

The City Record

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Adopted Resolutions and Passed Ordinances

These resolutions were adopted, and ordinances were passed by City Council on Wednesday, August 13, 2025.

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[Ord. No. 497-2025](#)

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Ord. No. 968-2025	Ord. No. 1005-2025
Ord. No. 969-2025	Ord. No. 1006-2025
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Ord. No. 1002-2025	Res. No. 1053-2025
Ord. No. 1003-2025	Res. No. 1054-2025
Ord. No. 1004-2025	

Ordinance No. 497-2025

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 maintain control systems of the SCADA and PCCS systems, for the various divisions of the Department of Public Utilities; and authorizing the Director of Public Utilities to enter into one or more requirement contracts without competitive bidding with various companies to provide critical proprietary components for the SCADA and PCCS equipment, for the Divisions of Water and Cleveland Public Power, Department of Public Utilities, for a period up to 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 up to two years of the necessary items of specialized equipment, supplies, tools, software, computer equipment, training, and labor if necessary, to maintain and replace components of the electrical power distribution control system, water distribution control system, water plant control system, and sewer pump station control system, labor and materials necessary to maintain control systems, including but not limited to, replacement parts, equipment, computer software, software upgrades, support software, software implementation, system changes, configurations, programming, training, upgrades, services, support and maintenance and other-software related components necessary for the operation of the SCADA and PCCS systems, 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 various divisions of the 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 this Council determines that the within commodities are non-competitive and cannot be secured from any source other than Hach Company, HSQ Technology, Rexel Inc., and Schneider Electric Systems, USA. Therefore, the Director of Public Utilities is authorized to make one or more written requirement contracts with the vendors listed above under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period up to two years of the necessary items of materials, equipment, supplies, and services necessary to maintain, repair, and replace

components of SCADA and PCCS equipment and software to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Divisions of Water and Cleveland Public Power, Department of Public Utilities.

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

Section 4. That the Director of Public Utilities is authorized to apply for and accept Northeast Ohio Regional Sewer District (“NEORS”) for Stormwater Community Cost Share Program funding to implement this ordinance, that the Director is authorized to file all papers and execute all documents necessary to receive the funds under this ordinance; and that the funds are appropriated for the purposes described in this ordinance.

Section 5. That the costs of the contract or contracts or other expenditures shall be paid from Fund Nos. 52 SF 001, 54 SF 001, 58 SF 001, funds approved by the Director of Finance, and the fund or funds to which are credited the NEORS Stormwater Community Cost Share Program funds, and shall also be charged against the proper appropriation accounts. The Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 2002, RL 2025-06)

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 560-2025

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

An emergency ordinance authorizing the Director of Public Safety to lease certain property located at 7818 Kinsman Road to Vanguard of Cleveland, for the purpose to use as a Community Resource Center and a Minority Public Safety Museum, for a term of thirty years, with two thirty-year options to renew, exercisable by the Director of Public Safety.

WHEREAS, the City of Cleveland owns certain property known as Fire Station 26 located at 7818 Kinsman Road, which is suitable for lease by another party for a public use; and

WHEREAS, Vanguard of Cleveland has proposed to lease the property from the City for the purpose of developing a Community Resource Center and a Minority Public Safety Museum; and

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

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

Section 1. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, and at the direction of the Board of Control, the Director of Public Safety is authorized to lease to Vanguard of Cleveland ("Lessee"), certain property known as Fire Station 26 located at 7818 Kinsman Road, which is suitable for lease by another party for the public purpose of operating a Community Resource Center and a Minority Public Safety Museum.

Section 2. That the term of the lease authorized by this ordinance shall be for a period of thirty (30) years, with two (2) thirty-year options to renew, exercisable by the Director of Public Safety.

Section 3. That the property authorized by this ordinance shall be leased at \$1.00 per year, and other valuable consideration, determined to be fair market value, exclusive of utilities.

Section 4. That the lease may authorize the Lessee to make improvements to, and maintain, the leased premises at its cost, subject to the approval of appropriate City agencies and officials.

Section 5. That the lease shall be prepared by the Director of Law.

Section 6. That the Director of Public Safety, the Director of Law, and other appropriate City officials are authorized to execute any other documents and

certificates, and take any other actions which may be necessary or appropriate to effect the lease authorized by 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.

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 603-2025

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

An emergency ordinance authorizing the Director of Community Development to transfer Permanent Parcel Nos. 121-22-003, 121-22-004, and 121-22-005, located along the Opportunity Corridor at the intersection of Woodhill Road and Quincy Avenue, to the control, possession, and use of the Department of Economic Development Industrial Commercial Land Bank for future redevelopment.

WHEREAS, the Department of Community Development desires to transfer certain property under its control in the City Land Bank to the Department of Economic Development Industrial Commercial Land Bank; and

WHEREAS, Section 183.14 of the Codified Ordinances of Cleveland, Ohio, 1976, requires that such transfer be preceded by an ordinance of Council approving the transfer; and

WHEREAS, the property to be transferred will become a component of the City of Cleveland's Industrial Land Reutilization Program, and, as such, will be regulated by Chapter 5722 of the Revised Code and Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, regarding acquisition and disposition of the property; 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 under Section 183.14 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Community Development is authorized to transfer Permanent Parcel Nos. 121-22-003, 121-22-004, and 121-22-005, located along the Opportunity Corridor at the intersection of Woodhill Road and Quincy Avenue, to the control, possession, and use of the Department of Economic Development Industrial Commercial Land Bank for future redevelopment.

Section 2. That on consummation of the transfer referenced above, the Directors participating in the transaction shall initial and date a copy of this ordinance and deliver the copy to the custody of the Division of Property Management of the Department of Economic Development.

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 August 13, 2025.

Effective August 18, 2025.

Ordinance No. 633-2025

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

An emergency ordinance to amend Sections 203.01, 203.02, and 203.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances; and to supplement the Codified Ordinances by enacting new Section 203.11, all relating to nuisance abatement.

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 following sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Sections 203.01 and 203.05, as amended by Ordinance No. 511-76, passed June 14, 1976, and

Section 203.02, as amended by Ordinance No. 1039-2023, passed February 5, 2024,

are amended to read as follows:

Section 203.01 *Investigations; Remedial Measures*

The Commissioner of Environmental Health, or any authorized City officer or employee, upon complaint or information of the existence of any condition or thing which amounts to a nuisance, which may affect or endanger the life, health or senses of the inhabitants of the City, shall investigate and take such measures as may be necessary to cause the abatement of any nuisance found to exist, by or at the expense of the person in charge or responsible therefore, or otherwise if circumstances so require.

A condition amounts to a nuisance whenever any provisions identified in this Chapter or in Chapter 630 has been violated and the real property, structure, or vehicle identified with the violation is not corrected, or is corrected but recurs and/or continues as a recurrent problem.

The “person responsible” includes any individual, firm, corporation, association, partnership, agent, operator, trust, estate, syndicate, cooperative, or any entity recognized by law: (i) in charge or in control of the land, a structure, or a chattel where there is a public nuisance; (ii) responsible for the creation, existence, commission, and/or maintenance of a condition or action in violation of the provisions identified in this Chapter or in Chapter 630; (iii) who causes an action that adversely affects the health, safety, or welfare of any person; or (iv) responsible for

the creation, existence, commission, and/or maintenance of a condition or activity lacking a required or necessary permit or license.

Section 203.02 *Notice to Abate; Exception*

(a) Whenever the Commissioner of Environment or any authorized City officer or employee ascertains, either upon information or by observation or inspection, that any condition amounting to a nuisance or defined by law or ordinance as a nuisance exists on any premises, which nuisance affects or endangers the public health, either of them shall, in writing, notify the owner or the person responsible, requiring the abatement or removal of the nuisance within a reasonable time, unless no such owner or person responsible can be found, or unless the circumstances are such, in their opinion, as to require the immediate abatement or removal of the nuisance, without waiting to give notification.

In the case of a vacant lot or a lot on which the main building or structure is vacant, either of which lot contains a nuisance as described in Section 209.01, the procedures outlined in Chapter 209 may be followed. In case of a nuisance as described in Section 209.01, the abatement shall last for the remainder of the growing season.

(b) A notice of violation under this Section 203.02, shall be served by one (1) or more of the following methods.

(1) Personal service. The City department issuing the notice may use any method that causes the Notice of Violations to be actually delivered to the owner or the person responsible. Actual delivery shall constitute legal service of the Notice of Violations.

(2) Residence service at the address of the owner or the person responsible, by leaving a copy of the notice of violation with a person of suitable age and discretion then residing therein.

(3) Certified mail to an address where it is reasonably calculated under the circumstances to reach the owner or the person responsible. When determining such an address, the City shall examine:

A. Information the owner or person responsible provided to the City, such as rental registration information or the address used on an appeal or an application; or

B. Information that a City representative, such as an inspector, has discovered during the performance of their duties; or

C. Information from common and readily available sources such as printed or online directories, credit bureaus, county property records, Board of Election records, motor vehicle records, court records or other state, county, municipal or federal records.

(4) Regular mail and posting as follows:

- A. Regular mail to the owner or the person responsible, at an address found under division (b)(3) above, which may be the address of the property that is the subject of the violation; and
- B. Regular mail service to the property address that is the subject of the violation notice, if that address is different from the address in division (b)(4)A above; and
- C. Posting of the notice of violation in a conspicuous location on the building, premises, or real estate or appurtenance thereto, that is the subject of the violation notice.

