

The City Record

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Official Proceedings City Council

Cleveland, Ohio
Monday, September 30, 2024

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

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

Also present were: Mayor Bibb; Chiefs Davy, Epstein, Griffin, Johnson, Pryor-Jones, Puente, Teeuwen; Directors Cole, Crowe, DeRosa, Drummond, Francis, Hartley, Keane, Margolius, 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 Gray, the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Council Member Maurer.

Communications

Plats

File No. 1047-2024

Dedication Plat for proposed Monroe Townhomes South Subdivision, south side of Monroe Avenue between West 30th Street and Monroe Street Cemetery (Ward 3). Approved by Committees on Municipal Services and Properties, and Development Planning and Sustainability. Without objection, Plat approved.

From Ohio Division of Liquor Control**File No. 1071-2024**

#8574793. Transfer of Ownership Application, D1 D2 D3. Stevensons 1920 LLC, 800 East 200th Street. (Ward 8). Received.

Ordinances and Resolutions

Ceremonial Resolutions

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

Resolutions of Condolence

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

Howse-Jones	Res. No. 1072-2024	Jaqueline Marie Ferebee
All Members Of Council	Res. No. 1073-2024	Edmund Kwame Botchway
Kazy	Res. No. 1074-2024	Noreen Ann Sulzer (Sullivan)

Resolutions of Congratulations

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

Polensek	Res. No. 1075-2024	Holy Redeemer Parish
Griffin & Starr	Res. No. 1076-2024	The Friendly Inn Settlement House

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, September 30, 2024, and referred to the appropriate City departments and Council Committees for review.

Click on an ordinance below to read it:

[Ord. No. 1048-2024](#)

[Ord. No. 1055-2024](#)

[Ord. No. 1049-2024](#)

[Ord. No. 1056-2024](#)

[Ord. No. 1050-2024](#)

[Ord. No. 1061-2024](#)

[Ord. No. 1051-2024](#)

[Ord. No. 1062-2024](#)

[Ord. No. 1052-2024](#)

[Ord. No. 1068-2024](#)

[Ord. No. 1053-2024](#)

[Ord. No. 1069-2024](#)

[Ord. No. 1054-2024](#)

Ordinance No. 1048-2024

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

An emergency ordinance authorizing the Director of Capital Projects to enter into one or more agreements with the Board of Park Commissioners of the Cleveland Metropolitan Park District regarding a City contribution of funding to implement the Old Lorain Connector Trail; and authorizing the Director to accept the donation of a temporary easement from Metroparks for a period of ten years located within the project area for the purpose of implementing the project.

WHEREAS, the Board of Park Commissioners of the Cleveland Metropolitan Park District, or its designee (“Metroparks”) is constructing a multi-use trail from Riveredge Road to Little Met Golf Drive which will directly connect Cleveland Clinic Fairview Hospital and the Kamm’s Corners neighborhood to the Metroparks Rocky River Reservation and Emerald Necklace Trail System (the “Old Lorain Connector Trail” or the “Project”); and

WHEREAS, the City wishes to participate in the Project by contributing bond funding in the amount of \$750,000 toward construction of the Old Lorain Connector Trail; and

WHEREAS, in order to secure site control that is required when contributing bond funds, the City will accept the donation of a ten-year temporary easement from Metroparks within the Project area to be used for the constructing the Old Lorain Connector Trail; and

WHEREAS, to implement this ordinance, an agreement with Metroparks is necessary; and

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

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

Section 1. That the Director of Capital Projects is authorized to enter into one or more agreements with Metroparks regarding the Project. The agreement or agreements shall include, but not be limited to, the City’s commitment to provide \$750,000 to Metroparks towards construction of the Old Lorain Connector Trail, Metroparks’ donation to the City of a ten-year temporary easement within the Project area, and other provisions needed to implement the Project.

Section 2. That, on behalf of the City of Cleveland, the Director of Capital Projects, is authorized to accept the donation of the following temporary easement from Metroparks for a period of ten years to implement the Project, and is more fully described as follows:

Description of a 2.5808 Acre Easement

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of original Rockport Township lots No. 8 and No. 13, Connecticut Western Reserve, being part of parcels conveyed to The Board of Commissioners of the Cleveland Metropolitan Park District (Hereafter known as Cleveland Metroparks) in Deed Volume 2685, Page 605, Deed Volume 2680, Page 369 and Deed Volume 3433, Page 361, and known as being all of parcels conveyed to the Cleveland Metroparks in Deed Volume 3397, Page 610, Deed Volume 3479, Page 192, Deed Volume 3437, Page 390, and A.F.N 199901110164:

BEGINNING at the Northeast corner of parcel as conveyed by Cleveland Metroparks known as parcel 2 in A.F.N. 199901110164;

Course No.1

Thence, S 09°03'54" W, on the easterly line of said Cleveland Metroparks parcel 2 as conveyed in A.F.N. 199901110164, a distance of 403.36 feet;

Course No.2

Thence, S 02°02'22" W, continuing on the easterly line of said Cleveland Metroparks parcel 2 as conveyed in A.F.N. 199901110164, a distance of 161.09 feet;

Course No.3

Thence, N 76°58'16" W, on the southerly line of said Cleveland Metroparks parcel 2 as conveyed in A.F.N. 199901110164, a distance of 64.03 feet;

Course No.4

Thence, N 02°02'22" E, on the westerly line of said Cleveland Metroparks parcel 2, a distance of 152.77 feet to the southwesterly corner of a parcel conveyed to Cleveland Metroparks known as parcel 1 in Deed Volume 3437, Page 390;

Course No.5

Thence, N 77°03'40" W, on the southerly line of said Cleveland Metroparks parcel 1 as conveyed in Deed Volume 3437, Page 390, a distance of 105.04 feet;

Course No.6

Thence, N 09°18'18" E, on the westerly line of said Cleveland Metroparks parcel 1, a distance of 100.20 feet to the southwesterly corner of a parcel conveyed to the Cleveland Metroparks known as parcel 1 in Deed Volume 3479, Page 192;

Course No.7

Thence, N 03°27'51" E, on the westerly line of said Cleveland Metroparks parcel 1 as conveyed in Deed Volume 3479, Page 192, a distance of 101.38 feet to the southwesterly corner of a parcel conveyed to Cleveland Metroparks known as parcel 1 in Deed Volume 3397, Page 610;

Course No.8

Thence, N 01°19'39" W, on the westerly line of said Cleveland Metroparks Parcel 1 as conveyed in Deed Volume 3397, Page 610, a distance of 51.59 feet to the southwesterly corner of a parcel conveyed to the Cleveland Metroparks known as parcel 1 in Deed Volume 3433, Page 361;

Course No.9

Thence, N 01°19'39" W, on the westerly line of said Cleveland Metroparks parcel 1 as conveyed in Deed Volume 3433, Page 361, a distance of 9.14 feet;

Thence, through parcels conveyed to Cleveland Metroparks in Deed Volume 2680, Page 369 and Deed Volume 2685, Page 605 for the following (4) courses;

Course No.10 (1)

Thence, N 36°38'08" W, a distance of 251.41 feet;

Course No.11 (2)

Thence, N 71°33'23" W, a distance of 156.38 feet;

Course No.12 (3)

Thence, N 86°19'30" W, a distance of 301.67 feet;

Course No.13 (4)

Thence, N 03°40'30" E, a distance of 40.00 feet;

Thence, on the southerly right of way line of Old Lorain Road (60 feet wide) for the following (4) courses;

Course No.14 (1)

Thence, S 86°19'30" E, a distance of 306.86 feet;

Course No.15 (2)

Thence, S 71°33'23" E, a distance of 174.15 feet;

Course No.16 (3)

Thence, S 36°38'08" E, a distance of 162.95 feet;

Course No.17 (4)

Thence, N 80°53'20" E, a distance of 244.67 feet;

Course No.18

Thence, S 09°03'54" E, through a parcel conveyed to Cleveland Metroparks known as parcel 1 in Deed Volume 3433, Page 361 a distance of 36.25 feet to the Point of Beginning and containing 2.5808 Acres.

This description is based on a survey by K.S. Associates for Cleveland Metroparks and prepared by Andrew Koehler P.S. 8665 on July 18, 2024, for Cleveland Metroparks.

Section 3. That the Director of Capital Projects, or other appropriate City officials, are authorized to execute all documents and certificates, and take other actions as may be necessary or appropriate to effect the donation authorized in this ordinance, and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary to accept the easement.

Section 4. That the Director of Capital Projects is authorized to enter into one or more agreements or execute any documents on behalf of the City of Cleveland necessary to effect the purposes of this ordinance.

Section 5. That the agreement and other appropriate documents needed to implement this ordinance shall be prepared by the Director of Law and shall contain provisions necessary to protect and benefit the public interest.

Section 6. That the costs of the City's contribution shall not exceed \$750,000 and shall be paid from Fund Nos. 20 SF 568 and 20 SF 702, from the fund or funds to which are credited the proceeds from the sale of future bonds, if issued for this purpose, and from any funds approved by the Director of Finance. (RQS 0103, RL 2024-113)

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

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

Ordinance No. 1049-2024

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

An emergency ordinance to amend the title and Section 1 of Ordinance No. 525-2024, passed May 20, 2024, relating to a professional services contract to develop and implement young adult violence interventions and prevention programs and strategies, for the Community Relations Board.

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

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

Section 1. That the title and Section 1 of Ordinance No. 525-2024, passed May 20, 2024, are amended to read as follows:

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

Section 1. That the Director of the Community Relations Board is authorized to enter into a contract with ~~The Presidents' Council Business Chambers~~ The President's Council Foundation, Inc., fiscal agent for The Mt. Pleasant Ministerial Alliance, ICONS, and Children at Play Edutainment for professional services necessary to develop and implement young adult violence intervention and prevention programs and strategies to reduce violent activity on streets in high "hot spot" areas, and for other community violence intervention work, for one year with three one-year options to renew, exercisable by the Director of the Community Relations Board. The compensation to be paid each agency shall not exceed \$100,000 for each of the initial year and each optional renewal year, and compensation shall not exceed an aggregate amount of \$300,000 for all three contracts in any year, payable from Fund No. 01-0109-6320. (RQS 0109, RL 2024-54)

Section 2. That the existing title and Section 1 of Ordinance No. 525-2024, passed May 20, 2024, are repealed.

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

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

**Referred to Directors of Community Relations Board; Finance; and Law;
Committees on Safety; and Finance, Diversity, Equity and Inclusion.**

Ordinance No. 1050-2024

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. PS2022-0252 with Korn Ferry (US) to provide professional aviation recruitment services for the Department of Port Control.

WHEREAS, under the authority of Ordinance No. 401-2022, passed May 23, 2022, the Director of Port Control entered into Contract No. PS2022-0252 with Korn Ferry (US) to provide professional aviation recruitment services for the Department of Port Control; and

WHEREAS, Ordinance No. 401-2022 requires further legislation before exercising the second option to renew on this contract; and

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

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

Section 1. That the Director of Port Control is authorized to exercise the second option to renew Contract No. PS2022-0252 with Korn Ferry (US) to provide professional aviation recruitment services for the Department of Port Control. This ordinance constitutes the additional legislative authority required by Ordinance No. 401-2022 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. 1051-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance authorizing the Director of Human Resources to enter into one or more contracts with MDX Medical, LLC dba Sapphire Digital, a Zelis Company, to obtain a subscription or license to use the SmartShopper program for City employees as part of employee health insurance benefits, for the Department of Human Resources, for a period of one year, with three one-year options to renew, exercisable by the Director of Human Resources.

WHEREAS, the City desires to provide a comparative-pricing resource to its employees; and

WHEREAS, MDX Medical, LLC dba Sapphire Digital, a Zelis Company (“Zelis”) has a business relationship with the City’s current healthcare providers; 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 Human Resources is authorized to enter into contract with Zelis to obtain a subscription or license to use the SmartShopper program for City employees as part of employee health insurance benefits, for the Department of Human Resources, for a period of one year, with three one-year options to renew, exercisable by the Director of Human Resources.

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

Section 3. The contract or contracts shall not exceed \$170,000 and shall be paid from Fund No. 70 SF 201. (RQS 0402, RL 2024-92).

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

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

Ordinance No. 1052-2024

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 Prospect International Airport Services Corporation for the lease of space located in the passenger terminal building at Cleveland Hopkins International Airport to support their wheelchair operations and other ancillary services for Delta Air Lines and other airlines, for a period of two years, with three 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 the Director of Port Control is authorized to enter into a Lease Agreement (“Lease”) with Prospect International Airport Services Corporation (“Lessee”) for use and occupancy of approximately 500 square feet of space located on the ramp level of the passenger terminal building beneath Concourse B at Cleveland Hopkins International Airport (“Leased Premises”) for use as an office space and break room to support their wheelchair operations and other ancillary services for Delta Air Lines and other airlines. The term of the Lease shall be for a period of two years, with three one-year options to renew, exercisable by the Director of Port Control. For use of the Leased Premises, Lessee shall pay the City a rate of \$132.63 per square foot, payable in twelve equal monthly installments, which rate is based on the airport’s annual rates and charges calculation, subject to annual changes based on the formula outlined in the Master Lease and Use Agreement, first entered into by the City of Cleveland and the signatory airlines at Cleveland Hopkins International Airport on January 1, 2017.

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

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

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

Ordinance No. 1053-2024

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

An emergency ordinance authorizing the Director of Port Control to employ one or more consultants or one or more firms of consultants to provide professional services for various employment-related services, for the Department of Port Control for a one-year period, with three 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 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 professional aviation/airport-related services for various employment related services, including but not limited to developing diversity and inclusion outreach strategies, advertising, recruiting, evaluating, and recommending potential candidates, with the objective of recruiting the most qualified, diverse candidates, for the Department of Port Control, for a one year period, with three one-year options to renew, exercisable by the Director of Port Control.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Port Control from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Port Control 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 Port Control, and certified by the Director of Finance.

Section 2. That the costs of the contract or contracts authorized shall be paid from Fund No. 60 SF 001, RQS 3001, RL 2024-114.

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

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

Ordinance No. 1054-2024

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary to test, inspect, maintain, and repair bucket and derrick trucks, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two years.

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

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

Section 1. That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the items of labor and materials necessary to test, inspect, maintain, and repair bucket and derrick trucks, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 2004, RL 2024-22)

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

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

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

Ordinance No. 1055-2024

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of duct line, street lighting bases and pull boxes, labor and materials necessary to install, repair, replace or maintain the duct line, street lighting bases and pull boxes, and other related incidentals, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two years.

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

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

Section 1. That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period of two years of the necessary items of duct line, street lighting bases and pull boxes, labor and materials to install, repair, replace or maintain the duct line, street lighting bases and pull boxes, and other related incidentals, including but not limited to, excavation, pavement removal and replacement, curb removal and replacement, under drains, sub base, installation and/or replacement of miscellaneous underground duct lines, manholes, pull boxes, street lighting pole bases and adjustment of casting to grade, and seeding and mulching, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RQN 2004, RL 2024-23)

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

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

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

Ordinance No. 1056-2024

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

An emergency ordinance authorizing the Mayor and the Commissioner of Purchases and Supplies to sell certain City-owned properties no longer needed for the City's public use located on Brookpark and Old Grayton Roads near the NASA Glenn Research Center to NASA Park, LLC for purposes of developing hotels and restaurants.

