u>\$3,170</u>	<u>\$3,271</u>

~~—(j) Water Use from Hydrants and Other Unmetered Sources.~~

	<u>2022</u>	<u>2023</u>	<u>2024</u>
Permit	<u>\$62</u>	<u>\$64</u>	<u>\$66</u>
Volume Charge (\$/MCF/service area)	Charged at additional MCF rate in applicable rate district where hydrant is located		
Meter/Valve/BF Assembly	<u>\$1,400</u>	<u>\$1,425</u>	<u>\$1,450</u>
Refundable Deposit			
Meter Rental Fee First Week	<u>\$44</u>	<u>\$46</u>	<u>\$48</u>
Rental Fee Each Week After	<u>\$32</u>	<u>\$33</u>	<u>\$34</u>

(j) Water Use from Hydrants and Other Unmetered Sources.

	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>
Permit	<u>\$66</u>	<u>\$73</u>	<u>\$76</u>	<u>\$80</u>	<u>\$84</u>	<u>\$88</u>

<u>Volume Charge</u> <u>(\$/MCF/Service Area)</u>	<u>Charged at additional MCF rate in applicable rate district where</u> <u>hydrant is located</u>					
<u>Meter/Valve/BF</u> <u>Assembly Refundable</u> <u>Deposit</u>	<u>\$1,450</u>	<u>\$1,475</u>	<u>\$1,500</u>	<u>\$1,525</u>	<u>\$1,550</u>	<u>\$1,575</u>
<u>Meter Rental Fee First</u> <u>Week</u>	<u>\$48</u>	<u>\$53</u>	<u>\$56</u>	<u>\$59</u>	<u>\$62</u>	<u>\$65</u>
<u>Meter Rental Fee Each</u> <u>Week After</u>	<u>\$34</u>	<u>\$38</u>	<u>\$40</u>	<u>\$42</u>	<u>\$44</u>	<u>\$46</u>

—(k) *Miscellaneous Engineering Services.*

<u>Fee Description</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
<u>Minimum (for engineering services)</u>	<u>\$58</u>	<u>\$59</u>	<u>\$61</u>
<u>Plan reviews — plan and profile drawing</u> <u>containing water work, inspection, and as-built</u> <u>processing by CWD (per foot, 50-foot of water</u> <u>main minimum)</u>	<u>\$1.16</u>	<u>\$1.19</u>	<u>\$1.22</u>
<u>Deposit for proper submittal of customer</u> <u>created as-builts — fully refundable when</u> <u>approved as-builts received within 180 days of</u> <u>main going into service (per foot, 50-foot of</u> <u>water main minimum)</u>	<u>\$10</u>	<u>\$10</u>	<u>\$10</u>
<u>Backflow prevention testing — CWD processing</u> <u>fee*</u>	<u>\$16</u>	<u>\$17</u>	<u>\$18</u>
<u>Additional review due to plan change without</u> <u>prior approval (per hour)</u>	<u>\$56</u>	<u>\$57</u>	<u>\$58</u>
<u>As-built processing fee — plan profile drawing</u> <u>containing water work (per foot)</u> <u>— Hard or paper copy</u> <u>— GIS format per CWD standards</u>	<u>\$0.70</u> <u>\$0.07</u>	<u>\$0.70</u> <u>\$0.07</u>	<u>\$0.70</u> <u>\$0.07</u>

* Backflow prevention testing fee — These are direct Cleveland Water Division costs for managing the backflow program. Additional fees charged by the Cleveland Water Division's backflow vendor will shall also be passed on charged to the customer.

(k) *Miscellaneous Engineering Services.*

	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>
<u>Minimum (for</u> <u>engineering services</u>	<u>\$61</u>	<u>\$67</u>	<u>\$69</u>	<u>\$71</u>	<u>\$73</u>	<u>\$76</u>
<u>Plan reviews — plan and</u> <u>profile drawing</u> <u>containing water work</u>	<u>\$1.22</u>	<u>\$1.33</u>	<u>\$1.37</u>	<u>\$1.42</u>	<u>\$1.46</u>	<u>\$1.51</u>

(per foot, 50-foot minimum)						
Deposit for proper submittal of customer created As-Builts – fully refundable when approved. As-Builts received within 180 days of main going into service (per foot, 50-foot of water main minimum.)	<u>\$10</u>	<u>\$10</u>	<u>\$10</u>	<u>\$10</u>	<u>\$10</u>	<u>\$10</u>
As-Built processing fee – plan profile drawing containing water work (per foot)						
Hard or paper copy	<u>\$0.70</u>	<u>\$0.70</u>	<u>\$0.70</u>	<u>\$0.70</u>	<u>\$0.70</u>	<u>\$0.70</u>
GIS format per CWD Standards	<u>\$0.07</u>	<u>\$0.07</u>	<u>\$0.07</u>	<u>\$0.07</u>	<u>\$0.07</u>	<u>\$0.07</u>
Backflow prevention testing fee – CWD processing fee*	<u>\$18</u>	<u>\$19</u>	<u>\$20</u>	<u>\$21</u>	<u>\$22</u>	<u>\$23</u>
Additional review due to plan change without prior approval (per hour)	<u>\$58</u>	<u>\$59</u>	<u>\$60</u>	<u>\$61</u>	<u>\$62</u>	<u>\$63</u>

* Backflow prevention testing fee – These are direct Cleveland Water Division costs for managing the backflow program. Additional fees charged by the Cleveland Water Division's backflow vendor will shall also be passed on charged to the customer.

~~–(l) Disinfection of Water Mains.*~~

	<u>2022</u>	<u>2023</u>	<u>2024</u>
4 in.	\$0.72	\$0.75	\$0.78
6 in.	\$0.72	\$0.75	\$0.78
8 in.	\$0.94	\$0.98	\$1.02
10 in.	\$0.94	\$0.98	\$1.02
12 in.	\$1.13	\$1.17	\$1.22
16 in.	\$1.25	\$1.30	\$1.35
20 in. or greater (deposit + cost)	\$3,870	\$4,010	\$4,160
Service Fee**	\$440	\$460	\$480

* 1,200 foot minimum.

** Service is charged each time the disinfection crew has to set up its equipment/trip.

(l) Disinfection of Water Mains.*

	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>
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4 in.	<u>\$0.78</u>	<u>\$0.81</u>	<u>\$0.84</u>	<u>\$0.87</u>	<u>\$0.91</u>	<u>\$0.95</u>
6 in.	<u>\$0.78</u>	<u>\$0.81</u>	<u>\$0.84</u>	<u>\$0.87</u>	<u>\$0.91</u>	<u>\$0.95</u>
8 in.	<u>\$1.02</u>	<u>\$1.06</u>	<u>\$1.10</u>	<u>\$1.14</u>	<u>\$1.18</u>	<u>\$1.23</u>
10 in.	<u>\$1.02</u>	<u>\$1.06</u>	<u>\$1.10</u>	<u>\$1.14</u>	<u>\$1.18</u>	<u>\$1.23</u>
12 in.	<u>\$1.22</u>	<u>\$1.27</u>	<u>\$1.32</u>	<u>\$1.37</u>	<u>\$1.42</u>	<u>\$1.47</u>
16 in.	<u>\$1.35</u>	<u>\$1.40</u>	<u>\$1.45</u>	<u>\$1.51</u>	<u>\$1.57</u>	<u>\$1.63</u>
20 in. or greater (deposit + cost)	<u>\$4,160</u>	<u>\$4,310</u>	<u>\$4,470</u>	<u>\$4,630</u>	<u>\$4,800</u>	<u>\$4,970</u>
Service Fee**	<u>\$480</u>	<u>\$500</u>	<u>\$520</u>	<u>\$540</u>	<u>\$560</u>	<u>\$580</u>

* 1,200-foot minimum.

** Service is charged each time the disinfection crew has to set up its equipment/trip.

~~(m) Meter Inspections / Meter Tests at Customer Request.~~

	2022	2023	2024
1 in. or smaller	\$128	\$132	\$135
1-1/2 in. to 4 in.	\$256	\$264	\$270
Larger than 4 in.	\$512	\$528	\$540

~~(m) Meter Inspections / Meter Tests at Customer Request.~~

	2024	2025	2026	2027	2028	2029
1 in. or smaller	\$135	\$135	\$135	\$138	\$143	\$147
1 ½ in. to 4 in.	\$270	\$270	\$270	\$276	\$286	\$294
Larger than 4 in.	\$540	\$540	\$540	\$552	\$572	\$588

~~(n) Special Service Calls.~~

2022	2023	2024
\$46	\$47	\$48

~~(n) Special Service Calls~~

2024	2025	2026	2027	2028	2029
\$48	\$48	\$49	\$51	\$53	\$54

~~(o) Special Service Calls – Expedited.~~

2022	2023	2024
\$92	\$94	\$96

~~(o) Special Service Calls – Expedited.~~

2024	2025	2026	2027	2028	2029
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<u>\$96</u>	<u>\$96</u>	<u>\$99</u>	<u>\$102</u>	<u>\$105</u>	<u>\$109</u>

~~—(p) Appointment Broken by Customer.~~

2022	2023	2024
\$40	\$41	\$42

(p) Appointment Broken by Customer.

<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>
<u>\$42</u>	<u>\$43</u>	<u>\$44</u>	<u>\$45</u>	<u>\$46</u>	<u>\$47</u>

~~—(q) Returned Check (per check).~~

2022	2023	2024
\$34	\$34	\$34

(q) Returned Check (per check).

<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>
<u>\$34</u>	<u>\$34</u>	<u>\$34</u>	<u>\$34</u>	<u>\$34</u>	<u>\$34</u>

~~—(r) Tampering.~~

	2022	2023	2024
First incident	\$250	\$250	\$250
Second incident	\$2,300	\$2,300	\$2,300
Each incident thereafter	\$3,700	\$3,700	\$3,700

(r) Tampering.

	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>
<u>First Incident</u>	<u>\$250</u>	<u>\$250</u>	<u>\$250</u>	<u>\$250</u>	<u>\$250</u>	<u>\$250</u>
<u>Second Incident</u>	<u>\$2,300</u>	<u>\$2,300</u>	<u>\$2,300</u>	<u>\$2,300</u>	<u>\$2,300</u>	<u>\$2,300</u>
<u>Each Incident thereafter</u>	<u>\$3,700</u>	<u>\$3,700</u>	<u>\$3,700</u>	<u>\$3,700</u>	<u>\$3,700</u>	<u>\$3,700</u>

~~—(s) Lab Testing.~~

	2022	2023	2024
Bacteria Colilert — 18	\$23	\$23	\$23
Bacteria ecoli for LT2	\$24	\$24	\$24
Halo acetic acids 552.2	\$151	\$151	\$151
Metals	\$112	\$112	\$112
Total organic carbon	\$25	\$25	\$25
Ion Chromatography*	\$63	\$63	\$63

Trihalomethanes 524.2	\$45	\$45	\$45
Total Miccycystins ELISA-ADDA	\$34	\$34	\$34
Total Microcystins ELISA-ADDA follow up sample**	\$650	\$675	\$700
Quantitative Polymerase Chain Reaction (aPCR)***	\$250	\$250	\$250
General Wet Chemistry****	\$50	\$50	\$50

* Includes fluoride, phosphate, bromide, chloride, nitrate, nitrite, and sulfate.

** Resample and repeat samples following a routine sample detection (price per day of sampling).

*** qPCR screening for cyanobacteria and cyanotoxin gene detection meeting Ohio EPA analytical requirements.

**** Includes pH, alkalinity, hardness, free and total chlorine residual, and turbidity.

(s) Lab Testing.

	2024	2025	2026	2027	2028	2029
Bacteria Colilert – 18	\$23	\$23	\$23	\$23	\$23	\$23
Bacteria Ecoli for LT2	\$24	\$24	\$24	\$24	\$24	\$24
Halo Acetic Acids 552.2	\$151	\$151	\$151	\$151	\$151	\$151
Metals	\$112	\$112	\$112	\$112	\$112	\$112
Total Organic Carbon	\$25	\$25	\$25	\$25	\$25	\$25
Ion Chromatography *	\$63	\$100	\$100	\$100	\$100	\$100
Trihalomethanes 524.2	\$45	\$75	\$75	\$75	\$75	\$75
Total Microcystins ELISA-ADDA	\$34	\$100	\$100	\$100	\$100	\$100
Total Microcystins ELISA-ADDA follow-up sample **	\$700	\$700	\$700	\$700	\$700	\$700
Quantitative Polymerase Chain Reaction (aPCR) ***	\$250	\$250	\$250	\$250	\$250	\$250
General Wet Chemistry ****	\$50	\$50	\$50	\$50	\$50	\$50

* Includes fluoride, phosphate, bromide, chloride, nitrate, nitrite, and sulfate.

** Resample and repeat samples following a routine sample detection (price per day of sampling).

*** aPCR screening for cyanobacteria and cyanotoxin gene detection meeting Ohio EPA analytical requirements.

**** Includes pH, alkalinity, hardness, free and total chlorine residual, and turbidity.

—(t) Private Fire Protection Charges.

	2022	2023	2024
Fire Line Size			

1-1/2 in.	\$17.15	\$17.15	\$17.15
2 in.	\$17.15	\$17.15	\$17.15
3 in.	\$17.15	\$17.15	\$17.15
4 in.	\$46.60	\$46.60	\$46.60
6 in.	\$67.20	\$67.20	\$67.20
8 in.	\$119.95	\$119.95	\$119.95
10 in.	\$187.80	\$187.80	\$187.80
12 in.	\$256.35	\$256.35	\$256.35

(t) Private Fire Protection Charges.

	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>
Fire Line Size						
1 ½ in.	\$17.15	\$17.71	\$18.04	\$18.09	\$18.53	\$18.75
2 in.	\$17.15	\$17.71	\$18.04	\$18.09	\$18.53	\$18.75
3 in.	\$17.15	\$17.71	\$18.04	\$18.09	\$18.53	\$18.75
4 in.	\$46.60	\$48.13	\$49.02	\$49.15	\$50.35	\$50.96
6 in.	\$67.20	\$69.41	\$70.69	\$70.87	\$72.61	\$73.48
8 in.	\$119.95	\$123.89	\$126.18	\$126.51	\$129.60	\$131.17
10 in.	\$187.80	\$193.96	\$197.55	\$198.07	\$202.92	\$205.36
12 in.	\$256.35	\$264.76	\$269.66	\$270.36	\$276.98	\$280.32

(u) ~~All~~The fees and charges ~~shall be~~ are effective ~~on~~ beginning January 1 of each year.

(v) The Commissioner may enter into payment arrangements for installment payments of the fees and charges contained in this section or in Section 535.23 and 535.24 when determined to be reasonable by the Commissioner. Failure to make any payment under an arranged payment plan when due shall cause the total unpaid amount to become payable on demand and may lead to termination of water service.

Section 3. That Sections 535.04, 535.05, and 535.06, of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 178-2021, passed October 25, 2021, are repealed.

Section 4. That Council waives the notice requirements contained in division (b) of Section 111.072 of the Codified Ordinances of Cleveland, Ohio, 1976.

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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

Ordinance No. 447-2024

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

An emergency ordinance to amend Sections 543.02 and 543.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1393-2019, passed October 25, 2021, relating to sewerage and service rates, fees and charges.

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

Section 1. That the rates, rules and regulations of the Division of Water Pollution Control, Department of Public Utilities, for sewer services, fixed by the Board of Control by Resolution No. _____, adopted _____ are approved.

Section 2. That Sections 543.02 and 543.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1393-2019, passed October 25, 2021, are amended to read as follows:

Section 543.02 Sewerage Service Rates ~~Within Cleveland~~

(a) ~~Regular and Homestead Rates.~~
Sewer Rate Schedule

Regular	2022	2023	2024
Minimum Charge*	\$2.81	\$1.54	\$0.00
Usage Charge Per MCF over Minimum Charge	\$14.03	\$15.43	\$16.97

Homestead	2022	2023	2024
Minimum Charge*	\$1.66	\$0.92	\$0.00
Usage Charge Per MCF over Minimum Charge	\$8.32	\$9.15	\$10.06

* ~~Minimum usage is 0.2 MCF in FY 2022, reduced to 0.1 MCF in FY 2023 and eliminated in 2024.~~

~~Usage charges are not prorated. The charge used will correspond with the bill period end date.~~

(a) *Monthly Sewerage Service Rates.*

	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>
Usage Rates (Per 1 MCF)						
<u>Regular</u>	<u>\$16.97</u>	<u>\$18.41</u>	<u>\$20.62</u>	<u>\$23.09</u>	<u>\$25.86</u>	<u>\$28.96</u>
<u>Homestead</u>	<u>\$10.06</u>	<u>\$10.92</u>	<u>\$12.23</u>	<u>\$13.70</u>	<u>\$15.34</u>	<u>\$17.18</u>

Usage charges are not prorated. The charge used will correspond with the bill period end date.

~~(b) *Affordability Programs.* Special homestead and affordability program rates for customers will follow the same rules and requirements as set forth in Section 535.05 for the Division of Water.~~

~~(c) *Fixed Charge Based Upon Meter Size.*~~

Meter Size	Current	2022	2023	2024
5/8" to 1"	\$6.00	\$6.90	\$7.95	\$8.90
1-1/2" to 2"	\$18.30	\$21.05	\$24.25	\$27.15
3" to 4"	\$46.70	\$53.70	\$61.90	\$69.25
6"	\$86.70	\$99.70	\$114.90	\$128.60
8" to 10"	\$123.30	\$141.80	\$163.35	\$182.90
12" Meter	\$183.30	\$210.80	\$242.85	\$271.90
Homestead	\$3.60	\$4.15	\$4.75	\$5.35

~~If a meter size is not listed above, the customer will be charged the rate for the next meter size up.~~

~~Fixed charges are not prorated. The charge used will correspond with the bill period end date.~~

~~(c)(b) *Monthly Fixed Charge Based Upon Meter Size.*~~

	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>
Monthly Fixed Charges						
5/8 in. to 1 in. Meter	<u>\$8.90</u>	<u>\$9.65</u>	<u>\$9.90</u>	<u>\$9.90</u>	<u>\$9.90</u>	<u>\$9.90</u>
1-1/2 to 2 in. Meter	<u>\$27.15</u>	<u>\$29.45</u>	<u>\$30.20</u>	<u>\$30.20</u>	<u>\$30.20</u>	<u>\$30.20</u>
3 in. to 4 in. Meter	<u>\$69.25</u>	<u>\$75.15</u>	<u>\$77.05</u>	<u>\$77.05</u>	<u>\$77.05</u>	<u>\$77.05</u>
6 in. Meter	<u>\$128.60</u>	<u>\$139.55</u>	<u>\$143.05</u>	<u>\$143.05</u>	<u>\$143.05</u>	<u>\$143.05</u>
8 in. to 10 in. Meter	<u>\$182.90</u>	<u>\$198.45</u>	<u>\$203.40</u>	<u>\$203.40</u>	<u>\$203.40</u>	<u>\$203.40</u>
12 in. Meter	<u>\$271.90</u>	<u>\$295.00</u>	<u>\$302.40</u>	<u>\$302.40</u>	<u>\$302.40</u>	<u>\$302.40</u>
Homestead	<u>\$5.35</u>	<u>\$5.80</u>	<u>\$5.95</u>	<u>\$5.95</u>	<u>\$5.95</u>	<u>\$5.95</u>

If a meter size is not listed above, the customer will be charged the rate for the next meter size up.

Fixed charges are not prorated. The charge used will correspond with the bill period end date.

(c) *Affordability Programs.* Special homestead and affordability program rates for customers will follow the same rules and requirements as set forth in Section 535.05 for the Division of Water.

(d) The rates in this section are effective beginning January 1 of each year.

Section 543.03 Sewerage Service Fees and Charges

WPC Ancillary Fees and Charges

Fee Description	Current	2022	2023	2024
Lay Permit	\$665	\$712	\$737	\$763
Extend Permit	\$630	\$801	\$829	\$858
Repair Permit	\$230	\$379	\$392	\$406
Bulkhead Permit	\$95	\$106	\$110	\$114
Miscellaneous Sewer Permit	\$112	\$154	\$160	\$165
Engineering plan copies (\$/copy)	\$1.20	\$1.35	\$1.40	\$1.45
Re-Inspection Fee	\$277	\$367	\$380	\$393
Plan Review				
– New Main Sewer (\$/foot)	\$1.65	\$2.00	\$2.05	\$2.10
– Other Reviews (\$/hr)	NA	\$118	\$122	\$126
– Residential Parcel (\$/parcel)	\$56	\$62	\$64	\$66
– Commercial Parcel (\$/parcel)	\$112	\$124	\$128	\$133
Stormwater				
– Less than 1 acre	\$221	\$353	\$366	\$379
– 1 - 5 acres	\$333	\$532	\$551	\$570
– 6 - 10 acres	\$666	\$1,065	\$1,102	\$1,140
– More than 10 acres	\$887	\$1,071	\$1,108	\$1,147
New Main Sewer Inspection Fee (\$/hr)	\$84	\$134	\$139	\$143
Locate sewer connection by video (per request)	NA	\$664	\$687	\$711

(a) *WPC Ancillary Fees and Charges.*

	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>
<u>Fee Description</u>						
<u>Lay Permit</u>	<u>\$763</u>	<u>\$763</u>	<u>\$763</u>	<u>\$763</u>	<u>\$763</u>	<u>\$763</u>
<u>Extend Permit</u>	<u>\$858</u>	<u>\$858</u>	<u>\$863</u>	<u>\$892</u>	<u>\$922</u>	<u>\$952</u>
<u>Repair Permit</u>	<u>\$406</u>	<u>\$578</u>	<u>\$597</u>	<u>\$617</u>	<u>\$638</u>	<u>\$659</u>
<u>Bulkhead Permit</u>	<u>\$114</u>	<u>\$114</u>	<u>\$114</u>	<u>\$114</u>	<u>\$114</u>	<u>\$114</u>
<u>Miscellaneous Sewer Permit</u>	<u>\$165</u>	<u>\$165</u>	<u>\$165</u>	<u>\$165</u>	<u>\$165</u>	<u>\$165</u>
<u>Re-Inspection Fee</u>	<u>\$393</u>	<u>\$425</u>	<u>\$440</u>	<u>\$455</u>	<u>\$470</u>	<u>\$485</u>
<u>Engineering plan copies (\$/copy)</u>	<u>\$1.45</u>	<u>\$1.51</u>	<u>\$1.56</u>	<u>\$1.62</u>	<u>\$1.67</u>	<u>\$1.73</u>
<u>Plan Review</u>						

<u>New Main Sewer (\$/foot)</u>	<u>\$2.10</u>	<u>\$2.20</u>	<u>\$2.25</u>	<u>\$2.35</u>	<u>\$2.45</u>	<u>\$2.55</u>
<u>Other Reviews (\$/hr)</u>	<u>\$126</u>	<u>\$138</u>	<u>\$142</u>	<u>\$147</u>	<u>\$152</u>	<u>\$157</u>
<u>Residential Parcel (\$/parcel)</u>	<u>\$66</u>	<u>\$66</u>	<u>\$68</u>	<u>\$70</u>	<u>\$73</u>	<u>\$75</u>
<u>Commercial Parcel (\$/parcel)</u>	<u>\$133</u>	<u>\$133</u>	<u>\$136</u>	<u>\$141</u>	<u>\$145</u>	<u>\$150</u>
<u>Stormwater</u>						
<u>Less than 1 acre</u>	<u>\$379</u>	<u>\$414</u>	<u>\$428</u>	<u>\$442</u>	<u>\$457</u>	<u>\$472</u>
<u>1-5 acres</u>	<u>\$570</u>	<u>\$621</u>	<u>\$642</u>	<u>\$664</u>	<u>\$686</u>	<u>\$709</u>
<u>6-10 acres</u>	<u>\$1,140</u>	<u>\$1,172</u>	<u>\$1,211</u>	<u>\$1,252</u>	<u>\$1,294</u>	<u>\$1,337</u>
<u>More than 10 acres</u>	<u>\$1,147</u>	<u>\$1,448</u>	<u>\$1,497</u>	<u>\$1,548</u>	<u>\$1,599</u>	<u>\$1,652</u>
<u>New Main Sewer Inspection Fee (\$/hr)</u>	<u>\$143</u>	<u>\$155</u>	<u>\$160</u>	<u>\$166</u>	<u>\$171</u>	<u>\$177</u>
<u>Locate sewer connection by video (per request)</u>	<u>\$711</u>	<u>\$745</u>	<u>\$770</u>	<u>\$796</u>	<u>\$823</u>	<u>\$850</u>
<u>Temporary Sanitary Discharge Permit</u>	<u>---</u>	<u>\$858</u>	<u>\$863</u>	<u>\$892</u>	<u>\$922</u>	<u>\$952</u>
<u>Temporary Storm Discharge Permit</u>	<u>---</u>	<u>\$414</u>	<u>\$428</u>	<u>\$442</u>	<u>\$457</u>	<u>\$472</u>

(b) ~~All~~ The fees and charges in this section are ~~shall be effective on~~ beginning January 1 of each year.