(5) Service by publication, electronically, or once in a newspaper of general circulation in the City.

The City is not required to use all of these methods and is not required to use any one of them; the City must use whatever combination of them is reasonably expected to be successful. The address found can be the property or premises which is the subject of the violation.

Section 203.05 Other Legal or Equitable Relief

Notwithstanding any notice provision in Section 203.02 above, in the event of any actual or threatened violation of this Chapter, Chapter 630, or an emergency situation, the Director of Law, in addition to other remedies provided by law, may institute proper suit, in equity or at law, to prevent or terminate such violation or remedy such situation. In addition to other remedies provided by this Chapter, the Director of Law may bring or cause to be brought, a civil action and recover costs, damages, equitable relief, attorneys' fees and any available civil penalties.

Section 2. That the following existing sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Sections 203.01 and 203.05, as amended by Ordinance No. 511-76, passed June 14, 1976, and

Section 203.02, as amended by Ordinance No. 1039-2023, passed February 5, 2024, are repealed.

Section 3. That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 203.11 to read as follows:

Section 203.11 *Nuisance Operations, Structures, Real Property or Vehicles*

The permitting of any operation, structure, real property or vehicle to be or remain in the following conditions is declared a nuisance:

- (a) Operations, structures, real properties or vehicles that are in dilapidated, decayed, unsafe or unsanitary conditions that are detrimental to the public health, safety, welfare or well-being;
- (b) Operations, structures, real properties or vehicles that are a fire hazard;
- (c) Any building that is or should be condemned as unfit for human habitation in violation of or pursuant to Section 369.21 of the Housing Code;
- (d) Land, real estate, houses, buildings, residences, apartments, or premises of any kind which are used for the commission of a felony drug abuse offense in violation of R.C. 2925.13; or
- (e) Any operation, structure, real property or vehicle that is not in compliance with any building, housing, zoning, fire, safety, air pollution, health or sanitation ordinance or provision of the Codified Ordinances of Cleveland, Ohio, 1976, the Ohio Administrative Code and/or the Ohio Revised Code.

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 August 13, 2025.

Effective August 18, 2025.

Ordinance No. 667-2025

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

An emergency ordinance authorizing the Directors of Parks and Recreation, Public Works, Community Development, and Public Safety to execute various deeds of easement and various temporary deeds of easement, granting to the Northeast Ohio Regional Sewer District certain easement rights in property located within various City-owned properties, and declaring the easement rights not needed for the City's public use.

WHEREAS, the Northeast Ohio Regional Sewer District ("NEORSD") is constructing its Kingsbury Run Consolidation Sewer Project as part of NEORSD's "Project Clean Lake" with a goal to reduce pollution in Lake Erie; and

WHEREAS, NEORSD's Kingsbury Run Consolidation Sewer Project is to reduce the combined sewer overflows released into the Cuyahoga River, and in order to have access to the project area for construction and future maintenance, NEORSD is seeking easement rights for the construction of the project;

WHEREAS, NEORSD has requested the City through its Directors of Parks and Recreation, Public Works, Community Development, and Public Safety, to convey certain easement rights and temporary easement rights in property located within various City-owned properties (both surface and subterranean easements), and known as Permanent Parcel Nos. 125-13-006, 125-13-003, 125-13-002, 125-12-151, 125-16-001, 125-17-014, 125-17-015, 126-38-016, and 128-30-001; and

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

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

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

**Permanent Surface Easement
125-13-006-KRCS-P2
0.0320 Acres**

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Original 100 Acre Lot No. 329; also being part of the land conveyed to City of Cleveland as recorded in Volume 9489, Page 145 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Sidaway Avenue (60 feet wide) and the centerline of Anita Kennedy Road SE (60 feet wide);

Thence, along the centerline of Sidaway Avenue, South 32° 02' 25" West, 50.75 feet;

Thence, continuing along the centerline of Sidaway Avenue, South 58° 55' 13" West, 59.48 feet to the northeasterly line of land conveyed to the Greater Cleveland Regional Transit Authority as recorded in Volume 14450, Page 685 of the Cuyahoga County Records;

Thence, leaving said centerline, along the northeasterly line of said land conveyed to the Greater Cleveland Regional Transit Authority, South 57° 10' 30" East, 27.84 feet to the northwesterly corner of said land conveyed to City of Cleveland;

Thence, along the northwesterly line of said land conveyed to City of Cleveland, South 58° 55' 13" West, 121.24 feet to the southwesterly corner thereof;

Thence, along the southwesterly line of said land conveyed to City of Cleveland, South 58° 32' 57" East, 294.35 feet;

Thence, along the northwesterly line of said land conveyed to City of Cleveland, South 56° 41' 48" West, 39.95 feet to the True Point of Beginning for the easement herein described;

Thence, leaving said northwesterly line, South 66° 44' 11" East, 28.33 feet;

Thence, South 60° 00' 01" East, 80.79 feet;

Thence, South 50° 34' 26" East, 41.91 feet to the southwesterly line of said land conveyed to City of Cleveland;

Thence, along the southwesterly line of said land conveyed to City of Cleveland, North 62° 39' 30" West, 155.86 feet to the northwesterly line of said land conveyed to City of Cleveland;

Thence, along the northwesterly line of said land conveyed to City of Cleveland, North 56° 41' 48" East, 12.05 feet to the point of beginning.

Containing within said bounds, 0.0320 acres (1,395 square feet) of land as surveyed by KS Associates, Inc., under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North.

**Permanent Subterranean Easement
125-16-001-KRCS-P1**

0.1846 Acres

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Original 100 Acre Lot Nos. 326 and 327; also being part of the land conveyed to City of Cleveland as recorded in Volume 8419, Page 323 and Volume 8666, Page 471 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of East 68th Street (40 feet wide) and the centerline of Hoppensack Avenue (40 feet wide);

Thence, along the centerline of East 68th Street, North 01° 11' 17" West, 179.08 feet to a point in the westerly extension of the northerly line of said Parcel No. 2 in Halmarnie, Inc. Plat of Partition, as recorded in AFN 202305160416 of the Cuyahoga County Map Records;

Thence, leaving said centerline, along the northerly line of said Parcel No. 2, and its westerly extension, the following three courses;

North 89° 42' 32" East, 271.25 feet;

Thence, North 01° 18' 26" West, 53.20 feet;

Thence, North 88° 41' 34" East, 267.34 feet to the northwesterly corner of said land conveyed to City of Cleveland;

Thence, along the southwesterly line of said land conveyed to City of Cleveland, along the arc of a curve which deflects to the left, 202.01 feet the True Point of Beginning for the easement herein described, said curve having a radius of 1555.00 feet, a central angle of 07° 26' 36", and a chord of 201.87 feet, which bears South 50° 11' 43" East;

Thence, leaving said southwesterly line, South 78° 03' 53" East, 362.87 feet to the southerly right-of-way of Garden Valley Avenue (63 feet wide);

Thence, along the southerly right-of-way of Garden Valley Avenue, along the arc of a curve which deflects to the left, 142.38 feet, said curve having a radius of 1445.00 feet, a central angle of 05° 38' 44", and a chord of 142.32 feet, which bears South 69° 59' 12" East;

Thence, leaving said southerly right-of-way, North 78° 03' 53" West, 457.15 feet to southwesterly line of said land conveyed to City of Cleveland;

Thence, along the southwesterly line of said land conveyed to City of Cleveland, along the arc of a curve which deflects to the right, 50.74 feet to the point of beginning, said curve having a radius of 1555.00 feet, a central angle of 01° 52' 11", and a chord of 50.74 feet, which bears North 54° 51' 06" West;

Containing within said bounds, 0.1846 acres (8,041 square feet) of land and having a lower elevation of 538.00 (148 feet below ground surface) and an upper elevation of 588.00 (98 feet below ground surface), as surveyed by KS Associates, Inc., under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024. Depths below ground surface indicated in parentheses are approximate and are based on existing ground surface elevations as of January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North. Elevations are based on NAVD88 vertical datum.

Permanent Surface Easement
128-30-001-KRCS-P1
0.0905 Acres

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Original 100 Acre Lot No. 433; also being part of the land conveyed to the City of Cleveland as recorded in Volume 747, Page 311, Volume 747, Page 315, Volume 747, Page 320, and Volume 747, Page 324 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of East 93rd Street (80 feet wide) and the centerline of Kinsman Road (66 feet wide);

Thence, along the centerline of Kinsman Road, South 74° 53' 31" East, 470.53 feet;

Thence, leaving said centerline, North 15° 06' 29" East, 33.00 feet to the northerly right-of-way of Kinsman Road and the True Point of Beginning for the easement herein described;

Thence, leaving the northerly right-of-way of Kinsman Road, North 09° 46' 06" East, 21.21 feet;

Thence, North 63° 07' 52" East, 76.16 feet;

Thence, North 04° 40' 16" East, 16.42 feet;

Thence, South 85° 27' 27" East, 29.78 feet;

Thence, South 04° 17' 39" West, 33.27 feet;

Thence, South 63° 07' 52" West, 46.93 feet;

Thence, South 15° 06' 29" West, 29.59 feet to the northerly right-of-way of Kinsman Road;

Thence, along the northerly right-of-way of Kinsman Road, North 74° 53' 31" West, 52.30 feet to the point of beginning.

Containing within said bounds, 0.0905 acres (3,943 square feet) of land as surveyed by KS Associates, Inc., under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North.