WHEREAS, the Director of Port Control has requested the sale of certain City-owned properties to NASA Park, LLC (the "Redeveloper") no longer needed for the City's public use and located on Brookpark and Old Grayton Roads near the NASA Glenn Research Center for purposes of developing hotels and restaurants; 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 properties are no longer needed for the City's public use:

PPN 029-38-012

LEGAL DESCRIPTION OF PARCEL "E"

SITUATED IN THE CITY OF CLEVELAND, COUNTY OF CUYAHOGA, AND STATE OF OHIO, AND KNOWN AS BEING ALL OF PARCEL "E" AS SHOWN BY PLAT OF LOT SPLIT AND CONSOLIDATION OF P.P.N. 029-20-004, P.P.N. 029 38-008, P.P.N. 029-38-010
CREATING PARCELS "D", "E" AND "F" AS RECORDED IN A.F.N. 201912310295 OF CUYAHOGA COUNTY RECORDS, AND CONTAINING 2.4556 ACRES (106,965 S.F.) OF LAND AS APPEARS BY SAID PLAT, BE THE SAME, MORE OR LESS, BUT SUBJECT TO ALL LEGAL HIGHWAYS AND EASEMENTS OF RECORD.

PPN: 029-38-012

Address: OLD GRAYTON RD., CLEVELAND, OH 44135

PPN 029-38-013

PPN 029-20-008

LEGAL DESCRIPTION OF PARCEL "F"

SITUATED IN THE CITY OF CLEVELAND, COUNTY OF CUYAHOGA AND STATE OF OHIO, AND KNOWN AS BEING ALL OF PARCEL "F" AS SHOWN BY PLAT OF LOT SPLIT AND CONSOLIDATION OF P.P.N. 029-20-004, P.P.N. 029-38-008, P.P.N. 029-38-010
CREATING PARCELS "D", "E" AND "F" AS RECORDED IN A.F.N. 201912310295 OF CUYAHOGA COUNTY RECORDS, AND CONTAINING 0.4527 ACRES (19,720 S.F.) OF LAND AS APPEARS BY SAID PLAT, BE THE SAME, MORE OR LESS, BUT SUBJECT TO ALL LEGAL HIGHWAYS AND EASEMENTS OF RECORD.

PPN: 029-38-013 & 029-20-008

Address: 0 BROOKPARK RD., CLEVELAND, OH 44135

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 properties to the Redeveloper at a price not less than fair market value as determined by the Board of Control.

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 covenants deemed necessary for aviation purposes, as specified by the Directors of Port Control and Law, 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 City acknowledges, states and affirms, under Article IX of The Trust Indenture, dated November 1, 1976, as amended, that the City desires and requests that certain portion of its land heretofore subject to the Indenture be released and removed from all obligations under the Indenture. Further, the City acknowledges, states and affirms that it is not in default under the Indenture and that release of the land is necessary in order to serve the public purpose.

Section 5. That the Director of Port Control is authorized to apply to the Bank of New York Mellon Trust Company, National Association, as successor trustee, for a land release under the Indenture.

Section 6. That the Director of Port Control is authorized to execute any documents as may be necessary to effectuate the purposes of this ordinance.

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

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

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

Ordinance No. 1061-2024

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

An emergency ordinance determining that the establishment of the North Coast Waterfront New Community Authority will be conducive to the public safety, convenience, and welfare and is intended to result in the development of a new community and declaring the North Coast Waterfront New Community Authority to be organized and a body politic and corporate, and defining the boundary of the new community district; appointing members to the Board of Trustees to such authority and establishing related requirements; authorizing Intergovernmental Agreements; amending Sections 131.78, 455.09 and 455.10 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended, relating to parking fees; and declaring an emergency.

WHEREAS, the City of Cleveland, in its capacity as a “developer” within the meaning of Section 349.01(E) of the Ohio Revised Code (the “City”), plans to establish a new community development program for the purposes of encouraging and supporting well-balanced and diversified land use patterns within the territory of the City, including facilities for the conduct of industrial, commercial, residential, cultural, educational, and recreational activities, all as described in Revised Code Chapter 349; and

WHEREAS, on September 30, 2024, the City submitted to the Council of the City (“Council”), pursuant to Revised Code Section 349.03, a Petition for Establishment of the North Coast Waterfront New Community Authority as a New Community Authority under Chapter 349 of the Ohio Revised Code (the “Petition”), a copy of which Petition is on file with the Clerk of Council (File No. 1060-2024-A); and

WHEREAS, the initial territory of the North Coast Waterfront New Community District (the “District”) proposed in the Petition is located entirely within the municipal corporate boundaries of the City, a municipal corporation, and this Council, as the legislative authority of the City, is therefore the organizational board of commissioners for the Petition under Revised Code Section 349.01(F); and

WHEREAS, the City is the only “proximate community” within the meaning of Revised Code Section 349.01(M) for the Petition; and

WHEREAS, on September 30, 2024, pursuant to Revised Code Section 349.03, this Council adopted its Resolution No. 1060-2024, which resolution determined that the Petition is sufficient and complies with the requirements of Revised Code Section 349.03 in form and substance; and

WHEREAS, pursuant to Revised Code Section 349.03, this Council held a public hearing on the Petition on November 12, 2024, notice of which was published as required in Revised Code Section 349.03, and the date of which hearing is not less than

thirty (30) nor more than forty-five (45) days after the filing date of the Petition with the Clerk of Council; and

WHEREAS, this Council has determined that the Petition will be conducive to the public health, safety, convenience, and welfare, and is intended to result in the development of a new community; and

WHEREAS, this ordinance 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. Approval of Petition. The Petition is hereby accepted and shall be recorded, along with this Ordinance, in the journal of this Council as the organizational board of commissioners for the purpose of Revised Code Chapter 349. This Council hereby determines that establishment of the District and the organization of the North Coast Waterfront New Community Authority (the “Authority”) will be conducive to the public health, safety, convenience, and welfare, and is intended to result in the development of a “new community” as defined in Revised Code Section 349.01(A). Pursuant to the Petition, the Authority is hereby organized as a body politic and corporate with the corporate name designated in the Petition (such name being the “North Coast Waterfront New Community Authority”), and the initial boundaries of the District shall be the initial boundaries described in the Petition.

Section 2. Board of Trustees of North Coast Waterfront New Community Authority. The Board of Trustees of the North Coast Waterfront New Community Authority (the “Board”) shall be comprised of nine (9) members selected and appointed as provided in the Petition. Initially, the City, acting through this Council and the Mayor, will appoint members of the Board as follows:

- a. This Council, as the organizational board of commissioners for the Petition under Ohio Revised Code Section 349.01(F), shall appoint four (4) citizen members of the Board to represent the interests of present and future residents and employers within the District.

Citizen Member 1 shall be [_____].
Citizen Member 2 shall be [_____].
Citizen Member 3 shall be [_____].
Citizen Member 4 shall be [_____].

- b. In addition, this Council, as the organizational board of commissioners for this Petition under Ohio Revised Code Section 349.01(F), shall appoint one (1) member of the Board to serve as a representative of local government.

The Local Government Representative shall be [_____].

c. The Mayor, in his/her capacity as executive representative of the City as Developer within the meaning of Ohio Revised Code Section 349.01(E), shall appoint four (4) members to serve on the Board to represent the real estate development interests of the City within the District. The Mayor's appointments shall be made with the advice and consent of the entity then serving as manager of the Authority, which initially shall be the North Coast Waterfront Development Corporation ("NCWDC"); provided, that if no entity is managing the Authority under a written management agreement with the Authority, then the Mayor's appointments shall be made in such person's sole discretion. The Development Program (as defined in the Petition) will initially be managed by NCWDC pursuant to one or more agreements between the Authority and NCWDC.

Developer Representative 1 shall be [_____].
Developer Representative 2 shall be [_____].
Developer Representative 3 shall be [_____].
Developer Representative 4 shall be [_____].

The members of the Board shall serve two-year (2) overlapping terms, with Citizen Member 1, Citizen Member 2, Developer Representative 1, and Developer Representative 2 serving initial one-year (1) terms. Citizen Member 3, the Local Government Representative, and Developer Representative 3 shall serve initial two-year (2) terms.

d. The meetings of the Board are open public meetings subject to Revised Code Section 121.22.

Section 3. Board Replacement. Pursuant to Revised Code Section 349.04, this Council adopts an alternative Board selection process. Until such time as this Council shall determine that the development of the District, including any Additional Properties (as defined in the Petition), is substantially complete, this Council shall continue the selection of Board members by appointment in the same manner as described in the Petition, and the Mayor shall continue the selection of Board members by appointment in the same manner as described in the Petition. Upon substantial completion of the development of the District, including any Additional Properties, this Council shall establish an alternative process for selecting Board members to be determined by City Council at that time. No elections shall be held for the selection of successor Board members.

Section 4. Board Bonds. Pursuant to Revised Code Section 349.04, there shall be posted for each member of the Board a bond in the amount of \$10,000.00 for the faithful performance of his or her duties. The bond shall be with a company authorized to conduct business within the State of Ohio as a surety.

Section 5. Intergovernmental Contracts. Pursuant to Ohio Revised Code Chapter 349 and subject to obtaining any additional legislative authority and the appropriation of funds, the Director of Economic Development and any other appropriate director are authorized to enter into one or more contracts with the Authority to carry out the

Development Program (as defined in the Petition), including, without limitation, contracts authorized pursuant to Ohio Revised Code Section 349.06(I), 349.06(N), 349.06(S), and 349.13.

Section 6. That the following sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 131.78, as amended by Ordinance No. 1093-2023, passed November 13, 2023, and

Sections 455.09 and Section 455.10, as amended by Ordinance No. 817-2023, passed September 18, 2023,

are amended to read as follows:

Section 131.78 Parking Fees and Charges

(a) The Commissioner of Parking Facilities shall cause to be collected fees and charges, which include tax and exclude charges assessed by a New Community Authority, at the following parking facilities under the following schedule:

(1)	Willard Park Garage:	
	A. First hour or portion thereof	Up to \$5.00
	B. Each additional half hour or portion	Up to \$2.00
	C. Daily maximum rate from 5:00 a.m. to 11:00 p.m.	Up to \$20.00
	D. Additional overnight charge from 11:00 p.m. to 5:00 a.m.	Up to \$20.00
	E. General monthly rate	Up to \$175.00
	F. 1. Special monthly rate for City employees	\$55.00
	2. Special monthly rate for federal, state and county employees	Up to \$200.00
	G. Special events (flat rate)	Up to \$60.00
	H. Charge for lost or stolen key card	\$50.00
	I. Late payment charge	\$5.00
	J. Early Bird Rate (time to be determined by the Director of Public Works)	Up to \$15.00
	K. Special Event flat rate in conjunction with City Hall Rotunda rental (for weekend wedding events only)	Up to \$600.00
(2)	Canal Basin Lot:	
	A. Daily rate from 6:00 a.m. to 6:00 p.m. (flat rate)	Up to \$10.00
	B. Special events, weekdays between 6:00 p.m. and 6:00 a.m., weekends and holidays (flat rate)	Up to \$50.00
(3)	North Coast Municipal Parking Lot:	

	A. Daily rate (flat rate) (cars, SUVs, small trucks)	Up to \$10.00
	B. Daily rate (flat rate) (RVs, buses, oversize trucks, trailers)	Up to \$50.00
	C. City of Cleveland employees	No charge
	D. General monthly rate – non-City of Cleveland employees	Up to \$100.00
	E. Special events (flat rate)	Up to \$50.00
	F. Charge for lost or stolen key card	\$50.00
	G. Late payment fee	\$5.00
	H. Overnight Rate (RVs, buses, oversize trucks, trailers)	\$80.00
	I. Overnight Rate (cars, SUVs, small trucks)	\$30.00
(4)	If the West Side Market is leased or managed by a third-party operator, then that operator shall assess and collect fees for the West Side Market Parking Lot, including the Hicks Lot. If the West Side Market is operated exclusively by the City of Cleveland, then the following rates for the West Side Market Parking Lot, including the Hicks Lot, shall apply:	
	A. First sixty (60) minutes or portion thereof between 6:00 a.m. to 6:00 p.m.	Free
	B. Each additional hour or portion thereof	Up to \$3.00
	C. Daily maximum rate. Day concludes at 3:00 a.m.	Up to \$20.00
	D. General monthly rate	Up to \$150.00
	E. Charge for lost or stolen key card	\$50.00
	F. Late payment fee	\$5.00

(b) Wherever the schedule contained in division (a) of this section specifies a maximum fee, the fee to be charged shall be fixed by the Commissioner of Parking Facilities with the consent of the Director of Public Works up to the maximum specified.

(c) Monthly rate customer parking privileges at Willard Park Garage, Canal Basin Lot, and North Coast Municipal Parking Lot do not include entry to these garages and lots for special events held on weekends, holidays or after 5:00 p.m. on weekdays.

(d) Fees and charges collected from the Willard Park Garage, Canal Basin Lot, West Side Market Parking Lot, and North Coast Municipal Parking Lot shall be credited to the Division of Parking Facilities Enterprise Fund for general operations, except for any charges assessed by a New Community Authority.

(e) If the West Side Market is leased or managed by a third-party operator, then this division shall not apply: After expenses are paid for both the West Side Market Parking Lot and the Hicks Lot, net fees collected from the Hicks Lot shall be credited to the Division of Parking Facilities Enterprise Fund for capital expenses at the West Side Market Parking Lot, market house and arcade.

(f) The Commissioner of Parking Facilities shall fix and collect the fees and charges as the Commissioner shall determine at parking facilities not identified in division (a) of this section but under the Commissioner's control until the Council and the Board of Control fix fee schedules for the parking facilities.

(g) Notwithstanding any provision in this section to the contrary, the Commissioner of Parking Facilities shall:

(1) Designate ten (10) parking spaces in Willard Garage located as close as practical to the entrance to City Hall to be assigned by the Director of Public Works to City employees with the greatest number of years seniority as a City employee; and

(2) Designate a sufficient number of parking spaces located either in the North Mall Lot or in Willard Garage for City employees who are employed to clean City Hall and who begin work at 3:00 p.m. or later and work later than the closing of Willard Garage.

(h) In addition to the schedule contained in division (a) of this section, the Commissioner of Parking Facilities may enter into agreements with the sponsors of events that wish to reserve specific parking spaces in the Willard Park Garage, or the North Coast Municipal Parking Lot that provide for the payment by the sponsor of up to sixty dollars (\$60.00) per parking space.

(i) Notwithstanding any provision in this chapter to the contrary and to the extent a New Community Authority operating within the City includes the territory of a New Community District any parking facilities, the Commissioner of Parking Facilities may collect and remit to said New Community Authority all charges assessed by the New Community Authority under its authority granted by Chapter 349 of the Revised Code and any agreements between the City and the New Community Authority. These Community Authority charges are in addition to and separate from any fees assessed by the City under this section.

Section 455.09 Collection of Parking Fees

The Commissioner of Parking Facilities shall have charge of the collection of the parking fees and charges remitted in parking meters, mobile payment options or in automatically operated gates on Municipal parking facilities.

Section 455.10 Application of Funds Collected

The parking fees and charges remitted in parking meters or by way of a mobile pay option or automatically operated gates and the fees and charges collected for the issuance of parking tokens, parking keys or parking cards in Municipal off-street parking facilities are required and, except for any charges assessed by a New

Community Authority, shall be used to defray the expense of proper regulation of parking and traffic upon Municipal off-street parking facilities in the City; to provide the cost of supervision, regulation and control of the parking of vehicles in Municipal off-street parking facilities; the payment of the interest on and the retirement at maturity of bonds issued for the purchase of land, the improvement thereof and the equipping of such premises for off-street parking operation; and to cover the cost of purchase, supervision, protection, inspection, installation, operation, maintenance, control and use of parking meters, automatically operated gates on Municipal off-street parking facilities; all of which serve to regulate traffic and reduce the congestion caused by vehicles upon the streets of the City.