Section 3. That existing Sections 543.02 and 543.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1393-2019, passed October 25, 2021, are repealed.

Section 4. That Council waives the notice requirements contained in division (b) of Section 111.072 of the Codified Ordinances of Cleveland, Ohio, 1976.

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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

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, April 22, 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. 444-2024](#)

[Res. No. 445-2024](#)

Resolution No. 444-2024**By Council Members:** Gray**An emergency resolution objecting to a New C1 Liquor Permit at 13709 Bartlett Avenue.**

WHEREAS, Council has been notified by the Division of Liquor Control of an application for a New C1 Liquor Permit at Bartlett Convenient, LLC, 13709 Bartlett Avenue, Cleveland, Ohio 44128, Permit No. 0491421; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C1 Liquor Permit at Bartlett Convenient, LLC, 13709 Bartlett Avenue, Cleveland, Ohio 44128, Permit No. 0491421; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 15. Nays 0.

Read second time.

Read third time in full. Passed. Yeas 15. Nays 0.

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

Voting Nay: None.

Absent: Maurer, Starr.

Resolution No. 445-2024**By Council Members:** Harsh

An emergency resolution withdrawing objection to a New C1 Liquor Permit at 4247 Fulton Road, and repealing Resolution No.1041-2023, objecting to said permit.

WHEREAS, this Council objected to a New C1 Liquor Permit at Family Dollar Stores of Ohio, LLC, DBA Family Dollar Store, #24132, 4247 Fulton Road, Cleveland, Ohio 44144, Permit No. 26312758205, by Resolution No. 1041-2023 adopted by the Council on September 18, 2023; and

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

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

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

Section 1. That objection to the New C1 Liquor Permit at Family Dollar Stores of Ohio, LLC, DBA Family Dollar Store, #24132, 4247 Fulton Road, Cleveland, Ohio 44144, Permit No. 26312758205, by Resolution No. 1041-2023 adopted by the Council on September 18, 2023; and containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

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

The rules were suspended. Yeas 15. Nays 0.

Read second time.

Read third time in full. Passed. Yeas 15. Nays 0.

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

Voting Nay: None.

Absent: Maurer, Starr.

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, April 22, 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. 1337-2023](#)

[Ord. No. 312-2024](#)

[Ord. No. 192-2024](#)

[Ord. No. 313-2024](#)

[Ord. No. 229-2024](#)

[Ord. No. 330-2024](#)

[Ord. No. 305-2024](#)

[Ord. No. 411-2024](#)

[Ord. No. 307-2024](#)

[Ord. No. 412-2024](#)

[Ord. No. 311-2024](#)

Ordinance No. 1337-2023

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

An emergency ordinance authorizing the Director of City Planning to enter into an amendment to Contract No. PS 2023*0018 with James Corner Field Operations, L.L.C. to extend the contract for an additional year for additional services required by the City and to amend the name of the consultant from James Corner Field Operations, L.L.C. to Field Operations, L.L.C.

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

1. In Section 3, line 1 after “shall” insert “not exceed \$400,000 and shall”; and in line 2, after “0110-6380.” insert “No additional funds shall be expended without additional legislative authority.”.

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

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

The rules were suspended. Yeas 15. Nays 0.

Read third time in full.

Passed. Yeas 13. Nays 2.

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

Voting Nay: Kazy, Polensek.

Absent: Maurer, Starr.

Ordinance No. 192-2024

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

An emergency ordinance authorizing the Director of Public Utilities to enter into one or more requirement contracts for the purchase of various sized PVC and FRE ductline materials, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two years.

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

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

The rules were suspended. Yeas 15. Nays 0.

Read third time in full.

Passed. Yeas 15. Nays 0.

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

Voting Nay: None.

Absent: Maurer, Starr.

Ordinance No. 229-2024

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

An emergency ordinance authorizing the Director of Public Utilities to enter into an amendment to Contract No. PS 2023-317 with BancTec, Inc. to remove the hardware support and maintenance services component for payment scanners and payment processing systems for year two and to enter into contract with Imaging Business Machines, LLC for those services, for the Division of Utilities Fiscal Control, Department of Public Utilities, for a period not to exceed one year.

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

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

The rules were suspended. Yeas 15. Nays 0.

Read third time in full.

Passed. Yeas 15. Nays 0.

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

Voting Nay: None.

Absent: Maurer, Starr.

Ordinance No. 305-2024

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

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

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

1. In Section 2, at the end, add “(RQS 7004, RLA 2024-39)”.

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 Kazy to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Hairston.

The rules were suspended. Yeas 15. Nays 0.

Read third time in full.

Passed. Yeas 15. Nays 0.

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

Voting Nay: None.

Absent: Maurer, Starr.

Ordinance No. 307-2024

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

An emergency ordinance authorizing the purchase by one or more standard and requirement contracts for the purchase, lease, or lease with option to purchase, of various on-road vehicles, apparatus, and off-road equipment, cabs, bodies, and accessories, equipment and other aftermarket items necessary to equip the vehicles authorized for their intended purposes, including vehicle rehabilitation, training, and inspections, as needed, for the various divisions of City government.

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 Kazy to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Hairston.

The rules were suspended. Yeas 15. Nays 0.

Read third time in full.

Passed. Yeas 15. Nays 0.

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

Voting Nay: None.

Absent: Maurer, Starr.

Ordinance No. 311-2024

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

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

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

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

The rules were suspended. Yeas 15. Nays 0.

Read third time in full.

Passed. Yeas 15. Nays 0.

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

Voting Nay: None.

Absent: Maurer, Starr.

Ordinance No. 312-2024

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

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

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

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

The rules were suspended. Yeas 15. Nays 0.

Read third time in full.

Passed. Yeas 15. Nays 0.

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

Voting Nay: None.

Absent: Maurer, Starr.

Ordinance No. 313-2024

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

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

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

1. Insert new Section 1a to read as follows:

“Section 1a. That the Director of Finance, on behalf of the Office of Prevention, Intervention and Opportunity for Youth and Young Adults, shall provide all members of Council a quarterly report on the use of the funds, including the number of children and families served and from what facility.”.

1. In Section 2, line 1, after “shall” insert “not exceed \$1,377,590.00 and shall”.

Approved by the Directors of Finance; and Law; Committees on Workforce Education Training and Youth Development; Municipal Services and Properties; and Finance, Diversity, Equity and Inclusion.

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

The rules were suspended. Yeas 15. Nays 0.

Read third time in full.

Passed. Yeas 12. Nays 3.

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

Voting Nay: Kazy, Polensek, Slife.

Absent: Maurer, Starr.

Ordinance No. 330-2024

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

An emergency ordinance authorizing the Director of Public Utilities to enter into one or more requirement contracts without competitive bidding with OPEX Corporation to provide proprietary hardware and software support and on-call maintenance for mail extractors, scanners, and ID assist towers, for the Division of Fiscal Control, Department of Public Utilities, for a period of two years.

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

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

The rules were suspended. Yeas 15. Nays 0.

Read third time in full.

Passed. Yeas 15. Nays 0.

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

Voting Nay: None.

Absent: Maurer, Starr.

Ordinance No. 411-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance authorizing the Director of Finance to enter into one or more contracts with The Near West Side Multi-Service Corporation dba the May Dugan Center to provide services to refugees in Cleveland.

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

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

The rules were suspended. Yeas 15. Nays 0.

Read third time in full.

Passed. Yeas 15. Nays 0.

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

Voting Nay: None.

Absent: Maurer, Starr.

Ordinance No. 412-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance to provide for the transfer and amendment to the General Fund appropriations in the amount of Three Million Two Hundred Seventeen Thousand One Hundred Forty Three Dollars (\$3,217,143).

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

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

The rules were suspended. Yeas 15. Nays 0.

Read third time in full.

Passed. Yeas 13. Nays 2.

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

Voting Nay: Kazy, Polensek.

Absent: Maurer, Starr.

Official Proceedings Adjournment City Council

Cleveland, Ohio
Monday, April 22, 2024

MOTION

On the motion of Council Member Kazy, the absences of Council Members Rebecca Maurer and Richard A. Starr are hereby authorized. Seconded by Council Member Hairston.

The Council Meeting adjourned at 8:29 p.m. to meet on Monday, April 29, 2024, at 7:00 p.m. in the Council Chamber.



Patricia J. Britt
City Clerk, Clerk of Council

Council Committee Meetings

Monday, April 22, 2024

9:30 a.m.

Joint Committee Meeting

Municipal Services and Properties Committee &

Workforce, Education, Training and Youth Development Committee

Present: Santana, Bishop, Chairs; Howse-Jones, Vice Chair, Gray, Spencer, Hairston, Kazy

Served as PROTEM: Spencer, Kazy

Authorized Absence: Starr, Maurer, Kelly, Slife

Unauthorized Absence: Jones

Also Present: Griffin

9:30 a.m.

Municipal Services and Properties Committee

Present: Bishop, Chair, Hairston, Jones, Kazy

Served as PROTEM: Santana

Authorized Absence: Starr, Maurer, Kelly

Also Present: Polensek, Harsh, Spencer

2:00 p.m.

Finance, Diversity, Equity and Inclusion Committee

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

Also Present: Jones, Harsh, Slife

Wednesday, April 24, 2024

10:00 a.m.

Mayor's Appointment Committee

Present: Griffin, Hairston, Harsh

Authorized Absence: Jones, Starr

Board of Control

Wednesday, April 24, 2024

The meeting of the Board of Control convened in the Mayor's office on Wednesday, April 24, 2024, at 3:02 p.m. with Director Mark Griffin presiding.

Members Present: Directors Griffin, Abonamah, Keane, Acting Director Laird, Director Margolius, Interim Director Drummond, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Absent: Mayor Bibb, Director Francis

Others Present: Tyson Mitchell, Director
Office of Equal Opportunity

Keisha Chambers, Assistant Director
Mayor's Office of Capital Project

Steven Decker, Deputy Commissioner
Division of Purchases & Supplies

Vishnu Ganglani, Assistant Director of Law
Department of Law

On motions, the resolutions attached were adopted, except as may be otherwise noted. There being no further business, the meeting was adjourned at 3:06 p.m.

Jeffrey B. Marks
Secretary – Board of Control

Resolution No. 196-24

Adopted 4/24/24

By Director Keane

BE IT RESOLVED by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 534-2022, passed by the Council of the City of Cleveland on June 6, 2022, Kyndryl Inc. is selected from a list of firms determined after a full and complete canvass by the Director of Public Utilities as the firm to be employed by contract to provide Professional Consulting Services for the Hosting Services related to Department of Public Utilities Customer Care and Billing (CC&B) system, for a period of one year with four one-year options to renew, for the Divisions of Water and Cleveland Public Power, Department of Public Utilities.

BE IT FURTHER RESOLVED that the Director of Public Utilities is authorized to enter into a contract with Kyndryl Inc., based upon its proposal dated February 29, 2024, which contract shall be prepared by the Director of Law, shall provide for furnishing of the services described in the proposal for a fee of \$588,000.00 for each of the initial one-year term and the four one-year option renewals and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Griffin, Abonamah, Keane, Acting Director Laird, Director Margolius, Interim Director Drummond, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Director Francis

Resolution No. 197-24

Adopted 4/24/24

By Director Keane

REQUIREMENT CONTRACT

BE IT RESOLVED by the BOARD of CONTROL of the CITY OF CLEVELAND
that the bid of

Pro-Tech Systems Group, Inc.

for an estimated quantity of labor and materials necessary to repair, maintain and upgrade supervisory control and data acquisition system (SCAD A), all items, for the Division of Water Pollution Control, Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods and/or services, received on March 20, 2024, under the authority of Ordinance No. 1066-2022, passed by the Council of the City of Cleveland on November 28, 2022 and Ordinance No. 426-2023, passed by the Council of the City of Cleveland on May 15, 2023, which on the basis of the estimated quantity would amount to \$176,250.00 (2%-Net 30 days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a **REQUIREMENT** contract for the specified goods and/or services.

The **REQUIREMENT** contract shall further provide that the Contractor shall furnish all the City's requirements for such goods and/or services, whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

Yeas: Directors Griffin, Abonamah, Keane, Acting Director Laird, Director Margolius, Interim Director Drummond, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Director Francis

Resolution No. 198-24

Adopted 4/24/24

By Director DeRosa

WHEREAS, under the authority of Ordinance No. 501-2022, passed by the Cleveland City Council June 6, 2022 and Board of Control Resolution No. 248-22, adopted June 22, 2022, the City, through the Director of Capital Projects ("Director"), entered into City Contract No. PS2022* 158 ("Contract") with Soil and Materials Engineers, Inc. (SME) ("Engineer") and a first and second modification thereto under the authority of Board of Control Resolution Nos. 62-23, adopted February 15, 2023, and 632-23, adopted November 29, 2023, respectively, to supplement the regularly employed staff of several departments of the City to obtain the professional Material Testing, Geotechnical, Environmental, and General Engineering services needed by the Division of Engineering & Construction for various capital improvement projects, at a cost not exceeding \$1,112,000.00 for the Contract as modified; and

WHEREAS, the City requires additional engineering services for certain road and bridge capital projects; and

WHEREAS, Engineer has proposed by its March 5, 2024 letter to perform the above-described additional engineering services for compensation of \$400,000.00; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND, that the Director of Capital Projects is authorized to enter into a third modification to Contract No. PS2022* 158 with Soil and Materials Engineers, Inc., based upon its March 5, 2024 proposal, for the additional engineering services described above for an amount not to exceed \$400,000.00, thereby increasing the total compensation under the Contract to an amount not to exceed \$1,512,000.00.

BE IT FURTHER RESOLVED that the employment of the following sub-consultants for the services to be performed under the above-authorized third modification is approved:

Chagrin Valley Engineering Co.	\$195,000.00
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KS Associates, Inc.	\$75,000.00
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Yeas: Directors Griffin, Abonamah, Keane, Acting Director Laird, Director Margolius, Interim Director Drummond, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Director Francis

Resolution No. 199-24

Adopted 4/24/24

By Director DeRosa

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that the bid of

Feghali Brothers LLC.,

for the public improvement of City Hall Sign age, Base Bid Items A-E, Alternates 1 and 5 and Contingency Allowances 1-4, for the Division of Architecture and Site Development, Office of Capital Projects, received on March 13, 2024, under the authority of Ordinance No. 622-2023, passed July 12, 2023, for a gross price for the improvement in the aggregate amount of \$556,050.00, is affirmed and approved as the lowest responsible bid, and the Director of Capital Projects is requested to enter into contract with the bidder.

BE IT FURTHER RESOLVED, by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Feghali Brothers LLC. is hereby approved:

<u>Subcontractor</u>	<u>CSB/MBE/FBE</u>	<u>Amount</u>
Inca Construction	CSB/FBE/LPE	\$100,000.00
Yeas:	Directors Griffin, Abonamah, Keane, Acting Director Laird, Director Margolius, Interim Director Drummond, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole	
Nays:	None	
Absent:	Mayor Bibb, Director Francis	

Resolution No. 200-24

Adopted 4/24/24

By Director Williams

BE IT RESOLVED by the Board of Control of the City Of Cleveland that, under the authority of Ordinance No. 592-2023, passed by the Council of the City of Cleveland on June 5, 2023, IPS Group, Inc. is selected upon nomination of the Director of Public Works from a list of qualified consultants as determined after a complete canvass, as the firm to be employed by contract to provide professional services and equipment installation for an automated license plate recognition ("ALPR") solution for the City's parking enforcement program that would serve as an on-street parking meter enhancement, for a period of three years, with two one-year options to renew, exercisable by the Director of Public Works.

BE IT FURTHER RESOLVED, that the Director of Public Works is authorized to enter into a contract with IPS Group, Inc. based upon its proposal price quote, "Mobile LPR Proposal", dated February 12, 2024, which contract shall be prepared by the Director of Law, shall provide for rendering the above-mentioned ALPR solution as described in the proposal, for an amount not to exceed \$194,128.00 for the first year to procure and implement eight ALPR units and to provide service, support and maintenance for the units, and an amount not to exceed \$18,624.00 per year for service, support and maintenance costs during the second and third years of the contract term and two optional renewal years. The contract shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Griffin, Abonamah, Keane, Acting Director Laird, Director Margolius, Interim Director Drummond, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Director Francis

Resolution No. 201-24

Adopted 4/24/24

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. 110-02-024 located at 647 East 113th Street; and

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

WHEREAS, Mary Freeman has proposed to the City to purchase and develop the parcel for yard expansion; and

WHEREAS, the following conditions exist:

1. The member of Council from Ward 9 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed 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 Mary Freeman, for the sale and development of Permanent Parcel No. 110-02-024 located at 647 East 113th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Griffin, Abonamah, Keane, Acting Director Laird, Director Margolius, Interim Director Drummond, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Director Francis

Resolution No. 202-24

Adopted 4/24/24

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 Nos. 128-02-134, 128-02-135 and 128-02-159 located on Hulda Avenue; and

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

WHEREAS, Greater Cleveland Habitat for Humanity, Inc. has proposed to the City to purchase and develop the parcels for new low-income housing; and

WHEREAS, the following conditions exist:

1. The member of Council from Ward 6 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 parcels 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 Greater Cleveland Habitat for Humanity, Inc., for the sale and development of Permanent Parcel Nos. 128-02-134, 128-02-135 and 128-02-159 located on Hulda Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

BE IT FURTHER RESOLVED THAT the consideration for the sale of the parcels shall be \$600.00, which amount is determined to be not less than the fair market value of the parcels for uses according to the Program.

Yeas: Directors Griffin, Abonamah, Keane, Acting Director Laird, Director Margolius, Interim Director Drummond, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Director Francis

Resolution No. 203-24

Adopted 4/24/24

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. 118-09-075 located at 7612 Lagrange Avenue; and

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

WHEREAS, Muscleup Fitness LLC has proposed to the City to purchase and develop the parcel for yard expansion; and

WHEREAS, the following conditions exist:

1. The member of Council from Ward 7 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Muscleup Fitness LLC, for the sale and development of Permanent Parcel No. 118-09-075 located at 7612 Lagrange 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 \$1,700.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Directors Griffin, Abonamah, Keane, Acting Director Laird, Director Margolius, Interim Director Drummond, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Director Francis

Resolution No. 204-24

Adopted 4/24/24

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. 130-13-088 located at 3456 East 142nd Street; and

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

WHEREAS, Providence Bujiriri Ntadumba and Elodie Benedicte Nritunga have proposed to the City to purchase and develop the parcel for yard expansion; and

WHEREAS, the following conditions exist:

1. The member of Council from Ward 1 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed 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 Providence Bujiriri Ntadumba and Elodie Benedicte Nritunga, for the sale and development of Permanent Parcel No. 130-13-088 located at 3456 East 142nd Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Griffin, Abonamah, Keane, Acting Director Laird, Director Margolius, Interim Director Drummond, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Director Francis

Resolution No. 205-24

Adopted 4/24/24

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. 129-24-128 located at 3021 East 125th Street; and

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

WHEREAS, Tracy L. Rodgers has proposed to the City to purchase and develop the parcel for yard expansion; and

WHEREAS, the following conditions exist:

1. The member of Council from Ward 4 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Tracy L. Rodgers, for the sale and development of Permanent Parcel No. 129-24-128 located at 3021 East 125th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Griffin, Abonamah, Keane, Acting Director Laird, Director Margolius, Interim Director Drummond, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Director Francis

Resolution No. 206-24

Adopted 4/24/24

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. 137-25-122 located at 13 713 Chapelside Avenue; and

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

WHEREAS, Miguel Serrano 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 Miguel Serrano, for the sale and development of Permanent Parcel No. 137-25-122 located at 13713 Chapelside Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Griffin, Abonamah, Keane, Acting Director Laird, Director Margolius, Interim Director Drummond, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Director Francis

Resolution No. 207-24

Adopted 4/24/24

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. 017-16-017 located at 10410 Jasper Avenue; and

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

WHEREAS, Maria Torres 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 11 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 Maria Torres, for the sale and development of Permanent Parcel No. 017-16-017 located at 10410 Jasper Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Griffin, Abonamah, Keane, Acting Director Laird, Director Margolius, Interim Director Drummond, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Director Francis

Schedule of the Board of Zoning Appeals

Monday, April 29, 2024

Under the conditions specified by law, the Board of Zoning Appeals will be conducting a hybrid in-person and virtual hearing using the WebEx Platform. IF YOU WISH TO PARTICIPATE AND OR GIVE TESTIMONY THROUGH WEBEX, contact the Board of Zoning Appeals office and request the link at 216-664-2580 by noon on April 26, 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/UCB8ql0Jrhm_pYIR1OLY68bw/

**Calendar No. 24-045: 9623 Clifton Boulevard
Ward 11 – Danny Kelly**

Jessica and Paul Laurello, owners, propose to construct a two-car garage with dwelling unit above on a 6,560 square foot lot in a One-Family Residential District. The owners appeal for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.02, which states that in a One-Family Residential District two-family residences are not permitted.
2. Section 355.04, which states that the minimum floor area per dwelling unit is 950 square feet, and the appellant is proposing approximately 672 square feet.