Permanent Subterranean Easement
125-16-001-KRCS-P2
0.5275 Acres

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Original 100 Acre Lot No. 327; also being part of Parcel No. 2 conveyed to City of Cleveland as recorded in Volume 8419, Page 323 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of East 79th Street (width varies) and the centerline of Garden Valley Avenue (63 feet wide);

Thence, along the centerline of Garden Valley Avenue, South 89° 17' 46" West, 162.23 feet;

Thence, leaving said centerline, South 00° 42' 14" East, 30.00 feet to the southerly right-of-way of Garden Valley Avenue and the True Point of Beginning for the easement herein described;

Thence, leaving said southerly right-of-way, along the arc of a curve which deflects to the right, 353.16 feet, said curve having a radius of 610.00 feet, a central angle of 33° 10' 16", and a chord of 348.25 feet, which bears South 73° 24' 52" West;

Thence, North 90° 00' 00" West, 265.61 feet;

Thence, along the arc of a curve which deflects to the right, 335.38 feet, said curve having a radius of 1610.00 feet, a central angle of 11° 56' 07", and a chord of 334.77 feet, which bears North 84° 01' 57" West;

Thence, North 78° 03' 53" West, 297.64 feet to the southerly right-of-way of Garden Valley Avenue;

Thence, along the southerly right-of-way of Garden Valley Avenue, along the arc of a curve which deflects to the left, 142.38 feet, said curve having a radius of 1445.00 feet, a central angle of 05° 38' 44", and a chord of 142.32 feet, which bears South 86° 08' 35" East;

Thence, leaving said southerly right-of-way, South 78° 03' 53" East, 156.73 feet;

Thence, along the arc of a curve which deflects to the left, 331.21 feet, said curve having a radius of 1590.00 feet, a central angle of 11° 56' 07", and a chord of 330.61 feet, which bears South 84° 01' 57" East;

Thence, South 90° 00' 00" East, 265.61 feet;

Thence, along the arc of a curve which deflects to the left, 308.69 feet the southerly right-of-way of Garden Valley Avenue, said curve having a radius of 590.00 feet, a central angle of 29° 58' 37", and a chord of 305.18 feet, which bears North 75° 00' 41" East;

Thence, along the southerly right-of-way of Garden Valley Avenue, North 89° 17' 46" East, 38.96 feet to the point of beginning

Containing within said bounds, 0.5275 acres (22,979 square feet) of land and having a lower elevation of 541.00 (151 feet below ground surface) and an upper elevation of 591.00 (101 feet below ground surface), as surveyed by KS Associates, Inc., under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024. Depths below ground surface indicated in parentheses are approximate and are based on existing ground surface elevations as of January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North. Elevations are based on NAVD88 vertical datum.

Permanent Subterranean Easement
125-17-014+-KRCS-P1
0.0400 Acres

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Sublot Nos. 30 and 31 in the Meyer and Thoman's Allotment of part of Original 100 Acre Lot No. 329, as recorded in Volume 7, Page 4 of the Cuyahoga County Map Records; also being part of the land conveyed to the City of Cleveland as recorded in Volume 12133, Page 265, and Volume 12133, Page 797 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of East 66th Street (40 feet wide) and the centerline of Berwick Road (40 feet wide);

Thence, along the centerline of Berwick Road, South 57° 11' 21" East, 421.93 feet to a point in the northerly extension of the westerly line of said Sublot No. 31;

Thence, leaving said centerline, along the westerly line of said Sublot No. 31 and its northerly extension, South 32° 48' 39" West, 102.79 feet to the True Point of Beginning for the easement herein described;

Thence, leaving said westerly line, South 33° 49' 46" East, 87.10 feet to the easterly line of said Sublot No. 30;

Thence, along the easterly line of said Sublot No. 30, South 32° 48' 39" West, 21.79 feet;

Thence, leaving said easterly line, North 33° 49' 46" West, 87.10 feet to the westerly line of said Sublot No. 31;

Thence, along the westerly line of said Sublot No. 31, North 32° 48' 39" East, 21.79 feet to the point of beginning.

Containing within said bounds, 0.0400 acres (1,742 square feet) of land of land and having a lower elevation of 583.00 (92 feet below ground surface) and an upper elevation of 621.00 (54 feet below ground surface), as surveyed by KS Associates, Inc., under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024. Depths below ground surface indicated in parentheses are approximate and are based on existing ground surface elevations as of January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North. Elevations are based on NAVD88 vertical datum.

Permanent Subterranean Easement
125-13-003-KRCS-P1
0.4164 Acres

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Parcel "D" in Plat of Lot Split and Consolidation for City of Cleveland and Cuyahoga Metropolitan Housing Authority of part of Original 100 Acre Lot Nos. 326 and 329, as recorded in Volume 363, Page 70 of the Cuyahoga County Map Records; also being part of the land conveyed to City of Cleveland as recorded in Volume 6867, Page 318 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of East 67th Street (50 feet wide) and the centerline of Selma Avenue (40 feet wide);

Thence, along the centerline of East 67th Street, North 01° 09' 54" West, 100.00 feet to a point in the westerly extension of the southerly line of Sublot No. 33 in J. H. Webster's Re-Allotment of Block "A" and Sublot No. 9 in J. H. Webster's Re-Allotment, as recorded in Volume 42, Page 24 of the Cuyahoga County Records;

Thence, leaving said centerline, along the southerly line of said Sublot No. 33 and its westerly extension, North 89° 56' 06" East, 133.83 feet to the southeasterly corner thereof, also being the northwesterly corner of said Parcel "D";

Thence, along the northerly line of said Parcel "D", North 56° 41' 48" East, 288.99 feet to the True Point of Beginning for the easement herein described;

Thence, continuing along the northerly line of said Parcel "D", North 56° 41' 48" East, 24.60 feet;

Thence, leaving said northerly line, South 02° 18' 03" West, 913.58 feet to the southerly line of said Parcel "D";

Thence, along the southerly line of said Parcel "D", North 89° 54' 54" West, 20.01 feet;

Thence, leaving said southerly line, North 02° 18' 03" East, 900.04 feet to the point of beginning.

Containing within said bounds, 0.4164 acres (18,136 square feet) of land and having a lower elevation of 544.00 (96 feet below ground surface) and an upper elevation of 582.00 (58 feet below ground surface), as surveyed by KS Associates, Inc., under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024. Depths below ground surface indicated in parentheses are approximate and are based on existing ground surface elevations as of January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North. Elevations are based on NAVD88 vertical datum.

Permanent Surface Easement
128-30-001-KRCS-P2
0.0848 Acres

Original 100 Acre Lot No. 433; also being part of the land conveyed to the City of Cleveland as recorded in Volume 747, Page 311, Volume 747, Page 315, Volume 747, Page 320, and Volume 747, Page 324 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of East 93rd Street (80 feet wide) and the centerline of Kinsman Road (66 feet wide);

Thence, along the centerline of Kinsman Road, South 74° 53' 31" East, 1135.84 feet;

Thence, leaving said centerline, North 15° 06' 29" East, 33.00 feet to the northerly right-of-way of Kinsman Road and the True Point of Beginning for the easement herein described;

Thence, leaving the northerly right-of-way of Kinsman Road, North 14° 54' 58" East, 37.40 feet;

Thence, North 75° 03' 23" West, 44.00 feet;

Thence, North 14° 56' 37" East, 46.00 feet;

Thence, South 75° 03' 23" East, 64.00 feet;

Thence, South 14° 56' 37" West, 83.46 feet to the northerly right-of-way of Kinsman Road;

Thence, along the northerly right-of-way of Kinsman Road, North 74° 53' 31" West, 19.98 feet to the point of beginning.

Containing within said bounds, 0.0848 acres (3,692 square feet) of land, as surveyed by KS Associates, Inc., under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North.

**Permanent Subterranean Easement
125-12-151-KRCS-P1
0.0560 Acres**

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Sublot Nos. 16 through 19 in the John H. Poisa Re-Allotment of part of Original 100 Acre Lot No. 326, as recorded in Volume 36, Page 29 of the Cuyahoga County Map Records; also being part of the land conveyed to City of Cleveland as recorded in Volume 11362, Page 215, Volume 11363, Page 101, Volume 11369, Page 311, and Volume 11371, Page 17 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of East 65th Street (66 feet wide) and the centerline of Newman Avenue (50 feet wide);

Thence, along the centerline of Newman Avenue, South 89° 54' 54" East, 583.01 feet to the westerly line of land conveyed to Angela J. Smith as recorded in AFN 201004300484 of the Cuyahoga County Records;

Thence, along the easterly extension of the centerline of Newman Avenue, South 89° 54' 54" East, 50.00 feet to the westerly line of land conveyed to City of Cleveland as recorded in Volume 7298, Page 277 of the Cuyahoga County Records;

Thence, along the westerly line of said land conveyed to City of Cleveland, the following three courses;

South 01° 09' 54" East, 156.33 feet;

Thence, North 89° 57' 34" East, 19.48 feet;

Thence, South 01° 18' 26" East, 261.82 feet to the northerly line of said Sublot No. 19;

Thence, along the northerly line of said Sublot No. 19, North 89° 53' 18" East, 33.88 feet to the True Point of Beginning for the easement herein described;

Thence, continuing along the northerly line of said Sublot No. 19, North 89° 53' 18" East, 20.02 feet;

Thence, leaving said northerly line, South 02° 18' 03" West, 148.58 feet to the southerly line of said Sublot No. 16;

Thence, along the southerly line of said Sublot No. 16, South 89° 53' 18" West, 4.55 feet to the southwesterly corner of said land conveyed to City of Cleveland as recorded in Volume 11362, Page 215 of the Cuyahoga County Records;

Thence, along the westerly line of said land conveyed to City of Cleveland, North 01° 18' 26" West, 37.12 feet to the southerly line of said Sublot No. 17;

Thence, along the southerly line of said Sublot No. 17, South 89° 53' 18" West, 13.13 feet;

Thence, leaving said southerly line, North 02° 18' 03" East, 111.44 feet to the point of beginning.