Separate accounts shall be maintained for each Municipal off-street parking facility so as to show the financial results of City ownership and operation, including all assets, liabilities, revenues and expenses, the cost of all improvements, expense of maintenance and the amount set aside for interest and debt retirement.

Section 7. That the following existing sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 131.78, as amended by Ordinance No. 1093-2023, passed November 13, 2023, and

Sections 455.09 and Section 455.10, as amended by Ordinance No. 817-2023, passed September 18, 2023,

are repealed.

Section 8. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were passed in an open meeting of this Council and that all deliberations of this 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 9. That the City's payment of any assessed Community Development Charges (as defined in the Petition) shall be subject to the annual appropriation of funds.

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

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

Ordinance No. 1062-2024

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

An emergency ordinance authorizing the Director of Public Works to accept a donation of three single-unit public restroom structures from the Campus District, Inc., a community development corporation, for general public use to be installed by the Department of Public Works.

WHEREAS, Campus District, Inc., a community development corporation (“Campus District”), has indicated a desire to make a donation to the City of Cleveland of three (3) single-unit public restroom structures, known as Portland Loos, for use by the general public, and in particular the City’s unhoused population, and to be installed by the Department of Public Works; and

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

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

Section 1. That the Director of Public Works is authorized to accept a donation of three (3) single-unit public restroom structures from Campus District for use by the general public and to be installed by the Department of Public Works. The total value of the donation is \$437,283.75.

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

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

Ordinance No. 1068-2024

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Erievue Holdings LLC, Erievue Tower Residential LLC, Erievue Galleria LLC, Erievue Tower LLC, and/or designee, to provide for tax abatement for certain real property improvements for the revitalization of the Tower, Galleria, and Parking Garage located at 100 Erievue Street/1301 East 9th Street in the Cleveland Area Enterprise Zone.

WHEREAS, by letter dated September 27, 2024, the City provided the Cleveland Metropolitan School District (“CMSD”) with notice of proposed tax exemptions required by the Revised Code; and

WHEREAS, under Ordinance No. 948-95, passed June 19, 1995, this Council designated an area in the City of Cleveland and described in **File No. 948-95-A** as the Cleveland Area Enterprise Zone (the “Zone”) under Chapter 5709 of the Revised Code; and

WHEREAS, under Ordinance No. 1568-14, passed December 8, 2014, this Council changed the maximum term of tax abatements from ten (10) to fifteen (15) years, as now allowed under Ohio law; and

WHEREAS, in August of 1995, the Director of Development of the State of Ohio determined that the Zone contains the characteristics described in division (A) of Section 5709.61 of the Revised Code and certified the area as an “Urban Jobs and Enterprise Zone” under Chapter 5709 of the Revised Code; and

WHEREAS, Erievue Holdings LLC, Erievue Tower Residential LLC, Erievue Galleria LLC, Erievue Tower LLC, and/or designee (the “Enterprise”) plan for the revitalization of the Tower, Galleria, and Parking Garage located at 100 Erievue Street/1301 East 9th Street in the Cleveland Area Enterprise Zone; and

WHEREAS, the Enterprise has certified to the City that it would be at a competitive disadvantage operating at this location if taxes on certain real property improvements were not abated; and

WHEREAS, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, safety, property, and welfare and that its enactment is a necessary prerequisite to providing immediate assistance to create and preserve job opportunities and advance and promote commercial and economic development in the City of Cleveland, and the assistance is immediately necessary or jobs will be lost; now, therefore,

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

Section 1. That this Council approves the application of the Enterprise for Zone incentives on the basis that the Enterprise is qualified by financial responsibility and business experience to create and preserve employment opportunities in the Zone and to improve the economic climate of the City of Cleveland.

Section 2. That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with the Enterprise to provide for a ten (10) year, seventy-five percent (75%) tax abatement for certain real property improvements commencing the first year for which the real property improvements would first be taxable were that property not exempted from taxation; the abatement shall be subject to annual review of the Tax Incentive Review Council.

Section 3. That the terms of the tax abatement shall be in accordance with the terms in the Summary contained in File No. 1068-2024-A. These terms shall not be materially amended, nor shall the tax abatement be assignable or transferable to any entity, without the prior legislative authorization by Cleveland City Council.

Section 4. That the Director of Economic Development is authorized to charge and accept fees in an amount not to exceed the maximum allowable under Chapter 5709 of the Revised Code and the funds are appropriated for the purposes listed in Chapter 5709 of the Revised Code. The fees shall be deposited to and expended from Fund No. 17 SF 305.

Section 5. That the Director of Economic Development shall require the Enterprise to enter into a Community Benefits Agreement as a condition to receive funds under this ordinance.

Section 6. That the contract and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

Section 7. That any contract agreement authorized by this legislation must require the recipients of financial assistance to work with, and/or cause their tenants to work with, Ohio Means Jobs Cuyahoga County and City of Cleveland to identify and solicit qualified candidates for job opportunities related to the City's contracts. The identification process shall place special emphasis on the hard to employ, including people who are disabled and people who have been convicted of or who have pled guilty to a criminal offense which is unrelated to the duties of the job opportunity.

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 Economic Development; City Planning Commission; Finance; and Law; Committees on Development Planning and Sustainability; and Finance, Diversity, Equity and Inclusion.

Ordinance No. 1069-2024

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

An emergency ordinance authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with Erieview Holdings LLC, Erieview Tower LLC, Erieview Galleria LLC, Erieview Tower Residential LLC, and/or designee, to assist with the financing of the Tower, Galleria, and Parking Garage Project to be located at 100 Erieview Tower/1301 East 9th Street, Cleveland, Ohio; to provide for payments to the Cleveland Metropolitan School District; and to declare certain improvements to real property to be a public purpose.

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

WHEREAS, pursuant to ordinance authority, the City will have duly entered into the chain of title for the real property that is more particularly described in this ordinance (the “Real Property”) pursuant to the requirements of Section 5709.41 of the Revised Code prior to the passage of this ordinance; and

WHEREAS, the Real Property is to be developed in accordance with the Cleveland 2020 Citywide Plan, a copy of which is placed in **File No. 1069-2024-A**; and

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

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

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

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

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

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

Section 1. That the improvements to be constructed by Erieview Holdings LLC, Erieview Tower LLC, Erieview Galleria LLC, Erieview Tower Residential LLC, and/or designee (the “Redeveloper”), are declared to be a public purpose for purposes of Section 5709.41 of the Revised Code (the “Improvements”). The Real Property is more fully described below and as may subsequently be replatted, re-numbered, or revised: (insert legals)

Section 2. That the City having entered into title in 2024, that year is established as the base year for determining the increment or appreciated value after completion of the Improvements. One hundred percent (100%) of the Improvements are declared exempt from real property taxation for a period of thirty (30) years, effective and commencing the first year the value of the Improvements are reflected on the tax duplicate; and that in no event shall the exemption period extend beyond 2055. The terms of the tax increment financing agreement, which shall not be materially changed without further legislative action by Council, will be as follows:

Project Name: Galleria and Parking Garage

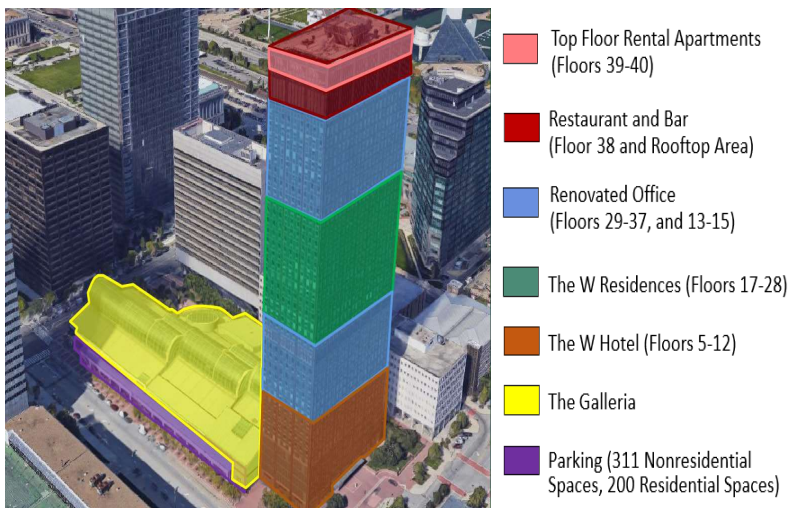
Recipient: Erieview Holdings LLC, Erieview Tower LLC, Erieview Galleria LLC, Erieview Tower Residential LLC, and/or designee

Project Site: 100 Erieview Tower/1301 E 9th Street, Cleveland, Ohio 44114

Project Manager: Robin Brown

Ward/Councilperson: 3 / McCormack

City Assistance: 30 year non-school TIF



Project Summary:

Built in 1964 and renovated in 1987, Erieview Tower (the "Tower") is a 40-story, 810,000 SF office tower located in Downtown Cleveland. At 529 feet, the Tower is the 4th tallest building in Cleveland and the 9th tallest in the state of Ohio. In 2017, the

building was approved for addition to the National Register of Historic Places, a designation that makes the building eligible for federal historic tax credits.

The Tower was acquired by James Kassouf (the "Developer") in 2018 from a former lender for \$17.7 Million (\$22/SF), and refinanced in 2020. At the time of the acquisition, the tower was more than 50% vacant. The Developer also owns the adjacent Erieview Galleria (the "Galleria")-a 133,663 square foot glass enclosed, two-story open air shopping center-which will be redeveloped into a Market Hall concept. The redevelopment of the Tower, Galleria and Parking Garage (the "Project") is expected to cost an estimated \$231 Million.

As conceived, the Project will involve a mixed-use redevelopment of Erieview Tower, Galleria and Parking Garage with:

Approximately 227 apartments (subject to change), branded by W Residences.

Approximately 30 additional rental apartments.

An approximately 210-key luxury hotel, branded and managed by W Hotels

Improvements to approximately 300,000 square feet of existing Class-A office space

Approximately 500+ indoor parking spaces

The Galleria will include fine dining, a new food court, indoor sports and entertainment spaces, and a second floor renovated ballroom for special events.

The Developer has entered into a contract with Marriott International to develop the project as a W Hotel and W Residences property that is expected to feature a spa, restaurant, rooftop bar, refreshed lobby entrance with access to both the Residences and Hotel that will have a living room concept feel with a bar and cafe.

Proposed City Assistance

30 year non-school TIF

Economic Impact

Creation of approximately 604 W-2 jobs with an approximate payroll of \$70,404,026 and approximately \$1,760,100 in new annual City tax revenue.

Retention of approximately 658 W-2 jobs with an approximate payroll of \$97,585,970 to the City of Cleveland.

Section 3. That, under Section 5709.41 of the Revised Code, Redeveloper, or the owners of the Improvements, shall make service payments for a period of thirty (30) years in lieu of the exempt taxes to the Cuyahoga County Fiscal Officer or Treasurer, or designee; the payments shall be charged and collected in the same manner, and shall be in an amount not less than the taxes that would have been paid had the Improvements not been exempt from taxation.

Section 4. That a portion of the service payments collected under this ordinance shall be distributed by the Cuyahoga County Fiscal Officer or Treasurer, or designee to the Treasurer of the District in the amount of the taxes that would have been payable to the District had the Improvements not been exempt from taxation.

Section 5. That the Director of Economic Development is authorized to enter into an agreement or agreements with Redeveloper to provide for the exemption and service payments described in this ordinance, including agreements securing the payments described in this ordinance, which agreement or agreements shall contain those terms contained in this ordinance.

Section 6. That when applicable under Section 5709.43 of the Revised Code, there is established an Urban Redevelopment Tax Increment Equivalent Fund into which shall be deposited Service Payments in Lieu of Taxes (“PILOTS” or “Service Payments”) that shall be used for financing the public purpose Improvements including project debt service, bond payments, and reimbursement of project construction costs, or for other economic development purposes as determined by the Director of Economic Development.

Section 7. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in open meetings of this Council, and any of its committees that resulted in formal action were in meetings open to the public in compliance with the law.

Section 8. That the contract or contracts authorized by this ordinance shall be prepared by the Director of Law.

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

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

Ordinances and Resolutions

First Reading Emergency Ordinances Read in Full and Passed

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

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

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

These ordinances were read for the first time on Monday, September 30, 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. 1057-2024](#)

[Ord. No. 1065-2024](#)

[Ord. No. 1058-2024](#)

[Ord. No. 1066-2024](#)

[Ord. No. 1063-2024](#)

[Ord. No. 1067-2024](#)

[Ord. No. 1064-2024](#)

[Ord. No. 1070-2024](#)

Ordinance No. 1057-2024

By Council Members: Starr and Howse-Jones

An emergency ordinance consenting and approving the issuance of a permit for the Chili Bowl Classic 5K on February 22, 2025, 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 Chili Bowl Classic 5K on February 22, 2025, managed by Hermes Sports & Events; START on Chester Avenue at the Hofbräuhaus (1550 Chester Avenue), heading east; turn right onto East 55th Street; turn right onto Euclid Avenue, heading west; turn right onto East 18th Street; turn left onto Chester Avenue; FINISH at the Hofbräuhaus (1550 Chester Avenue); 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.

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

The rules were suspended. Yeas 16. Nays 0.

Read second time.

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

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

Voting Nay: None.

Absent: Spencer.

Ordinance No. 1058-2024

By Council Members: Bishop and Conwell

An emergency ordinance authorizing the issuance of a Mobile Permit to Salvatore Acevedo of DigitalC to engage in mobile vending in Wards 2 and 9.

WHEREAS, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the “Codified Ordinances”) the consent of Council expressed by ordinance is a prerequisite to peddling upon public rights of way outside of the Central Business District; and

WHEREAS, this Council has considered the request of Salvatore Acevedo of DigitalC to engage in mobile vending outside of the Central Business district, and has determined that it is in the public interest to allow Salvatore Acevedo of DigitalC to engage in mobile vending in Wards 2 and 9; 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 this Council consents, as required by Section 675.08 of the Codified Ordinances, to allow Salvatore Acevedo of DigitalC to engage in mobile vending in the public rights of way in Wards 2 and 9.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

Section 3. That the privilege granted may be revoked at any time by this Council.

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.

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

The rules were suspended. Yeas 16. Nays 0.

Read second time.

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

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

Voting Nay: None.

Absent: Spencer.

Ordinance No. 1063-2024**By Council Members:** Hairston

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Famicos Foundation for the public purpose of providing the Collinwood Senior Health & Wellness Walkers Club through the use of Ward 10 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into agreement with Famicos Foundation for the Collinwood Senior Health and Wellness Walkers Club for the public purpose of providing the senior health and wellness walking club program through the use of Ward 10 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$15,000.00 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 10	\$15,000.00	G24688

Section 3. That the Law Department has reviewed and approved this proposal on September 26, 2024. The Department has reviewed and approved the proposal on September 13, 2024. Project shall begin as of July 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 Gray to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Maurer.

The rules were suspended. Yeas 16. Nays 0.

Read second time.

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

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

Voting Nay: None.

Absent: Spencer.

Ordinance No. 1064-2024**By Council Members:** Griffin

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Fairfax Renaissance Development Corporation for the Fairfax Neighborhood Technology Training Center Program through the use of Ward 6 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into agreement with Fairfax Renaissance Development Corporation for the Fairfax Neighborhood Technology Training Center for the public purpose of providing an adult technology project through the use of Ward 6 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$23,000.00 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 6	\$23,000.00	G24679

Section 3. That the Law Department has reviewed and approved this proposal on September 26, 2024. The Department has reviewed and approved the proposal on September 13, 2024. Project shall begin as of September 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 Gray to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Maurer.