**Calendar No. 24-047: 4600 Brookpark Road
Ward 13 – Kris Harsh**

Enviroserve Inc, owner, proposes to establish operation of a solid waste facility/ transfer station in a B3 Semi-Industry District and a G3 General Industry District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 345.02, which states that a solid waste facility/transfer station is not permitted in a Semi-Industry District. Portion of property is in a Semi-Industry District.

2. Section 331.04, which states that in all instances where this Zoning Code requires a separation of use districts, lots, building or uses by a specified distance, such distance shall be measured in a geometrically straight line using a scaled map, or a survey if deemed necessary. The calculation shall consider uses and districts across the City's boundary if the City and bordering jurisdiction have entered into an agreement whereby each will consider uses and districts across the common boundary. The City of Cleveland entered into such an agreement with the City of Parma on July 19, 2002.
3. Division (a)(9) of Section 345.04, which states that the lot upon which the proposed use will occur must be located no closer than five hundred (500) feet to a residence district. Proposed use is on a lot within 230 feet of a residence district to the south.

Calendar No. 24-048: 2070 West 7th Street

Ward 3 – Kerry McCormack

TTE Real Estate Group LLC, owner, proposes to establish use as brewery and restaurant/tavern in a B1 Semi-Industry District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances: Section 349.04(f), which states that 23 accessory off-street parking spaces, plus one per employee are required and no accessory off-street parking spaces are provided.

Calendar No. 24-052: 2636 Scranton Road

Ward 3 – Kerry McCormack

Wagner Awning, owner, proposes to erect 254 linear feet of 6 feet high chain link fence and 77 linear feet of 6 feet high ornamental fence in a G2 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Division (c)(1) of Section 358.04, which states that in Local Retail Business District fences in actual front yards and side street yards shall not exceed four feet in height, and 6 feet are proposed.

Calendar No. 24-053: 2654 Scranton Road

Ward 3 – Kerry McCormack

Wagner Awning, owner, proposes to erect 269 linear feet of 6-feet-high chain link fence and 176 linear feet of 6 feet high ornamental fence in a D1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Division (c)(1) of Section 358.04, which states that fences in actual front yards and side street yards shall not exceed four feet in height and 6 feet are proposed (West 18 Street and Auburn Avenue).

Agenda of the Board of Building Standards and Building Appeals

Wednesday, July 31, 2024

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/UCB8ql0Jrhm_pYIR1OLY68bw/

LEAD HOUSING:

Docket A-168-23	4030 West 140th Street	WARD: 16 (Brian Kazy)
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Mike Saunders, Owner of the One Dwelling Unit; Single Family Residence One and a Half-Story Frame Property, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated July 19, 2023; appellant is request that the successful dust wipes be recognized as successfully administered, passed, and timely submitted and that the owner is only required to perform the XRF test again and require that the dust wipe testing be repeated.

Docket A-169-23	4093 West 140th Street	WARD: 16 (Brian Kazy)
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IPlan Group LLC FBO Michael Saunders IRA, Owner of the One Dwelling Unit; Single Family Residence One and a Half-Story Frame Property, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated July 19, 2023; appellant is request that the successful dust wipes be recognized as successfully administered, passed, and timely submitted and that the owner is only required to perform the XRF test again and require that the dust wipe testing be repeated.

Docket A-170-23

11722 Kirton Avenue

WARD: 16
(Brian Kazy)

Michael F. Saunders Sr., Owner of the One Dwelling Unit; Single Family Residence One-Story Frame Property, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated July 20, 2023; appellant is request that the successful dust wipes be recognized as successfully administered, passed, and timely submitted and that the owner is only required to perform the XRF test again and require that the dust wipe testing be repeated.

Docket A-171-23

4500 West 148th Street

WARD: 16
(Brian Kazy)

MFS Rentals LLC, Owner of the One Dwelling Unit; Single Family Residence One and a Half-Story Frame Property, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated July 20, 2023; appellant is request that the successful dust wipes be recognized as successfully administered, passed, and timely submitted and that the owner is only required to perform the XRF test again and require that the dust wipe testing be repeated.

Docket A-171-23

4500 West 148th Street

WARD: 16
(Brian Kazy)

MFS Rentals LLC, Owner of the One Dwelling Unit; Single Family Residence; One and a Half-Story Frame Property appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated July 20, 2023; appellant is requesting that the successful dust wipes be recognized as successfully administered, passed, and timely submitted and that the owner is only required to perform the XRF test again and require that the dust wipe testing be repeated.

Docket A-172-23

12701 Grimsby Avenue

WARD: 11
(Danny Kelly)

MFS Rentals LLC, Owner of the One Dwelling Unit; Single Family Residence One-Story Frame Property, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated July 19, 2023; appellant is request that the successful dust wipes be recognized as successfully administered, passed, and timely submitted and that the owner is only required to perform the XRF test again and require that the dust wipe testing be repeated.

Docket A-180-23

13624 Bennington

WARD: 16

(Brian Kazy)

MFS Rentals LLC, Owner of the One Dwelling Unit; Single Family Residence One-Story Frame Property, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated July 19, 2023; appellant is request that the successful dust wipes be recognized as successfully administered, passed, and timely submitted and that the owner is only required to perform the XRF test again and require that the dust wipe testing be repeated.

Docket A-185-23

2773 East 117th Street

WARD: 6
(Blaine Griffin)

Gorelick Investment Group IV LLC, Owner of the Two Dwelling Units; Two Family Residence Two-Story Frame Property, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated July 25, 2023; appellant is requesting for the Board to allow the exam of the remediated properties to move forward, the test submitted, and the results be certified under the original submission supplemented with the additional testing for the remediated sections of the Property,.

Docket A-186-23

3788 East 155th Street

WARD: 1
(Joseph T. Jones)

Gorelick Investment Group IV LLC, Owner of the One Dwelling Unit; One Family Residence Two-Story Frame Property, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated July 25, 2023; appellant is requesting for the Board to allow the exam of the remediated properties to move forward, the test submitted, and the results be certified under the original submission supplemented with the additional testing for the remediated sections of the Property,.

Docket A-187-23

2760 East 122nd Street

WARD: 6
(Blaine Griffin)

Gorelick Investment Group IV LLC, Owner of the Two Dwelling Units; Two Family Residence Two-Story Frame Property, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated July 25, 2023; appellant is requesting for the Board to allow the exam of the remediated properties to move forward, the test submitted, and the results be certified under the original submission supplemented with the additional testing for the remediated sections of the Property,.

Docket A-188-23

17512 Talford Avenue

WARD: 1
(Joseph T. Jones)

Gorelick Investment Group IV LLC, Owner of the One Dwelling Unit; Single Family Residence Two-Story Frame Property, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated July 24, 2023; appellant is requesting for the Board to allow the exam of the remediated properties to move

forward, the test submitted, and the results be certified under the original submission supplemented with the additional testing for the remediated sections of the Property,.

Docket A-189-23

3781 East 140th Street

WARD: 2
(Kevin L. Bishop)

Gorelick Investment Group IV LLC, Owner of the Two Dwelling Units; Two-Family Residence One and a Half-Story Frame Property, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated July 25, 2023; appellant is requesting for the Board to allow the exam of the remediated properties to move forward, the test submitted, and the results be certified under the original submission supplemented with the additional testing for the remediated sections of the Property,.

Docket A-190-23

15811 Cloverside Avenue

WARD: 1
(Joseph T. Jones)

Gorelick Investment Group IV LLC, Owner of the One Dwelling Unit; Single Family Residence One and a Half-Story Frame Property, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated July 25, 2023; appellant is requesting for the Board to allow the exam of the remediated properties to move forward, the test submitted, and the results be certified under the original submission supplemented with the additional testing for the remediated sections of the Property,.

Docket A-191-23

3943 East 153rd Street

WARD: 1
(Joseph T. Jones)

Gorelick Investment Group IV LLC, Owner of the One Dwelling Unit; Single Family Residence One and a Half-Story Frame Property, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated July 25, 2023; appellant is requesting for the Board to allow the exam of the remediated properties to move forward, the test submitted, and the results be certified under the original submission supplemented with the additional testing for the remediated sections of the Property,.

Docket A-192-23

3118 Livingston Road

WARD: 4
(Deborah A. Gray)

Gorelick Investment Group IV LLC, Owner of the One Dwelling Unit; Single Family Residence Two-Story Frame Property, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated July 25, 2023; appellant is requesting for the Board to allow the exam of the remediated properties to move forward, the test submitted, and the results be certified under the original submission supplemented with the additional testing for the remediated sections of the Property..

Docket A-193-23

2833 East 127th Street

WARD: 6
(Blaine A. Griffin)

Gorelick Investment Group IV LLC, Owner of the Two Dwellings Unit; Two-Family Residence Two-Story Frame Property, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated July 25, 2023; appellant is requesting for the Board to allow the exam of the remediated properties to move forward, the test submitted, and the results be certified under the original submission supplemented with the additional testing for the remediated sections of the Property,.

Docket A-222-23

7714 Franklin Boulevard

WARD: 15
(Jenny Spencer)

Cory Neseemann, Owner of the One Dwelling Unit; Single Family Residence Two-Story Frame Property, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated, August 11, 2023; appellant is requesting for the Board to require the Department of Building and Housing to issue a 20 (twenty) year certificate for this Property,, and acknowledge that the XRF and dust wipe test results are sufficient and allow me to redo the cited sections of the report, which can be completed in a matter of days.

Docket A-271-23

4541 West 174th Street

WARD: 17
(Charles J. Slife)

Gabriel Taping, Owner of the One Dwelling Unit; Single Family Residence; One and a Half-Story Frame Property, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated August 30, 2023; appellant is requesting for the Board to overturn the deficiency letter and return this matter to the Department of Building and Housing for processing.

Docket A-373-23

11718 Longmead Avenue

Ward: 16
(Brian Kazy)

Fralick Properties LLC, Owner of the Two Dwelling Units; Two- Family Residence; Two and a Half-Story Frame Property, appeals from a **NOTICE OF DEFICIENT LEAD PAINT INSPECTION FINDINGS FOR 20 YEAR EXEMPTION AT 11718 LONGMEAD AVENUE, CLEVELAND OH 44135** dated October 16, 2023; appellant is requesting the boards intervention to direct B&H to issue a 20-year certificate for the Property, at 11718 Longmead.

Docket A-376-23

14321 Terminal Avenue

Ward: 16
(Brian Kazy)

Mike Saunders, Owner of the One Dwelling Unit; Single Family Residence; One and a Half-Story Frame Property, appeals from a **NOTICE OF DEFICIENT LEAD PAINT INSPECTION FINDINGS FOR 20 YEAR EXEMPTION AT 14321 TERMINAL AVENUE, CLEVELAND, OH 44135** dated October 9, 2023; appellant is requesting the boards intervention to direct B&H to issue a 20-year certificate for the Property, at 14321 Terminal Avenue, or in the alternative in accordance with Ohio Laws and rules be

permitted to file an addendum to the August 16, 2023, report meeting these requirements thus following the OAC rules.

Docket A-381-23

3325 West 122nd Street

**Ward: 16
(Brian Kazy)**

Releece Rentals, Owner of the One Dwelling Unit; Single Family Residence; One-Story Frame Property, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT FOR 3325 W 122, CLEVELAND, OH 44111** dated November 8, 2023; appellant is requesting the board to direct B&H to approve the Clearance Exam for 3325 W. 122 or in the alternative direct correction of the noted areas without requiring a new test from scratch.

Approval of Resolutions

Docket/s:

A-43-24	Hasanabouali INC
A-46-24	Manuel Roman
A-47-24	Olia Wilson
A-50-24	Steve Vulic
A-51-24	RDJ Group LLC
A-52-24	DAKM Holdings LLC
A-53-24	Hero Homes LLC
A-54-24	John Debarr
A-55-24	The Estate of Jordan Gaiser
A-56-24	Brad A. Reinhard
A-57-24	Regis Williams
A-59-24	Taylorred Spaces LLC
A-60-24	DAKM Holdings

Approval of Minutes

July 17, 2024

MEMO

To: Tom Vanover, Commissioner/CBO

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

Date: April 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 31, 2024, at approximately 9:30 a.m. via WebEx.

DOCKET NO.	ADDRESS	INSPECTOR/S
A-168-23	4030 West 140	J. Freyermuth
A-169-23	4093 West140	J. Freyermuth
A-170-23	11722 Kirton	J. Freyermuth
A-171-23	4500 West 148	J. Freyermuth
A-172-23	12701 Grimsby	J. Freyermuth
A-180-23	13624 Bennington	J. Freyermuth
A-185-23	2773 East 117	V. Santillo
A-186-23	3788 East 155	V. Santillo
A-187-23	2760 East 122	V. Santillo
A-188-23	17512 Talford	V. Santillo
A-189-23	3781 East 140	V. Santillo
A-190-23	15811 Cloverside	V. Santillo
A-191-23	3943 East 153	V. Santillo
A-192-23	3118 Livingston	V. Santillo
A-193-23	2833 East 127	V. Santillo
A-222-23	7714 Franklin	J. Freyermuth
A-271-23	4541 West 174	V. Santillo
A-373-23	11718 Longmead	J. Freyermuth
A-376-23	14321 Terminal	V. Santillo
A-381-23	3325 West 122	J. Freyermuth

Adopted Resolutions and Passed Ordinances

These resolutions were adopted, and ordinances were passed by City Council on Monday, April 15, 2024.

Click on a piece of legislation below to read it:

[Ord. No. 888-2022](#)

[Ord. No. 341-2024](#)

[Ord. No. 75-2024](#)

[Ord. No. 342-2024](#)

[Ord. No. 108-2024](#)

[Ord. No. 387-2024](#)

[Ord. No. 111-2024](#)

[Ord. No. 408-2024](#)

[Ord. No. 227-2024](#)

[Ord. No. 415-2024](#)

[Ord. No. 232-2024](#)

[Ord. No. 416-2024](#)

[Ord. No. 234-2024](#)

[Ord. No. 417-2024](#)

[Ord. No. 262-2024](#)

[Res. No. 321-2024](#)

[Ord. No. 310-2024](#)

[Res. No. 409-2024](#)

[Ord. No. 327-2024](#)

[Res. No. 410-2024](#)

[Ord. No. 340-2024](#)

Ordinance No. 888-2022

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

An emergency ordinance to amend the third whereas clause and Sections 1, 2, and 3 of Ordinance No. 997-2021, passed November 29, 2021, relating to a Tax Increment Financing Agreement with Project Boron, LLC for the Orlando Baking Company Expansion Project; authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with Project Boron, LLC, and/or its designee, to assist with the financing of the Orlando Baking Company Expansion Project to be located along the Opportunity Corridor; to provide for payments to the Cleveland Metropolitan School District; and to declare certain improvements to real property to be a public purpose.

WHEREAS, Ordinance No. 997-2021, passed November 29, 2021, authorized a Tax Increment Financing Agreement with Project Boron, LLC, and/or its designee, to assist with the financing of the Orlando Baking Company Expansion Project to be located along the Opportunity Corridor; and

WHEREAS, the Tax Increment Financing Agreement authorized in that ordinance was prior to the City having entered into chain-of-title for several parcels, contrary to requirements of Revised Code Section 5709.41 and therefore, Ordinance No. 997-2021 must be amended; and

WHEREAS, under Section 5709.41 of the Revised Code, improvements to real property may be declared to be a public purpose where fee title to the real property was, at one time, held by the City of Cleveland and the real property is then leased or conveyed by the City; and

WHEREAS, under Ordinance No. 993-2021 passed November 29, 2021, the City has entered into the chain of title for the Property which is more particularly described in this ordinance (depicted and defined in Exhibit A attached hereto, the “Real Property” with each parcel comprising the Real Property being referred to individually as a “Parcel”) as documented by conveyance limited warranty Deed from the City to Project Boron, LLC (“Redeveloper”) recorded June 24, 2022, deed No. 202206240556, pursuant to the requirements of Section 5709.41 of the Revised Code prior to the passage of this ordinance; and

WHEREAS, the Real Property is to be developed in accordance with the Cleveland 2020 Citywide Plan, a copy of which is placed in **File No. 888-2022-A** which also contains a full list of parcels, map, and legal descriptions of the Real Property; and

WHEREAS, under Section 5709.41 of the Revised Code, the improvements declared to be a public purpose may be exempt from real property taxation on a parcel by parcel basis; and

WHEREAS, under Section 5709.41 of the Revised Code, the owners of the improvements may be required to make annual service payments in lieu of taxes that would have been paid had the improvement not been exempt; and

WHEREAS, under Section 5709.41 of the Revised Code, the exemption may exceed 75% of the improvements for up to 30 years when a portion of the service payments so collected are distributed to the Cleveland Metropolitan School District (“District”) in an amount equal to the amount the District would have received had the improvement not been exempt; and

WHEREAS, the District has been notified of the intent to pass this ordinance and enter into the agreement authorized by this ordinance in compliance with Sections 5709.41(C)(4) and 5709.83 of the Revised Code; and

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

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

Section 1. That the third whereas clause and Sections 1, 2, and 3 of Ordinance No. 997-2021 passed November 29, 2021, are amended to read as follows:

WHEREAS, the Real Property is to be developed in accordance with the Cleveland 2020 Citywide Plan, a copy of which is placed in File No. 888-2022-A which also contains a full list of parcels, map, and legal descriptions; and

Section 1. That pursuant to and in accordance with Revised Code Section 5709.41, this Council hereby finds and determines that 100% of the increase in assessed value of each Parcel comprising the Real Property (which increase in assessed value is also hereinafter referred to as the “Improvement” as defined in the TIF statutes), subsequent to the acquisition of such Parcel by the City, is hereby declared to be a public purpose.

Section 2. That one hundred percent (100%) of the Improvement is declared exempt from real property taxation for a period of thirty years, effective and commencing, on a parcel-by-parcel basis, the first year the Improvement is reflected on the tax duplicate for such Parcel ending on the earlier of (a) thirty (30) years after such exemption commenced or (b) the date on which the city can no longer require service payments in lieu of taxes, all in accordance with the requirements of the Revised Code; and that in no event shall the exemption period extend beyond 2055. The terms of the agreement, which shall not be materially changed without further legislative action by Council, will be as follows:

Project: Orlando Baking Company Expansion
Developer: Orlando Baking Co./Weston Development

Ward: 5

The Orlando Baking Co. has been operating in the Central neighborhood for decades, employing over 300 at their current facility. They have been expanding in place for years and are bursting at the seams. One of their largest needs is commercial-grade freezer space. Cold storage is in extreme shortage throughout the region: Orlando currently leases space in Columbus and one company looking at opportunities in the region could not find freezer space closer than Harrisburg, PA.

To address their immediate need, Orlando has contracted with Weston to suggest a Public Refrigerated Warehouse on the site immediately south of them across the Opportunity Corridor. The initial commercial freezer will be approximately 150,000 square feet of development, of which Orlando will operate in about 50,000 square feet and the remainder will be leased to commercial food companies in and around Cleveland. As a shared warehouse, shipping can be pooled, with products from multiple companies shipped to the same site, either as a final destination or to a centralized warehouse (for example to a grocery warehouse within a market).

This cold storage development will benefit not only Orlando, but many of Cleveland's existing food manufacturers, as well as creating a competitive advantage for the attraction of other food-related businesses in and around the Corridor. This is the type of catalytic, large-footprint commercial development that is needed through the City and the State.

Purpose of Legislation:

- Amend existing 30-year Non-School TIF ordinance

Estimated Economic Impact:

- Retention of over 300 existing jobs at the Orlando Baking Co. and a \$16,000,000 payroll
- Create 20 additional jobs.

Estimated Sources & Uses:

Uses		Sources	
Acquisition & Soft Costs	\$7,000,000	Senior Loan (inc. TIF)	\$18,450,000
Site Preparation	\$2,500,000	JobsOhio	\$3,000,000
Construction (Shell)	\$12,500,000	NDP Grant	\$50,000
Construction (Freezer Buildout)	\$9,500,000	Equity	\$10,000,000
Total Uses	\$31,500,000	Total Sources	\$31,500,000

Estimated TIF Value: \$2,240,000

Community Benefits:
Chapter 187 Applies
Chapter 188 Applies
Workforce Development Agreement

Section 3. That, under Section 5709.41 of the Revised Code Redeveloper, as owner of the Real Property, and all subsequent owners of the real Property, shall make service payments for a period of thirty years in lieu of the exempt real property taxes to the Cuyahoga County Fiscal Officer or Treasurer, or designee; the payments shall be charged and collected in the same manner, and shall be in an amount not less than the taxes that would have been paid had the Improvements not been exempt from taxation.

Section 2. That the existing third whereas clause and Sections 1, 2, and 3 of Ordinance No. 997-2021, passed November 29, 2021, are repealed.”.

Section 3. That a portion of the service payments collected under this ordinance shall be distributed by the Cuyahoga County Fiscal Officer or Treasurer, or designee, to the Treasurer of the District in the amount of the taxes that would have been payable to the District had the Improvements not been exempt from taxation.

Section 4. That the Director of Economic Development is authorized to enter into an agreement or agreements with Redeveloper to provide for the exemption and service payments described in this ordinance, including agreements securing the payments described in this ordinance, which agreement or agreements shall contain those terms contained in this ordinance.

Section 5. That when applicable under Section 5709.43 of the Revised Code, there is established an Urban Redevelopment Tax Increment Equivalent Fund into which shall be deposited Service Payments in Lieu of Taxes (“PILOTS” or “Service Payments”) that shall be used for financing the public purpose Improvements including project debt service, debt reserve, bond payments, and reimbursement of project construction costs, or for other economic development purposes as determined by the Director of Economic Development.

Section 6. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in open meetings of this Council, and any of its committees that resulted in formal action were in meetings open to the public in compliance with the law.

Section 7. That the contract or contracts authorized by this ordinance shall be prepared by the Director of Law.

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

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

Passed April 15, 2024.

Effective April 17, 2024.