Containing within said bounds, 0.0560 acres (2,441 square feet) of land and having a lower elevation of 541.00 (136 feet below ground surface) and an upper elevation of 579.00 (98 feet below ground surface), as surveyed by KS Associates, Inc., under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024. Depths below ground surface indicated in parentheses are approximate and are based on existing ground surface elevations as of January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North. Elevations are based on NAVD88 vertical datum.

Permanent Surface Easement
125-13-003-KRCS-P2
0.2493 Acres

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Parcel "D" in Plat of Lot Split and Consolidation for City of Cleveland and Cuyahoga Metropolitan Housing Authority of part of Original 100 Acre Lot No. 329, as recorded in Volume 363, Page 70 of the Cuyahoga County Map Records; also being part of the land conveyed to City of Cleveland as recorded in Volume 6867,

Page 318 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Sidaway Avenue (60 feet wide) and the centerline of Anita Kennedy Road SE (60 feet wide);

Thence, along the centerline of Sidaway Avenue, South 32° 02' 25" West, 50.75 feet;

Thence, continuing along the centerline of Sidaway Avenue, South 58° 55' 13" West, 59.48 feet to the northeasterly line of land conveyed to the Greater Cleveland Regional Transit Authority, as recorded in Volume 14450, Page 685 of the Cuyahoga County Records;

Thence, leaving said centerline, along the northeasterly line of said land conveyed to the Greater Cleveland Regional Transit Authority, South 57° 10' 30" East, 27.84 feet to the northwesterly corner of land conveyed to City of Cleveland, as recorded in Volume 9489, Page 145 of the Cuyahoga County Records;

Thence, along the northwesterly line of said land conveyed to City of Cleveland, South 58° 55' 13" West, 121.24 feet to the southwesterly corner thereof;

Thence, along the southwesterly line of said land conveyed to City of Cleveland, South 58° 32' 57" East, 294.35 feet;

Thence, along the northwesterly line of said land conveyed to City of Cleveland, South 56° 41' 48" West, 52.00 feet to the northwesterly corner of said Parcel "D" and the True Point of Beginning for the easement herein described;

Thence, along the northeasterly line of said Parcel "D", South 62° 39' 30" East, 155.86 feet;

Thence, leaving said northeasterly line, South 50° 34' 26" East, 2.44 feet;

Thence, South 44° 55' 42" East, 161.96 feet;

Thence, South 56° 49' 35" East, 9.96 feet;

Thence, South 62° 09' 41" East, 23.84 feet;

Thence, South 77° 54' 42" East, 20.92 feet;

Thence, South 83° 11' 40" East, 30.70 feet;

Thence, North 84° 12' 37" East, 42.10 feet;

Thence, North 72° 31' 19" East, 16.70 feet to the northeasterly line of said Parcel "D";

Thence, along the northeasterly line of said Parcel "D", South 62° 39' 30" East, 35.47 feet;

Thence, leaving said northeasterly line, South 72° 31' 19" West, 44.41 feet;

Thence, South 84° 12' 37" West, 47.41 feet;

Thence, North 83° 11' 40" West, 34.61 feet;

Thence, North 77° 54' 42" West, 25.53 feet;

Thence, North 62° 09' 41" West, 28.46 feet;

Thence, North 56° 49' 35" West, 13.71 feet;

Thence, North 45° 00' 43" West, 165.76 feet;

Thence, North 50° 34' 26" West, 38.64 feet;

Thence, North 60° 00' 01" West, 77.26 feet;

Thence, North 66° 44' 11" West, 39.21 feet;

Thence, North 65° 02' 42" West, 4.07 feet to the northwesterly line of said Parcel "D";

Thence, along the northwesterly line of said Parcel "D", North 56° 41' 48" East, 17.76 feet to the point of beginning.

Containing within said bounds, 0.2493 acres (10,859 square feet) of land, as surveyed by KS Associates, Inc., under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North.

Permanent Surface Easement
125-13-006-KRCS-P1
0.0324 Acres

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Original 100 Acre Lot No. 329; also being part of the land conveyed to City of Cleveland as recorded in Volume 9489, Page 145 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Sidaway Avenue (60 feet wide) and the centerline of Anita Kennedy Road SE (60 feet wide);

Thence, along the centerline of Sidaway Avenue, South 32° 02' 25" West, 50.75 feet;

Thence, continuing along the centerline of Sidaway Avenue, South 58° 55' 13" West, 59.48 feet to the northeasterly line of land conveyed to the Greater Cleveland Regional Transit Authority, as recorded in Volume 14450, Page 685 of the Cuyahoga County Records;

Thence, leaving said centerline, along the northeasterly line of said land conveyed to the Greater Cleveland Regional Transit Authority, South 57° 10' 30" East, 27.84 feet to the northwesterly corner of said land conveyed to City of Cleveland;

Thence, along the northeasterly line of said land conveyed to City of Cleveland, South 57° 10' 30" East, 680.67 feet to the westerly right-of-way of East 71st Street (50 feet wide);

Thence, along the westerly right-of-way of East 71st Street, South 04° 38' 46" West, 56.81 feet to the True Point of Beginning for the easement herein described;

Thence, continuing along the westerly right-of-way of East 71st Street, South 04° 38' 46" West, 26.99 feet;

Thence, leaving said westerly right-of-way, South 72° 31' 19" West, 38.81 feet to the southwesterly line of said land conveyed to City of Cleveland;

Thence, along the southwesterly line of said land conveyed to City of Cleveland, North 62° 39' 30" West, 35.47 feet;

Thence, leaving said southwesterly line, North 72° 31' 19" East, 74.13 feet to the point of beginning.

Containing within said bounds, 0.0324 acres (1,412 square feet) of land, as surveyed by KS Associates, Inc., under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North.

Permanent Subterranean Easement
125-13-002-KRCS-P1
0.2645 Acres

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 326; also being part of the land conveyed to City of Cleveland as recorded in Volume 7298, Page 277 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of East 65th Street (66 feet wide) and the centerline of Newman Avenue (50 feet wide);

Thence, along the centerline of Newman Avenue, South 89° 54' 54" East, 583.01 feet to the westerly line of land conveyed to Angela J. Smith, as recorded in AFN 201004300484 of the Cuyahoga County Records;

Thence, along the easterly extension of the centerline of Newman Avenue, South 89° 54' 54" East, 50.00 feet to the westerly line of said land conveyed to City of Cleveland;

Thence, along the westerly line of said land conveyed to City of Cleveland, North 01° 09' 54" West, 157.81 feet to the northwesterly corner thereof;

Thence, along the northerly line of said land conveyed to City of Cleveland, South 89° 54' 54" East, 88.85 feet to the True Point of Beginning for the easement herein described;

Thence, continuing along the northerly line of said land conveyed to City of Cleveland, South 89° 54' 54" East, 20.01 feet;

Thence, leaving said northerly line, South 02° 18' 03" West, 576.01 feet to the southerly line of said land conveyed to City of Cleveland;

Thence, along the southerly line of said land conveyed to City of Cleveland, South 89° 53' 18" West, 20.02 feet;

Thence, leaving said southerly line, North 02° 18' 03" East, 576.08 feet to the point of beginning.

Containing within said bounds, 0.2645 acres (11,521 square feet) of land and having a lower elevation of 542.00 (122 feet below ground surface) and an upper elevation of 580.00 (84 feet below ground surface), as surveyed by KS Associates, Inc., under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024. Depths below ground surface indicated in parentheses are approximate and are based on existing ground surface elevations as of January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North. Elevations are based on NAVD88 vertical datum.

Section 2. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that temporary easement interests in the following described properties are not needed for the City's public use:

**Temporary Easement
126-38-016-KRCS-T2**

0.0544 Acres

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Parcel "A" in Lot Consolidation Map, of part of Original 100 Acre Lot No. 432 as recorded in Volume 370, Page 93 of the Cuyahoga County Map Records; also being part of the land conveyed to City of Cleveland Land Reutilization Program, as recorded in AFN 201110210330 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at a point in the westerly right-of-way of Woodhill Road (80 feet wide) at the southeasterly corner of said Parcel "A";

Thence, leaving said westerly right-of-way, along the southerly line of said Parcel "A", South 89° 42' 54" West, 442.36 feet to the southwesterly corner thereof;

Thence, along the westerly line of said Parcel "A", also being the easterly line of Parcel "A" in Lot Consolidation Plat for 93 Kinsman LLC, as recorded in AFN 201803220379 of the Cuyahoga County Map Records, North 23° 51' 28" East, 138.08 feet to the True Point of Beginning for the easement herein described;

Thence, continuing along the westerly line of said Parcel "A", North 23° 51' 28" East, 48.08 feet;

Thence, leaving said westerly line, North 80° 09' 36" East, 49.37 feet;

Thence, South 00° 00' 00" East, 40.60 feet;

Thence, South 80° 09' 36" West, 69.10 feet to the point of beginning.