The rules were suspended. Yeas 16. Nays 0.

Read second time.

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

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

Voting Nay: None.

Absent: Spencer.

Ordinance No. 1065-2024

By Council Members: Griffin and Howse-Jones

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Doan Brook Watershed Partnership for the public purpose of providing the Family Fishing Day project through the use of Ward 6 and Ward 7 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into agreement with Doan Brook Watershed Partnership for the public purpose of providing a youth outdoor fishing program through the use of Wards 6 and 7 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$2,000.00 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 6	\$1,000.00	G24660
Ward 7	\$1,000.00	G24660

Section 3. That the Law Department has reviewed and approved this proposal on September 26, 2024. The Department has reviewed and approved the proposal on September 13, 2024. Project shall begin as of July 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 Gray to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Maurer.

The rules were suspended. Yeas 16. Nays 0.

Read second time.

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

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

Voting Nay: None.

Absent: Spencer.

Ordinance No. 1066-2024**By Council Members:** Starr

An emergency ordinance authorizing the Director of the Department of Public Health to enter into agreement with Burten, Bell, Carr Development, Inc. for the public purpose of providing the Father's Day Fitness Health Clinic project through the use of Ward 5 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Public Health is hereby authorized to enter into agreement with the Burten, Bell, Carr Development, Inc. for the Father's Day Fitness Health Clinic project for the public purpose of providing fitness activities, health screenings and community resources through the use of Ward 5 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$2,520.60 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 5	\$2,520.60	G24675

Section 3. That the Law Department has reviewed and approved this proposal on September 26, 2024. The Department has reviewed and approved the proposal on September 17, 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 Gray to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Maurer.

The rules were suspended. Yeas 16. Nays 0.

Read second time.

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

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

Voting Nay: None.

Absent: Spencer.

Ordinance No. 1067-2024**By Council Members:** Spencer

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Northwest Neighborhoods Community Development Corporation for the public purpose of providing the Historic Franklin West Clinton District project through the use of Ward 15 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into agreement with the Northwest Neighborhoods Community Development Corporation for the Historic Franklin West Clinton District Project for the public purpose of providing multicultural education engagement series through the use of Ward 15 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$12,500.00 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 15	\$12,500.00	G24692

Section 3. That the Law Department has reviewed and approved this proposal on August 1, 2024. The Department has reviewed and approved the proposal on April 22, 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 Gray to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Maurer.

The rules were suspended. Yeas 16. Nays 0.

Read second time.

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

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

Voting Nay: None.

Absent: Spencer.

Ordinance No. 1070-2024**By Council Members:** Griffin

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Burten, Bell, Carr Development, Inc. for the Buckeye Summer Health and Wellness Series through the use of Ward 6 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into agreement with Burten, Bell, Carr Development Inc. for the Buckeye Summer Health and Wellness Series for the public purpose of providing summer community health and wellness programs through the use of Ward 6 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$8,241.00 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 6	\$8,241.00	G24693

Section 3. That the Law Department has reviewed and approved this proposal on September 26, 2024. The Department has reviewed and approved the proposal on September 13, 2024. Project shall begin as of September 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 Gray to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Maurer.

The rules were suspended. Yeas 16. Nays 0.

Read second time.

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

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

Voting Nay: None.

Absent: Spencer.

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, September 30, 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. 1059-2024](#)

[Res. No. 1060-2024](#)

Resolution No. 1059-2024**By Council Members:** Polensek

An emergency resolution opposing CSX railroad company's plans to reduce train stops and crew members at its Collinwood Rail Yard and supporting Ohio Senator Sherrod Brown's opposition to those plans.

WHEREAS, CSX railroad company recently announced that it planned to reduce train stops and crew members at its Collinwood Rail Yard in the City; and

WHEREAS, in a letter to CSX opposing the plans, Ohio Senator Sherrod Brown states CSX intends to move its Cleveland workers to Buffalo, New York or Willard, Ohio, or to lay them off, not only disrupting these workers and their families, but also damaging the reliability of CSX's operations in Ohio; and

WHEREAS, such a move by CSX would cause more trains on the rail network to be delayed or stranded, increasing the risk of blocked railroad crossings; and

WHEREAS, removing train operators from the Collinwood site will cause more trains to sit idle as they wait for crews to come in from Buffalo or Willard; these idle trains will block railroad crossings causing delays in delivery of goods by trains, and causing hours-long delays and disruptions on public roads; as well as negatively effect air quality because the trains idle with engines running; and

WHEREAS, the SMART Transportations Division union states that CSX's initial plans would immediately affect about 40 train operators and the union fears that eventually CSX will reduce staffing and operations at Collinwood Rail Yard, resulting in job losses for mechanics and track workers if the yard is used by fewer trains; and

WHEREAS, this Council strongly encourages CSX to keep these jobs and maintain current operations at the historic Collinwood Rail Yard; and

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

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

Section 1. That this Council opposes CSX railroad company's plans to reduce train stops and crew members at its Collinwood Rail Yard and supports Ohio Senator Sherrod Brown's opposition to those plans.

Section 2. That the Clerk of Council is directed to transmit a certified copy of this resolution to CSX railroad company and to Ohio Senator Sherrod Brown.

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

The rules were suspended. Yeas 16. Nays 0.

Read second time.

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

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

Voting Nay: None.

Absent: Spencer.

Resolution No. 1060-2024

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

An emergency resolution determining that a petition to establish the North Coast Waterfront New Community Authority is sufficient and complies with the requirements of Section 349.03 of the Ohio Revised Code in form and substance; setting the time and place for a hearing on the petition and authorizing the notice by publication of such hearing; and declaring an emergency.

WHEREAS, the City of Cleveland, Ohio, in its capacity as a “developer” within the meaning of Revised Code Section 349.01(E) (the “City”), plans to establish a new community development program for the purposes of encouraging and supporting well-balanced and diversified land use patterns within the territory of the City, including facilities for the conduct of industrial, commercial, residential, cultural, educational, and recreational activities, all as described in Revised Code Chapter 349; and

WHEREAS, on September 30, 2024, the City, in its capacity as a developer, submitted to the Council of the City (“Council”), through its Clerk, pursuant to Revised Code Section 349.03, a Petition for Establishment of the North Coast Waterfront New Community Authority as a New Community Authority under Chapter 349 of the Ohio Revised Code (the “Petition”), a copy of which Petition is on file with the City (**File No. 1060-2024-A**); and

WHEREAS, the new community district, as described in the Petition (the “District”), is located entirely within the municipal corporate boundaries of the City, a municipal corporation, and this Council, as the legislative authority of the City, is therefore the organizational board of commissioners for purposes of this Petition; and

WHEREAS, this Council, as the organizational board of commissioners for the Petition under Revised Code Section 349.01(F), is the legislative authority of the City, and the City is the only “proximate community” within the meaning of Revised Code Section 349.01(M) for the Petition; and

WHEREAS, this Council has reviewed the Petition, and by this Resolution desires to legislatively determine, pursuant to Revised Code Section 349.03, that the Petition complies with the requirements of that section as to form and substance; pursuant to Revised Code Section 349.03, to set the time and place of a hearing on the Petition; and further pursuant to Revised Code Section 349.03, authorize the notice by publication of the hearing on the Petition; and

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

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

Section 1. That this Council hereby acknowledges and determines that, pursuant to Revised Code Section 349.01(F)(3), it is the “organizational board of commissioners” for the Petition for all purposes of Revised Code Chapter 349.

Section 2. That this Council has examined the Petition and finds and determines that the Petition is sufficient and complies with the requirements of Revised Code Section 349.03 in form and substance. This Council further ratifies the execution of the Petition by the City and its submission to the Clerk of Council.

Section 3. That pursuant to Revised Code Section 349.03, this Council hereby determines to hold a hearing on the Petition at the offices of the City, 601 Lakeside Avenue, Cleveland, Ohio 44114, on November 12, 2024, at 9:30 a.m., and this Council hereby authorizes the Clerk of Council to cause notice of the hearing to be published once a week for three consecutive weeks, or as provided in Revised Code Section 7.16, in a newspaper of general circulation within Cuyahoga County, Ohio, pursuant to Revised Code Section 349.03(A)(8).

Section 4. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this resolution were passed in an open meeting of this Council and that all deliberations of this 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 5. 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.

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

The rules were suspended. Yeas 16. Nays 0.

Read second time.

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

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

Voting Nay: None.

Absent: Spencer.

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, September 30, 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. 637-2024](#)

[Ord. No. 815-2024](#)

[Ord. No. 809-2024](#)

[Ord. No. 938-2024](#)

[Ord. No. 814-2024](#)

[Ord. No. 988-2024](#)

Ordinance No. 637-2024

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

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Cleveland Housing Investment Fund, LLC, or its designee, to provide development assistance to provide partial funding of the Cleveland Housing Investment Fund.

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

1. In Section 1, line 4, strike “637-2024-A” and insert “637-2024-B”.
2. Insert new Section 4 to read as follows:

“Section 4. That the agreement shall provide that a seven (7) person Project Review Committee (“Committee”) is created to review and approve request for grants awarded under this ordinance. The Committee shall consist of seven (7) members. Five (5) of the seven (7) members will have voting privileges and two (2) will be non-voting members.

Two (2) voting Committee members and two (2) alternate members shall be LISC appointees; two (2) voting members and two (2) alternate members shall be appointed by Cleveland City Council; and one (1) voting member and one (1) alternate member shall be appointed by the Mayor. Alternate members shall vote only when the voting members are unavailable. The two (2) non-voting members shall be appointed as follows: One (1) member shall be appointed by the Mayor and one (1) shall be jointly appointed by City Council and the Mayor.”.

2. Renumber existing Section 4 to new “Section 5”.

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

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

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

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

Voting Nay: None.

Absent: Spencer.

Ordinance No. 809-2024

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

An emergency ordinance to change the name of a portion of West Roadway to Sherwin Way.

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

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

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 14. Nays 2.

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

Voting Nay: Maurer, Slife.

Absent: Spencer.

Ordinance No. 814-2024

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

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to Depot on Detroit L.P. to encroach into the public right-of-way of Detroit Avenue by installing, using and maintaining a concrete stairway.

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

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

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

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

Voting Nay: None.

Absent: Spencer.

Ordinance No. 815-2024

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

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to Flats South Cleveland LLC to encroach into the public right-of-way of West 4th Street by installing, using and maintaining a wooden stairway and wooden ADA accessible ramp with metal guardrails and handrails.

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

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

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

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

Voting Nay: None.

Absent: Spencer.

Ordinance No. 938-2024

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 Hundred Forty Three Thousand Four Hundred Seventy Five Dollars (\$343,475).

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

1. In Section 1, at “**Executive Branch**” at “**General Government**”, strike “City Planning Commission” and insert “Board of Zoning Appeals”; and at “**Department of Public Works**” strike “Division of Parking Maintenance” and insert “Division of Park Maintenance and Properties”.

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

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

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

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

Voting Nay: None.

Absent: Spencer.

Ordinance No. 988-2024

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

An emergency ordinance authorizing the Director of Community Development to apply for and accept a grant from Living Cities to support an implementation of strategies associated with the Affirmatively Furthering Fair Housing Equity Plan initiative.

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

1. In the title, line 4, and in Section 1, line 3, after “Living Cities” insert “and/or its designee, which may include Third Space Action Lab” in both places.

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

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

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

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

Voting Nay: None.

Absent: Spencer.

Ordinances and Resolutions

Second Reading 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.

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

These ordinances were read for the second time on Monday, September 30, 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. 795-2024](#)

[Ord. No. 796-2024](#)

[Ord. No. 797-2024](#)

Ordinance No. 795-2024**By Council Members:** McCormack

An ordinance changing the Use, Area and Height Districts of parcels of land south of Lorain Avenue between West 52nd Street and West 50th Street; and subjecting an area titled the Site Development Boundary to Section 333.02 of the Cleveland Zoning Code; and attaching the Approved Site Development Plan (Map Change 2676).

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

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

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

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

Voting Nay: None.

Absent: Spencer.

Ordinance No. 796-2024**By Council Members:** Slife

An ordinance changing the Use, Area and Height Districts of parcels of land north and south of Lorain Avenue between West 150th Street and the Norfolk Southern Railroad and extending the Pedestrian Retail & Urban Form Overlay Districts (Map Change 2677).

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

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

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

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

Voting Nay: None.

Absent: Spencer.

Ordinance No. 797-2024**By Council Members:** Harsh

An ordinance establishing a zero (0) foot Mapped Building Setback along the easterly and westerly sides of Pearl Road between Germain Avenue and Archmere Avenue (Map Change 2678).

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

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

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

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

Voting Nay: None.

Absent: Spencer.

Ordinances and Resolutions

Second Reading Emergency Resolutions Adopted

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

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

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

These resolutions were read for the second time on Monday, September 30, 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. 831-2024

Resolution No. 831-2024

Resolution No. 831-2024

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

An emergency resolution declaring the intent to vacate a portion of West 48th Street S.W. and Ravine Court S.W.

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

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

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

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

Voting Nay: None.

Absent: Spencer.

Official Proceedings Adjournment City Council

Cleveland, Ohio
Monday, September 30, 2024

MOTION

On the motion of Council Member Gray, the absence of Council Member Jenny Spencer is hereby authorized. Seconded by Council Member Maurer.

The Council Meeting adjourned at 8:03 p.m. to meet on Monday, October 7, 2024, at 7:00 p.m. in the Council Chamber.

Patricia J. Britt
City Clerk, Clerk of Council

Council Committee Meetings

Monday, September 30, 2024

9:30 a.m.

Health, Human Services and Properties Committee

Present: Conwell, Chair; Maurer, Vice Chair; Gray, Harsh, Howse-Jones

Authorized Absence: Slife, Starr

2:00 p.m.

Finance, Diversity, Equity and Inclusion Committee

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

Authorized Absence: Spencer

Also Present: Slife

Tuesday, September 24, 2024

9:30 a.m.

Safety Committee

Present: Polensek, Chair; Jones, Vice Chair; Gray, Howse-Jones, Kelly, Starr

Authorized Absence: Slife

Also Present: Griffin

Board of Control

Wednesday, October 2, 2024

The meeting of the Board of Control convened in the Mayor's office on Wednesday, October 2, 2024, at 3:02 p.m. with Acting Director Michele Comer presiding.

Members Present: Acting Director Comer, Directors Keane, Francis, Acting Director Laird, Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Acting Director Majeski

Absent: Mayor Bibb, Interim Director Hartley

Others Present: James DeRosa, Director
Mayor's Office of Capital Projects

Tyson Mitchell, Director
Office of Equal Opportunity

Tiffany White Johnson, Commissioner
Division of Purchases & Supplies

Tomasz Kacki, Paralegal
Law Department

On motions, the resolutions attached were adopted, except as may be otherwise noted. There being no further business, the meeting was adjourned at 3:11 p.m.

Jeffrey B. Marks
Secretary – Board of Control

Resolution No. 501-24

Adopted 10/02/24

By Director Keane

BE IT RESOLVED by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 526-2024, passed by the Council of the City of Cleveland on June 3, 2024, Kent State University 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 general training services in Category II DPU Administration, for a term of two years, with two one-year options to renew, for the various Divisions of the Department of Public Utilities.

BE IT FURTHER RESOLVED that the Director of Public Utilities is authorized to enter into a contract with Kent State University based upon its proposal dated June 20, 2024, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services described in the proposal, for an aggregate fee of \$120,000.00 for the initial two-year term and \$60,000.00 for each optional renewal year, if exercised, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Acting Director Comer, Directors Keane, Francis, Acting Director Laird, Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Interim Director Hartley

Resolution No. 502-24

Adopted 10/02/24

By Director Keane

BE IT RESOLVED by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 526-2024, passed by the Council of the City of Cleveland on June 3, 2024, MOD Network LLC 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 general training services in Category IV Job Specific Training, for a term of two years, with two one-year options to renew, for the various Divisions of the Department of Public Utilities.