Ordinance No. 75-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance authorizing the Director of Finance to employ one or more professional consultants or vendors for the purpose of providing emergency medical billing services, coding, reimbursement and compliance services for the Division of Assessments and Licenses, 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 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 streamline various medical billing services, coding, reimbursement and compliance services and any other related services for the Division of Assessments and Licenses, 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 the cost of the contract or contracts authorized shall be paid from Fund No. 01-1503-6320, RQS 1503, RLA 2024-3.

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 April 15, 2024.

Effective April 17, 2024.

Ordinance No. 108-2024

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

An emergency ordinance authorizing the Director of Capital Projects to execute a deed of easement granting to adjacent property owners, their successors and assigns, certain easement rights in property located in the Flats East Bank Development Area and declaring that the easement rights granted are not needed for the City's public use.

WHEREAS, adjacent property owners to Permanent Parcel No. 101-11-003, their successors and assigns, are identified on the list placed in **File No. 108-2024-A** and their abutting locations to Permanent Parcel No. 101-11-003 are shown on the map also placed in the file ("Adjacent Property Owners"), have requested the Director of Capital Projects to convey certain easement rights in property located in the Flats East Bank Development Area; and

WHEREAS, the Adjacent Property Owners require an easement for roadway access onto their properties; and

WHEREAS, the easement rights to be granted are not needed for the City's public use; and

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

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

Section 1. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that an easement interest in the following described property is not needed for the City's public use:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Parcel 4 in the Lot Split Plat & Consolidation Plat of PPN 101-11-002, 003, 004, 006, 014 & PPN 101-12-005 as shown by the recorded plat in Volume 376, Pages 69 through 71 of Cuyahoga County Records and comprising 109,750 square feet and 2.5195 acres of land.

Section 2. That, by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the above-described easement interest to the Adjacent Property Owners subject to any conditions stated in this ordinance. The consideration be paid for the easement interest shall be \$1.00, and other valuable consideration, which is determined to be fair market value.

Section 3. That the easement shall be non-exclusive and the purpose of the easement shall be for the Adjacent Property Owners to have roadway access onto their properties which otherwise would be landlocked.

Section 4. That the duration of the easement shall be perpetual; that the easement shall inure to the benefit to the parties hereto and their respective successors and assigns; that the easement shall require that the Adjacent Property Owners indemnify the City, provide reasonable insurance, pay any applicable taxes and assessments, and shall contain such other terms and conditions that the Director of Law determines to be necessary to protect and benefit the City.

Section 5. That the conveyance referenced above shall be made by official deed of easement prepared by the Director of Law and executed by the Director of Capital Projects on behalf of the City of Cleveland. The Directors of Capital Projects and Law are authorized to execute any other documents, including without limitation, contracts for right of entry, as may be necessary to effect this ordinance.

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

Passed April 15, 2024.

Effective April 17, 2024.

Ordinance No. 111-2024

By Council Members: Kelly, Bishop, Hairston 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 on West 130th Street to 3945 West 130th Properties LLC, and/or its designee, for purposes of redevelopment.

WHEREAS, the Director of Capital Projects has requested the sale of certain City-owned property to 3945 West 130th Properties LLC, and/or its designee (the "Redeveloper") no longer needed for the City's public use and located on the east side of West 130th Street between Interstate 71 and Brooklawn Avenue for purposes of redevelopment; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that the following described property is no longer needed for the City's public use:

PPN 019-10-006

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being all of Sublot 12 in the Joseph Laronge Bellaire Allotment of part of Original Rockport Township Section No. 10 and part of Original Brooklyn Township Lots Nos. 4 and 5, recorded in Volume 75 of Maps, Pages 14 and 15 of Cuyahoga County Map Records, be the same more or less, but subject to all legal highways.

Excluding therefrom a strip of land conveyed to the State of Ohio for improvement of West 130th Street by deed dated June 18, 1965, and recorded in Volume 11672, Page 269 of Cuyahoga County Records.

Section 2. That by and at the direction of the Board of Control, the Mayor and the Commissioner of Purchases and Supplies are authorized to sell the above-described property to the Redeveloper at a price not less than the appraised value of \$8,400, which is determined to be fair market value.

Section 3. That the conveyance shall be made by official deed prepared by the Director of Law and executed by the Mayor and the Commissioner of Purchases and Supplies on behalf of the City of Cleveland. The deed shall contain necessary provisions, including restrictive reversionary interests as may be specified by the Board of Control

or Director of Law, which shall protect the City's interests and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 4. That the Director of Capital Projects is authorized to execute any documents as may be necessary to effectuate the purposes of this ordinance.

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

Passed April 15, 2024.

Effective April 17, 2024.

Ordinance No. 227-2024

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

An emergency ordinance authorizing the Directors of Capital Projects, Port Control, and/or Public Works to enter into one or more agreements with Cuyahoga County and Cleveland Metroparks to construct an all-purpose trail on the north side of North Marginal Road, including a maintenance and repair agreement with the Metroparks, for a term of not to exceed twenty years, with five 20-year options to renew, exercisable by the Metroparks; authorizing one or more submerged land leases with the State of Ohio and future sub-leases, for a term up to ninety-nine years, with two fifty-year options to renew, exercisable by the appropriate Director; and to replace or otherwise adjust existing adjacent submerged land leases and sub-leases; authorizing one or more encroachment permits to the County; authorizing acquisition of real property, easements and work agreements; conveyance of temporary deeds of easement; and authorizing any other agreements to effectuate this ordinance.

WHEREAS, Cuyahoga County (“County”) is proposing to construct an all-purpose trail (“Improvement”) within the dedicated public right-of-way of North Marginal Road, on the north side from East 55th Street to East 9th Street (“Improvement Area”) that will connect to an existing all-purpose trail owned and operated by the Board of Park Commissioners of the Cleveland Metropolitan Park District (the “Metroparks”) located in E. 55th Street Marina in the Lakefront Reservation; and

WHEREAS, the County has received funding from the Northeast Ohio Areawide Coordinating Agency through the Federal Highway Administration to construct the Improvement; and

WHEREAS, the Metroparks has received funding from a foundation for the construction of the Improvement; and

WHEREAS, the City desires to also provide funding for the project; and

WHEREAS, the City desires to enter into an agreement with the County and the Metroparks under which the City will authorize the County to proceed with the construction of the Improvement; and

WHEREAS, the City also desires to enter into an agreement with the Metroparks under which the Metroparks will be responsible for the maintenance and repair of the Improvement and removal of trash and snow, as well as patrolling the Improvement, for a term not to exceed twenty years, with five 20-year options to renew, exercisable by the Metroparks; and

WHEREAS, the County has requested that the City convey certain temporary easement rights in property located in the Improvement Area and to issue one or more encroachments permits, licenses, and/or work agreements when necessary to construct the Improvement; 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, Port Control, and/or Public Works, as appropriate, are authorized to enter into one or more agreements with the County and Metroparks regarding the construction of the Improvement.

Section 2. That the Directors of Port Control and/or Capital Projects, as appropriate, are authorized to enter into one or more submerged land leases with the State of Ohio and subleases with various tenants for the submerged land in the Improvement Area, for a term up to ninety-nine years, with two options to renew for a period of fifty years each, exercisable by the appropriate Director.

Section 3. That the Director of Port Control is authorized to replace, merge, modify, amend, extend, or otherwise adjust any existing adjacent submerged land leases or subleases that affect the Improvement Area.

Section 4. That the Director of Capital Projects, Port Control, and/or Public Works, as appropriate, are authorized to issue one or more permits, revocable at the will of Council, to the County, Cuyahoga County Administration Building, 1219 Ontario Street, Cleveland, Ohio, 44113, or its designee, to encroach above, upon and below public rights-of-way immediately adjacent to and within the Improvement Area for the Improvement.

Section 5. That the County may assign the permit or permits only with the prior written consent of the appropriate Director. That the encroaching structure(s) permitted by this ordinance shall conform to plans and specifications first approved by the Commissioner of Engineering and Construction. That the County shall obtain all other required permits, including but not limited to Building Permits, before installing the Improvement.

Section 6. That the Director of Law shall prepare the permit(s) authorized by this ordinance and shall incorporate such additional provisions as the Director determines necessary to protect and benefit the public interest.

Section 7. That the permit(s) shall reserve to the City reasonable right of entry to the encroachment location(s).

Section 8. That, notwithstanding Section 183.16 of the Codified Ordinances of Cleveland, Ohio, the Directors of Capital Projects, Port Control, and/or Public Works, as

appropriate, are authorized to enter into one or more license agreements with the County necessary to implement this ordinance. The cost of any license agreement is \$1.00 and other valuable consideration, which is determined to be fair market value.

Section 9. That the term of the license agreement or agreements shall be for an initial term not to exceed two years, and automatically renewing monthly unless terminated by either party.

Section 10. 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 including but not limited to fee simple acquisitions, temporary easements, permanent easements, and work agreements as is necessary for the Improvement. The consideration to be paid for the property and easements shall not exceed fair market value, as determined by the Board of Control.

Section 11. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that the following temporary easement interests in the following described properties are not needed for the City's public use:

PARCEL #1-T1

**CUY - NORTH MARGINAL CONNECTOR
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY FOR
DRIVE CONSTRUCTION, PARKING LOT CONSTRUCTION, FENCE
INSTALLATION, GRADING & LANDSCAPING
FOR 24 MONTHS FROM THE DATE OF ENTRY BY THE
COUNTY OF CUYAHOGA, OHIO**

[Surveyor's description of the premises follows below]

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being a part of Original 2 Acre Lot No.'s 188, 189, 190, and parts of Original 10 Acre Lot No.'s 132, 133, and 134 and being a **1.887 acres (82,182 sq.ft.) TEMPORARY EASEMENT #1-T1 for drive construction, parking lot construction, fence installation, grading & landscaping** located within a 489.000 acres (auditor) parcel of land within the boundary of Burke Lakefront Airport as conveyed to City Of Cleveland by deeds dated October 21, 1953 as recorded in Volume 7880, Page 86 and Volume 7880, Page 90 and by deed dated December 14, 1959 as recorded in Volume 7899, Page 42, all of Cuyahoga County Deed Records, within part of Cuyahoga County Auditor's Permanent Parcel #102-02-012, and being a parcel of land lying on the right-of-way, being the Northerly right-of-way of North Marginal Road (width varies) and further bounded and described as follows;

Beginning at a point in the Northerly right-of-way line of North Marginal Road (width varies) at 40.90 feet left of Station 58+64.96 of the existing centerline of North Marginal Road and the **Place of Beginning** of the premises herein intended to be described;

Course I Thence Northwesterly **North 27 degrees 19 minutes 09 seconds West**, a distance of **15.00 feet** to a point at 55.90 feet left of Station 58+64.96 of said centerline of North Marginal Road;

Course II Thence Northeasterly **North 62 degrees 40 minutes 51 seconds East**, a distance of **73.23 feet** to a point, 55.90 feet left of Station 59+38.19 of said centerline of North Marginal Road;

Course III Thence Northwesterly **North 32 degrees 38 minutes 44 seconds West**, a distance of **46.04 feet** to a point at 101.74 feet left of Station 59+33.92 of said centerline of North Marginal Road;

Course IV Thence Northeasterly **North 57 degrees 09 minutes 33 seconds East**, a distance of **99.99 feet** to a point, 111.36 feet left of Station 60+33.45 of said centerline of North Marginal Road;

Course V Thence Southeasterly **South 32 degrees 50 minutes 27 seconds East**, a distance of **19.00 feet** to a point, 92.45 feet left of Station 60+35.28 of said centerline of North Marginal Road;

Course VI Thence Northeasterly **North 57 degrees 09 minutes 33 seconds East**, a distance of **799.96 feet** to a point, 114.73 feet left of Station 68+50.30 of said centerline of North Marginal Road;

Course VII Thence Northwesterly **North 32 degrees 50 minutes 27 seconds West**, a distance of **44.00 feet** to a point at 158.70 feet left of Station 68+52.00 of said centerline of North Marginal Road;

Course VIII Thence Northeasterly **North 57 degrees 09 minutes 33 seconds East**, a distance of **85.79 feet** to a point, 155.37 feet left of Station 69+37.73 of said centerline of North Marginal Road;

Course IX Thence Southeasterly **South 32 degrees 39 minutes 48 seconds East**, a distance of **122.11 feet** to a point on the Northerly right-of-way line of North Marginal Road, 33.37 feet left of Station 69+32.62 of said centerline of North Marginal Road;

The following two (2) Courses are along the Northerly right-of-way line of said North Marginal Road as follows;

Course X Thence Southwesterly **South 54 degrees 56 minutes 13 seconds West**, a distance of **435.79 feet** to a point, 31.51 feet left of Station 64+95.51 of said centerline of North Marginal Road;

Course XI Thence Southwesterly **South 62 degrees 39 minutes 21 seconds West**, along said Northerly right-of-way line of North Marginal Road, a distance of **627.28 feet** to the **Place of Beginning** and containing **1.887 acres (82,182 sq.ft.)** of land, more or less which is part of Cuyahoga County Auditor's Permanent Parcel #102-02-012;

Basis of Bearing for this legal description is the centerline of North Marginal Road (width varies) as evidenced by monuments found and is the same as calculated and reproduced based on the Ohio Plane Coordinate System, NAD 83, North Zone by ties to the O.D.O.T. Network.

The stations referred to herein are from the existing centerline of construction of North Marginal Road in the City of Cleveland, Cuyahoga County, Ohio, as shown on the Centerline Schematic Plan (Sheet 2-7) of the "Improvement Plans for CUY - NORTH MARGINAL CONNECTOR" as recorded in AFN _____ of Cuyahoga County Map Records as prepared by Michael Baker International and Chagrin Valley Engineering, Ltd. in 2023;

This description was prepared under the supervision of and reviewed by Donald F. Sheehy, P.S. #7849 from surveys made under the supervision of Donald F. Sheehy, P.S. #7849 for Chagrin Valley Engineering, Ltd. in conjunction with "Right-of-Way Plans for CUY - NORTH MARGINAL CONNECTOR" as prepared by Michael Baker International and Chagrin Valley Engineering, Ltd. in 2023 for the County of Cuyahoga, State of Ohio.

**PARCEL #1-T2
CUY - NORTH MARGINAL CONNECTOR
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY FOR
PATH REMOVAL, GRADING & LANDSCAPING FOR 24 MONTHS FROM
THE DATE OF ENTRY BY THE
COUNTY OF CUYAHOGA, OHIO**

[Surveyor's description of the premises follows below]

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being a part of Original 10 Acre Lot No. 134 and being a **0.014 acres (589 sq.ft.)**

TEMPORARY EASEMENT #1-T2 for path removal, grading & landscaping located within a 489.000 acres (auditor) parcel of land within the boundary of Burke Lakefront Airport as conveyed to City Of Cleveland by deeds dated October 21, 1953 as recorded in Volume 7880, Page 86 and Volume 7880, Page 90 and by deed dated December 14, 1959 as recorded in Volume 7899, Page 42, all of Cuyahoga County Deed Records, within part of Cuyahoga County Auditor's Permanent Parcel #102-02-012, and being a parcel of land lying on the right-of-way, being the Northerly right-of-way of North Marginal Road (width varies) and further bounded and described as follows;

Beginning at a point in the Northerly right-of-way line of North Marginal Road (width varies) at 33.37 feet left of Station 70+54.90 of the existing centerline of North Marginal Road and the **Place of Beginning** of the premises herein intended to be described;

Course I Thence Northwesterly **North 35 degrees 03 minutes 45 seconds West**, a distance of **9.62 feet** to a point at 43.00 feet left of Station 70+54.90 of said centerline of North Marginal Road;

Course II Thence Northeasterly **North 54 degrees 56 minutes 15 seconds East**, a distance of **61.22 feet** to a point, 43.00 feet left of Station 71+16.12 of said centerline of North Marginal Road;

Course III Thence Southeasterly **South 34 degrees 52 minutes 09 seconds East**, a distance of **9.62 feet** to a point at 33.37 feet left of Station 71+16.09 of said centerline of North Marginal Road;

Course IV Thence Southwesterly **South 54 degrees 56 minutes 13 seconds West**, along said Northerly right-of-way line of North Marginal Road, a distance of **61.18 feet** to the **Place of Beginning** and containing **0.014 acres (589 sq.ft.)** of land, more or less which is part of Cuyahoga County Auditor's Permanent Parcel #102-02-012;

Basis of Bearing for this legal description is the centerline of North Marginal Road (width varies) as evidenced by monuments found and is the same as calculated and reproduced based on the Ohio Plane Coordinate System, NAD 83, North Zone by ties to the O.D.O.T. Network.

The stations referred to herein are from the existing centerline of construction of North Marginal Road in the City of Cleveland, Cuyahoga County, Ohio, as shown on the Centerline Schematic Plan (Sheet 2-7) of the "Improvement Plans for CUY - NORTH MARGINAL CONNECTOR" as recorded in AFN _____ of Cuyahoga County Map Records as prepared by Michael Baker International and Chagrin Valley Engineering, Ltd. in 2023;

This description was prepared under the supervision of and reviewed by Donald F. Sheehy, P.S. #7849 from surveys made under the supervision of Donald F. Sheehy, P.S. #7849 for Chagrin Valley Engineering, Ltd. in conjunction with "Improvement Plans for CUY - NORTH MARGINAL CONNECTOR" as prepared by Michael Baker International and Chagrin Valley Engineering, Ltd. in 2023 for the County of Cuyahoga, State of Ohio.

**PARCEL #1-T3
CUY - NORTH MARGINAL CONNECTOR
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY FOR
PATH REMOVAL, GRADING & LANDSCAPING
FOR 24 MONTHS FROM THE DATE OF ENTRY BY THE
COUNTY OF CUYAHOGA, OHIO**

[Surveyor's description of the premises follows below]

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being a part of Original 10 Acre Lot No.'s 137 and 138, and being a **0.115 acres (5,001 sq.ft.) TEMPORARY EASEMENT #1-T3 for path removal, grading & landscaping** located within a 489.000 acres (auditor) parcel of land within the boundary of Burke Lakefront Airport as conveyed to City Of Cleveland by deeds dated October 21, 1953 as recorded in Volume 7880, Page 86 and Volume 7880, Page 90 and by deed dated December 14, 1959 as recorded in Volume 7899, Page 42, all of Cuyahoga County Deed Records within part of Cuyahoga County Auditor's Permanent Parcel #102-02-012, and being a parcel of land lying on the right-of-way, being the Northerly right-of-way of North Marginal Road (width varies) and further bounded and described as follows;

Beginning at a point in the Northerly right-of-way line of North Marginal Road (width varies) at 33.37 feet left of Station 80+98.78 of the existing centerline of North Marginal Road and the **Place of Beginning** of the premises herein intended to be described;

Course I Thence Northwesterly **North 32 degrees 32 minutes 12 seconds West**, a distance of **13.44 feet** to a point at 46.37 feet left of Station 81+02.19 of said centerline of North Marginal Road;

Course II Thence Northeasterly **North 42 degrees 46 minutes 00 seconds East**, parallel with said Northerly right-of-way line of North Marginal Road a distance of **373.53 feet** to a point, 46.37 feet left of Station 84+75.72 of said centerline of North Marginal Road;

Course III Thence continuing parallel with said Northerly right-of-way line of North Marginal Road, Northeasterly along the arc of a curve deflecting to the right, **11.15 feet** said curve having a radius of **3026.71** feet, a delta of **00 degrees 12 minutes 40 seconds** and a chord which bears **North 42 degrees 53 minutes 07 seconds East**, a distance of **11.15 feet** to a point at 46.37 feet left of Station 84+86.70 of said centerline of North Marginal Road;

Course IV Thence Southeasterly **South 32 degrees 38 minutes 36 seconds East**, to said Northerly right-of-way line of North Marginal Road, a distance of **13.42 feet** to a point on the Northerly right-of-way line of North Marginal Road, 33.34 feet left of Station 84+83.40 of said centerline of North Marginal Road;

The following two (2) Courses are along the Northerly right-of-way line of said North Marginal Road as follows;

Course V Thence continuing along said Northerly right-of-way line of North Marginal Road, Southwesterly along the arc of a curve deflecting to the left, **7.77 feet** said curve having a radius of **3007.16** feet, a delta of **00 degrees 08 minutes 53 seconds** and a chord which bears **South 42 degrees 50 minutes 26 seconds West**, a distance of **7.77 feet** to a point at 33.34 feet left of Station 84+75.72 of said centerline of North Marginal Road;

Course VI Thence Southwesterly **South 42 degrees 46 minutes 00 seconds West**, along said Northerly right-of-way line of North Marginal Road a distance of **376.94 feet** to the **Place of Beginning** and containing **0.115 acres (5,001 sq.ft.)** of land, more or less which is part of Cuyahoga County Auditor's Permanent Parcel #102-02-012;

Basis of Bearing for this legal description is the centerline of North Marginal Road (width varies) as evidenced by monuments found and is the same as calculated and reproduced based on the Ohio Plane Coordinate System, NAD 83, North Zone by ties to the O.D.O.T. Network.

The stations referred to herein are from the existing centerline of construction of North Marginal Road in the City of Cleveland, Cuyahoga County, Ohio, as shown on the Centerline Schematic Plan (Sheet 2-7) of the "Improvement Plans for CUY - NORTH MARGINAL CONNECTOR" as recorded in AFN _____ of Cuyahoga County Map Records as prepared by Michael Baker International and Chagrin Valley Engineering, Ltd. in 2023;

This description was prepared under the supervision of and reviewed by Donald F. Sheehy, P.S. #7849 from surveys made under the supervision of Donald F. Sheehy, P.S. #7849 for Chagrin Valley Engineering, Ltd. in conjunction with "Improvement Plans for CUY - NORTH MARGINAL CONNECTOR" as prepared by Michael Baker International and Chagrin Valley Engineering, Ltd. in 2023 for the County of Cuyahoga, State of Ohio.