Containing within said bounds, 0.0544 acres (2,369 square feet) of land, as surveyed by KS Associates, Inc., under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North.

Temporary Easement**126-38-016-KRCS-T1****0.0057 Acres**

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Parcel "A" in Lot Consolidation Map, of part of Original 100 Acre Lot No. 433, as recorded in Volume 370, Page 93 of the Cuyahoga County Map Records; also being part of the land conveyed to City of Cleveland Land Reutilization Program, as recorded in AFN 201110210330 of the Cuyahoga County Records, being more definitely described as follows;

Beginning at a point in the westerly right-of-way of Woodhill Road (80 feet wide) at the southeasterly corner of said Parcel "A";

Thence, leaving said westerly right-of-way, along the southerly line of said Parcel "A", South 89° 42' 54" West, 37.81 feet;

Thence, leaving said southerly line, North 21° 40' 03" East, 14.14 feet;

Thence, South 68° 19' 57" East, 35.07 feet to the point of beginning.

Containing within said bounds, 0.0057 acres (248 square feet) of land, as surveyed by KS Associates, Inc., under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North.

Temporary Easement
125-13-003-KRCS-T1
0.0186 Acres

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Parcel "D" in Plat of Lot Split and Consolidation for City of Cleveland and Cuyahoga Metropolitan Housing Authority, of part of Original 100 Acre Lot No. 329, as recorded in Volume 363, Page 70 of the Cuyahoga County Map Records; also being part of the land conveyed to City of Cleveland as recorded in Volume 6867, Page 318 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Sidaway Avenue (60 feet wide) and the centerline of Anita Kennedy Road SE (60 feet wide);

Thence, along the centerline of Sidaway Avenue, South 32° 02' 25" West, 50.75 feet;

Thence, continuing along the centerline of Sidaway Avenue, South 58° 55' 13" West, 59.48 feet to the northeasterly line of land conveyed to the Greater Cleveland Regional Transit Authority as recorded in Volume 14450, Page 685 of the Cuyahoga County Records;

Thence, leaving said centerline, along the northeasterly line of said land conveyed to the Greater Cleveland Regional Transit Authority, South 57° 10' 30" East, 27.84 feet to the northwesterly corner of land conveyed to City of Cleveland as recorded in Volume 9489, Page 145 of the Cuyahoga County Records;

Thence, along the northwesterly line of said land conveyed to City of Cleveland, South 58° 55' 13" West, 121.24 feet to the southwesterly corner thereof;

Thence, along the southwesterly line of said land conveyed to City of Cleveland, South 58° 32' 57" East, 294.35 feet;

Thence, along the northwesterly line of said land conveyed to City of Cleveland, South 56° 41' 48" West, 52.00 feet to the northwesterly corner of said Parcel "D";

Thence, along the northeasterly line of said Parcel "D", South 62° 39' 30" East, 408.66 feet to the True Point of Beginning for the easement herein described;

Thence, continuing along the northeasterly line of said Parcel "D", South 62° 39' 30" East, 33.63 feet;

Thence, leaving said northeasterly line, South 72° 31' 19" West, 16.70 feet;

Thence, South 84° 12' 37" West, 42.10 feet;

Thence, North 83° 11' 40" West, 10.95 feet;

Thence, North 58° 54' 07" East, 45.32 feet to the point of beginning.

Containing within said bounds, 0.0186 acres (808 square feet) of land, as surveyed by KS Associates, Inc., under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North.

Temporary Easement
125-13-006-KRCS-T2
0.0088 Acres

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Original 100 Acre Lot No. 329; also being part of the land conveyed to City of Cleveland as recorded in Volume 9489, Page 145 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Sidaway Avenue (60 feet wide) and the centerline of Anita Kennedy Road SE (60 feet wide);

Thence, along the centerline of Sidaway Avenue, South 32° 02' 25" West, 50.75 feet;

Thence, continuing along the centerline of Sidaway Avenue, South 58° 55' 13" West, 59.48 feet to the northeasterly line of land conveyed to the Greater Cleveland Regional Transit Authority, as recorded in Volume 14450, Page 685 of the Cuyahoga County Records;

Thence, leaving said centerline, along the northeasterly line of said land conveyed to the Greater Cleveland Regional Transit Authority, South 57° 10' 30" East, 27.84 feet to the northwesterly corner of said land conveyed to City of Cleveland;

Thence, along the northeasterly line of said land conveyed to City of Cleveland, South 57° 10' 30" East, 680.67 feet to the westerly right-of-way of East 71st Street (50 feet wide);

Thence, along the westerly right-of-way of East 71st Street, South 04° 38' 46" West, 83.80 feet to the True Point of Beginning for the easement herein described;

Thence, continuing along the westerly right-of-way of East 71st Street, South 04° 38' 46" West, 17.87 feet;

Thence, leaving said westerly right-of-way, North 88° 13' 41" West, 25.17 feet to the southwesterly line of said land conveyed to City of Cleveland;

Thence, along the southwesterly line of said land conveyed to City of Cleveland, North 62° 39' 30" West, 11.72 feet;

Thence, leaving said southwesterly line, North 72° 31' 19" East, 38.81 feet to the point of beginning.

Containing within said bounds, 0.0088 acres (385 square feet) of land, as surveyed by KS Associates, Inc., under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North.

Temporary Easement
125-13-006-KRCS-T1
0.0852 Acres

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Original 100 Acre Lot No. 329; also being part of the land conveyed to City of Cleveland as recorded in Volume 9489, Page 145 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Sidaway Avenue (60 feet wide) and the centerline of Anita Kennedy Road SE (60 feet wide);

Thence, along the centerline of Sidaway Avenue, South 32° 02' 25" West, 50.75 feet;

Thence, continuing along the centerline of Sidaway Avenue, South 58° 55' 13" West, 59.48 feet to the northeasterly line of land conveyed to the Greater Cleveland

Regional Transit Authority, as recorded in Volume 14450, Page 685 of the Cuyahoga County Records;

Thence, leaving said centerline, along the northeasterly line of said land conveyed to the Greater Cleveland Regional Transit Authority, South 57° 10' 30" East, 27.84 feet to the northwesterly corner of said land conveyed to City of Cleveland;

Thence, along the northeasterly line of said land conveyed to City of Cleveland, South 57° 10' 30" East, 680.67 feet to the westerly right-of-way of East 71st Street (50 feet wide) and the True Point of Beginning for the easement herein described;

Thence, along the westerly right-of-way of East 71st Street, South 04° 38' 46" West, 56.81 feet;

Thence, leaving said westerly right-of-way, South 72° 31' 19" West, 74.13 feet to the southwesterly line of said land conveyed to City of Cleveland;

Thence, along the southwesterly line of said land conveyed to City of Cleveland, North 62° 39' 30" West, 33.63 feet;

Thence, leaving said southwesterly line, North 58° 54' 07" East, 122.83 feet to the point of beginning.

Containing within said bounds, 0.0852 acres (3,710 square feet) of land, as surveyed by KS Associates, Inc., under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North.

Temporary Easement
128-30-001-KRCS-T1
0.1481 Acres

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Original 100 Acre Lot No. 433; also being part of the land conveyed to the City of Cleveland as recorded in Volume 747, Page 311, Volume 747, Page 315, Volume 747, Page 320, and Volume 747, Page 324 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of East 93rd Street (80 feet wide) and the centerline of Kinsman Road (66 feet wide);

Thence, along the centerline of Kinsman Road, South 74° 53' 31" East, 470.53 feet;

Thence, leaving said centerline, North 15° 06' 29" East, 33.00 feet to the northerly right-of-way of Kinsman Road and the True Point of Beginning for the easement herein described;

Thence, along the northerly right-of-way of Kinsman Road, North 74° 53' 31" West, 11.69 feet;

Thence, leaving the northerly right-of-way of Kinsman Road, North 01° 10' 04" West, 45.12 feet;

Thence, North 85° 41' 40" East, 29.51 feet;

Thence, North 05° 25' 10" West, 19.30 feet;

Thence, North 79° 21' 01" East, 44.13 feet;

Thence, North 82° 47' 47" East, 47.44 feet;

Thence, South 05° 43' 50" East, 61.28 feet;

Thence, South 03° 21' 56" East, 53.88 feet to the northerly right-of-way of Kinsman Road;

Thence, along the northerly right-of-way of Kinsman Road, North 74° 53' 31" West, 66.94 feet;

Thence, leaving the northerly right-of-way of Kinsman Road, North 15° 06' 29" East, 29.59 feet;

Thence, North 63° 07' 52" East, 46.93 feet;

Thence, North 04° 17' 39" East, 33.27 feet;

Thence, North 85° 27' 27" West, 29.78 feet;

Thence, South 04° 40' 16" West, 16.42 feet;

Thence, South 63° 07' 52" West, 76.16 feet;

Thence, South 09° 46' 06" West, 21.21 feet to the point of beginning.

Containing within said bounds, 0.1481 acres (6,452 square feet) of land, as surveyed by KS Associates, Inc., under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North.