BE IT FURTHER RESOLVED that the Director of Public Utilities is authorized to enter into a contract with MOD Network LLC based upon its proposal dated June 20, 2024, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services described in the proposal, for an aggregate fee of \$200,000.00 for the initial two-year term and \$100,000.00 for each optional renewal year if exercised, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Acting Director Comer, Directors Keane, Francis, Acting Director Laird, Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Interim Director Hartley

Resolution No. 503-24

Adopted 10/02/24

By Director Keane

BE IT RESOLVED by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 526-2024, passed by the Council of the City of Cleveland on June 3, 2024 Cuyahoga Community College District 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 general training and development of employees in category I of General/Soft Skills, for a term of two years, with two one-year options to renew, for the various Divisions of the Department of Public Utilities.

BE IT FURTHER RESOLVED that the Director of Public Utilities is authorized to enter into a contract with Cuyahoga Community College District, based upon its proposal dated June 20, 2024, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services described in the proposal, for an aggregate fee of \$280,000.00 for the initial two-year term and \$140,000.00 for each optional renewal year if exercised, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

BE IT FURTHER RESOLVED that the employment of the following subconsultants by Cuyahoga Community College District for the above-mentioned professional services is approved:

<u>SUBCONSULTANTS</u>	<u>Amount</u>	<u>Percentage</u>
MOD Network, LLC (CSB)	\$28,000	10.00%
Jennifer Goings Smith (non-certified)	TBD	0.00%
Shirley Hunter (non-certified)	TBD	0.00%
Viktoria Levay (non-certified)	TBD	0.00%
Mike Livermore (non-certified)	TBD	0.00%
Paul Palmer (non-certified)	TBD	0.00%
Jill Windelspecht (non-certified)	TBD	0.00%
Dave Misich (non-certified)	TBD	0.00%
Jennifer Bosco (non-certified)	TBD	0.00%
Apogee Leadership Group LLC (non-certified)	TBD	0.00%
Alvin Copeland Jr. dba Copeland Communications Group (non-certified)	TBD	0.00%

Nyoka Seymore (non-certified)	TBD	0.00%
Sandra Vogel (non-certified)	TBD	0.00%
Caroline Carter, Starfish Practice LLC (non-certified)	TBD	0.00%
Andrea Peck Communications (non-certified)	TBD	0.00%
Jim Collum (non-certified)	TBD	0.00%
MyRon Edmonds (non-certified)	TBD	0.00%
Nada Djordjevich (non-certified)	TBD	0.00%
Tiffany Short (non-certified)	TBD	0.00%
Stephanie Markovic, Utmost Potential, LLC (non-certified)	TBD	0.00%
Andre Bryan, dba APB Associates Inc., dba Bridgeport Group (non-certified)	TBD	0.00%
Dennis Davis - Davis One Consulting LLC (non-certified)	TBD	0.00%
George Rofail - Victorious Consulting LLC (non-certified)	TBD	0.00%
James Odom - Breakthrough Strategies LLC (non-certified)	TBD	0.00%
Kristy Moyer (non-certified)	TBD	0.00%
Nick Koumoutzis – dba NCK Consulting, dba NCK Industries (non-certified)	TBD	0.00%
Patricia Wilson - Roaming Facilitator LLC (non-certified)	TBD	0.00%
Penny Neisen (non-certified)	TBD	0.00%
Anthony Franceshini, dba ACT Services International Inc. (non-certified)	TBD	0.00%
Mark Netzel (non-certified)	TBD	0.00%
Bert Scali dba Scali Consulting & Training, LLC (non-certified)	TBD	0.00%
Sharon Collins - Celemi Inc. (non-certified)	TBD	0.00%

Yeas: Acting Director Comer, Directors Keane, Francis, Acting Director Laird, Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Interim Director Hartley

Resolution No. 504-24

Adopted 10/02/24

By Director Keane

PUBLIC IMPROVEMENT CONTRACT

BE IT RESOLVED by the BOARD of CONTROL of the CITY of CLEVELAND that all bids received on August 28, 2024, for Traveling Screens Improvements for the Division of Water, Department of Public Utilities, under authority of Ordinance No. 1430-2019, passed December 2, 2019, be rejected.

Yeas: Acting Director Comer, Directors Keane, Francis, Acting Director Laird, Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Interim Director Hartley

Resolution No. 505-24

Adopted 10/02/24

By Director Keane

REQUIREMENT CONTRACT

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

Air Rite Inc.

for an estimated quantity of HV AC Air Filters and Belts, all items, for the various divisions of the Department of Public Utilities, for a period of one year starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods, received on August 29, 2024, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$126,500.00 (0%, 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 goods and/or services necessary for the specified items.

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: Acting Director Comer, Directors Keane, Francis, Acting Director Laird,
Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Acting
Director Majeski

Nays: None

Absent: Mayor Bibb, Interim Director Hartley

Resolution No. 506-24

Adopted 10/02/24

By Director DeRosa

WHEREAS, under the authority of Ordinance No. 648-18 passed by the Council of the City of Cleveland on June 4, 2018, and Resolution No. 288-19, adopted by this Board of Control on June 26, 2019, the City, through its Director of Capital Projects, entered into City Contract No. PS2019*0219 with Sixmo, Inc. to perform the architectural and engineering services necessary to implement the Central Recreation Center Pools and Systems Project (3 Tasks associated with Phase III and updates to Phase IV) in the amount of \$115,000.00; and

WHEREAS, the City, requiring additional architectural and engineering services from Sixmo, Inc., entered into the following modifications to said contract:

<u>Modification</u>	<u>BOC Resoultion</u>	<u>BOC Date</u>	<u>Amount</u>
1	365-22	August 24, 2022	\$245,575.00
2	516-23	October 11, 2023	\$17,400.00
3	6-24	January 1, 2024	\$35,400.00

comprising, together with the original contract amount, a current total contract amount of \$413,375.00, and

WHEREAS, Ordinance No. 533-2022, passed by the Cleveland City Council on June 6, 2022, made certain additional funding available for the above-mentioned professional services; and

WHEREAS, the City requires additional professional services under City Contract No. PS2019*0261 with Sixmo, Inc., in the amount of \$103,785.00; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that the City, through its Director of Capital Projects, is authorized to enter into a fourth modification to Contract No. PS2019*0219 with Sixmo, Inc., for additional architectural/engineering services for an amount not to exceed \$103,785.00, thereby increasing the total not-to-exceed contract amount to \$517,160.00.

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

McGuiness Unlimited, Inc.	CSB	\$6,300.00
Sandhu and Associates	CSB	\$24,500.00
Bialosky	N/A	\$15,000.00

The Riverstone Company	CSB	\$17,175.00
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Triumph Services, LLC	N/A	\$27,000.00
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Yeas: Acting Director Comer, Directors Keane, Francis, Acting Director Laird,
Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Acting
Director Majeski

Nays: None

Absent: Mayor Bibb, Interim Director Hartley

Resolution No. 507-24

Adopted 10/02/24

By Director Keane

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

R.J Platten Contracting Co.,

for the public improvement of the Storer Park Site Improvements, Bid Items 1- 11, for the Division of Architecture and Site Development, Office of Capital Projects, received on September 11, 2024, under the authority of Ordinance No. 643-2024, passed July 10, 2024, upon a unit price basis for the improvement in the aggregate amount of \$186,233.25 is affirmed and approved as the lowest responsible bid, and the Director of Capital Projects is requested to enter into contract with the bidder.

BE IT FURTHER RESOLVED, by the Board of Control of the City of Cleveland that the employment of the following subcontractors by R.J Platten Contracting Co., is hereby approved:

<u>Subcontractor</u>	<u>CSB/MBE/FBE</u>	<u>Amount</u>
North Coast Paving	CSB/LPE	\$28,955.00
Krusoe Sign Co.	CSB/FBE	\$575.00
DWA Recreation	N/A	\$53,655.00

Yeas: Acting Director Comer, Directors Keane, Francis, Acting Director Laird, Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Interim Director Hartley

Resolution No. 508-24

Adopted 10/02/24

By Director Williams

WHEREAS, the City of Cleveland owns and operates certain real property commonly known as the Willard Park Garage under the supervision and direction of the Director of Public Works; and

WHEREAS, Great Lakes Valet, LLC has proposed to offer valet parking services to the general public for the Cavs Wine and Gold Gala event to be held at Public Auditorium at 5:00pm on October 9, 2024, until 10:30pm by using the Willard Park Garage; now, therefore,

BE IT RESOLVED by the Board of Control of the City of Cleveland that, under Section 183.04 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Works is authorized to enter into a concession agreement with Great Lakes Valet, LLC to use Willard Park Garage to operate a valet parking service for a fee of \$10.00 per vehicle parked for the above-mentioned event to be held at Public Auditorium at 5:00pm on October 9, 2024, until 10:30pm.

The concession agreement shall be prepared by the Director of Law and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit public interest.

Yeas: Acting Director Comer, Directors Keane, Francis, Acting Director Laird, Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Interim Director Hartley

Resolution No. 509-24

Adopted 10/02/24

By Director Drummond

REQUIREMENT CONTRACT

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

Globe Manufacturing Co., LLC

for the purchase of 2024 Personal Protective Equipment - Turnout Gear Jackets and Pants, all items for the Division of Fire, Department of Public Safety, for the period of one year beginning with the date of the execution of a contract, with two one-year options to renew, received on September 5, 2024, under the authority of Ordinance No. 775-2023, passed by the Cleveland City Council August 16, 2023, which on the basis of estimated quantity would amount to \$322,602.00, is affirmed and approved as the lowest and best bid, and the Director of Public Safety is requested to enter into a **REQUIREMENT** contract for the goods and/ or services necessary for the specified items.

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

Yeas: Acting Director Comer, Directors Keane, Francis, Acting Director Laird, Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Interim Director Hartley

Resolution No. 510-24

Adopted 10/02/24

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. 128-05-030 located 9918 Rosehill 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, Johnathan Barton 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 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 purchasers of the parcel are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Johnathan Barton for the sale and development of Permanent Parcel No. 128-05-030 located 9918 Rosehill 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: Acting Director Comer, Directors Keane, Francis, Acting Director Laird, Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Interim Director Hartley

Resolution No. 511-24

Adopted 10/02/24

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. 108-24-024, 108-24-025, and 108-24-026, located at 10219 Garfield Avenue, 10215 Garfield Avenue, and 10211 Garfield 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, Church of the Living God, House of Prayer Ministries has proposed to the City to purchase and develop the parcels for Parking; and

WHEREAS, the following conditions exist:

1. The member of Council from Ward 9 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchasers of the parcel are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Church of the Living God, House of Prayer Ministries, for the sale and development of Permanent Parcel Nos. 108-24-024, 108-24-025, and 108-24-026 located at 10219 Garfield Avenue, 10215 Garfield Avenue, and 10211 Garfield 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 \$7,280.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Acting Director Comer, Directors Keane, Francis, Acting Director Laird, Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Interim Director Hartley

Resolution No. 512-24

Adopted 10/02/24

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. 107-08-081 located at 1184 East 80th 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, Kathy Wray Coleman proposed to the City to purchase and develop the parcels for new housing development; and

WHEREAS, the following conditions exist:

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

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Kathy Wray Coleman for the sale and development of Permanent Parcel No. 107-08-081 located at 1184 East 80th 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 \$4,075.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Acting Director Comer, Directors Keane, Francis, Acting Director Laird, Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Interim Director Hartley

Resolution No. 513-24

Adopted 10/02/24

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. 137-14-049 located at 11718 Farringdon 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, LaVonne Davis Sr. proposed to the City to purchase 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 purchasers of the parcel are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with LaVonne Davis Sr., for the sale of Permanent Parcel No. 137-14-049 located at 11718 Farringdon 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: Acting Director Comer, Directors Keane, Francis, Acting Director Laird, Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Interim Director Hartley

Resolution No. 514-24

Adopted 10/02/24

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. 137-14-053 located at Farrington 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, LaVonne Davis Sr. proposed to the City to purchase 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 purchasers of the parcel are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with LaVonne Davis Sr., for the sale of Permanent Parcel No. 137-14-053 located at Farrington 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: Acting Director Comer, Directors Keane, Francis, Acting Director Laird, Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Interim Director Hartley

Resolution No. 515-24

Adopted 10/02/24

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. 105-22-001 located at 1191 Norwood Road; 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, James F. Henry 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 purchasers of the parcel are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with James F. Henry for the sale and development of Permanent Parcel No. 105-22-001 located at 1191 Norwood Road, 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: Acting Director Comer, Directors Keane, Francis, Acting Director Laird, Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Interim Director Hartley

Resolution No. 516-24

Adopted 10/02/24

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. 138-18-041 located at 13814 Caine 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, Lori Leigh Lent 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 purchasers of the parcel are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Lori Leigh Lent for the sale and development of Permanent Parcel No. 138-18-041 located at 13814 Caine 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: Acting Director Comer, Directors Keane, Francis, Acting Director Laird, Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Interim Director Hartley

Resolution No. 517-24

Adopted 10/02/24

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. 016-07-025, 016-07-027, 016-07-028, 016-07-029 located at 3208, 3202, 3198, and 3194 West 61st Street and Permanent Parcel No. 016-07-026 with no assigned street address, respectively; 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, Nehemiah Collaborative Ltd has proposed to the City to purchase and develop the parcels for a three quad-unit family home construction project; and

WHEREAS, the following conditions exist:

1. The member of Council from Ward 3 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchasers of the parcel are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Nehemiah Collaborative Ltd, for the sale and development of Permanent Parcel Nos. 016-07-025, 016-07-027, 016-07-028, 016-07-029 located at 3208, 3202, 3198, and 3194 West 61st Street and Permanent Parcel No. 016-07-026 with no assigned street address respectively, 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 \$1,000.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Acting Director Comer, Directors Keane, Francis, Acting Director Laird, Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Interim Director Hartley

Resolution No. 518-24

Adopted 10/02/24

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. 134-07-026, 134-13-011, 134-13-030, 134-13-031, 134-13-032, 134-14-012, 134-15-001 and 134-15-002 located in Ward 2; 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, The Board of Park Commissioners of the Cleveland Metropolitan Park District has proposed to the City to purchase and develop the parcels for use as greenspace; 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 purchasers of the parcel are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with The Board of Park Commissioners of the Cleveland Metropolitan Park District for the sale and development of Permanent Parcel Nos. 134-07-026, 134-13-011, 134-13-030, 134-13-031, 134-13-032, 134-14-012, 134-15-001 and 134-15-002 located in Ward 2, 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 \$1,600.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Acting Director Comer, Directors Keane, Francis, Acting Director Laird, Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Interim Director Hartley

Resolution No. 519-24

Adopted 10/02/24

By Director Cole

WHEREAS, under the authority of Ordinance No. 39-2024, passed by the Cleveland City Council on January 22, 2024, and Board of Control Resolution No. 465-24, adopted September 4, 2024, the Director of Human Resources was authorized to enter into contract with ConnectedTALENT, LLC to supplement the regularly employed staff of several departments of the City to provide Recruitment and Staffing Services for a period of one year with two one-year options to renew; and

WHEREAS, Resolution No. 465-24 incorrectly stated the name of the contractor as the brand name ConnectedTALENT in lieu of the contractor's legal name, Connected Business Services, LLC dba ConnectedHR, as clarified by the contractor's letter to the City dated September 19, 2024;

BE IT RESOLVED by the BOARD OF CONTROL of the CITY OF CLEVELAND that Resolution No. 465-24, adopted by this Board September 4, 2024, authorizing the Director of Human Resources to enter into contract with ConnectedTalent, LLC for Recruitment and Staffing Services is amended by substituting "Connected Business Services, LLC dba ConnectedHR" for "ConnectedTALENT, LLC", where appearing, as the authorized contractor.