PARCEL #1-T4
CUY - NORTH MARGINAL CONNECTOR
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY FOR
GRADING & LANDSCAPING
FOR 24 MONTHS FROM THE DATE OF ENTRY BY THE
COUNTY OF CUYAHOGA, OHIO

[Surveyor's description of the premises follows below]

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being a part of Original 10 Acre Lot No. 140, and being a **0.048 acres (2,109 sq.ft.)**

TEMPORARY EASEMENT #1-T4 for grading & landscaping located within a 489.000 acres (auditor) parcel of land within the boundary of Burke Lakefront Airport as conveyed to City Of Cleveland by deeds dated October 21, 1953 as recorded in Volume 7880, Page 86 and Volume 7880, Page 90 and by deed dated December 14, 1959 as recorded in Volume 7899, Page 42, all of Cuyahoga County Deed Records within part of Cuyahoga County Auditor's Permanent Parcel #102-02-012, and being a parcel of land lying on the right-of-way, being the Northerly right-of-way of North Marginal Road (width varies) and further bounded and described as follows;

Beginning at a point in the Northerly right-of-way line of North Marginal Road (width varies) at 33.33 feet left of Station 89+55.69 of the existing centerline of North Marginal Road and the **Place of Beginning** of the premises herein intended to be described;

Course I Thence Northwesterly **North 32 degrees 38 minutes 36 seconds West**, a distance of **13.03 feet** to a point at 46.35 feet left of Station 89+56.89 of said centerline of North Marginal Road;

Course II Thence parallel with said Northerly right-of-way line of North Marginal Road, Northeasterly along the arc of a curve deflecting to the right, **105.40 feet** said curve having a radius of **3020.56** feet, a delta of **01 degrees 59 minutes 58 seconds** and a chord which bears **North 53 degrees 01 minutes 43 seconds East**, a distance of **105.40 feet** to a point at 46.37 feet left of Station 90+60.68 of said centerline of North Marginal Road;

Course III Thence Northeasterly **North 61 degrees 00 minutes 00 seconds East**, to said Northerly right-of-way line of North Marginal Road a distance of **114.27 feet** to a point, 33.37 feet left of Station 91+73.71 of said centerline of North Marginal Road;

The following two (2) Courses are along the Northerly right-of-way line of said North Marginal Road as follows;

Course IV Thence Southwesterly **South 54 degrees 28 minutes 55 seconds West**, a distance of **110.45 feet** to a point, 33.37 feet left of Station 90+63.62 of said centerline of North Marginal Road;

Course V Thence Southwesterly along the arc of a curve deflecting to the left, **109.14 feet** said curve having a radius of **3007.24** feet, a delta of **02 degrees 04 minutes 46 seconds** and a chord which bears **South 53 degrees 03 minutes 14 seconds West**, a distance of **109.13 feet** to the **Place of Beginning** and containing **0.048 acres (2,109 sq.ft.)** of land, more or less which is part of Cuyahoga County Auditor's Permanent Parcel #102-02-012;

Basis of Bearing for this legal description is the centerline of North Marginal Road (width varies) as evidenced by monuments found and is the same as calculated and reproduced based on the Ohio Plane Coordinate System, NAD 83, North Zone by ties to the O.D.O.T. Network.

The stations referred to herein are from the existing centerline of construction of North Marginal Road in the City of Cleveland, Cuyahoga County, Ohio, as shown on the Centerline Schematic Plan (Sheet 2-7) of the "Improvement Plans for CUY - NORTH MARGINAL CONNECTOR" as recorded in AFN _____ of Cuyahoga County Map Records as prepared by Michael Baker International and Chagrin Valley Engineering, Ltd. in 2023;

This description was prepared under the supervision of and reviewed by Donald F. Sheehy, P.S. #7849 from surveys made under the supervision of Donald F. Sheehy, P.S. #7849 for Chagrin Valley Engineering, Ltd. in conjunction with "Improvement Plans for CUY - NORTH MARGINAL CONNECTOR" as prepared by Michael Baker International and Chagrin Valley Engineering, Ltd. in 2023 for the County of Cuyahoga, State of Ohio.

**PARCEL #1-T5
CUY - NORTH MARGINAL CONNECTOR
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY FOR
DRIVE CONSTRUCTION, FENCE CONSTRUCTION, GRADING AND
LANDSCAPING
FOR 24 MONTHS FROM THE DATE OF ENTRY BY THE
COUNTY OF CUYAHOGA, OHIO**

[Surveyor's description of the premises follows below]

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being a part of Original 10 Acre Lot No. 153, and being a **0.418 acres (18,229 sq.ft.)** **TEMPORARY EASEMENT #1-T5 for drive construction, fence construction, grading and landscaping** located within a 489.000 acres (auditor) parcel of land within the boundary of Burke Lakefront Airport as conveyed to City of Cleveland by deeds dated October 21, 1953 as recorded in Volume 7880, Page 86 and Volume 7880, Page 90 and by deed dated December 14, 1959 as recorded in Volume 7899, Page 42, all of Cuyahoga County Deed Records within part of Cuyahoga County Auditor's Permanent Parcel #102-02-012, and being a parcel of land lying on the right-of-way, being the Northerly right-of-way of North Marginal Road (width varies) and further bounded and described as follows;

Beginning at a point in the Northerly right-of-way line of North Marginal Road (width varies) at 39.00 feet left of Station 134+59.58 of the existing centerline of North Marginal Road and the **Place of Beginning** of the premises herein intended to be described;

Course I Thence Northwesterly **North 35 degrees 16 minutes 47 seconds West**, a distance of **65.00 feet** to a point at 103.99 feet left of Station 134+59.58 of said centerline of North Marginal Road;

Course II Thence Northeasterly **North 54 degrees 43 minutes 13 seconds West**, a distance of **281.88** to a point at 103.99 feet left of Station 137+41.46 of said centerline of North Marginal Road;

Course III Thence Southeasterly **South 32 degrees 46 minutes 43 seconds East**, to said Northerly right-of-way line of North Marginal Road a distance of **65.00 feet** to a point, 39.00 feet left of Station 137+38.62 of said centerline of North Marginal Road;

Course IV Thence Southwesterly **South 54 degrees 43 minutes 13 seconds West**, a distance of **279.04 feet** to the **Place of Beginning** and containing **0.418 acres (18,229 sq.ft.)** of land, more or less which is part of Cuyahoga County Auditor's Permanent Parcel #102-02-012;

Basis of Bearing for this legal description is the centerline of North Marginal Road (width varies) as evidenced by monuments found and is the same as calculated and reproduced based on the Ohio Plane Coordinate System, NAD 83, North Zone by ties to the O.D.O.T. Network.

The stations referred to herein are from the existing centerline of construction of North Marginal Road in the City of Cleveland, Cuyahoga County, Ohio, as shown on the Centerline Schematic Plan (Sheet 2-7) of the "Improvement Plans for CUY - NORTH MARGINAL CONNECTOR" as recorded in AFN _____ of Cuyahoga County Map Records as prepared by Michael Baker International and Chagrin Valley Engineering, Ltd. in 2023;

This description was prepared under the supervision of and reviewed by Donald F. Sheehy, P.S. #7849 from surveys made under the supervision of Donald F. Sheehy, P.S. #7849 for Chagrin Valley Engineering, Ltd. in conjunction with "Improvement Plans for CUY - NORTH MARGINAL CONNECTOR" as prepared by Michael Baker International and Chagrin Valley Engineering, Ltd. in 2023 for the County of Cuyahoga, State of Ohio.

**PARCEL #2-T
CUY - NORTH MARGINAL CONNECTOR
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY FOR
DRIVE CONSTRUCTION, PATH REMOVAL, GRADING & LANDSCAPING
FOR 24 MONTHS FROM THE DATE OF ENTRY BY THE
COUNTY OF CUYAHOGA, OHIO**

[Surveyor's description of the premises follows below]

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being a part of Original 10 Acre Lot No.'s 134, 135, and 136 and being a **0.156 acres (6,792**

sq.ft.) TEMPORARY EASEMENT #2-T for drive construction, path removal, grading & landscaping located within a 4.54 acres (auditor) parcel of land within the boundary of Burke Lakefront Airport as conveyed to City Of Cleveland by deed dated June 18, 2018 as recorded in Document No. 201806180234 of Cuyahoga County Records, within part of Cuyahoga County Auditor's Permanent Parcel #102-02-011, and being a parcel of land lying on the right-of-way, being the Northerly right-of-way of North Marginal Road (width varies) and further bounded and described as follows;

Beginning at a point in the Northerly right-of-way line of North Marginal Road (width varies) at 33.37 feet left of Station 71+16.09 of the existing centerline of North Marginal Road and the **Place of Beginning** of the premises herein intended to be described;

Course I Thence Northwesterly **North 34 degrees 52 minutes 09 seconds West**, a distance of **14.62 feet** to a point at 48.00 feet left of Station 71+16.14 of said centerline of North Marginal Road;

Course II Thence Northeasterly **North 54 degrees 56 minutes 15 seconds East**, a distance of **145.67 feet** to a point, 48.00 feet left of Station 72+63.30 of said centerline of North Marginal Road;

Course III Thence Northeasterly along the arc of a curve deflecting to the left, **318.49 feet** said curve having a radius of **2845.29** feet, a delta of **06 degrees 24 minutes 48 seconds** and a chord which bears **North 51 degrees 44 minutes 45 seconds East**, a distance of **318.32 feet** to a point at 48.03 feet left of Station 75+85.66 of said centerline of North Marginal Road;

Course IV Thence Southeasterly **South 32 degrees 37 minutes 47 seconds East**, to said Northerly right-of-way line of North Marginal Road a distance of **14.84 feet** to a point, 33.37 feet left of Station 75+83.35 of said centerline of North Marginal Road;

The following two (2) Courses are along the Northerly right-of-way line of said North Marginal Road as follows;

Course IV Thence Southwesterly along the arc of a curve deflecting to the right, **316.34 feet** said curve having a radius of **2852.86** feet, a delta of **06 degrees 21 minutes 12 seconds** and a chord which bears **South 51 degrees 45 minutes 39 seconds West**, a distance of **316.18 feet** to a point, 33.37 feet left of Station 72+63.31 of said centerline of North Marginal Road;

Course V Thence Southwesterly **South 54 degrees 56 minutes 13 seconds West**, a distance of **147.22 feet** to the **Place of Beginning** and containing **0.156 acres (6,792 sq.ft.)** of land, more or less which is part of Cuyahoga County Auditor's Permanent Parcel #102-02-011;

Basis of Bearing for this legal description is the centerline of North Marginal Road (width varies) as evidenced by monuments found and is the same as calculated and

reproduced based on the Ohio Plane Coordinate System, NAD 83, North Zone by ties to the O.D.O.T. Network.

The stations referred to herein are from the existing centerline of construction of North Marginal Road in the City of Cleveland, Cuyahoga County, Ohio, as shown on the Centerline Schematic Plan (Sheet 2-7) of the "Improvement Plans for CUY - NORTH MARGINAL CONNECTOR" as recorded in AFN _____ of Cuyahoga County Map Records as prepared by Michael Baker International and Chagrin Valley Engineering, Ltd. in 2023;

This description was prepared under the supervision of and reviewed by Donald F. Sheehy, P.S. #7849 from surveys made under the supervision of Donald F. Sheehy, P.S. #7849 for Chagrin Valley Engineering, Ltd. in conjunction with "Improvement Plans for CUY - NORTH MARGINAL CONNECTOR" as prepared by Michael Baker International and Chagrin Valley Engineering, Ltd. in 2023 for the County of Cuyahoga, State of Ohio.

**PARCEL #3-T
CUY - NORTH MARGINAL CONNECTOR
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY FOR
DRIVE CONSTRUCTION, PATH REMOVAL, GRADING & LANDSCAPING
FOR 24 MONTHS FROM THE DATE OF ENTRY BY THE
COUNTY OF CUYAHOGA, OHIO**

[Surveyor's description of the premises follows below]

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being a part of Original 10 Acre Lot No.'s 136, and 137 and being a **0.154 acres (6,730 sq.ft.) TEMPORARY EASEMENT #3-T for drive construction, path removal, grading & landscaping** located within a 8.205 acres (auditor) parcel of land within the boundary of Burke Lakefront Airport as conveyed to City Of Cleveland by deed dated July 31, 1975 as recorded in Volume 506, Page 21 of Cuyahoga County Deed Records, within part of Cuyahoga County Auditor's Permanent Parcel #102-02-007 as a lease from the City of Cleveland to Remmert-Werner Inc., and being a parcel of land lying on the right-of-way, being the Northerly right-of-way of North Marginal Road (width varies) and further bounded and described as follows;

Beginning at a point in the Northerly right-of-way line of North Marginal Road (width varies) at 33.37 feet left of Station 75+83.35 of the existing centerline of North Marginal Road and the **Place of Beginning** of the premises herein intended to be described;

Course I Thence Northwesterly **North 32 degrees 37 minutes 47 seconds West**, a distance of **14.84 feet** to a point at 48.03 feet left of Station 75+85.66 of said centerline of North Marginal Road;

Course II Thence Northeasterly **North 47 degrees 54 minutes 12 seconds East**, a distance of **63.15 feet** to a point, 48.03 feet left of Station 76+49.88 of said centerline of North Marginal Road;

Course III Thence Southeasterly **South 42 degrees 43 minutes 57 seconds East**, a distance of **1.00 feet** to a point, 47.03 feet left of Station 76+49.88 of said centerline of North Marginal Road;

Course IV Thence Northeasterly **North 47 degrees 15 minutes 00 seconds East**, a distance of **117.99 feet** to a point, 44.61 feet left of Station 77+69.76 of said centerline of North Marginal Road;

Course V Thence Northeasterly **North 42 degrees 05 minutes 13 seconds East**, a distance of **50.00 feet** to a point, 46.61 feet left of Station 78+20.52 of said centerline of North Marginal Road;

Course VI Thence Northeasterly **North 43 degrees 34 minutes 09 seconds East**, a distance of **54.98 feet** to a point, 46.37 feet left of Station 78+76.40 of said centerline of North Marginal Road;

Course VII Thence Northeasterly **North 42 degrees 46 minutes 00 seconds East**, a distance of **225.79 feet** to a point, 46.37 feet left of Station 81+02.19 of said centerline of North Marginal Road;

Course VIII Thence Southeasterly **South 32 degrees 32 minutes 12 seconds East**, to said Northerly right-of-way line of North Marginal Road a distance of **13.44 feet** to a point, 33.37 feet left of Station 80+98.78 of said centerline of North Marginal Road;

The following two (2) Courses are along the Northerly right-of-way line of said North Marginal Road as follows;

Course IX Thence Southwesterly **South 42 degrees 46 minutes 00 seconds West**, a distance of **222.38 feet** to a point, 33.37 feet left of Station 78+76.40 of said centerline of North Marginal Road;

Course X Thence Southwesterly along the arc of a curve deflecting to the right, **289.66 feet** said curve having a radius of **2852.86 feet**, a delta of **05 degrees 49 minutes 03 seconds** and a chord which bears **South 45 degrees 40 minutes 31 seconds West**, a distance of **289.54 feet** to the **Place of Beginning** and containing **0.154 acres (6,730 sq.ft.)** of land, more or less which is part of Cuyahoga County Auditor's Permanent Parcel #102-02-007;

Basis of Bearing for this legal description is the centerline of North Marginal Road (width varies) as evidenced by monuments found and is the same as calculated and reproduced based on the Ohio Plane Coordinate System, NAD 83, North Zone by ties to the O.D.O.T. Network.

The stations referred to herein are from the existing centerline of construction of North Marginal Road in the City of Cleveland, Cuyahoga County, Ohio, as shown on the Centerline Schematic Plan (Sheet 2-7) of the "Improvement Plans for CUY - NORTH MARGINAL CONNECTOR" as recorded in AFN _____ of Cuyahoga County Map Records as prepared by Michael Baker International and Chagrin Valley Engineering, Ltd. in 2023;

This description was prepared under the supervision of and reviewed by Donald F. Sheehy, P.S. #7849 from surveys made under the supervision of Donald F. Sheehy, P.S. #7849 for Chagrin Valley Engineering, Ltd. in conjunction with "Improvement Plans for CUY - NORTH MARGINAL CONNECTOR" as prepared by Michael Baker International and Chagrin Valley Engineering, Ltd. in 2023 for the County of Cuyahoga, State of Ohio.

**PARCEL #4-T
CUY - NORTH MARGINAL CONNECTOR
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY FOR
DRIVE CONSTRUCTION, PATH REMOVAL, GRADING & LANDSCAPING
FOR 24 MONTHS FROM THE DATE OF ENTRY BY THE
COUNTY OF CUYAHOGA, OHIO**

[Surveyor's description of the premises follows below]

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being a part of Original 10 Acre Lot No.'s 138, 139, and 140 and being a **0.120 acres (5,213 sq.ft.) TEMPORARY EASEMENT #4-T for drive construction, path removal, grading & landscaping** located within a 4.84 acres (auditor) parcel of land within the boundary of Burke Lakefront Airport as conveyed to City Of Cleveland within part of Cuyahoga County Auditor's Permanent Parcel #102-03-003 as a lease from the City of Cleveland to Business Aircraft Center, and being a parcel of land lying on the right-of-way, being the Northerly right-of-way of North Marginal Road (width varies) and further bounded and described as follows;

Beginning at a point in the Northerly right-of-way line of North Marginal Road (width varies) at 33.37 feet left of Station 84+83.40 of the existing centerline of North Marginal Road and the **Place of Beginning** of the premises herein intended to be described;

Course I Thence Northwesterly **North 32 degrees 38 minutes 36 seconds West**, a distance of **13.42 feet** to a point at 46.37 feet left of Station 84+86.70 of said centerline of North Marginal Road;

Course II Thence Northeasterly along the arc of a curve deflecting to the right, **61.75 feet** said curve having a radius of **3026.80** feet, a delta of **01 degrees 10 minutes 09 seconds** and a chord which bears **North 43 degrees 34 minutes 31 seconds East**,

a distance of **61.74 feet** to a point, 46.36 feet left of Station 85+47.49 of said centerline of North Marginal Road;

Course III Thence Northeasterly **North 47 degrees 00 minutes 00 seconds East**, a distance of **199.99 feet** to a point, 43.03 feet left of Station 87+44.53 of said centerline of North Marginal Road;

Course IV Thence Northeasterly **North 48 degrees 30 minutes 00 seconds East**, a distance of **173.60 feet** to a point, 46.35 feet left of Station 89+15.55 of said centerline of North Marginal Road;

Course V Thence Northeasterly along the arc of a curve deflecting to the right, **41.99 feet** said curve having a radius of **3020.56** feet, a delta of **00 degrees 47 minutes 47 seconds** and a chord which bears **North 51 degrees 37 minutes 51 seconds East**, a distance of **41.99 feet** to a point, 46.35 feet left of Station 89+56.89 of said centerline of North Marginal Road;

Course VI Thence Southeasterly **South 32 degrees 38 minutes 36 seconds East**, to said Northerly right-of-way line of North Marginal Road a distance of **13.03 feet** to a point, 33.37 feet left of Station 89+55.70 of said centerline of North Marginal Road;

Course VII Thence Southwesterly along the Northerly right-of-way line of said North Marginal Road as follows along the arc of a curve deflecting to the right, **477.60 feet** said curve having a radius of **3007.16** feet, a delta of **09 degrees 05 minutes 59 seconds** and a chord which bears **South 47 degrees 27 minutes 52 seconds West**, a distance of **477.09 feet** to the **Place of Beginning** and containing **0.120 acres (5,213 sq.ft.)** of land, more or less which is part of Cuyahoga County Auditor's Permanent Parcel #102-03-003;

Basis of Bearing for this legal description is the centerline of North Marginal Road (width varies) as evidenced by monuments found and is the same as calculated and reproduced based on the Ohio Plane Coordinate System, NAD 83, North Zone by ties to the O.D.O.T. Network.

The stations referred to herein are from the existing centerline of construction of North Marginal Road in the City of Cleveland, Cuyahoga County, Ohio, as shown on the Centerline Schematic Plan (Sheet 2-7) of the "Improvement Plans for CUY - NORTH MARGINAL CONNECTOR" as recorded in AFN _____ of Cuyahoga County Map Records as prepared by Michael Baker International and Chagrin Valley Engineering, Ltd. in 2023;

PARCEL #5-T
CUY - NORTH MARGINAL CONNECTOR
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY FOR

**DRIVE CONSTRUCTION, SIDEWALK REMOVAL, FENCE INSTALLATION,
GRADING & LANDSCAPING
FOR 24 MONTHS FROM THE DATE OF ENTRY BY THE
COUNTY OF CUYAHOGA, OHIO**

[Surveyor's description of the premises follows below]

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being a part of Original 10 Acre Lot No.'s 153, 154, 155, and 156 and being a **0.391 acres (17,032 sq.ft.) TEMPORARY EASEMENT #5-T for drive construction, sidewalk removal, fence installation, grading & landscaping** located within a 15.740 acres (auditor) parcel of land within the boundary land as conveyed to City of Cleveland within part of Cuyahoga County Auditor's Permanent Parcel #104-01-002A, and being a parcel of land lying on the right-of-way, being the Northerly right-of-way of North Marginal Road (width varies) and further bounded and described as follows;

Beginning at a point in the Northerly right-of-way line of North Marginal Road (width varies) at 39.00 feet left of Station 137+38.62 of the existing centerline of North Marginal Road and the **Place of Beginning** of the premises herein intended to be described;

Course I Thence Northwesterly **North 32 degrees 46 minutes 43 seconds West**, a distance of **65.06 feet** to a point at 103.99 feet left of Station 137+41.46 of said centerline of North Marginal Road;

Course II Thence Northeasterly **North 54 degrees 43 minutes 13 seconds East**, a distance of **62.10 feet** to a point at 103.99 feet left of Station 138+03.56 of said centerline of North Marginal Road;

Course III Thence Southeasterly **South 35 degrees 16 minutes 47 seconds East**, a distance of **41.60 feet** to a point, 62.40 feet left of Station 138+03.56 of said centerline of North Marginal Road;

Course IV Thence Northeasterly **North 57 degrees 20 minutes 47 seconds East**, a distance of **122.64 feet** to a point, 56.78 feet left of Station 139+26.07 of said centerline of North Marginal Road;

Course V Thence Northwesterly **North 32 degrees 35 minutes 36 seconds West**, a distance of **32.24 feet** to a point, 88.98 feet left of Station 139+27.58 of said centerline of North Marginal Road;

Course VI Thence Northeasterly **North 57 degrees 30 minutes 31 seconds East**, a distance of **30.88 feet** to a point, 87.48 feet left of Station 139+58.43 of said centerline of North Marginal Road;

Course VII Thence Southeasterly **North 32 degrees 29 minutes 51 seconds East**, a distance of **32.18 feet** to a point, 55.33 feet left of Station 139+56.87 of said centerline of North Marginal Road;

Course VIII Thence Northeasterly **North 57 degrees 24 minutes 35 seconds East**, a distance of **113.78 feet** to a point, 50.00 feet left of Station 140+70.52 of said centerline of North Marginal Road;

Course IX Thence Northwesterly **North 07 degrees 14 minutes 37 seconds West**, a distance of **53.25 feet** to a point, 96.99 feet left of Station 140+95.55 of said centerline of North Marginal Road;

Course X Thence Northwesterly **North 35 degrees 16 minutes 47 seconds West**, a distance of **12.00 feet** to a point, 108.99 feet left of Station 140+95.55 of said centerline of North Marginal Road;

Course XI Thence Northeasterly **North 54 degrees 43 minutes 13 seconds East**, a distance of **75.00 feet** to a point, 108.99 feet left of Station 141+70.55 of said centerline of North Marginal Road;

Course XII Thence Southeasterly **South 35 degrees 16 minutes 47 seconds East**, a distance of **64.99 feet** to a point, 44.00 feet left of Station 141+70.55 of said centerline of North Marginal Road;

Course XIII Thence Northeasterly **North 54 degrees 43 minutes 13 seconds East**, a distance of **240.82 feet** to a point at 44.00 feet left of Station 144+11.37 of said centerline of North Marginal Road;

Course XIV Thence Southeasterly **South 04 degrees 46 minutes 10 seconds East**, to said Northerly right-of-way line of North Marginal Road a distance of **5.80 feet** to a point at 48.00 feet left of Station 144+13.73 of said centerline of North Marginal Road;

Course XIV Thence Southwesterly **South 54 degrees 43 minutes 13 seconds West**, along said Northerly right-of-way line of North Marginal Road a distance of **669.80 feet** to the **Place of Beginning** and containing **0.391 acres (17,032 sq.ft.)** of land, more or less which is part of Cuyahoga County Auditor's Permanent Parcel #104-01-002A;

Basis of Bearing for this legal description is the centerline of North Marginal Road (width varies) as evidenced by monuments found and is the same as calculated and reproduced based on the Ohio Plane Coordinate System, NAD 83, North Zone by ties to the O.D.O.T. Network.