Temporary Easement
128-30-001-KRCS-T2
0.1790 Acres

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Original 100 Acre Lot No. 433; also being part of the land conveyed to the City of Cleveland as recorded in Volume 747, Page 311, Volume 747, Page 315, Volume 747, Page 320, and Volume 747, Page 324 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of East 93rd Street (80 feet wide) and the centerline of Kinsman Road (66 feet wide);

Thence, along the centerline of Kinsman Road, South 74° 53' 31" East, 760.51 feet;

Thence, leaving said centerline, North 15° 06' 29" East, 33.00 feet to the northerly right-of-way of Kinsman Road;

Thence, continuing North 15° 06' 29" East, 28.59 feet to the True Point of Beginning for the easement herein described;

Thence, North 11° 39' 35" East, 68.03 feet;

Thence, South 76° 58' 57" East, 116.00 feet;

Thence, South 11° 38' 28" West, 66.39 feet;

Thence, North 77° 47' 31" West, 116.00 feet to the point of beginning.

Containing within said bounds, 0.1790 acres (7,795 square feet) of land, as surveyed by KS Associates, Inc., under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North.

Temporary Easement
128-30-001-KRCS-T3
0.2980 Acres

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Original 100 Acre Lot No. 433; also being part of the land conveyed to the City of Cleveland as recorded in Volume 747, Page 311, Volume 747, Page 315, Volume 747, Page 320, and Volume 747, Page 324 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of East 93rd Street (80 feet wide) and the centerline of Kinsman Road (66 feet wide);

Thence, along the centerline of Kinsman Road, South 74° 53' 31" East, 1135.84 feet;

Thence, leaving said centerline, North 15° 06' 29" East, 33.00 feet to the northerly right-of-way of Kinsman Road and the True Point of Beginning for the easement herein described;

Thence, along the northerly right-of-way of Kinsman Road, North 74° 53' 31" West, 146.91 feet;

Thence, leaving the northerly right-of-way of Kinsman Road, North 14° 57' 03" East, 86.53 feet;

Thence, South 75° 03' 23" East, 115.43 feet;

Thence, North 14° 56' 37" East, 25.00 feet;

Thence, South 75° 03' 23" East, 59.53 feet;

Thence, South 14° 56' 37" West, 112.03 feet to the northerly right-of-way of Kinsman Road;

Thence, along the northerly right-of-way of Kinsman Road, North 74° 53' 31" West, 8.08 feet;

Thence, leaving the northerly right-of-way of Kinsman Road, North 14° 56' 37" East, 83.46 feet;

Thence, North 75° 03' 23" West, 64.00 feet;

Thence, South 14° 56' 37" West, 46.00 feet;

Thence, South 75° 03' 23" East, 44.00 feet;

Thence, South 14° 54' 58" West, 37.40 feet to the point of beginning.

Containing within said bounds, 0.2980 acres (12,980 square feet) of land, as surveyed by KS Associates, Inc., under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in January, 2024.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North.

Section 3. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the above-described non-exclusive

easement interests and the exclusive temporary easements to the NEORSD, subject to any conditions stated in this ordinance at an appraised price of \$99,350, which is determined to be fair market value.

Section 4. That the purpose of the easements shall be for the construction and maintenance of Kingsbury Run Consolidation Sewer Project.

Section 5. That the duration of the non-exclusive easements shall be perpetual; that the duration of the exclusive temporary easements shall be until the construction of the Kingsbury Run Consolidation Sewer Project is completed; that the non-exclusive easements and exclusive temporary easements may include reasonable right-of-entry rights to the City; that the easements and temporary easements shall not be assignable without the consent of the Directors of Parks and Recreation, Public Works, Community Development, and Public Safety; that the easements and temporary easements shall require that the NEORSD provide reasonable insurance and pay any applicable taxes and assessments.

Section 6. That the conveyances referred to above shall be made by official deeds of easement and official deeds of temporary easement, prepared by the Director of Law and executed by the Directors of Parks and Recreation, Public Works, Community Development, and Public Safety on behalf of the City of Cleveland. The deeds of easement and the deeds of temporary easement shall contain any additional terms and conditions as are required to protect the interest of the City. The Directors of Parks and Recreation, Public Works, Community Development, Public Safety, and Law are authorized to execute any other documents, including without limitation, contracts for right-of-entry, as may be necessary to effect this ordinance.

Section 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.

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 679-2025

By Council Member: Griffin (by departmental request)

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

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

WHEREAS, pursuant to that authority, the Council passed Ordinance No. 29-16 on January 25, 2016 (the “General Bond Ordinance”), providing for the City’s issuance, from time to time, of Water Pollution Control Revenue Bonds and Council approved the Master Trust Agreement, dated April 14, 2016, as supplemented and amended, from time to time (collectively, the “Trust Agreement”), between the City and Zions Bank, A Division of ZB, National Association, as trustee, under which the City issued and secured Water Pollution Control Revenue Bonds and into which the General Bond Ordinance was incorporated; and

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

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

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

Section 1. Definitions.

In addition to the words and terms defined in the Trust Agreement, the following words and terms shall have the following meanings, unless the context or use clearly indicates another or different meaning or intent:

“Bonds” means all Bonds issued and outstanding under the Trust Agreement and any Additional Bonds issued under the Trust Agreement.

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

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

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

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

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

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

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

“Trust Agreement” means the Master Trust Agreement, as previously supplemented and amended, and as it may be further supplemented and amended by any other Supplemental Trust Agreement.

“Master Trust Agreement” means the Master Trust Agreement, dated April 14, 2016, between the City and Zions Bank, A Division of ZB, National Association, as trustee.

“Municipal Advisor” means any financial advisory firm or firms retained by the Director of Finance of the City, from time to time, pursuant to Section 18. This term was previously defined as “Financial Advisor” in the General Bond Ordinance and other prior legislation related to the Outstanding Bonds.

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

“Outstanding Bonds” means all Bonds that have been authenticated and delivered, or are then being delivered, by the Trustee, as of any date, under the Trust Agreement, except: (i) Bonds surrendered for exchange or registration of transfer and cancelled or cancelled because of payment or redemption on or prior to such date; (ii) Bonds (or the portions thereof) for the payment, redemption or purchase for cancellation of which sufficient moneys have been deposited on or prior to such date with the Trustee or any Paying Agents (whether upon or prior to the maturity or redemption date of any such Bonds), or which are deemed to have been paid and discharged pursuant to the provisions of the Trust Agreement; provided that if such Bonds are to be redeemed prior to the maturity thereof, notice of such redemption shall have been given or arrangements satisfactory to the Trustee shall have been made therefor, or waiver of such notice satisfactory in form to the Trustee shall have been filed with the Trustee, and provided further that if such Bonds are to be purchased for cancellation, a firm offer for sale stating the price has been received and accepted; and (iii) lost, stolen, mutilated or destroyed Bonds in lieu of or in exchange for which others have been authenticated (or payment of which, when due, is made without replacement) under the Trust Agreement; provided, however, that in determining whether the Holders of the requisite principal amount of Outstanding Bonds shall have given any request, demand, authorization, direction, notice, consent or waiver under the Trust Agreement, Bonds owned by the City shall be disregarded and deemed not to be Outstanding. On the date of introduction of this WPC Refunding Ordinance, the following Bonds are Outstanding: Series 2016 Bonds (currently outstanding in the amount of \$27,350,000) and Series 2024 Bonds (currently outstanding in the amount of \$29,675,000).

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

“Refunding Bonds” means the obligations authorized by this WPC Refunding Ordinance to be issued in one or more Series as Additional Bonds under the Trust Agreement for the purpose of (i) refunding one or more Series of Outstanding Bonds, or designated maturities thereof, or one or more Series of Refunding Bonds or (ii) purchasing all or a portion of one or more Series of Outstanding Bonds or one or more Series of Refunding Bonds pursuant to a Tender and/or Exchange Program in accordance with Section 10.

“Supplemental Trust Agreement” means, as to each Series of Refunding Bonds, the Supplemental Trust Agreement, as applicable, between the City and the Trustee securing that Series of Refunding Bonds as authorized under Section 7.

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

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

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

Section 2. *Authorization of the Refunding Bonds.*

This Council authorizes the City to issue the Refunding Bonds, from time to time, in one or more Series for the purpose or purposes of (i) refunding one or more Series of Outstanding Bonds, or designated portions thereof, to obtain aggregate net present value debt service savings of at least three percent (3%), or (ii) refunding, refinancing or restructuring of one or more Series of Outstanding Bonds, or designated portions thereof, to (a) obtain debt service savings to the City pursuant to a Tender and/or Exchange Program in accordance with Section 10, (b) eliminate or modify covenants that are unduly restrictive, or (c) otherwise to obtain a more favorable debt service structure or more favorable terms under Credit Support Instruments. With respect to Outstanding Bonds that are short-term or variable-rate obligations, this Council authorizes the City to issue Refunding Bonds to refund such Outstanding Bonds, or designated portions thereof, on the further basis that the Director of Finance has determined, based on the written advice of a Municipal Advisor, that such Outstanding Bonds are subjecting the City to undesirably high rates of interest or undesirable fluctuations in rates of interest or risks or expenses associated with Credit Support Instruments that can economically be avoided or mitigated through refunding. The principal amount of each Series of Refunding Bonds is to be the amount set forth in the Certificate of Award authorized in Section 4 and determined by the Director of Finance, based on the written advice of a Municipal Advisor, to be necessary, as applicable (i) to refund the Refunded Bonds to be refunded by that Series, (ii) to refund, refinance or restructure the Outstanding Bonds purchased pursuant to a Tender and/or Exchange Program to be refunded, refinanced or restructured by that Series, (iii) to fund any deposit to the Debt Service Reserve Fund required under the Trust Agreement or any special reserve fund for that Series separate from the Debt Service Reserve Fund, (iv) to pay costs of any Credit Support Instruments, (v) to pay any amounts owed under Hedge Agreements and (vi) to pay costs of issuing the Refunding Bonds and refunding, refinancing or restructuring the Refunded Bonds. The proceeds from the sale of each Series of Refunding Bonds shall be allocated, deposited and applied as provided in Section 5.