BE IT FURTHER RESOLVED that all other provisions of Resolution No. 465-24 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Acting Director Comer, Directors Keane, Francis, Acting Director Laird, Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Interim Director Hartley

Schedule of the Board of Zoning Appeals

**Monday, October 21, 2024
9:30 a.m.**

Under the conditions specified by law, the Board of Zoning Appeals will be conducting a hybrid in-person and virtual hearing using the WebEx Platform. IF YOU WISH TO PARTICIPATE AND OR GIVE TESTIMONY THROUGH WEBEX, contact the Board of Zoning Appeals office and request the link at 216-664-2580 by noon on October 18, 2024. You can also email us boardofzoningappeals@clevelandohio.gov.

The in-person hearing will be held in Room 514 in City Hall. Bring proper ID to enter the building.

Those individuals not planning to attend are encouraged to view one of the live streams:

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

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

**Calendar No. 24-175: 11006 Edgewater Drive
Ward 15 – Jenny Spencer**

Michael Vadini, owner, proposes to install a six-foot-tall fence in an AA1 Limited One-Family Residential District. The owner appeal for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 358.04 which states that fences in actual front yard shall not exceed 4 feet in height and shall be at least 50% open.

Postponed from September 16, 2024

**Calendar No. 24-145: 3934 West 117th Street
Ward 11 – Danny Kelly**

Annie's Properties LLC, owner, proposes to install an 8-foot-tall fence in a C1 General Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 358.05, which states that fences in actual interior side yards, fences shall not exceed 6 feet in height and may be open or solid; proposed fence height is 8 feet tall.

POSTPONED AT THE REQUEST OF THE BOARD TO ALLOW TIME FOR THE APPELLANT TO MEET WITH CITY PLANNING AND THE DEVELOPMENT CORPORATION TO DISCUSS TRAFFIC ISSUES. TESTIMONY WAS TAKEN.

Postponed from September 23, 2024**Calendar No. 24-152: 6802 Harvard Avenue****Ward 12 – Rebecca Maurer**

The Ujamma Collective LLC., owner, proposes to establish use as a beauty salon, restaurant and store in a D2 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Division (b)(2)(g) of Section 343.01, which states that cafés, general stores, and beauty salons are not permitted in the Multi-Family Residential District.
2. Section 349.04, which states that 10 off-street parking spaces are required (two for existing residential units); no off-street parking is proposed.

POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT TO ALLOW HIM MORE TIME TO PREPARE FOR THE HEARING. NO TESTIMONY TAKEN.

Postponed from September 30, 2024**Calendar No. 24-089: 4843 Wendell Avenue****Ward 5 – Richard Starr**

Shelter The People Cleveland, owner, proposes to establish use as a church, nonprofit charitable offices and assembly space in a B1 Two-Family Residential District. The owner appeal for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Division (b) of Section 337.03, which states Two-Family Residential District allows uses as regulated in a One-Family Residential District.
2. Division (f)(1) of Section 337.02, which states that churches and other places of worship must be at least 15 feet away from other premises in a Residential District. Proposed use is less than 15 feet away from adjoining premises.
3. Division (3)(g) of Section 337.02, which states that charitable institutions, not for correctional purposes, must be at least 30 feet away from other premises in a Residential District. Proposed use is less than 30 feet away from other premises in a Residential District.
4. Division (e) of Section 349.04, which states accessory off-street parking spaces for places of worship and assembly uses require 1 space per 6 seats. No parking is provided on site.
5. Division (a) of Section 359.02, which states that a nonconforming use of a building or premises, which has been discontinued, shall not thereafter be returned to such nonconforming use.

FIRST REQUEST OF POSTPONEMENT WAS MADE BY THE COUNCILMAN ON JULY 15 AT THE TO ALLOW TIME FOR THE APPELLANT TO MEET WITH HIM AND THE COMMUNITY DEVELOPMENT CORPORATION. SECOND POSTPONEMENT WAS MADE AT THE REQUEST OF THE CITY TO ALLOW TIME FOR A COMMUNITY MEETING TO TAKE PLACE. THIRD POSTPONEMENT WAS MADE BY THE CITY DUE TO SCHEDULING CONFLICTS.

**Calendar No. 21-108: 6806 Harvard Avenue
Ward 12 – Rebecca Maurer**

TMS Enterprises, owner, proposes to change the use from multi-family dwelling to used car lot in a D2 Multi-Family Residential District. This matter was originally heard by the Board of Zoning Appeals (“Board”) on July 26, 2021. The Board denied the requested variances; the Common Pleas Court affirmed the Board’s decision. The Eighth District Court of Appeals reversed the Common Pleas Court’s decision, and they remanded the matter to the Board. In its journal entry dated May 16, 2023, the Eighth District journal entry states “We reverse the common pleas court’s decision and remand the case to the BZA. On remand, the BZA shall consider TMS’s change-of-use application in light of its vested right to use the property under the property’s prior General Retail zoning classification. We further note that, despite assertion to the contrary, C.C.O. 343.11, which governs General Retail districts, does not provide any restriction prohibiting the operation of motor vehicle sales facilities within 100 feet of a residential district.” If the Board finds that a used car lot should be permitted in this district, the Board must then also consider the following sections of the Cleveland Codified Ordinances regarding Area Variances:

1. Division (a) of Section 349.07 which states that accessory off-street parking spaces, driveways and maneuvering areas shall be stripped, properly graded for drainage so that all water is drained within the lot providing such parking spaces, surfaced with concrete, asphaltic concrete, asphalt or other surfacing materials; customers’ parking is not striped.
2. Division (f) of Section 349.04 which states that auto sales lot must provide 25% of their gross lot area for customer parking.

CITY PLANNING REQUESTED POSTPONED FROM SEPTEMBER 30, 2024, TO ALLOW TIME FOR FURTHER REVIEW. NO TESTIMONY TAKEN.

Report of the Board of Zoning Appeals

Monday, September 30, 2024

At the meeting of the Board of Zoning Appeals on Monday, September 30, 2024, the following appeals were scheduled for hearing before the Board and;

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

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

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

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

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

The following cases were **POSTPONED:**

Calendar No. 21-108: TMS Enterprises
6806 Harvard Avenue. October 21, 2024.

Calendar No. 24-089: Shelter The People Cleveland
4843 Wendell Avenue. October 21, 2024.

Calendar No. 24-109: Devondra Marshall
10936 Drexel Avenue. November 11, 2024.

Calendar No. 24-110: RDD Safe Loc, LLC
1147 Parkwood Drive. November 11, 2024.

The following cases were heard by the Board of Zoning Appeals on Monday September 23, 2024, the decisions were adopted and approved on Monday, September 30, 2024:

Calendar No. 24-147: 16019 St. Clair Avenue (Granted Conditionally)
K. Rose Realty LLC proposes to use premises for indoor storage of cars and used furniture in Local Retail Business Zoning District.

Calendar No. 24-148: 14825 Waterloo Road
Meadow City LLC., owner, proposes to install a 6-foot-tall fence in a front setback area in a B1 Two-Family Residential District.

Calendar No. 24-149: 14903 Waterloo Road
Meadow City LLC., owner, proposes to install a 6-foot-tall fence in a front setback area in a B1 Two-Family Residential District.

Calendar No. 24-150: 14821 Waterloo Road

Meadow City LLC., owner, proposes to install a 6-foot-tall fence in a front setback area in a B1 Two-Family Residential District.

Calendar No. 24-151: 14909 Waterloo Road

Meadow City LLC., owner, proposes to install a 6-foot-tall fence in a front setback area in a B1 Two-Family Residential District.

Agenda of the Board of Building Standards and Building Appeals

Wednesday, July 17, 2024 - revised

Board of Building Standards and Building Appeals
Cleveland City Hall - Room 514 or via WebEx at 9:30 a.m. EST
BBSA@clevelandohio.gov

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

Download the WebEx Desktop App or the mobile App from the WebEx website at <https://www.webex.com/downloads.html/>

Instructions to enable a browser plug-in for Chrome or Firefox can be found here: <https://help.webex.com/en-us/WBX77970/How-Do-I-Enable-the-Webex-Plug-in-to-Join-aMeeting-Using-Chrome-or-Firefox>

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

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

PUBLIC HEARINGS WILL BE STREAMED LIVE ON YOUTUBE:

<https://www.youtube.com/channel/UCB8ql0JrhmpYIR1OLY68bw/>

BUILDING:

**Docket A-43-24 2184 West 85th Street WARD: 15
(Jenny Spencer)**

Hasanabouali Inc, Owners of the MXD Mixed Uses-Multiple uses in one building Two-Story Wood/Timber Frame Structure, appeals from a **NOTICE OF VIOLATION – FIRE DAMAGE**, dated January 16, 2024; appellant is requesting for time to complete abatement of the violations.

**Docket A-51-24 2517 East 57th Street WARD: 5
(Richard A. Starr)**

RDJ Group LLC, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress) Two and a Half-Story Wood Frame/Siding/Masonry Veneer Frame Structure, appeals from a **NOTICE OF VIOLATION – CONDEMNATION – MAIN**

STRUCTURE, & VACATE, dated March 4, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-51-24 was **RESCHEDULED**.

Docket A-94-24 **2163 East 78th Street**
(Richard A. Starr)

WARD: 5

Cheryl Hammons, Owner R-2 Residential-Non-transient; Apartments (Shared Egress) Two Story Masonry Frame Structure appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE & HAZARDOUS CONDITIONS** dated April 18, 2024; appellant for time to complete abatement of the violations.

Docket A-98-24 **3412 East 145th Street**
(Joseph T. Jones)

WARD: 1

VMD OH LLC, Owner R-2 Residential-Non-transient; Apartments (Shared Egress) Two Story Masonry walls/Wood Floors Frame Structure appeals from a **NOTICE OF VIOLATION – CONDEMNATION – MAIN STRUCTURE & CODEMNATION-GARAGE** dated December 7, 2022; appellant for time to complete abatement of the violations.

Docket A-100-24 **3373 East 93rd Street**
(Blaine A. Griffin)

WARD: 6

Black Lion Investment Group LLC, Owner of the MXD Mixed Uses-Multiple uses in One Building Two Story Masonry walls/Wood Floors Frame Structure appeals from a **NOTICE OF VIOLATION – HAZARDOUS CONDITIONS** dated April 10, 2024; appellant is requesting for time to complete abatement of the violations.

HOUSING:

Docket A-46-24 **3457 West 41st Street**

WARD: 14
(Jenny Spencer)

Manuel Roman, Owner of the Three Dwelling Units; Three-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated January 29, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-47-24 **3630 East 112th Street**

WARD: 2
(Kevin L. Bishop)

Olia Wilson, Owner of the Two Dwelling Units; Two-Family Residence; One-Story Masonry Frame Property, appeals from a **NOTICE OF VIOLATION –INTERIOR/**

EXTERIOR MAINTENANCE, dated February 16, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-50-24

11310 Florian Avenue

WARD: 11
(Danny Kelly)

Steve Vulic, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE** dated February 28, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-52-24

9331 Pratt Avenue

WARD: 2
(Kevin L. Bishop)

DAKM Holdings LLC, Owner of the Two Dwelling Units; Two -Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE, & CONDEMNATION – GARAGE** dated, February 7, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-53-24

3788 Lee Heights Boulevard

WARD: 1
(Joseph T. Jones)

Hero Homes JV2 LLC, Owner of the One Dwelling Unit; Single-Family Residence; One and a Half-Story Frame Property, appeals from a **NOTICE OF VIOLATION – RENTAL REGISTRATION, NO PERMIT & INTERIOR/EXTERIOR MAINTENANCE**, dated February 9, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-54-24

15530 Munn Road

WARD: 17
(Charles J. Slife)

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

Docket A-55-24

15700 Leigh Ellen Avenue

WARD: 16
(Brian Kazy)

The Estate of Jordan Gaiser, Owner of the One Dwelling Unit; Single-Family Residence; One-Story Garage-Detached; Wood Frame Property, appeals from **NOTICE OF VIOLATION – CONDEMNATION – GARAGE** dated February 13, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-56-24

4421 West 11th Street

WARD: 12
(Rebecca Maurer)

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

Docket A-57-24

9721 Union Avenue

WARD: 6
(Blaine A. Griffin)

Regis Williams, Owner of the One Dwelling Unit; Single-Family Residence; One and a Half-Story Frame Property, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated March 4, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-59-24

10531 Columbia Avenue

WARD: 9
(Kevin Conwell)

Taylorred Spaces LLC, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE, NO PERMIT & RENTAL REGISTRATION**, dated February 23, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-60-24

11204 Parkview Avenue

WARD: 4
(Deborah A. Gray)

DAKM Holdings LLC, Owner of the Three Dwelling Units; Three-Family Residence; Two and a Half-Story Frame Property, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE**, dated February 23, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-86-24

2968 East 67th Street

WARD: 5
(Richard A. Starr)

Robin Turner, Owner of the Two Dwelling Units Two-Family Residence One Story Masonry walls/Wood floors Frame Property appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE & HVAC** dated March 27, 2024 & March 28, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-95-24

3855 West 31st Street

WARD: 10
(Anthony T. Hairston)

Estate of Milica Kablar, Owner of the One Dwelling Unit; Single-Family Residence One and a Half Story Frame Property appeals from a **NOTICE OF VIOLATION- CONDEMNATION MAIN STRUCTURE** dated March 11, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-96-24**12808 Woodside Avenue****WARD: 12
(Rebecca Maurer)**

Kimberly Morris, Owner of the One Dwelling Unit; Single-Family Residence Two Story Frame Property appeals from a **NOTICE OF VIOLATION – CONDEMNATION-GARAGE, HAZARDOUS CONDITIONS, NO PERMIT & INTERIOR/EXTERIOR MAINTENANCE** dated April 29, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-97-24**12808 Cumberland Avenue****WARD: 4
(Deborah A. Gray)**

Kimberly Morris, Owner of the Two Dwelling Units Two-Family Residence Two Story Frame Property appeals from a **NOTICE OF VIOLATION – CONDEMNATION – GARAGE, HAZARDOUS CONDITIONS, NO PERMIT & INTERIOR/EXTERIOR MAINTENANCE** dated April 29, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-101-24**1283 West 106th Street****WARD: 15
(Jenny Spencer)**

Cecilia Li & Felipe de Freitas, Owner of the One Dwelling Unit; Single-Family Residence Two and a Half Story Frame Property appeals from a **NOTICE OF VIOLATION – CONDEMNATION – GARAGE & CONDEMNATION – MAIN STRUCTURE** dated April 26, 2024; appellant is requesting for time to complete abatement of the violations.

Approval of Resolutions

Docket/s:

A-21-24	Kenneth Passerallo
A-22-24	Murad Alqudah
A-23-24	Christie Lites Cleveland LLC
A-24-24	Nathan Nickschinski
A-26-24	Eileen A. Scott
A-27-24	Dawn Young
A-28-24	Bonwit Teller LLC
A-29-24	John/Katherine Carey
A-30-24	R&R Luxury Homes LLC
A-31-24	Edifice Properties LLC
A-32-24	Joseph C. Beard
A-33-24	Brenda Lopez
A-34-24	Samuel Mitchell
A-35-24	Kyns T8 LLC
A-36-24	Muse Spaces LLC
A-37-24	Jamie Scaggs
A-38-24	Molmor LLC
A-39-24	Stephen Arisco
A-41-24	Hype Investing LLC
A-42-24	3434 West Blvd LLC

Approval of Minutes

July 3, 2024

MEMO

To: Tom Vanover, Commissioner/CBO

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

Date: May 15, 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 17, 2024, at approximately 9:30 a.m. via WebEx.