The stations referred to herein are from the existing centerline of construction of North Marginal Road in the City of Cleveland, Cuyahoga County, Ohio, as shown on the Centerline Schematic Plan (Sheet 2-7) of the "Improvement Plans for CUY - NORTH

MARGINAL CONNECTOR” as recorded in AFN _____ of Cuyahoga County Map Records as prepared by Michael Baker International and Chagrin Valley Engineering, Ltd. in 2023;

This description was prepared under the supervision of and reviewed by Donald F. Sheehy, P.S. #7849 from surveys made under the supervision of Donald F. Sheehy, P.S. #7849 for Chagrin Valley Engineering, Ltd. in conjunction with “Improvement Plans for CUY - NORTH MARGINAL CONNECTOR” as prepared by Michael Baker International and Chagrin Valley Engineering, Ltd. in 2023 for the County of Cuyahoga, State of Ohio.

**PARCEL #6-T
CUY - NORTH MARGINAL CONNECTOR
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY FOR
DRIVE CONSTRUCTION, WALK CONSTRUCTION, FENCE & GATE
INSTALLATION, GRADING & LANDSCAPING
FOR 24 MONTHS FROM THE DATE OF ENTRY BY THE
COUNTY OF CUYAHOGA, OHIO**

[Surveyor’s description of the premises follows below]

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being a part of Original 10 Acre Lot No.’s 156, 157, 158, and 159 and being a **0.296 acres (12,983 sq.ft.) TEMPORARY EASEMENT #6-T for drive construction, walk construction, fence & gate installation, grading & landscaping** located within a 11.700 acres (auditor) parcel of land within the boundary land as conveyed to City of Cleveland (Yacht Club Lease) by deed dated November 28, 2000 as recorded in Document No. 200011280660 of Cuyahoga County Deed Records within part of Cuyahoga County Auditor’s Permanent Parcel #104-01-002B, and being a parcel of land lying on the right-of-way, being the Northerly right-of-way of North Marginal Road (width varies) and further bounded and described as follows;

Beginning at a point in the Northerly right-of-way line of North Marginal Road (width varies) at 39.00 feet left of Station 144+08.42 of the existing centerline of North Marginal Road and the **Place of Beginning** of the premises herein intended to be described;

Course I Thence Northwesterly **North 04 degrees 46 minutes 10 seconds West**, a distance of **10.44 feet** to a point at 48.00 feet left of Station 144+13.73 of said centerline of North Marginal Road;

Course II Thence Northeasterly **North 54 degrees 43 minutes 13 seconds East**, a distance of **67.80 feet** to a point at 48.00 feet left of Station 144+81.53 of said centerline of North Marginal Road;

Course III Thence Northwesterly **South 35 degrees 16 minutes 47 seconds East**, a distance of **29.00 feet** to a point, 77.00 feet left of Station 144+81.53 of said centerline of North Marginal Road;

Course IV Thence Northeasterly **North 54 degrees 43 minutes 13 seconds East**, a distance of **68.00 feet** to a point, 77.00 feet left of Station 145+49.53 of said centerline of North Marginal Road;

Course V Thence Southeasterly **South 35 degrees 16 minutes 47 seconds East**, a distance of **29.00 feet** to a point, 48.00 feet left of Station 145+49.53 of said centerline of North Marginal Road;

Course VI Thence Northeasterly **North 54 degrees 43 minutes 13 seconds East**, a distance of **844.97 feet** to a point, 48.00 feet left of Station 153+94.50 of said centerline of North Marginal Road;

Course VII Thence Northeasterly **North 62 degrees 55 minutes 26 seconds East**, a distance of **28.03 feet** to a point, 44.00 feet left of Station 154+22.24 of said centerline of North Marginal Road;

Course VIII Thence Northeasterly **North 54 degrees 43 minutes 12 seconds East**, a distance of **22.79 feet** to a point, 44.00 feet left of Station 154+45.03 of said centerline of North Marginal Road;

Course IX Thence Northeasterly **North 35 degrees 56 minutes 41 seconds East**, a distance of **33.43 feet** to a point, 54.76 feet left of Station 154+76.69 of said centerline of North Marginal Road;

Course X Thence Northeasterly **North 03 degrees 22 minutes 48 seconds East**, a distance of **13.11 feet** to a point, 64.99 feet left of Station 154+84.87 of said centerline of North Marginal Road;

Course XI Thence Northeasterly **North 54 degrees 43 minutes 13 seconds East**, a distance of **42.30 feet** to a point, 64.99 feet left of Station 155+27.17 of said centerline of North Marginal Road;

Course XII Thence Southeasterly **South 70 degrees 16 minutes 47 seconds East**, a distance of **26.85 feet** to a point, 43.00 feet left of Station 155+42.57 of said centerline of North Marginal Road;

Course XIII Thence Northeasterly **North 54 degrees 43 minutes 13 seconds East**, a distance of **7.06 feet** to a point at 43.00 feet left of Station 155+49.63 of said centerline of North Marginal Road;

Course XIV Thence Southeasterly **South 02 degrees 33 minutes 56 seconds East**, to said Northerly right-of-way line of North Marginal Road a distance of **4.75 feet**

to a point at 39.00 feet left of Station 155+47.06 of said centerline of North Marginal Road;

Course XIVThence Southwesterly **South 54 degrees 43 minutes 13 seconds West**, along said Northerly right-of-way line of North Marginal Road a distance of **1,138.64 feet** to the **Place of Beginning** and containing **0.296 acres (12,983 sq.ft.)** of land, more or less which is part of Cuyahoga County Auditor's Permanent Parcel #104-01-002B;

Basis of Bearing for this legal description is the centerline of North Marginal Road (width varies) as evidenced by monuments found and is the same as calculated and reproduced based on the Ohio Plane Coordinate System, NAD 83, North Zone by ties to the O.D.O.T. Network.

The stations referred to herein are from the existing centerline of construction of North Marginal Road in the City of Cleveland, Cuyahoga County, Ohio, as shown on the Centerline Schematic Plan (Sheet 2-7) of the "Improvement Plans for CUY - NORTH MARGINAL CONNECTOR" as recorded in AFN _____ of Cuyahoga County Map Records as prepared by Michael Baker International and Chagrin Valley Engineering, Ltd. in 2023;

This description was prepared under the supervision of and reviewed by Donald F. Sheehy, P.S. #7849 from surveys made under the supervision of Donald F. Sheehy, P.S. #7849 for Chagrin Valley Engineering, Ltd. in conjunction with "Improvement Plans for CUY - NORTH MARGINAL CONNECTOR" as prepared by Michael Baker International and Chagrin Valley Engineering, Ltd. in 2023 for the County of Cuyahoga, State of Ohio.

**PARCEL #7-T
CUY - NORTH MARGINAL CONNECTOR
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY FOR
GRADING & LANDSCAPING
FOR 24 MONTHS FROM THE DATE OF ENTRY BY THE
COUNTY OF CUYAHOGA, OHIO**

[Surveyor's description of the premises follows below]

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being a part of Original 10 Acre Lot No.'s 159, 160, 161, and 162 and being a **0.016 acres (696 sq.ft.) TEMPORARY EASEMENT #7-T for grading & landscaping** located within a 11.620 acres (auditor) parcel of land within the boundary land as conveyed to City of Cleveland (Lakeside Yacht Club) by deed dated January 08, 2016 as recorded in Document No. 201601080281 of Cuyahoga County Deed Records within part of Cuyahoga County Auditor's Permanent Parcel #104-02-001, and being a parcel of land

lying on the right-of-way, being the Northerly right-of-way of North Marginal Road (width varies) and further bounded and described as follows;

Beginning at a point in the Northerly right-of-way line of North Marginal Road (width varies) at 39.00 feet left of Station 155+47.06 of the existing centerline of North Marginal Road and the **Place of Beginning** of the premises herein intended to be described;

Course I Thence Northwesterly **North 02 degrees 33 minutes 56 seconds West**, a distance of **4.75 feet** to a point at 43.00 feet left of Station 155+49.63 of said centerline of North Marginal Road;

Course II Thence Northeasterly **North 54 degrees 43 minutes 13 seconds East**, a distance of **172.84 feet** to a point at 43.00 feet left of Station 157+22.46 of said centerline of North Marginal Road;

Course III Thence Southeasterly **South 35 degrees 16 minutes 48 seconds East**, to said Northerly right-of-way line of North Marginal Road a distance of **4.00 feet** to a point at 39.00 feet left of Station 157+22.46 of said centerline of North Marginal Road;

Course XIV Thence Southwesterly **South 54 degrees 43 minutes 13 seconds West**, along said Northerly right-of-way line of North Marginal Road a distance of **175.41 feet** to the **Place of Beginning** and containing **0.016 acres (696 sq.ft.)** of land, more or less which is part of Cuyahoga County Auditor's Permanent Parcel #104-02-001;

Basis of Bearing for this legal description is the centerline of North Marginal Road (width varies) as evidenced by monuments found and is the same as calculated and reproduced based on the Ohio Plane Coordinate System, NAD 83, North Zone by ties to the O.D.O.T. Network.

The stations referred to herein are from the existing centerline of construction of North Marginal Road in the City of Cleveland, Cuyahoga County, Ohio, as shown on the Centerline Schematic Plan (Sheet 2-7) of the "Improvement Plans for CUY - NORTH MARGINAL CONNECTOR" as recorded in AFN _____ of Cuyahoga County Map Records as prepared by Michael Baker International and Chagrin Valley Engineering, Ltd. in 2023;

This description was prepared under the supervision of and reviewed by Donald F. Sheehy, P.S. #7849 from surveys made under the supervision of Donald F. Sheehy, P.S. #7849 for Chagrin Valley Engineering, Ltd. in conjunction with "Improvement Plans for CUY - NORTH MARGINAL CONNECTOR" as prepared by Michael Baker International and Chagrin Valley Engineering, Ltd. in 2023 for the County of Cuyahoga, State of Ohio.

**PARCEL #9-T1
CUY - NORTH MARGINAL CONNECTOR
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY FOR
GRADING & LANDSCAPING
FOR 24 MONTHS FROM THE DATE OF ENTRY BY THE
COUNTY OF CUYAHOGA, OHIO**

[Surveyor's description of the premises follows below]

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being a part of Original 10 Acre Lot No. 163, 164 and 165 and being a **0.029 acres (1,272 sq.ft.) TEMPORARY EASEMENT #9-T1 for grading & landscaping** located within a 8.359 acres (auditor) parcel of land within the boundary land as conveyed to City of Cleveland by deed dated June 06, 2013 as recorded in Document No. 201306060592 of Cuyahoga County Deed Records within part of Cuyahoga County Auditor's Permanent Parcel #104-02-012A, and being a parcel of land lying on the right-of-way, being the Northerly right-of-way of North Marginal Road (width varies) and further bounded and described as follows;

Beginning at a point in the Northerly right-of-way line of North Marginal Road (width varies) at 39.00 feet left of Station 167+80.12 of the existing centerline of North Marginal Road and the **Place of Beginning** of the premises herein intended to be described;

Course I Thence Northwesterly **North 33 degrees 36 minutes 46 seconds West**, a distance of **9.37 feet** to a point at 48.36 feet left of Station 167+80.40 of said centerline of North Marginal Road;

Course II Thence Northeasterly **North 54 degrees 43 minutes 13 seconds East**, a distance of **54.01 feet** to a point at 48.36 feet left of Station 168+34.41 of said centerline of North Marginal Road;

Course III Thence Northeasterly **North 58 degrees 00 minutes 00 seconds East**, to said Northerly right-of-way line of North Marginal Road a distance of **163.64 feet** to a point at 39.00 feet left of Station 169+97.78 of said centerline of North Marginal Road;

Course IV Thence Southwesterly **South 54 degrees 43 minutes 13 seconds West**, along said Northerly right-of-way line of North Marginal Road a distance of **217.66 feet** to the **Place of Beginning** and containing **0.029 acres (1,272 sq.ft.)** of land, more or less which is part of Cuyahoga County Auditor's Permanent Parcel #104-02-012A;

Basis of Bearing for this legal description is the centerline of North Marginal Road (width varies) as evidenced by monuments found and is the same as calculated and

reproduced based on the Ohio Plane Coordinate System, NAD 83, North Zone by ties to the O.D.O.T. Network.

The stations referred to herein are from the existing centerline of construction of North Marginal Road in the City of Cleveland, Cuyahoga County, Ohio, as shown on the Centerline Schematic Plan (Sheet 2-7) of the "Improvement Plans for CUY - NORTH MARGINAL CONNECTOR" as recorded in AFN _____ of Cuyahoga County Map Records as prepared by Michael Baker International and Chagrin Valley Engineering, Ltd. in 2023;

This description was prepared under the supervision of and reviewed by Donald F. Sheehy, P.S. #7849 from surveys made under the supervision of Donald F. Sheehy, P.S. #7849 for Chagrin Valley Engineering, Ltd. in conjunction with "Improvement Plans for CUY - NORTH MARGINAL CONNECTOR" as prepared by Michael Baker International and Chagrin Valley Engineering, Ltd. in 2023 for the County of Cuyahoga, State of Ohio.

**PARCEL #9-T2
CUY - NORTH MARGINAL CONNECTOR
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY FOR
DRIVE CONSTRUCTION, GRADING & LANDSCAPING
FOR 24 MONTHS FROM THE DATE OF ENTRY BY THE
COUNTY OF CUYAHOGA, OHIO**

[Surveyor's description of the premises follows below]

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being a part of Original 10 Acre Lot No. 163, 164 and 165 being a **0.027 acres (1,272 sq.ft.) TEMPORARY EASEMENT #9-T2 for drive construction, grading & landscaping** located within a 8.359 acres (auditor) parcel of land within the boundary land as conveyed to City of Cleveland by deed dated June 06, 2013 as recorded in Document No. 201306060592 of Cuyahoga County Deed Records within part of Cuyahoga County Auditor's Permanent Parcel #104-02-012A, and being a parcel of land lying on the right-of-way, being the Northerly right-of-way of North Marginal Road (width varies) and further bounded and described as follows;

Beginning at a point in the Northerly right-of-way line of North Marginal Road (width varies) at 39.00 feet left of Station 173+48.56 of the existing centerline of North Marginal Road and the **Place of Beginning** of the premises herein intended to be described;

Course I Thence Northeasterly **North 43 degrees 00 minutes 00 seconds East**, a distance of **59.07 feet** to a point at 51.00 feet left of Station 174+06.40 of said centerline of North Marginal Road;

Course II Thence Northeasterly **North 54 degrees 43 minutes 13 seconds East**, a distance of **68.97 feet** to a point at 51.00 feet left of Station 174+75.37 of said centerline of North Marginal Road;

Course III Thence Southeasterly **South 35 degrees 16 minutes 46 seconds East**, to said Northerly right-of-way line of North Marginal Road a distance of **12.00 feet** to a point at 39.00 feet left of Station 174+75.37 of said centerline of North Marginal Road;

Course IV Thence Southwesterly **South 54 degrees 43 minutes 13 seconds West**, along said Northerly right-of-way line of North Marginal Road a distance of **126.81 feet** to the **Place of Beginning** and containing **0.027 acres (1,272 sq.ft.)** of land, more or less which is part of Cuyahoga County Auditor's Permanent Parcel #104-02-012A;

Basis of Bearing for this legal description is the centerline of North Marginal Road (width varies) as evidenced by monuments found and is the same as calculated and reproduced based on the Ohio Plane Coordinate System, NAD 83, North Zone by ties to the O.D.O.T. Network.

The stations referred to herein are from the existing centerline of construction of North Marginal Road in the City of Cleveland, Cuyahoga County, Ohio, as shown on the Centerline Schematic Plan (Sheet 2-7) of the "Improvement Plans for CUY - NORTH MARGINAL CONNECTOR" as recorded in AFN _____ of Cuyahoga County Map Records as prepared by Michael Baker International and Chagrin Valley Engineering, Ltd. in 2023;

This description was prepared under the supervision of and reviewed by Donald F. Sheehy, P.S. #7849 from surveys made under the supervision of Donald F. Sheehy, P.S. #7849 for Chagrin Valley Engineering, Ltd. in conjunction with "Improvement Plans for CUY - NORTH MARGINAL CONNECTOR" as prepared by Michael Baker International and Chagrin Valley Engineering, Ltd. in 2023 for the County of Cuyahoga, State of Ohio.

**PARCEL #10-T1
CUY - NORTH MARGINAL CONNECTOR
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY FOR
DRIVE CONSTRUCTION, GRADING & LANDSCAPING
FOR 24 MONTHS FROM THE DATE OF ENTRY BY THE
COUNTY OF CUYAHOGA, OHIO**

[Surveyor's description of the premises follows below]

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being a part of Original 10 Acre Lot No.'s 165 and 166 being a **0.101 acres (4,412 sq.ft.)**

TEMPORARY EASEMENT #10-T1 for drive construction, grading & landscaping located within a 5.884 acres (auditor) parcel of land within the boundary land as conveyed to City of Cleveland (Marina Lease) as recorded in Lease Volume 357, Page 200 of Cuyahoga County Records, within part of Cuyahoga County Auditor's Permanent Parcel #104-02-012A, and being a parcel of land lying on the right-of-way, being the Northerly right-of-way of North Marginal Road (width varies) and further bounded and described as follows;

Beginning at a point in the Northerly right-of-way line of North Marginal Road (width varies) at 39.00 feet left of Station 174+93.33 of the existing centerline of North Marginal Road and the **Place of Beginning** of the premises herein intended to be described;

Course I Thence Northwesterly **North 28 degrees 01 minutes 46 seconds West**, a distance of **12.60 feet** to a point at 51.50 feet left of Station 174+94.92 of said centerline of North Marginal Road;

Course II Thence Northeasterly **North 54 degrees 43 minutes 13 seconds East**, a distance of **219.94 feet** to a point at 51.50 feet left of Station 177+14.86 of said centerline of North Marginal Road;

Course III Thence Northwesterly **North 35 degrees 16 minutes 46 seconds West**, a distance of **6.50 feet** to a point at 58.00 feet left of Station 177+14.86 of said centerline of North Marginal Road;

Course IV Thence Northeasterly **North 54 degrees 43 minutes 13 seconds East**, a distance of **87.00 feet** to a point at 58.00 feet left of Station 178+01.86 of said centerline of North Marginal Road;

Course V Thence Southeasterly **South 35 degrees 16 minutes 46 seconds East**, to said Northerly right-of-way line of North Marginal Road a distance of **19.00 feet** to a point at 39.00 feet left of Station 178+01.86 of said centerline of North Marginal Road;

Course VI Thence Southwesterly **South 54 degrees 43 minutes 13 seconds West**, along said Northerly right-of-way line of North Marginal Road a distance of **126.81 feet** to the **Place of Beginning** and containing **0.101 acres (4,412 sq.ft.)** of land, more or less which is part of Cuyahoga County Auditor's Permanent Parcel #104-02-012A;

Basis of Bearing for this legal description is the centerline of North Marginal Road (width varies) as evidenced by monuments found and is the same as calculated and reproduced based on the Ohio Plane Coordinate System, NAD 83, North Zone by ties to the O.D.O.T. Network.

The stations referred to herein are from the existing centerline of construction of North Marginal Road in the City of Cleveland, Cuyahoga County, Ohio, as shown on the

Centerline Schematic Plan (Sheet 2-7) of the “Improvement Plans for CUY - NORTH MARGINAL CONNECTOR” as recorded in AFN _____ of Cuyahoga County Map Records as prepared by Michael Baker International and Chagrin Valley Engineering, Ltd. in 2023;

This description was prepared under the supervision of and reviewed by Donald F. Sheehy, P.S. #7849 from surveys made under the supervision of Donald F. Sheehy, P.S. #7849 for Chagrin Valley Engineering, Ltd. in conjunction with “Improvement Plans for CUY - NORTH MARGINAL CONNECTOR” as prepared by Michael Baker International and Chagrin Valley Engineering, Ltd. in 2023 for the County of Cuyahoga, State of Ohio.

**PARCEL #10-T2
CUY - NORTH MARGINAL CONNECTOR
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY FOR
DRIVE CONSTRUCTION, GRADING & LANDSCAPING
FOR 24 MONTHS FROM THE DATE OF ENTRY BY THE
COUNTY OF CUYAHOGA, OHIO**

[Surveyor’s description of the premises follows below]

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being a part of Original 10 Acre Lot No.’s 165 and 166 being a **0.016 acres (676 sq.ft.)** **TEMPORARY EASEMENT #10-T2 for drive construction, grading & landscaping** located within a 5.884 acres (auditor) parcel of land within the boundary land as conveyed to City of Cleveland (Marina Lease) as recorded in Lease Volume 357, Page 200 of Cuyahoga County Records, within part of Cuyahoga County Auditor’s Permanent Parcel #104-02-012A, and being a parcel of land lying on the right-of-way, being the Northerly right-of-way of North Marginal Road (width varies) and further bounded and described as follows;

Beginning at a point in the Northerly right-of-way line of North Marginal Road (width varies) at 39.00 feet left of Station 179+83.35 of the existing centerline of North Marginal Road and the **Place of Beginning** of the premises herein intended to be described;

Course I Thence Northwesterly **North 35 degrees 16 minutes 47 seconds West**, a distance of **12.00 feet** to a point at 51.00 feet left of Station 179+83.35 of said centerline of North Marginal Road;

Course II Thence Northeasterly **North 54 degrees 43 minutes 13 seconds East**, a distance of **57.43 feet** to a point at 51.00 feet left of Station 180+40.77 of said centerline of North Marginal Road;

Course III Thence Southeasterly **South 24 degrees 58 minutes 29 seconds East**, to said Northerly right-of-way line of North Marginal Road a distance of **12.20 feet** to a point at 39.00 feet left of Station 180+38.59 of said centerline of North Marginal Road;

Course IV Thence Southwesterly **South 54 degrees 43 minutes 13 seconds West**, along said Northerly right-of-way line of North Marginal Road a distance of **55.25 feet** to the **Place of Beginning** and containing **0.016 acres (676 sq.ft.)** of land, more or less which is part of Cuyahoga County Auditor's Permanent Parcel #104-02-012A;

Basis of Bearing for this legal description is the centerline of North Marginal Road (width varies) as evidenced by monuments found and is the same as calculated and reproduced based on the Ohio Plane Coordinate System, NAD 83, North Zone by ties to the O.D.O.T. Network.