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

Section 3. *Variable Rate Refunding Bonds.*

In the event that a Series of Refunding Bonds bear interest at variable interest rates, then the Director of Finance is authorized to determine the method and procedure by which the variable rate of interest to be borne by the Refunding Bonds of that Series shall be determined, whether by reference to a market index, by a remarketing agent or

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

Section 4. Award and Sale of Refunding Bonds.

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

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

- (a) the aggregate principal amount of Refunding Bonds issued;
- (b) the purchase price to be paid to the City by the Original Purchasers, which amount shall be not less than: (i) 97% of the amount determined by adding to the aggregate principal amount of the Refunding Bonds any aggregate original issue premium and subtracting from the amount any aggregate original issue discount, plus (ii) any accrued interest on the Refunding Bonds from their date to the date of their delivery to the Original Purchasers;
- (c) whether any Refunding Bonds are to be subject to redemption prior to maturity, and, if so, the redemption date for those Refunding Bonds subject to prior redemption and the redemption price, which may be determined as a percentage of the principal amount redeemed or by a formula intended to make the bondholder whole for the loss of the investment resulting from the early redemption or by other methodology;
- (d) the dates on which, and amounts in which, principal of the Refunding Bonds is to be paid, which shall be not later than thirty (30) years from their respective dates of issuance, with an identification of whether the payment is due by stated maturity or by mandatory sinking fund redemption of Refunding Bonds of a particular maturity;
- (e) the interest rates to be borne by Refunding Bonds bearing interest at a fixed rate, the weighted average of which shall not exceed seven percent (7%) as to Refunding Bonds of any Series that are Tax-Exempt Obligations, or eight percent (8%) as to Refunding Bonds of any Series that are Taxable Obligations, or the method by which the interest rate is to be determined for Refunding Bonds bearing interest at variable rates, consistent with Section 3;
- (f) the particular Outstanding Bonds or portions thereof to be Refunded Bonds, and the date or dates on which the Refunded Bonds shall be called for redemption or otherwise retired;
- (g) the title and Series designation for the Refunding Bonds;
- (h) the amount, if any, and source of any money to be deposited in the Debt Service Reserve Fund in order to cause the balance therein to equal the Debt Service Reserve Requirement, if and to the extent required by the applicable Supplemental Trust Agreement, and any determination as to whether there shall be a special reserve fund for the Refunding Bonds of any Series, separate from the Debt Service Reserve Fund, and any determination as to whether a Credit Support Instrument

shall be provided in lieu of cash in the Debt Service Reserve Fund or such special reserve fund;

- (i) the Paying Agent;
- (j) whether any Refunding Bonds are to be secured by or payable from any Credit Support Instruments; and
- (k) whether the refunding, refinancing or restructuring of all or a portion of the Outstanding Bonds will be accomplished through a Tender and/or Exchange Program.

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

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

Section 5. *Application of Proceeds of Refunding Bonds.*

The proceeds of the sale of each Series of Refunding Bonds shall be deposited as provided in the applicable Supplemental Trust Agreement, including:

- (a) to the payment of any providers of any Credit Support Instruments, the fees and expenses required to be paid by the City to obtain the Credit Support Instrument;
- (b) to the Trustee, for deposit to the credit of the Interest Subfund in the Debt Service Fund, the amount, if any, received by the City upon delivery of the Refunding Bonds as accrued interest on any Refunding Bonds from their dated date to the date of the delivery of and payment for those Refunding Bonds;
- (c) to the Trustee, for deposit to the credit of the Debt Service Reserve Fund or any special reserve fund, any amount identified in the Certificate of Award as required to be deposited in the Debt Service Reserve Fund or such special reserve fund from the proceeds of the Refunding Bonds;
- (d) to the Trustee, for deposit to the credit of the Contingency Fund, any amount identified in the Certificate of Award as required to be deposited in the Contingency Fund from the proceeds of the Refunding Bonds;

- (e) to the Trustee, for payment to the holders of the Refunded Bonds or for deposit to the credit of any Escrow Fund established pursuant to any Escrow Agreement or to the Debt Service Fund, proceeds to be applied to refund the Refunded Bonds;
- (f) to the Trustee, for the purchase of all or a portion of one or more Series of Outstanding Bonds or one or more Series of Refunding Bonds pursuant to a Tender and/or Exchange Program;
- (g) to the counterparty under any Hedge Agreement, any payment determined by the Director of Finance to be paid from the proceeds of the Refunding Bonds, including any termination payment in the event that the Director of Finance determines it is in the best interests of the City to terminate a Hedge Agreement relating to Outstanding Bonds; and
- (h) to the Costs of Issuance Fund, to be created under the applicable Supplemental Trust Agreement, such amounts as are needed to pay costs of issuing the Refunding Bonds and refunding, refinancing or restructuring the Refunded Bonds.

Provision shall be made in the Supplemental Trust Agreements for the application of any amounts held in the funds and accounts established under the Trust Agreement and no longer required for the security of Outstanding Bonds as a result of the Refunded Bonds' no longer being Outstanding, or any amounts that otherwise are in excess of the required balances. Provisions may be made in the Supplemental Trust Agreements for the creation of separate accounts within the funds established under the Trust Agreement or Supplemental Trust Agreements or the creation of separate accounts necessary to carry out the provisions of this WPC Refunding Ordinance.

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

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

- (a) *Form; Exchange and Transfer.* All Refunding Bonds shall be issued in fully registered form and may be delivered in book-entry form. If delivered in book-entry form, Refunding Bonds shall be registered in the name of the Depository (as defined in the Trust Agreement), or its nominee, as registered owner, and immobilized in the custody of the Depository, and shall not be transferable or exchangeable (except for transfer to another Depository or its nominee) without further action by the City pursuant to the provisions of the Supplemental Trust Agreement.
- (b) *Dates; Denominations.* The Refunding Bonds of each Series shall be dated as of the date or dates provided in the Certificate of Award and shall be issued in the denominations permitted in the applicable Supplemental Trust Agreement.

- (c) *Interest and Place of Payment.* The Refunding Bonds of each Series shall bear interest at their respective interest rates specified in the Certificate of Award (or, in the case of variable rate Refunding Bonds, determined pursuant to the Supplemental Trust Agreement). The Refunding Bonds of the same Series and same maturity may bear interest at different interest rates. The Refunding Bonds of each Series shall bear interest from the most recent date to which interest has been paid or duly provided for or, if no interest has been paid or duly provided for, from their date. The principal and any redemption premium and the interest payable on each Refunding Bond of a Series shall be payable at the times, to the persons and in the manner set forth in, or referenced by, the applicable Supplemental Trust Agreement, including, without limitation, provisions thereof permitting special arrangements for payments to the Depository.
- (d) *Maturities.* The Refunding Bonds of each Series shall mature on the dates and in the respective principal amounts provided in the Certificate of Award, consistent with this WPC Refunding Ordinance and the Trust Agreement.
- (e) *Optional and Mandatory Redemption.* The Refunding Bonds of each Series may be subject to redemption prior to maturity at the option of the City, if and to the extent provided in the Certificate of Award. Any Refunding Bonds so determined to be subject to optional redemption and maturing by their stated terms after the earliest optional redemption date shall be subject to redemption at the option of the City on or after the earliest optional redemption date, in whole or in part, on any date at the redemption prices provided in the Certificate of Award and in accordance with the applicable Supplemental Trust Agreement and the Trust Agreement. The Refunding Bonds designated in the Certificate of Award as term bonds subject to mandatory sinking fund redemption shall be redeemed prior to maturity on each mandatory redemption date designated in the Certificate of Award in the aggregate amount of the sinking fund installment to be paid on such mandatory redemption date, all as provided in the Certificate of Award and in accordance with the Supplemental Trust Agreement.
- (f) *Purchase in Lieu of Redemption.* The Refunding Bonds of each Series may be subject to purchase by the City in lieu of optional redemption if and to the extent provided in the Certificate of Award and the applicable Supplemental Trust Agreement.
- (g) *Execution.* The Refunding Bonds of each Series shall be signed by the persons and in the manner set forth in the Trust Agreement.
- (h) *Numbering.* The Refunding Bonds of each Series shall be numbered as determined by the Director of Finance.

Section 7. Authorization of Supplemental Trust Agreement; Escrow Agreement.

In order to secure the payment of the principal of and any premium and interest on the Refunding Bonds, the Mayor, Director of Finance and Director of Public Utilities, or any two of them, are authorized to sign and deliver to the Trustee, in trust for the Original

Purchasers and subsequent holders of each Series of the Refunding Bonds, one or more Supplemental Trust Agreements, approved as to form by the Director of Law, not inconsistent with this WPC Refunding Ordinance, the Certificate of Award and the Trust Agreement, and not substantially adverse to the City as may be approved by the officers signing the same on behalf of the City. The determination by those officers that a Supplemental Trust Agreement is not substantially adverse to the City shall be conclusively evidenced by the signing and delivery of that Supplemental Trust Agreement by those officers. Subject to the Master Trust Agreement as theretofore amended, any Supplemental Trust Agreement may contain amendments to the Master Trust Agreement, as theretofore amended, or amend and restate the Master Trust Agreement, to permit the City to obtain a Credit Support Instrument or to permit increased flexibility for the use of financial or credit structures and techniques determined by the Director of Finance, based on the written advice of a Municipal Advisor, to be in the best interests of the City.