DOCKET NO.	ADDRESS	INSPECTOR/S
A-43-24	2184 West 85	J. Dedic
A-51-24	2517 East 57	M. Shockley
A-46-24	3457 West 41	D. Turic
A-47-24	3630 East 112	K. Lanum
A-50-24	11310 Florian	D. Turic
A-52-24	9331 Pratt	M. Smith
A-53-24	3788 Lee Hts	R. Derrett
A-54-24	15530 Munn	C. Davis
A-55-24	15700 Leigh Ellen	C. Davis
A-56-24	4421 West 11	J. Barkas
A-57-24	9721 Union	A. Arnold
A-59-24	10531 Columbia	R. Derrett
A-60-24	11204 Parkview	M. Smith
A-86-24	2968 East 67	K. Lanum/R. Hartman
A-95-24	3855 West 31	J. Barkas
A-96-24	12808 Woodside	R. Derrett
A-97-24	9705 Cumberland	R. Derrett
A-101-24	1283 West 106	Rowshanbakhtfardian

Report of the Board of Building Standards and Building Appeals

Wednesday, July 17, 2024

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

Docket A-43-24 – RE: Appeal of Hasanabouali Inc, Owners of the MXD Mixed Uses-Multiple Uses in One Building; Two-Story Wood/Timber Frame Structure, located on the premises known as **2184 West 85th Street**, appeals from a **NOTICE OF VIOLATION – FIRE DAMAGE, dated January 16, 2024**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC). **BE IT RESOLVED**, a motion is in order at this time to **DENY** the Appellate more time and to **REMAND** the property to the Department of Building and Housing; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Bradley and seconded by Lipscomb

Yeas: Bradley, Gallagher, Denk Jr., & Lipscomb Nays: None. Absent: Maschke.

* * *

Docket A-51-24 – RE: Appeal of RDJ Group LLC, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); Two and a Half-Story Wood Frame/Siding/Masonry Veneer Frame Structure, located on the premises known as **2517 East 57th Street**, appeals from a **NOTICE OF VIOLATION – CONDEMNATION – MAIN STRUCTURE & VACATE, dated March 4, 2024**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

Docket A-51-24 has been RESCHEDULED.

* * *

Docket A-94-24 – RE: Appeal of Cheryl Hammons, Owner R-2 Residential-Non-transient; Apartments (Shared Egress); Two-Story Masonry Frame Structure, located on the premises known as **2163 East 78th Street**, appeals from **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE & HAZARDOUS CONDITIONS dated April 18, 2024**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **DENY** the Appellate more time and to **REMAND** the property to the Department of Building and Housing; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Lipscomb and seconded by Bradley.

Yeas: Bradley, Gallagher, Denk Jr., & Lipscomb Nays: None. Absent: Maschke.

* * *

Docket A-98-24 – RE: Appeal of VMD OH LLC, Owner R-2 Residential-Non-transient; Apartments (Shared Egress); Two-Story Masonry walls/Wood Floors Frame Structure, located on the premises known as **3412 East 145th Street**, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE & CODEMNATION-GARAGE dated December 7, 2022**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellate until **January 16, 2025**, to complete abatement of the violation; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Lipscomb and seconded by Bradley.

Yeas: Bradley, Gallagher, Denk Jr., & Lipscomb Nays: None. Absent: Maschke.

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Docket A-100-24 – RE: Appeal of Black Lion Investment Group LLC, Owner of the MXD Mixed Uses-Multiple Uses in One Building; Two-Story Masonry walls/Wood Floors Frame Structure, located on the premises known as **3373 East 93rd Street**, appeals from a **NOTICE OF VIOLATION – HAZARDOUS CONDITIONS dated April 10, 2024**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

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

Yeas: Bradley, Gallagher, Denk Jr., & Lipscomb Nays: None. Absent: Maschke.

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Docket A-46-24 – RE: Appeal of Manuel Roman, Owner of the Three Dwelling Units; Three-Family Residence Two-Story Frame Property, located

on the premises known as **3457 West 41st Street**, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE, dated January 29, 2023**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellant until **January 16, 2025**, to complete abatement of the violations; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Bradley and seconded by Denk Jr.

Yeas: Bradley, Gallagher, Denk Jr., & Lipscomb Nays: None. Absent: Maschke.

* * *

Docket A-47-24 – RE: Appeal of Olia Wilson, Owner of the Two Dwelling Units; Two-Family Residence One-Story Masonry Frame Property, located on the premises known as **3630 East 112th Street**, appeals from a **NOTICE OF VIOLATION – INTERIOR/ EXTERIOR MAINTENANCE, dated February 16, 2024**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

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

Yeas: Bradley, Gallagher, Denk Jr., & Lipscomb Nays: None. Absent: Maschke.

* * *

Docket A-50-24 – RE: Appeal of Steve Vulic, Owner of the Two Dwelling Units; Two-Family Residence Two-Story Frame Property, located on the premises known as **11310 Florian Avenue**, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE dated February 28, 2024**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

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

Yeas: Bradley, Gallagher, Denk Jr., & Lipscomb Nays: None. Absent: Maschke.

* * *

Docket A-52-24 – RE: Appeal of DAKM Holdings LLC, Owner of the Two Dwelling Units; Two -Family Residence Two-Story Frame Property, located on the premises known as **9331 Pratt Avenue**, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE & CONDEMNATION-GARAGE dated, February 7, 2024**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellant until **August 16, 2024**, to pull all required permits and until **January 16, 2025**, to complete abatement of the violations; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Bradley.

Yeas: Bradley, Gallagher, Denk Jr., & Lipscomb Nays: None. Absent: Maschke.

* * *

Docket A-53-24 – RE: Appeal of Hero Homes JV2 LLC, Owner of the One Dwelling Unit; Single-Family Residence One and a Half-Story Frame Property, located on the premises known as **3788 Lee Heights Boulevard**, appeals from a **NOTICE OF VIOLATION – RENTAL REGISTRATION, NO PERMIT & INTERIOR/EXTERIOR MAINTENANCE, dated February 9, 2024**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

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

Yeas: Bradley, Gallagher, Denk Jr., & Lipscomb Nays: None. Absent: Maschke.

* * *

Docket A-54-24 – RE: Appeal of John Debarr, Owner of the One Dwelling Unit; Single-Family Residence Two-Story Wood Frame/Siding/Masonry Veneer Property, located on the premises known as **15530 Munn Road**, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE dated February 12, 2024**, of the Director of the Department of Building and Housing,

requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellate until **November 16, 2024**, to complete abatement of the violations; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action,
Motion so in order. Motioned by Bradley and seconded by Denk Jr.

Yeas: Bradley, Gallagher, Denk Jr., & Lipscomb Nays: None. Absent: Maschke.

* * *

Docket A-55-24 – RE: Appeal of The Estate of Jordan Gaiser, Owner of the One Dwelling Unit; Single-Family Residence One-Story Garage-Detached; Wood Frame Property, located on the premises known as **15700 Leigh Ellen Avenue**, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-GARAGE dated February 13, 2024**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

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

Yeas: Bradley, Gallagher, Denk Jr., & Lipscomb Nays: None. Absent: Maschke.

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Docket A-56-24 – RE: Appeal of Brad Reinhard, Owner of the One Dwelling Unit; Single-Family Residence, Two-Story Frame Property, located on the premises known as **4421 West 11th Street**, appeals from a **NOTICE OF VIOLATION – FIRE DAMAGE**, dated **February 12, 2024**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

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

Yeas: Bradley, Gallagher, Denk Jr., & Lipscomb Nays: None. Absent: Maschke.

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Docket A-57-24 – RE: Appeal of Regis Williams, Owner of the One Dwelling Unit; Single-Family Residence One and a Half-Story Frame Property, located on the premises known as **9721 Union Avenue**, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE, dated March 4, 2024**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

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

Yeas: Bradley, Gallagher, Denk Jr., & Lipscomb Nays: None. Absent: Maschke.

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Docket A-59-24 – RE: Appeal of Taylored Spaces LLC, Owner of the One Dwelling Unit; Single-Family Residence Two-Story Frame Property located on the premises known as **10531 Columbia Avenue**, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE, NO PERMIT & RENTAL REGISTRATION, dated February 23, 2024**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

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

Yeas: Bradley, Gallagher, Denk Jr., & Lipscomb Nays: None. Absent: Maschke.

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Docket A-60-24 – RE: Appeal of DAKM Holdings LLC, Owner of the Three Dwelling Units; Three-Family Residence Two and a Half-Story Frame Property, located on the premises known as **11204 Parkview Avenue**, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE**, dated February 23, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellant until **August 18, 2024**, to obtain permits and until **August 16, 2025**, to complete

abatement; the property is REMANDED to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Lipscomb and seconded by Denk Jr.

Yeas: Bradley, Gallagher, Denk Jr., & Lipscomb Nays: None. Absent: Maschke.

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Docket A-86-24 – RE: Appeal of Robin Turner, Owner of the Two Dwelling Units; Two-Family Residence One-Story Masonry walls/Wood floors Frame Property, located on the premises known as 2968 East 67th Street, appeals from a NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE & HVAC dated March 27, 2024 & March 28, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

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

Yeas: Bradley, Gallagher, Denk Jr., & Lipscomb Nays: None. Absent: Maschke.

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Docket A-95-24 – RE: Appeal of Estate of Milica Kablar, Owner of the One Dwelling Unit; Single-Family Residence One and a Half-Story Frame Property, located on the premises known as 3855 West 31st Street, appeals from a NOTICE OF VIOLATION – CONDEMNATION MAIN STRUCTURE dated March 11, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

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

Yeas: Bradley, Gallagher, Denk Jr., & Lipscomb Nays: None. Absent: Maschke.

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Docket A-96-24 – RE: Appeal of Kimberly Morris, Owner of the One Dwelling Unit; Single-Family Residence Two-Story Frame Property, located on the premises known as 12808 Woodside Avenue, NOTICE OF VIOLATION –

CONDEMNATION – GARAGE, HAZARDOUS CONDITIONS, NO PERMIT & INTERIOR/EXTERIOR MAINTENANCE dated April 29, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

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

Yeas: Bradley, Gallagher, Denk Jr., & Lipscomb Nays: None. Absent: Maschke.

* * *

Docket A-97-24 – RE: Appeal of Kimberly Morris, Owner of the Two Dwelling Units; Two--Family Residence Two-Story Frame Property, located on the premises known as **12808 Cumberland Avenue**, appeals from a **NOTICE OF VIOLATION – CONDEMNATION – GARAGE, HAZARDOUS CONDITIONS, NO PERMIT & INTERIOR/EXTERIOR MAINTENANCE** dated April 29, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

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

Yeas: Bradley, Gallagher, Denk Jr., & Lipscomb Nays: None. Absent: **Maschke**.

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Docket A-101-24 – RE: Appeal of Cecilia Li & Felipe de Freitas, Owner of the One Dwelling Unit; Single-Family Residence Two and a Half-Story Frame Property, located on the premises known as **1283 West 106th Street**, appeals from a **NOTICE OF VIOLATION – CONDEMNATION – GARAGE & CONDEMNATION- MAIN STRUCTURE** dated **April 26, 2024**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

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

Yeas: Bradley, Gallagher, Denk Jr., & Lipscomb Nays: None. Absent: Maschke.

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Docket A-404-23 & 111-24 – RE: Appeal of Playhouse Square, Owner of the Sport/ Public Assembly Facility; Nine-Story Frame Structure, located on the premises known as **1501 Euclid Avenue**, appeals from an **ADJUDICATION ORDER B23025346-2—Fire Prevention Bureau- 1) OBC 106, 901.2, OFC 507.2.1 Private fire service mains. 2) OBC 901.2, OFC 507.2. Per the Cleveland Division of Water design and construction manual; a fire service line shall supply no more than one building, dated May 3, 2024**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellant’s request for a variance to OBC 901.2, OFC 507.2 with the following caveats: 1. Deed restriction placed on the Bulkley Building and Loew Building so that if PSC Bulkley Building, LLC or Playhouse Square Foundation enters into a purchase agreement for the sale of either building the new owner(s) must disconnect the Bulkley fire line, currently connected in the basement of the south end of the Loew Building and provide a separate and independent fire line to the Bulkley Building. 2. An easement agreement shall be placed on the adjacent properties under Playhouse Square Foundation ownership that share common egress and ingress paths with the Bulkley Building that will preclude altering or blocking the current required path to public ways in perpetuity. This includes the following paths from the Bulkley Building: a) Bulkley Building basement level north egress path to Dodge Court that serves as ingress for the fire services pump room. b) The existing west stair and egress corridor through the existing exterior courtyard under the Allen Theatre Stagehouse addition to Dodge Court; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Lipscomb and seconded by Denk Jr.

Yeas: Bradley, Gallagher, Denk Jr., & Lipscomb Nays: None. Absent: Maschke.

* * *

Docket A-6-24 – RE: Appeal of Sister Haven, Owner of the One Dwelling Unit; Single-Family Residence One and Half-Story Frame Property, located on the premises known as **1986 West 99th Street**, appeals from an **ADJUDICATION ORDER B23018068—031) OBC 106.1. Information on Construction Documents z) Not enough information is provided to demonstrate compliance with OBC CH 11 Accessibility. A. OBC Chapter 11 Accessibility and OBC 3411 Accessibility for Existing Buildings, dated January 16, 2024**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellant's variance request to the egress; the property is REMANDED to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Lipscomb and seconded by Denk Jr.

Yeas: Bradley, Gallagher, Denk Jr., & Lipscomb Nays: None. Absent: Maschke.

* * *

APPROVAL OF RESOLUTIONS

Separate motions were entered by Lipscomb and seconded by Denk Jr. for Approval and Adoption of the Resolutions as presented by the Secretary for the following Dockets respectively, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

DOCKETS:

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

Yeas: Bradley, Gallagher, Denk Jr., & Lipscomb. Nays: None. Absent: Maschke.

APPROVAL OF MINUTES

Separate motions were entered by Denk Jr. and seconded by Lipscomb, Approval and Adoption of the Minutes as presented by the Secretary, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

July 31, 2024

Yeas: Bradley, Gallagher, Denk Jr., & Lipscomb. Nays: None. Absent: Maschke.

Patrick Gallagher
Chairperson

Public Notice

The Development, Planning and Sustainability (Zoning) Committee will meet Tuesday, October 8, 2024, at 9:30 a.m. to hear the following legislation:

Ord. No. 791-2024

By Council Members Kelly and Hairston

An ordinance changing the zoning use of a parcel of land north of Madison Avenue between West 100th Street and West 101st Street from Local Retail to General Retail as identified on the attached map; and removing the Pedestrian Retail Overlay District designation for the same parcel of land (Map Change No. 2681).

Adopted Resolutions and Passed Ordinances

These resolutions were adopted, and ordinances were passed by City Council on Monday, September 23, 2024.