The stations referred to herein are from the existing centerline of construction of North Marginal Road in the City of Cleveland, Cuyahoga County, Ohio, as shown on the Centerline Schematic Plan (Sheet 2-7) of the "Improvement Plans for CUY - NORTH MARGINAL CONNECTOR" as recorded in AFN _____ of Cuyahoga County Map Records as prepared by Michael Baker International and Chagrin Valley Engineering, Ltd. in 2023;

This description was prepared under the supervision of and reviewed by Donald F. Sheehy, P.S. #7849 from surveys made under the supervision of Donald F. Sheehy, P.S. #7849 for Chagrin Valley Engineering, Ltd. in conjunction with "Improvement Plans for CUY - NORTH MARGINAL CONNECTOR" as prepared by Michael Baker International and Chagrin Valley Engineering, Ltd. in 2023 for the County of Cuyahoga, State of Ohio.

Section 12. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the above-described temporary easements to the County and/or its designee subject to any conditions stated in this ordinance at a price of one dollar and other valuable considerations, which is determined to be fair market value.

Section 13. That the temporary easements shall be non-exclusive and the purpose of the easements shall be for construction of the Improvement.

Section 14. That the duration of the temporary easement shall be until construction of the Improvement is completed; that the temporary easements may include reasonable right-of-entry rights to the City; that the temporary easements shall not be assignable without the consent of the appropriate director; that the temporary easements shall require that the County pay any applicable taxes and assessments.

Section 15. That the conveyances referred to above shall be made by official deeds of temporary easement prepared by the Director of Law and executed by the appropriate

director on behalf of the City of Cleveland. The deeds of temporary easement shall contain any additional terms and conditions as are required to protect the interest of the City. The appropriate director and the Director of Law are authorized to execute any other documents, including without limitation, contracts for right of entry, as may be necessary to construct the Improvement.

Section 16. That the Director of Capital Projects, Port Control, and/or Public Works, as appropriate, are authorized to enter into one or more agreements with the Metroparks regarding maintenance and repair of the Improvement after construction, including but not limited to, removal of trash and snow, as well as patrolling the Improvement, for a term not to exceed twenty years, with five 20-year options to renew, exercisable by Metroparks.

Section 17. That the Director of Capital Projects, Port Control, and/or Public Works, as appropriate, are authorized to enter into one or more agreements with the owners and tenants north of the Improvement Area to allow egress over the Improvement to North Marginal Road.

Section 18. That Director of Capital Projects, Port Control, and/or Public Works, and other appropriate City officials, as appropriate, are authorized to enter into any other agreements necessary to effectuate the Improvement and to execute any other documents and certificates and take any other actions which may be necessary or appropriate to implement this ordinance.

Section 19. That the cost of the agreement authorized in Section 1 of this ordinance shall not exceed \$130,000 and is payable 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, from the fund or funds to which are credited the proceeds from the sale of future bonds, if authorized for this purpose, and from any other funds approved by the Director of Finance. (RQS 0103, RLA 2024-24)

Section 20. 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 April 15, 2024.

Effective April 17, 2024.

Ordinance No. 232-2024

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

An emergency ordinance authorizing the Director of the Mayor's Office of Capital Projects to issue a permit to The Sherwin-Williams Company to encroach into the public rights-of-way of West 3rd Street, Frankfort Avenue, Public Square West Roadway, Superior Avenue, West St. Clair Avenue, and West 6th Street by installing, using and maintaining various objects.

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

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

Section 1. That the Director of Capital Projects is authorized to issue a permit, revocable at the will of Council, to The Sherwin-Williams Company, 101 West Prospect Avenue, Cleveland, Ohio 44115, ("Permittee"), to encroach into the public rights-of-way of West 3rd Street, Frankfort Avenue, Public Square West Roadway, Superior Avenue, West St. Clair Avenue, and West 6th Street by installing, using and maintaining various items including: monument signs, security bollards, light poles and concrete site walls (all with buried foundations), sidewalks with an embedded snow melt system, electrical outlets with mounts and conduits for electric power supply, buried storm drains and inlets, utility vaults, a landscape irrigation system with sprinkler heads, irrigation pipes and pipe sleeves to facilitate the functioning of the three buildings that are part of the Sherwin-Williams Global Headquarters, at the following locations:

LEGAL DESCRIPTIONS FOR ENCROACHMENTS

ENCROACHMENT AREA 1 (West 6th Street)
0.0009 acre of land

Containing a monument sign with a buried foundation and conduits for electric power supply to the sign.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being within the right of way of West 6th Street (99 feet wide).

Commencing at a stone in a monument box at the intersection of the centerline of Superior Avenue (132 feet wide) and the centerline of West 6th Street (99 feet wide), thence North 34°28'33" West along the said centerline of West 6th Street, a distance of 433.19 feet to a point thereon, thence North 55°31'27" East, a distance of 41.92 feet to the Place of Beginning of the easement area herein described;

Course No. 1: thence North 34°28'33" West, a distance of 5.00 feet to a point;

Course No. 2: thence North 55°31'27" East, a distance of 7.58 feet to a point on the easterly line of said West 6th Street;

Course No. 3: thence South 34°28'33" East along the said easterly line of West 6th Street, a distance of 5.00 feet to a point thereon;

Course No. 4: thence South 55°31'27" West, a distance of 7.58 feet to the place of beginning of the easement herein described containing 0.0009 acre of land, more or less.

ENCROACHMENT AREA 5 (Superior Avenue)

0.0629 acre of land

Containing bollards, utilities vaults, light poles with buried foundations and conduits for electric power supply, electrical outlets with mounts and conduits for electric power supply, and a landscape irrigation system with sprinkler heads, irrigation pipes and pipe sleeves.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being within the right of way of Superior Avenue (132 feet wide).

Commencing at a 1" iron pin in a monument box at the intersection of the centerline of Superior Avenue (132 feet wide) and the centerline of West 3rd Street (99 feet wide), thence South 55°27'14" West along the said centerline of Superior Avenue, a distance of 83.25 feet to a point thereon, thence North 34°32'46" West, a distance of 50.82 feet to the Place of Beginning of the easement area herein described;

Course No. 1: thence South 55°27'14" West, a distance of 180.45 feet to a point;

Course No. 2: thence North 34°33'02" West, a distance of 15.18 feet to a point on the northerly line of Superior Avenue;

Course No. 3: thence North 55°27'14" East along the northerly line of Superior Avenue, a distance of 180.45 feet to a point thereon;

Course No. 4: thence South 34°33'02" East, a distance of 15.18 feet to the place of beginning of the easement herein described containing 0.0629 acre of land, more or less.

ENCROACHMENT AREA 6 (West 3rd Street)

0.2267 acre of land

Containing security bollards with buried foundations, sidewalks with an embedded snow melt system, light poles with buried foundations and conduits for electric power

supply, electrical outlets with mounts and conduits for electric power supply, concrete site walls with buried foundations, buried storm drains and storm drain inlets, utility vaults, and a landscape irrigation system with sprinkler heads, irrigation pipes and pipe sleeves.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being within the right of way of West 3rd Street (99 feet wide).

Commencing at a 1" iron pin in a monument box at the intersection of the centerline of Superior Avenue (132 feet wide) and the centerline of West 3rd Street (99 feet wide), thence North 34°33'02" West along the said centerline of West 3rd Street, a distance of 67.33 feet to a point thereon, thence South 55°26'58" West, a distance of 26.34 feet to the Place of Beginning of the easement area herein described;

Course No. 1: thence South 55°27'10" West, a distance of 23.16 feet to a point on the westerly line of West 3rd Street;

Course No. 2: thence North 34°33'02" West along the westerly line of West 3rd street, a distance of 500.05 feet to a point thereon;

Course No. 3: thence North 55°31'02" East, a distance of 18.33 feet to a point;

Course No. 4: thence South 34°33'02" East, a distance of 284.43 feet to a point;

Course No. 5: thence North 55°26'57" East, a distance of 8.47 feet to a point;

Course No. 6: thence South 34°33'02" East, a distance of 13.00 feet to a point;

Course No. 7: thence South 55°27'10" West, a distance of 8.53 feet to a point;

Course No. 8: thence South 34°35'09" East, a distance of 78.26 feet to a point;

Course No. 9: thence North 55°29'45" East, a distance of 4.88 feet to a point;

Course No. 10: thence South 34°31'48" East, a distance of 124.34 feet to the place of beginning of the easement herein described containing 0.2267 acre of land, more or less.

ENCROACHMENT AREA 7 (West 6th Street)
0.0545 acre of land

Containing a monument sign with a buried foundation, and conduits for electric power supply to the sign, irrigation pipes and pipe sleeves.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being within the right of way of West 3rd Street (99 feet wide).

Commencing at a stone in a monument box at the intersection of the centerline of Superior Avenue (132 feet wide) and the centerline of West 6th Street (99 feet wide), thence North 34°28'33" West along the said centerline of West 6th Street, a distance of 73.11 feet to a point thereon, thence North 55°31'27" East, a distance of 29.83 feet to the Place of Beginning of the easement area herein described;

Course No. 1: thence North 34°24'44" West, a distance of 228.71 feet to a point;

Course No. 2: thence North 55°27'10" East, a distance of 9.01 feet to a point;

Course No. 3: thence South 34°24'27" East, a distance of 79.50 feet to a point;

Course No. 4: thence North 55°31'27" East, a distance of 10.50 feet to a point on the easterly line of West 6th Street;

Course No. 5: thence South 34°28'35" East along the easterly line of West 6th Street, a distance of 15.00 feet to a point thereon;

Course No. 6: thence South 55°31'26" West, a distance of 10.52 feet to a point;

Course No. 7: thence South 34°24'27" East, a distance of 87.22 feet to a point;

Course No. 8: thence North 55°31'27" East, a distance of 10.62 feet to a point on the easterly line of West 6th Street;

Course No. 9: thence South 34°28'36" East along the easterly line of West 6th Street, a distance of 15.00 feet to a point thereon;

Course No. 10: thence South 55°31'26" West, a distance of 10.64 feet to a point;

Course No. 11: thence South 34°24'27" East, a distance of 32.01 feet to a point;

Course No. 12: thence South 55°35'43" West, a distance of 8.99 feet to the place of beginning of the easement herein described containing 0.0545 acre of land, more or less.

ENCROACHMENT AREA 8 (West St. Clair Avenue)
0.0008 acre of land

Containing a monument sign with a buried foundation and conduits for electric power supply to the sign.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being within the right of way of West Saint Clair Avenue (99 feet wide).

Commencing at a 1" iron pin in a monument box at the intersection of the centerline of West Saint Clair Avenue (99 feet wide) and the centerline of West 3rd Street (99 feet wide), thence South 55°34'31" West along the said centerline of West Saint Clair Avenue, a distance of 128.04 feet to a point thereon, thence South 34°25'29" East, a distance of 42.88 feet to the Place of Beginning of the easement area herein described;

Course No. 1: thence South 34°25'29" East, a distance of 6.62 feet to a point on the southerly line of West Saint Clair Avenue;

Course No. 2: thence South 55°34'31" West along the southerly line of West Saint Clair Avenue, a distance of 5.00 feet to a point thereon;

Course No. 3: thence North 34°25'29" West, a distance of 6.62 feet to a point;

Course No. 4: thence North 55°34'31" East, a distance of 5.00 feet to the place of beginning of the easement herein described containing 0.0008 acre of land, more or less.

ENCROACHMENT AREA 9 (West 3rd Street)
0.0790 acre of land

Containing security bollards with buried foundations, sidewalks with an embedded snow melt system, electrical outlets with mounts and conduits for electric power supply, and a landscape irrigation system with sprinkler heads, irrigation pipes and pipe sleeves.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being within the right of way of West 3rd Street (99 feet wide).

Commencing at a 1" iron pin in a monument box at the intersection of the centerline of Superior Avenue (132 feet wide) and the centerline of West 3rd Street (99 feet wide), thence North 34°33'02" West along the said centerline of West 3rd Street, a distance of 84.50 feet to a point thereon, thence North 55°26'58" East, a distance of 29.53 feet to the Place of Beginning of the easement area herein described;

Course No. 1: thence North 34°32'50" West, a distance of 213.87 feet to a point;

Course No. 2: thence North 55°27'10" East, a distance of 8.72 feet to a point;

Course No. 3: thence South 34°33'02" East, a distance of 99.12 feet to a point;

Course No. 4: thence North 55°26'57" East, a distance of 8.28 feet to a point;

Course No. 5: thence North 34°33'02" West, a distance of 96.45 feet to a point;

Course No. 6: thence North 55°26'58" East, a distance of 2.97 feet to a point on the easterly line of West 3rd Street;

Course No. 7: thence South 34°33'02" East along the easterly line of West 3rd Street, a distance of 211.20 feet to a point thereon;

Course No. 8: thence South 55°26'57" West, a distance of 19.97 feet to the place of beginning of the easement herein described containing 0.0790 acre of land, more or less.

ENCROACHMENT AREA 10 (Frankfort Avenue)
0.0244 acre of land

Containing pipe bollards with buried foundations, and a landscape irrigation system with sprinkler heads, a landscape irrigation system with sprinkler heads, irrigation pipes and pipe sleeves.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being within the right of way of Frankfort Avenue (45 feet wide).

Commencing at the intersection of the centerline of Frankfort Avenue (45 feet wide) and the centerline of West 3rd Street (99 feet wide), thence North 55°30'32" East along the said centerline of Frankfort Avenue, a distance of 64.92 feet to a point thereon, thence South 34°29'28" East, a distance of 9.75 feet to the Place of Beginning of the easement area herein described;

Course No. 1: thence North 55°27'10" East, a distance of 199.00 feet to a point;

Course No. 2: thence South 34°32'50" East, a distance of 5.45 feet to a point on the northerly line of Frankfort Avenue;

Course No. 3: thence South 55°30'32" East along the northerly line of Frankfort Avenue, a distance of 199.00 feet to a point thereon;

Course No. 4: thence North 34°32'50" West, a distance of 5.25 feet to the place of beginning of the easement herein described containing 0.0244 acre of land, more or less.

ENCROACHMENT AREA 11 (Public Square West Roadway & Superior Avenue)
0.1885 acre of land

Containing a monument sign with a buried foundation, light poles with buried foundations and conduits for electric power supply, electrical outlets with mounts and

conduits for electric power supply, and a landscape irrigation system with sprinkler heads, irrigation pipes and pipe sleeves.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being within the right of way of Superior Avenue and Public Square West Roadway.

Commencing at an iron pin at the intersection of the centerline of Superior Avenue (132 feet wide) and the centerline of West 3rd Street (99 feet wide), thence North 55°27'14" East along the said centerline of Superior Avenue, a distance of 46.25 feet to a point thereon, thence North 34°32'46" West, a distance of 59.00 feet to the Place of Beginning of the easement area herein described;

Course No. 1: thence North 34°32'46" West, a distance of 7.00 feet to a point;

Course No. 2: thence North 55°27'14" East along the northerly line of Superior Avenue and the westerly prolongation thereof, a distance of 219.53 feet to a point on the westerly line of the West Roadway of Public Square;

Course No. 3: thence North 34°32'45" West along the westerly line of the West Roadway of Public Square, a distance of 231.89 feet to a point thereon;

Course No. 4: thence North 55°27'15" East, a distance of 7.69 feet to a point;

Course No. 5: thence South 34°32'50" East, a distance of 15.44 feet to a point;

Course No. 6: thence North 55°27'10" East, a distance of 14.00 feet to a point;

Course No. 7: thence South 34°32'50" East, a distance of 210.00 feet to a point;

Course No. 8: thence South 55°27'10" West, a distance of 14.00 feet to a point;

Course No. 9: thence South 34°31'21" East, a distance of 13.44 feet to a point;

Course No. 10: thence South 55°28'10" West, a distance of 14.02 feet to a point;

Course No. 11: thence South 34°33'02" East, a distance of 9.99 feet to a point;

Course No. 12: thence South 55°27'10" East, a distance of 190.00 feet to a point;

Course No. 13: thence North 34°33'09" West, a distance of 9.99 feet to a point;

Course No. 14: thence South 55°27'10" West, a distance of 23.20 feet to the place of beginning of the easement herein described containing 0.1885 acre of land, more or less.

Legal Descriptions approved by Eric B. Westfall, P.S., Survey 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.

Passed April 15, 2024.

Effective April 17, 2024.

Ordinance No. 234-2024

By Council Members: Howse-Jones

An ordinance changing the Use, Area and Height Districts of parcels of land west of Crawford Road between Wade Park Avenue and Kenmore Avenue and adding an Urban Form Overlay to the south side of Wade Park Avenue. (MC 2674)

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

Section 1. Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, that the Use Districts of lands bounded and described as follows:

Beginning at the intersection of the centerline of Wade Park Avenue and the centerline of Crawford Road;

Thence, southwesterly along the centerline of Crawford Road to its intersection with the centerline of Kenmore Avenue;

Thence, westerly along the centerline Kenmore Avenue to its intersection with the southerly prolongation of the easterly line of a parcel of land known as being Sub-lot No. 24 in the W. J. Crawford and James Parmelee's sub-division as recorded in Volume 14, Page 19 of Cuyahoga County Fiscal Records and also known as Permanent Parcel Number (PPN) 107-17-067;

Thence, northerly along said prolongation of the easterly line to its intersection with the southerly line of a parcel of land known as being Sublot No. 7 in Ford and Holden's Allotment of part of Original One Hundred Acre Lot No. 392, as shown by the recorded plat in Volume 5 of Maps, Page 4 of Cuyahoga County Fiscal Records and also known as PPN 107-17-075;

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

Thence, northerly along said easterly line and its northerly prolongation to its intersection with the centerline of Blaine Avenue;

Thence, westerly along the centerline of Blaine Avenue to its intersection with the southerly prolongation of the easterly line of a parcel of land known as being parts of Sublots Nos. 45 & 46 in Ford and Honden's Sub-division of a part of Original One Hundred Acre Lot No. 392, as shown by the recorded plat in Volume 5 of Maps, Page 4 of Cuyahoga County Records and known as PPN 107-17-086;

Thence, northerly along the southerly prolongation of the easterly line to its intersection with the southerly line of a parcel of land known as being Sublot No. 96

in the Lorenzo Janes Subdivision of part of Original One Hundred Acre Lot No. 392, as shown by the recorded plat in Volume 28 of Maps, Page 17 of Cuyahoga County Records and also known as PPN 107-17-095;

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

Thence, northerly along said easterly line and its northerly prolongation to its intersection with the centerline of Birchdale Avenue;

Thence, easterly and northerly along the centerline of Birchdale Avenue to its intersection with the centerline of Wade Park Avenue;

Thence, easterly along the centerline of Wade Park Avenue to its intersection with Crawford Road and the point of origin;

And as identified on the attached map shall be changed to a 'Limited Retail Business' District, a 'G' Area District and a '2' Height District

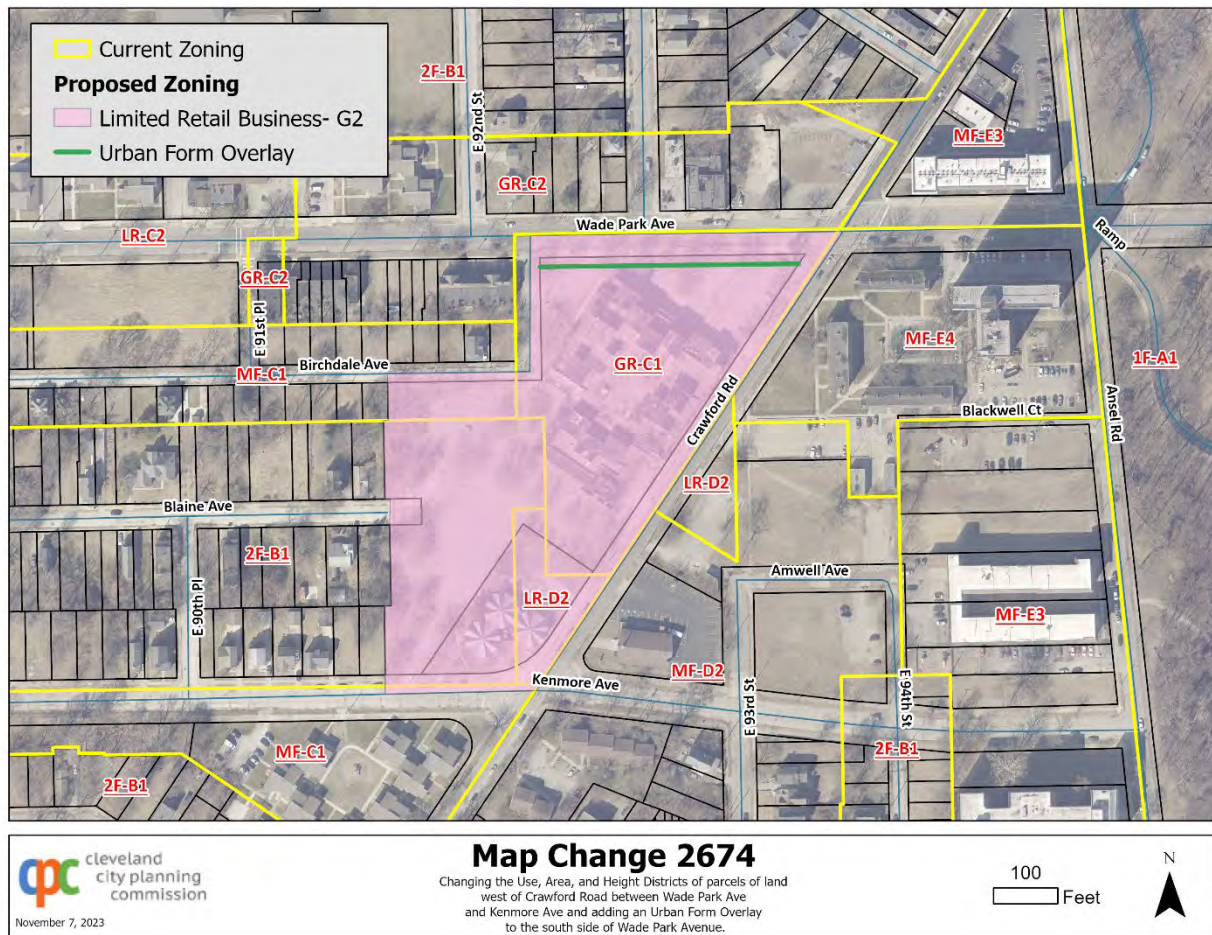
Section 2. That the street frontages described as follows:

The southerly side of Wade Park Avenue between Birchdale Avenue and Crawford Road;

And as identified on the attached map shall be established as an 'Urban Form Overlay District'.