Click on a piece of legislation below to read it:

[Ord. No. 810-2024](#)

[Ord. No. 826-2024](#)

[Ord. No. 813-2024](#)

[Ord. No. 828-2024](#)

[Ord. No. 816-2024](#)

[Ord. No. 836-2024](#)

[Ord. No. 817-2024](#)

[Ord. No. 837-2024](#)

[Ord. No. 818-2024](#)

[Ord. No. 986-2024](#)

[Ord. No. 819-2024](#)

[Res. No. 1027-2024](#)

[Ord. No. 824-2024](#)

Ordinance No. 810-2024

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

An emergency ordinance authorizing the Director of Port Control to enter into one or more leases by way of concession with one or more entities for the operation of a valet parking service at Cleveland Hopkins International Airport, for the Department of Port Control, for a period of two years, with three 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 any section of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Port Control is authorized to enter into one or more leases by way of concession with one or more entities, on the basis of competitive proposals, for the operation of a valet parking service at Cleveland Hopkins International Airport for a period of two years, with three one-year options to renew, exercisable by the Director of Port Control. The selection of the entity or entities shall be made by the Board of Control on the nomination of the Director of Port Control. The concession fee to be paid to the City shall be fixed by the Board of Control.

Section 2. That the Leases by Way of Concession shall be prepared by the Director of Law.

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

Passed September 23, 2024.

Effective September 30, 2024.

Ordinance No. 813-2024

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

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 571.93 relating to electrical vehicle charging and fees.

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 571.93 to read as follows:

Section 571.93 Electric Vehicle Charging; Fees.

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

(1) “Airport Property” means all real property located at Cleveland Hopkins International Airport and Burke Lakefront Airport.

(2) “Electric vehicle” means a vehicle that can be powered by an electric motor that draws electricity from a battery and is capable of being charged from an external source. An electric vehicle includes both a vehicle that can only be powered by an electric motor that draws electricity from a battery (all-electric vehicle or battery-electric vehicle) and a vehicle that can be powered by an electric motor that draws electricity from a battery and by an internal combustion engine (plug-in hybrid electric vehicle).

(3) “Electric vehicle charging station” means equipment located at Airport Property, owned or controlled by the City, that has as its primary purpose the transfer of electricity to a battery or other energy storage device in an electric vehicle.

(4) “Electric vehicle parking space” means any marked parking space located at Airport Property, owned or controlled by the City, that identifies the use of the space to be exclusively for the parking and charging of an electric vehicle by a designated electric vehicle charging station.

(b) The Director of Port Control is hereby authorized to establish and manage electric vehicle charging stations, owned or controlled by the City of Cleveland, on Airport property, or portions thereof as may be deemed necessary.

(c) Electric vehicle charging stations may be used by any member of the public, subject to the payment of applicable fees and charges for charging and for parking on Airport property and any posted limitations on hours of operation and length of time an electric vehicle may be parked in an electric vehicle parking space.

(d) The Director of Port Control is authorized to charge and collect a fee for the use of an electric vehicle charging station on Airport Property in an amount established by the Board of Control.

(e) The Director of Port Control is authorized to promulgate rules and regulations governing electric vehicle charging stations. Such rules and regulations shall become effective ten (10) days after their publication in the City Record.

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

Passed September 23, 2024.

Effective September 30, 2024.

Ordinance No. 816-2024

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

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. MA 1505 RCD 2022-08 with Siemens Industry, Inc. for labor and materials necessary to maintain, repair, upgrade, and expand the existing Apogee building automation system, for the Department of Port Control.

WHEREAS, under the authority of Ordinance No. 245-2022, passed March 28, 2022, the Director of Port Control entered into Contract No. MA 1505 RCD 2022-08 with Siemens Industry, Inc. for labor and materials necessary to maintain, repair, upgrade, and expand the existing Apogee building automation system, for the Department of Port Control; and

WHEREAS, Ordinance No. 245-2022 requires further legislation before exercising the first option to renew on this contract; and

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

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

Section 1. That the Director of Port Control is authorized to exercise the first option to renew Contract No. MA 1505 RCD 2022-08 with Siemens Industry, Inc. for labor and materials necessary to maintain, repair, upgrade, and expand the existing Apogee building automation system, for the Department of Port Control. This ordinance constitutes the additional legislative authority required by Ordinance No. 245-2022 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.

Passed September 23, 2024.

Effective September 30, 2024.

Ordinance No. 817-2024

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

An emergency ordinance authorizing the Director of Port Control to exercise the option to renew Contract No. RCD 2022-7 with Johnson Controls Fire Protection LP for the implementation of the fire protection system replacement projects, including the necessary labor, materials, and programing, for the Department of Port Control.

WHEREAS, under the authority of Ordinance No. 996-2021, passed December 6, 2021, the Director of Port Control entered into Contract No. RCD 2022-7 with Johnson Controls Fire Protections LP for the implementation of the fire protection system replacement projects, including the necessary labor, materials, and programing, for the Department of Port Control; and

WHEREAS, Ordinance No. 996-2021 requires additional legislation to exercise the option to renew; 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 option to renew Contract No. RCD 2022-7 with Johnson Controls Fire Protection LP for the implementation of the fire protection system replacement projects, including the necessary labor, materials, and programing, for the Department of Port Control. This ordinance constitutes the additional legislative authority required by Ordinance No. 996-2021 to exercise this option.

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

Passed September 23, 2024.

Effective September 30, 2024.

Ordinance No. 818-2024

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

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. RC 2022-78 with Fabrizi Trucking & Paving Company, Inc. to provide for the rental of heavy duty equipment, snow removal equipment, other equipment, and any necessary labor materials or equipment needed for snow and ice removal, for the Department of Port Control.

WHEREAS, under the authority of Ordinance No. 535-2022, passed June 6, 2022, the Director of Port Control entered into Contract No. RC 2022-78 with Fabrizi Trucking & Paving Company, Inc. to provide for the rental of heavy duty equipment, snow removal equipment, other equipment, and any necessary labor materials or equipment needed for snow and ice removal, for the Department of Port Control; and

WHEREAS, Ordinance No. 535-2022 requires further legislation before exercising the first option to renew on this contract; and

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

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

Section 1. That the Director of Port Control is authorized to exercise the first option to renew Contract No. RC 2022-78 with Fabrizi Trucking & Paving Company, Inc. to provide the City's requirements for an additional year for the rental of heavy duty equipment, snow removal equipment, other equipment, and any necessary labor materials or equipment needed for snow and ice removal, for the Department of Port Control. This ordinance constitutes the additional legislative authority required by Ordinance No. 535-2022 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.

Passed September 23, 2024.

Effective September 30, 2024.

Ordinance No. 819-2024

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

An emergency ordinance authorizing the Director of Port Control to enter into one or more amendments to Lease by Way of Concession Agreements with various car rental companies that operate rental car concessions at Cleveland Hopkins International Airport to extend the term of the leases for three years, with two one-year options to renew, exercisable by the Director of Port Control.

WHEREAS, under Ordinance No. 1024-97, passed June 16, 1997, and Ordinance No. 699-08, passed December 8, 2008, this Council authorized contracts and leases with several rental car companies to operate rental car concessions at Cleveland Hopkins International Airport and to lease space for vehicle service and support relating to car rentals (“Leases”); and

WHEREAS, under Ordinance No. 185-15, passed March 16, 2015, these Leases were amended to run coterminous with one another; and

WHEREAS, an additional extension of the Leases are necessary to ensure compliance with all city, State and Federal regulations; and

WHEREAS, all applicable terms and conditions of the Leases shall remain in effect during the extended period; 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 enter into one or more amendments to the following Leases to extend their terms for three years, with two one-year options to renew, exercisable by the Director of Port Control:

<u>Name</u>	<u>Contract Number</u>
Avis Rent A Car, Inc. (Service Area)	52442
Dollar Rent A Car Systems, Inc. (Service Area)	52457
National Car Rental System, Inc. (Service Area)	52459
CLERAC, Inc. dba Enterprise Rent-A Car (Service Area)	52461
HMS Management Services, Inc. dba Thrifty Rent-A Car (Service Area)	52473
The Hertz Corporation (Service Area)	52556
BVM, Inc. dba Budget Rent A Car of Cleveland (Service Area)	52600

Section 2. That all other applicable terms and conditions of the Leases shall remain in force and effect.

Section 3. That the amendments 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 September 23, 2024.

Effective September 30, 2024.

Ordinance No. 824-2024

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

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide lobbying services to assist with legislative, regulatory and policy issues with the Cleveland Airport System for a period of one year, with three one-year options to renew, exercisable through additional legislative authority.

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 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 provide lobbying services to assist with legislative, regulatory and policy issues with the Cleveland Airport System for a period of one year, with three one-year options to renew, exercisable through additional legislative authority.

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 Port Control from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Port Control 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 Port Control, and certified by the Director of Finance.

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

Section 2a. That the Director of Port Control shall provide all members of Council an annual report from the selected consultant on lobbying services provided.

Section 3. That the cost of the contract or contracts authorized shall be paid from Fund No. 60 SF 001. (RQS 3001, RL 2024-77)

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 September 23, 2024.

Effective September 30, 2024.

Ordinance No. 826-2024

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

An emergency ordinance authorizing the purchase by one or more requirement contracts for supplemental custodial support services and labor needed to maintain the interior and exterior of buildings and grounds at Cleveland Hopkins International Airport, for a period of one year, with three one-year options to renew, exercisable through additional legislative authority.

WHEREAS, the current custodial staff at Cleveland Hopkins International Airport is unionized and follow a Collective Bargaining Agreement (“CBA”) between the City of Cleveland and Service Employees International Union, Local 1, effective April 1, 2022, which allows bids for supplemental work; and

WHEREAS, any supplemental work shall also be governed by the terms of the existing CBA; 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 make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a one-year period, with three one-year options to renew, exercisable through additional legislative authority for supplemental custodial support services and labor needed to maintain the interior and exterior of buildings and grounds at Cleveland Hopkins International Airport, in the estimated amount of \$1,000,000, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Port Control. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

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

Section 3. 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 2024-25)

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 September 23, 2024.

Effective September 30, 2024.

Ordinance No. 828-2024

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

An emergency ordinance authorizing the purchase by one or more contracts of up to thirteen passenger boarding bridges at Cleveland Hopkins International Airport, including but not limited to, related appurtenances and services, and the installation, removal and disposal of outdated bridges at Cleveland Hopkins International Airport, for Department of Port Control.

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

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

Section 1. That the Director of Port Control is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: up to thirteen (13) passenger boarding bridges at Cleveland Hopkins International Airport, including but not limited to, related appurtenances and services, and the installation, removal and disposal of outdated bridges, to be purchased by the Commissioner of Purchases and Supplies for a gross price, for the Department of Port Control.

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

Section 3. That the cost of the contract or contracts authorized shall be paid from Fund No. 60 SF 126. (RQS 3001, RL 2024-80).

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 September 23, 2024.

Effective September 30, 2024.

Ordinance No. 836-2024

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

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide various on-call content training services to assist with employee skills and certifications, for a period of one year, with three 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 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 professional services necessary to provide various on-call content training services to assist with employee skills and certifications, for a period of one year, with three one-year options to renew, exercisable by the Director of Port Control.

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 Port Control from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Port Control 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 Port Control, and certified by the Director of Finance.

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

Section 3. That the cost of the contract or contracts authorized shall be paid from Fund No. 60 SF 001. (RQS 3001, RL 2024-81)

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 September 23, 2024.

Effective September 30, 2024.

Ordinance No. 837-2024

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

An emergency ordinance authorizing the Director of Port Control to employ one or more real estate appraisers or one or more firms of real estate appraisers to provide professional services necessary to appraise real, personal, and other interests in real property, on an as-needed basis, for a period of one year, with three 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 the Director of Port Control is authorized to employ by contract or contracts one or more real estate appraisers or one or more firms of real estate appraisers 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 appraise real, personal, and other interests in real property, as required by the various divisions of the Department of Port Control, as directed by the Director of Port Control, on an as-needed basis, for a period of one year, with three one-year options to renew, exercisable by the Director of Port Control.

The selection of the real estate appraisers for the services shall be made by the Board of Control on the nomination of the Director of Port Control from a list of qualified real estate appraisers available for employment as may be determined after a full and complete canvass by the Director of Port Control 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 Port Control, and certified by the Director of Finance.

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

Section 3. That the cost of the contract or contracts authorized by this ordinance shall be paid from Fund No. 60 SF 001. (RQS 3001, RLA 2024-70)

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 September 23, 2024.

Effective September 30, 2024.

Ordinance No. 986-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance to amend Sections 1 and 4 of Ordinance No. 854-2024, passed August 7, 2024, relating to contracts with MuniCap, Inc. for professional services to provide financial advisor services on the recently established Shore-To-Core-To Shore Tax Increment Financing District.

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 1 and 4 of Ordinance No. 854-2024, passed August 7, 2024, are amended to read as follows:

Section 1. That the Directors of Finance and Economic Development are authorized to enter into one or more contracts with MuniCap Inc. for professional services to provide financial advisor services on the recently established Shore-To-Core-To Shore Tax Increment Financing District, on the basis of its proposal dated July 10, 2024, for the Departments of Finance and Economic Development, for a period of two years. The contract or contracts shall provide that no additional services shall be rendered by MuniCap, Inc. in excess of \$150,000 without Council approval.

Section 4. The contract or contracts shall not exceed \$150,000 and shall be paid from Fund No. 01-1501-6320. (RQS 9501, RLA 2024-74)

Section 2. That existing Sections 1 and 4 of Ordinance No. 854-2024, passed August 7, 2024, 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 September 23, 2024.

Effective September 30, 2024.

Resolution No. 1027-2024**By Council Members:** Starr**An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 7515 Kinsman Road.**

WHEREAS, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from 7515 Kinsman Mart Inc., DBA: Kinsman Shoprite 7515 Kinsman Road, Cleveland, Ohio 44104, Permit No. 8003693 to Jot Foods Inc., 7515 Kinsman Road, Cleveland, Ohio 44104, Permit No. 4399500; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from 7515 Kinsman Mart Inc., 7515 Kinsman Road, Cleveland, Ohio 44104, Permit No. 8003693 to Jot Foods Inc., DBA: Kinsman Shoprite,

7515 Kinsman Road, Cleveland, Ohio 44104, Permit No. 4399500; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 23, 2024.

Effective September 30, 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

Ryan M. Puente, Deputy Chief of Staff and Chief Government Affairs Officer

Jeff Epstein, Chief of Integrated Development

Sarah N. Johnson, Chief Communications Officer

Michele Pomerantz, Chief of Education

Sonya Pryor-Jones, Chief of Youth and Family Success

Bonnie Teeuwen, Chief Operating Officer

Stephanie Wernet, Chief Innovation and Technology Officer

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 – James Hartley, Interim Director

Divisions:

Accounts – Lonya Moss-Walker, Commissioner

Assessments and Licenses – Dedrick Stephens, Commissioner

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 – _____, Manager
Engineering and Construction – Richard J. Switalski, Manager
Real Estate – Susanne Degennaro, Commissioner

MAYOR'S OFFICE OF EQUAL OPPORTUNITY – Tyson Mitchell, Director

MAYOR'S OFFICE OF URBAN ANALYTICS AND INNOVATION – Elizabeth Crowe, Director

MAYOR'S OFFICE OF SUSTAINABILITY – Sarah O'Keeffe, Director

PORT CONTROL – Bryant L. Francis, Director

Divisions:

Cleveland Hopkins International Airport & Burke Lakefront Airport – Khalid Bahhur,
Commissioner of Airports
Burke Lakefront Airport – Tony Campofredano, Airport Leader

PUBLIC HEALTH – David Margolius, M.D., Director

Divisions:

Air Quality – David Hearne, Commissioner
Environment – Wallace L. Chambers, Jr., Commissioner
Health – Frances Mills, Commissioner
Health Equity and Social Justice – Lita Marie Wills, Commissioner
Vital Statistics – Andrea Kacinari, City Registrar

PUBLIC SAFETY – Dornat A. Drummond, 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/>