Section 3. That the change of zoning of lands described in Section 1 and 2 shall be identified as Map Change 2674, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.



Passed April 15, 2024.

Effective May 15, 2024.

Ordinance No. 262-2024**By Council Members:** Kazy

An emergency ordinance authorizing and directing the Director of Finance to establish a fund for use by the Division of Police to reimburse officers for certain expenditures.

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 and directed to establish a fund for the use by the Division of Police to reimburse officers for certain expenditures, including but not limited to food and beverages, incurred in the performance of their duties supporting community engagement, under guidelines to be promulgated by the Director of Public Safety. The Director of Finance shall deposit \$50,000 in said fund to be distributed evenly between each of the five police districts.

Section 2. 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 April 15, 2024.**Effective April 17, 2024.**

Ordinance No. 310-2024

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

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

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

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

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

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

Section 3. That the Lease authorized by this ordinance shall be prepared by the Director of Law.

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

Passed April 15, 2024.

Effective April 17, 2024.

Ordinance No. 327-2024

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

An emergency ordinance to amend Sections 2 and 9 of Ordinance No. 692-2021, passed October 11, 2021, relating to contracts and licenses necessary for ongoing mandatory environmental compliance for the Department of Port Control.

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

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

Section 1. That Sections 2 and 9 of Ordinance No. 692-2021, passed October 11, 2021, are amended to read as follows:

Section 2. That the Director of Port Control is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide on-going professional services, regulatory services, laboratory services, and analytical services necessary to comply with local, state, and federal environmental requirements necessary to maintain operating status and to avoid serious penalties for non-compliance at Hopkins International Airport, Burke Lakefront Airport, and the Division of Harbors, Department of Port Control, for a period of five years.

Section 9. That the cost of any standard contract, software acquisition, or professional services contract or contracts authorized by this ordinance shall be paid from Fund Nos. 60 SF 001 and 60 SF 141, from the fund or funds to which are credited any grants received, and from any other funds approved by the Director of Finance. RQS 3001, RLA 2021-55.

Section 2. That existing Sections 2 and 9 of Ordinance No. 692-2021, passed October 11, 2021, are repealed.

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

Passed April 15, 2024.

Effective April 17, 2024.

Ordinance No. 340-2024

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

An emergency ordinance authorizing the Director of Community Development to enter into one or more agreements with United Way of Greater Cleveland, as the lead partner organization, to implement a program to provide access to legal services for covered individuals in eviction proceedings under Section 375.12 of the Codified Ordinances of Cleveland, Ohio, 1976, Legal Representation in Housing Court.

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 one or more agreements with United Way of Greater Cleveland, as the lead partner organization, to implement a program to provide access to legal services for covered individuals in eviction proceedings under Cleveland Codified Ordinance Section 375.12, Legal Representation in Housing Court.

Section 2. That the agreement or agreements shall be prepared by the Director of Law.

Section 3. That the cost of the agreement or agreements shall not exceed \$750,000 and shall be paid from Fund No. 01-8006-6320. (RQS 8006, RL 2024-33)

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

Passed April 15, 2024.

Effective April 17, 2024.

Ordinance No. 341-2024

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

An emergency ordinance authorizing the Director of City Planning to accept a grant from the Project for Public Spaces for the West 29th Street Open Street Program; determining the method of making the public improvement of installing one or more pedestrian plazas along West 29th Street; authorizing the Director of City Planning, or appropriate Director, to enter into one or more public improvement contracts; authorizing other contracts; and applying for and accepting gifts, grants, or services from public and private entities, needed to implement the grant.

WHEREAS, the Director of City Planning desires to accept a grant from the Project for Public Spaces in the amount up to \$100,000 to conduct the West 29th Street Open Street Program for the purpose of creating one or more pedestrian plaza(s) in area(s) along West 29th Street north of Clinton Avenue and South of Detroit Avenue; and

WHEREAS, the West 29th Street Open Street Program will allow the Director of City Planning to enter into one or more contracts to design and install one or more pedestrian plazas in one or more areas to be selected located along West 29th Street north of Clinton Avenue and south of Detroit Avenue and to enter into other contracts for programming, management, maintenance, equipment, and other related contracts needed to implement the grant (the “Program”); and

WHEREAS, local residents, property owners, tenants and other stakeholders will be engaged in the study, selection, design, programming, and installation of the pedestrian plaza(s) in the area(s) selected along West 29th Street; 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 City Planning is authorized to accept a grant in the amount up to \$100,000, and any other funds that may become available during the grant term, from the Project for Public Spaces to conduct the Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the legislative summary for the grant contained in the file described below.

Section 2. That the legislative summary for the grant, **File No. 341-2024-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 0110, RLA 2024-34)

Section 3. That the Director of City Planning is authorized to extend the term of the grant during the grant term.

Section 4. That the Director of City Planning, or her designee, will engage local residents, property owners, tenants and other stakeholders in the study, selection, design, programming, and installation of the pedestrian plaza(s) in the area(s) selected along West 29th Street.

Section 5. That the Director of City Planning is authorized to apply for and accept one or more gifts, grants, or services from other public or private entities to implement the Program; that the Director 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 this ordinance. That the Director of City Planning shall notify the members of Council, through its Clerk, of any additional gifts, grants, or services received from other public or private entities for the purposes described in this ordinance.

Section 6. That the Director of City Planning is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to design the pedestrian plaza(s) at the selected area(s), programming, management, and other related services needed to implement the Program (the "Improvement").

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

Section 7. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of constructing the Improvement, for the Department of City Planning, 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 8. That the Director of City Planning, or appropriate Director, is authorized to enter into one or more contracts for the making of the Improvement with the lowest responsible bidder or bidders 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 9. That the Director of City Planning 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 10. That the Director of City Planning is authorized to enter into one or more contracts with various entities or agencies to perform community engagement activities relating to the production, use, and/or implementation of the Improvement, for a period of one year, with a one-year option to renew, exercisable by the Director of City Planning.

Section 11. That the Director of City Planning is 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 director, for the necessary items of materials, equipment, supplies, and services needed to implement the Improvement, as described in the file, which include but not limited to, site preparation, delivery, permeable paving, paint, plantings, trees, lighting, seating, planters, small-scale play structures or other playful elements, including installation when needed, and maintenance on the selected sites, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of City Planning. 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 12. That the costs of the standard or requirement contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a delivery order against the contract or contracts certified by the Director of Finance.

Section 13. That under Section 108(b) of the Charter, the purchases and services authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of City Planning may sign all documents that are necessary to make the purchases or obtain such services and may enter into one or more contracts with the vendors or consultants selected through that cooperative process.

Section 14. That the costs of the contract or contracts or payments authorized by this ordinance shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance from the Project for Public Spaces, and from the fund or funds to which are credited other gifts or grants accepted from other entities.

Section 15. 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 April 15, 2024.

Effective April 17, 2024.

Ordinance No. 342-2024

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

An emergency ordinance authorizing the Director of Port Control to enter into one or more requirement contracts without competitive bidding with Runway Safe, Inc. for proprietary services of labor, training, and materials needed to inspect, maintain and repair the Engineered Materials Arresting Systems, for the Department of Port Control, for a period of four 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 this Council determines that the within commodities and services are non-competitive and cannot be secured from any source other than Runway Safe, Inc. Therefore, the Director of Port Control is authorized to make one or more written requirement contracts with Runway Safe, Inc., on the basis of their proposal dated February 27, 2024, for the requirements for a period of four years of the necessary items of proprietary services of labor, training, and materials needed to inspect, maintain and repair the Engineered Materials Arresting Systems to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Department of Port Control.

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 3001, RL 2024-14)

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 April 15, 2024.

Effective April 17, 2024.

Ordinance No. 387-2024

By Council Members: McCormack and Slife

An emergency ordinance to amend Section 196.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 405-10, passed April 19, 2010, relating to residential parking tax exemption.

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 196.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 405-10 passed April 19, 2010, is amended to read as follows:

Section 196.03 Tax Imposed

(a) *Purpose.* An excise tax is imposed by this chapter for the purpose of providing funds for the following:

- (1) The payment of costs of permanent improvements, including costs of acquiring, constructing, reconstructing, rehabilitating, remodeling, renovating, enlarging, improving, equipping or furnishing facilities by contract, lease, lease-purchase, or otherwise; and
- (2) The elimination of deficits in City funds and the payment of costs of general municipal operations; and
- (3) Recreational, cultural and extracurricular programs of the Cleveland Public Schools; and
- (4) All other lawful purposes, including the payment of lease rentals, lease-purchase amounts, debt charges, deposits to reserves or other funds or other obligations.

(b) *Order of Application of the Tax.* The annual collections shall be used to fund any lawful municipal purposes, including payment of costs of general municipal operations, permanent improvements, and the elimination of deficits in City funds, all subject to provisions governing the collection, investment and disbursement of collections from the tax contained in the proceedings for any bonds, notes, leases, lease-purchase agreements or other obligations issued or incurred for those purposes.

(c) *Tax.* An excise tax is imposed upon the privilege of parking occupancy within the City. Such tax is imposed upon the patron for each transaction and shall be in the

amount of eight percent (8%) of the parking fee charged for parking occupancy. The tax herein imposed is in addition to any other taxes imposed by law on or relating to transactions or the income or gross receipts therefrom.

(d) *Exemptions.*

(1) The tax shall not apply to transactions with respect to which:

A. The operator is the United States government or a division or department thereof; or

B. The patron is a resident of a single-family home, multiple-family dwelling unit, apartment, boarding house, condominium, or mobile home for living or sleeping purposes for at least thirty (30) consecutive days and occupies parking space for the purpose of parking onsite at that place of residence or at an off-site parking facility that meets the following conditions: (1) the off-site parking facility is within a half-mile radius of that place of residence, except for a place of residence within the downtown parking area defined in Codified Ordinance Section 403.04 (c); (2) the owner or operator of the off-site parking facility has entered into a written agreement with either the patron, after verifying the patron's residency, or the patron's place of residence; and (3) the Commissioner of Assessments and Licenses has issued a non-transferable residential parking tax exemption certificate to such patron. A patron shall be eligible for no more than one parking tax exemption certificate per year; or

C. The patron is a licensed valet, provided that the parking space being occupied is made available pursuant to a written agreement with the facility operator and is being occupied in the ordinary course of providing parking services to a patron of the valet.

(2) No exemption from tax shall be granted without a valid exemption certificate completed by the party claiming to be exempt. The exemption certificate shall be prescribed by the Commissioner and include all information deemed necessary for the identification of the parties to the transaction and the authority from which an exemption is claimed. A transaction shall be presumed to be taxable in the absence of a complete exemption certificate executed at the time of the transaction. The operator shall remit the original exemption certificates with the remittance return in which the exempt transaction is reported and retain copies of all exemption certificates on file for a period of time consistent with this chapter.

(e) *Collection of Tax.* An operator is required to collect the tax at the time of the transaction and to pay the amount collected or amount that should have been collected over to the Commissioner as provided herein. The tax shall be paid and the operator held liable, whether or not such tax has been in fact collected from the patron.

Section 2. That existing Section 196.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 405-10 passed April 19, 2010, 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 April 15, 2024.

Effective April 17, 2024.

Ordinance No. 408-2024**By Council Members:** McCormack

An emergency ordinance consenting and approving the issuance of a permit for the Pioneer Ohio City Bigfoot Race, on June 29, 2024, managed by Hermes Sports & Events.

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 pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the Pioneer Ohio City Bigfoot Race, on June 29, 2024, managed by Hermes Sports & Events; START at Pioneer Cleveland (2407 Lorain Avenue); turn right onto Abbey Avenue; turn left onto West 11th Street and get onto the Towpath Trail; TURNAROUND at the Interstate 490 Bridge; turn left onto West 11th Street; turn right onto Abbey Avenue; FINISH at Pioneer Cleveland; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

Section 2. 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 April 15, 2024.

Effective April 17, 2024.

Ordinance No. 415-2024

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

An emergency ordinance to amend Ordinance No. 918-2021, passed November 15, 2021, as amended by Ordinance No. 512-2022, passed May 16, 2022, relating to the purchase or lease of passenger boarding bridges, including installation, parts, appurtenances, and other expenses and the purchase of a passenger boarding bridge from JBT AeroTech Corporation now known as Oshkosh AeroTech, LLC to add additional services.

WHEREAS, under Ordinance No. 918-2021, passed November 15, 2021, this Council authorized the Director of Port Control to purchase or lease by one or more contracts of one passenger boarding bridge, including installation associated parts and appurtenances, and expenses relating to moving the passenger boarding bridge which is being taken out of service; and

WHEREAS, under Ordinance No. 512-2022, passed May 16, 2022, this Council amended Ordinance No. 918-2021 to authorize the purchase a passenger boarding bridge from JBT AeroTech Corporation now known as Oshkosh AeroTech, LLC (“Oshkosh”) due to its availability, cost, and delivery; and

WHEREAS, the City has purchased the passenger boarding bridge from Oshkosh and now desires to have Oshkosh install the bridge, which is under Oshkosh warranty, and move and relocate two existing bridges from the location to which Oshkosh will install the bridge to two new locations avoiding time delay and additional costs; 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 title of Ordinance No. 918-2021, passed November 15, 2021, as amended by Ordinance No. 512-2022, passed May 16, 2022, is amended to read as follows:

An emergency ordinance authorizing the purchase or lease by one or more contracts of associated parts, appurtenances, labor, equipment, and services necessary to install a passenger boarding bridge and to remove a passenger boarding bridge which is being taken out of service, for the Division of Airports, Department of Port Control, for a period of one year, with three one-year options to renew, the second of which is exercisable with additional legislation; and for the purchase of a passenger boarding bridge from JBT AeroTech Corporation now known as Oshkosh AeroTech, LLC, and labor, materials, parts, equipment, support equipment, supplies and services needed to install a passenger boarding

bridge and move and relocate two existing bridges, including ancillary electrical work and reinforcement of the apron.

Section 2. That the existing title of Ordinance No. 918-2021, passed November 15, 2021, as amended by Ordinance No. 512-2022, passed May 16, 2022, is repealed.

Section 3. That Ordinance No. 918-2021, passed November 15, 2021, as amended by Ordinance No. 512-2022, passed May 16, 2022, is supplemented by adding new Section 1b. to read as follows:

Section 1b. That this Council determines that the within commodities and services are non-competitive and cannot be secured from any source other than Oshkosh. Therefore, the Director of Port Control is authorized to make one or more written contracts with Oshkosh on the basis of its proposal dated March 27, 2024, for the purchase of labor, materials, parts, equipment, support equipment, supplies and services needed to install a passenger boarding bridge, and move and relocate two existing bridges to other locations, including ancillary electrical work and reinforcement of the apron, to be purchased by the Commissioner of Purchases and Supplies, for the Department of Port Control.

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

Passed April 15, 2024.

Effective April 17, 2024.

Ordinance No. 416-2024

By Council Members: McCormack, Starr, Griffin, Howse-Jones, Conwell, Hairston

An emergency ordinance consenting and approving the issuance of a permit for the Pan American Games races July 21, 2024, managed by Hermes Sports & Events.

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 pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Pan American Games races July 21, 2024, managed by Hermes Sports & Events;

1 Mile Course START: Public Square West - head out on Detroit Avenue - right on West 9th Street - right on West Lakeside Avenue - FINISH: Convention Center, 300 Lakeside Avenue, E.;

5K Course START: Public Square – West Side - west on Superior Avenue - left on West Huron Road - continue on Huron Road East - right on Prospect Avenue - left on East 18th Street - left on St. Clair Avenue - right on West 3rd Street - right on W. Lakeside Avenue - FINISH: Convention Center, 300 Lakeside Avenue, E.;

10K Course START: Public Square, East Side - straight on Superior Avenue - left on East 6th Street - left on St. Claire Avenue - left on West 9th Street - left on W. Huron Road - continue on Huron Road East - right on Prospect Avenue - left on East 30th Street - right on Payne Avenue - left on East 34th Street - left on St. Claire Avenue - right on East 26th Street - left on Lakeside Avenue - right on East 9th Street - left on Erieside Avenue - left on West 3rd Street - left on West Lakeside Avenue - FINISH: Convention Center, 300 Lakeside Avenue, E.;

Half Marathon Course START: Public Square. East Side - east on Superior Avenue - left on East 6th Street - left on St. Clair Avenue - left on West 9th Street - continue on W. Huron Avenue - continue on Huron Road East - right on Prospect Avenue - right on Prospect Street - left on Carnegie Avenue - left on East 105th Street - left on Martin Luther King, Jr Drive - left on Cleveland Lakefront Bikeway - veer onto North Marginal Road - continue on Erieside Avenue - left on West 3rd Street - left on W. Lakeside Avenue - FINISH: Convention Center, 300 Lakeside Avenue, E.;

provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland

shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

Section 2. 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 April 15, 2024.

Effective April 17, 2024.

Ordinance No. 417-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance approving the collective bargaining agreement with the International Longshoreman Association, Local 1317 and to amend Section 19 of Ordinance No. 194-2021, passed March 29, 2021, as amended, relating to compensation for various classifications.

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

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

Section 1. That under division (B) of Section 4117.10 of the Revised Code, this Council approves the collective bargaining agreement with the International Longshoreman Association, Local 1317, under the terms contained in **File No. 417-2024-A** ("Agreement") for the period from April 1, 2022, through March 31, 2025, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit under the following schedule:

<u>Increase</u>	<u>Approximate Date of Increase</u>
2%	April 1, 2022
2%	April 1, 2023
3% Equity Adjustment*	
2%	April 1, 2024

* Effective on the later of April 1, 2024, or full execution of the Agreement.

Section 2. That Section 19 of Ordinance No. 194-2021, passed March 29, 2021, as amended by Ordinance No. 248-2021, passed April 19, 2021, is amended to read as follows:

Section 19. International Longshoreman Association, Local 1317. That salaries in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<u>Minimum</u>	<u>Maximum</u>
1 Bridge Attendant	19.16	20.53
2 Electric Bridge Operator	21.18	22.70
3 Electric Bridge Operator Leader	22.67	24.29

Section 3. That Section 19 of Ordinance No. 194-2021, passed March 29, 2021, as amended by Ordinance No. 248-2021, passed April 19, 2021, is repealed.

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

Passed April 15, 2024.

Effective April 17, 2024.

Resolution No. 321-2024

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Adopted April 15, 2024.

Effective April 17, 2024.

Resolution No. 409-2024**By Council Members:** Griffin**An emergency resolution fixing the 2024 summer schedule of meetings of the Council of the City of Cleveland.**

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

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

Section 1. That the schedule of meetings during the 2024 summer months of the Council of the City of Cleveland is hereby fixed as follows:

July 10, 2024

August 7, 2024

A notice identifying the time and location of the meeting as well as a schedule of committee meetings, if any, to be held prior to the meeting shall be prepared by the Clerk prior to each of the above meeting dates. The Council will resume regular session at 7:00 p.m. on Monday, September 9, 2024.

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

Adopted April 15, 2024.**Effective April 17, 2024.**

Resolution No. 410-2024**By Council Members:** Hairston

An emergency resolution withdrawing objection to the transfer of ownership of a D5 and D6 Liquor Permit at 14804 St. Clair Avenue, and repealing Resolution No. 142-2024 objecting to said permit.

WHEREAS, this Council objected to a transfer of ownership of a D5 and D6 Liquor Permit to New Seven Entertainers Lounge, LLC, 14804 St. Clair Avenue, Cleveland, Ohio 44110, Permit No. 6367889 by Resolution No. 142-2024 adopted by the Council on January 29, 2024; and

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

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

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

Section 1. That objection to the transfer of ownership of a D5 and D6 Liquor Permit to New Seven Entertainers Lounge, LLC, 14804 St. Clair Avenue, Cleveland, Ohio 44110, Permit No. 6367889 by Resolution No. 142-2024, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted April 15, 2024.

Effective April 17, 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, Interim Commissioner
Environment – Wallace L. Chambers, Jr., Commissioner
Health – Frances Mills, Commissioner
Health Equity and Social Justice – Lita Marie Wills, Commissioner
Vital Statistics – Andrea Kacinari, City Registrar

PUBLIC SAFETY – Dornat A. Drummond, Interim Director**Divisions:**

Animal Control Services – Cory Keller, Chief Animal Control Officer

Emergency Medical Service – Orlando Wheeler, Commissioner

Emergency Operations Center – Nicole Carlton, Assistant Director

Fire – Anthony P. Luke, Chief

Police – Dorothy A. Todd, Chief

Professional Standards – Roger C. Smith, Administrator

PUBLIC UTILITIES – Martin J. Keane, Director**Divisions:**

Cleveland Public Power – Ammon Danielson, Commissioner

Radio Communications – Brad Handke, Manager

TV 20 – Kathy Allen, General Manager

Utilities Fiscal Control – Catherine Troy, Chief Financial Officer

Water – Alex Margevicius, Commissioner

Water Pollution Control – Ramona Lowery-Ferrell, Commissioner

PUBLIC WORKS – Frank D. Williams, Director**Administration:**

Administration – John Laird, Manager

Susie Claytor, Executive Commissioner, Public Auditorium

Kim Johnson, Interim Executive Commissioner, Prevention, Intervention and
Opportunity for Youth and Young Adults

Divisions:

Motor Vehicle Maintenance – Jeffrey Brown, Commissioner

Neighborhood Resource and Recreation Centers – Samuel Gissentaner,
Commissioner

Park Maintenance and Properties – Toi Porch, Interim Commissioner

Parking Facilities – Kim Johnson, Commissioner

Property Management – Tom Nagle, Commissioner

Streets – Randell Scott, Commissioner

Traffic Engineering – Robert Mavec, Commissioner

Waste Collection and Disposal – Terrell H. Pruitt, Commissioner

WORKFORCE DEVELOPMENT & OHIO MEANS JOBS –

CLEVELAND/CUYAHOGA COUNTY – Michelle Rose, Executive Director

Cleveland Municipal Court

Justice Center

1200 Ontario Street

Cleveland, Ohio, 44113

www.clevelandmunicipalcourt.org

<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/>