In order to cause the proceeds of each Series of Refunding Bonds, and any funds of the City deposited in an Escrow Fund or in the Debt Service Fund, to be invested as permitted under Section 18 of the General Bond Ordinance so that the Refunded Bonds are deemed paid and discharged pursuant to Article VIII of the Master Trust Agreement, and in order to cause the amount to be deposited to be dedicated and applied to the payment of the principal of and interest and any redemption premium on the Refunded Bonds as and when due, to and including the applicable redemption date, the Director of Finance is authorized to sign and deliver one or more Escrow Agreements between the City and the Trustee as Escrow Agent, approved as to form by the Director of Law, providing for the establishment of each Escrow Fund as a trust fund in the custody of the Trustee, and for the investment, dedication and application of the moneys deposited in the accounts therein, and further providing for the payment of the fees and expenses of the Trustee for the performance of its duties as Escrow Agent. Each Escrow Agreement shall provide for the redemption of the Refunded Bonds identified in the applicable Certificate of Award to be called for redemption prior to maturity and shall provide irrevocable instruction to the Trustee to effect such redemption in accordance with the Trust Agreement. The Director of Finance is authorized to take such other actions as may be necessary or appropriate to accomplish the refunding of Refunded Bonds, including without limitation, the retention of an independent public accounting firm to verify that the securities to be in an Escrow Fund are of such maturities or redemption dates and interest payment dates, and bear such interest, as will be sufficient, together with any cash in an Escrow Fund, for the payment of debt service on the Refunded Bond to which the Escrow Fund relates and to make any determinations required for the interest on the Refunding Bonds to be excluded from gross income for federal income tax purposes.

Section 8. *Rebate Fund.*

There is established and ordered to be maintained a separate account for each Series of Refunding Bonds that are Tax-Exempt Obligations within the Rebate Fund held in the custody of the Trustee under the Trust Agreement. The Rebate Fund is not pledged to the payment of debt service and is free and clear of any pledge or lien given under the Trust Agreement as security for the Refunding Bonds or the Outstanding Bonds. Calculations of

excess earnings that may be due and payable to the federal government pursuant to the Code and deposits to those accounts of the Rebate Fund shall be made as provided in the applicable Supplemental Trust Agreement.

Section 9. Remarketing.

In the event that the Director of Finance determines, based on the written advice of a Municipal Advisor, that it is advantageous to the City to convert the interest on any short-term or variable rate Outstanding Bonds or Refunding Bonds to fixed interest rates for a period of time or to maturity, or to convert the interest on any short-term or variable rate Outstanding Bonds or Refunding Bonds to a different variable rate period or mode, or to terminate or take other actions with respect to any existing Credit Support Instrument that will require a tender and remarketing of any Outstanding Bonds or Refunding Bonds under the Trust Agreement (any such conversion or other action or tender or remarketing being collectively referred to in this Section as “remarketing”), the City shall undertake the remarketing in accordance with the Trust Agreement. In connection with any remarketing of Bonds, the Director of Finance is authorized to take such actions that he determines, based on the written advice of a Municipal Advisor, will facilitate the remarketing of the Bonds or otherwise be in the best interests of the City, including without limitation, obtaining one or more Credit Support Instruments, terminating any Credit Support Instrument, and entering into agreements with one or more purchasers for their direct purchase of the remarketed Bonds in lieu of a public offering of the Bonds by a remarketing agent. In the event the Director of Finance determines, based on the written advice of a Municipal Advisor, that it is necessary to supplement or amend the Supplemental Trust Agreement applicable to a Series of Bonds to be remarketed in order to address current market conditions or to permit the use of or to terminate a Credit Support Instrument or otherwise obtain financing arrangements advantageous to the City, the Mayor, the Director of Finance and the Director of Public Utilities, or any two of them, are authorized to sign and deliver an amendment of that Supplemental Trust Agreement, or an amended and restated Supplemental Trust Agreement, approved as to form by the Director of Law, subject to the Master Trust Agreement as theretofore amended.

The Director of Finance is further authorized to satisfy any Debt Service Reserve Requirement or any special reserve fund requirement for the Series of Bonds to be remarketed, by the deposit of a Credit Support Instrument in lieu of cash, as permitted and more specifically provided in the Trust Agreement, and to apply cash released from the Debt Service Reserve Fund or such special reserve fund to the payment of costs of remarketing or other purposes permitted by applicable laws. To the extent the costs of remarketing are not paid from any cash released from the Debt Service Reserve Fund or such special reserve fund, those costs shall be paid from funds of the Division of Water Pollution Control, which are appropriated for that purpose.

The Director of Finance and the Director of Public Utilities are authorized to prepare one or more disclosure documents in connection with any remarketing of Bonds under the same terms and conditions as set forth in Section 14 of this WPC Refunding Ordinance with respect to the issuance of Refunding Bonds. The Director of Finance, the Director of Public Utilities or any other officer of the City, as appropriate under the Charter, is

authorized to take such actions or cause to be taken such actions, as are necessary to maintain the applicable tax status of such Bonds, and the covenants and authorizations in Section 12 of this WPC Refunding Ordinance shall apply to such Bonds. The Mayor, the Director of Finance, the Director of Public Utilities and other City officials, as appropriate under the Charter, are authorized to sign and deliver such instruments, certificates and documents as are necessary or appropriate to consummate the transactions authorized by this Section. The Director of Finance, the Director of Public Utilities, the Director of Law and other City officials, as appropriate under the Charter, are authorized to make the necessary arrangements on behalf of the City to establish the date, location, procedure and conditions for the remarketing of any Bonds, and to take all actions necessary to effect the remarketing of any Bonds under the terms of this WPC Refunding Ordinance and the Trust Agreement. The Clerk of Council, or other appropriate official of the City, shall furnish the Trustee a true transcript of proceedings, certified by the Clerk or other official, of all proceedings had with reference to the remarketing of any Bonds along with such information for the records as is necessary to determine the validity of the remarketing.

Section 10. *Tender and/or Exchange Program.*

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

Section 11. *Authorization of Hedging Arrangements.*

This Council finds that by engaging in interest rate hedging arrangements with respect to Bonds, the City may reduce its cost of borrowing by optimizing the relative amounts of its fixed and variable rate obligations, or minimizing the risk of variations in its debt service

costs, or obtaining savings by confirming rates of interest on Bonds in advance of their issuance. To permit the City to have the flexibility to undertake with respect to Bonds interest rate swap, swaption, rate cap, rate collar and other hedging transactions, from time to time, and to establish the procedures for approving those transactions, this Council authorizes the signing and delivery of one or more agreements, including amendments or supplements to existing agreements (each, a "Hedge Agreement"), and any related agreements necessary for the consummation of the transactions contemplated by each Hedge Agreement. The authorizations in this Section are supplemental to, and not in derogation of, any authority provided by any other ordinance of this Council concerning hedging arrangements.

Upon the determination of the Director of Finance, based on the written advice of a Municipal Advisor, that it is to the financial advantage of the City and in the City's best interests that a hedging arrangement be undertaken by the City with respect to any Bonds issued or to be issued under the Trust Agreement, the Director of Finance may authorize one or more interest rate hedge transactions in accordance with the applicable Hedge Agreement; provided that (a) the counterparty shall be rated at the time of signing the Hedge Agreement not lower than "A" by at least one rating agency, or its obligations under the Hedge Agreement shall be guaranteed or insured by an entity rated at the time of signing the Hedge Agreement not lower than "A" by at least one rating agency, with such rating in either case determined without regard to a gradation by numerical or plus or minus or other modifier and (b) the term of each hedge transaction shall not exceed the final maturity of the Bonds to which the hedge relates.

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

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

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

Section 12. *Covenants of the City.*

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

- (a) The City will use the proceeds of the Refunding Bonds for the purposes specified in Section 2.
- (b) The Clerk, or other appropriate officer of the City, will furnish to the Original Purchasers and to the Trustee, a true transcript of proceedings, certified by the Clerk or other officer, of all proceedings had with reference to the issuance of the Refunding Bonds, together with information from the City's records as is necessary to determine the regularity and validity of the issuance of the Refunding Bonds.
- (c) The City will, at any and all times, cause to be done all such further acts and things, and cause to be signed and delivered, all further instruments as may be necessary to carry out the purpose of the Refunding Bonds and this WPC Refunding Ordinance, or as may be required by Article XVIII of the Constitution of Ohio, the Charter of the City, the Trust Agreement or the applicable Supplemental Trust Agreement, and will comply with all requirements of law applicable to the System and the operation thereof.
- (d) The City will observe and perform all its agreements and obligations provided for in the Refunding Bonds, this WPC Refunding Ordinance, the Trust Agreement and each Supplemental Trust Agreement. All of the obligations under this WPC Refunding Ordinance, the Trust Agreement, and each Supplemental Trust Agreement, are hereby established as duties specifically enjoined by law and resulting from an office, trust, or station upon the City within the meaning of Section 2731.01, Ohio Revised Code.
- (e) The City will use, and will restrict the use and investment of, the proceeds of the Refunding Bonds that are issued as Tax-Exempt Obligations in such manner and to such extent as may be necessary so that (a) the Refunding Bonds will not (i) constitute private activity bonds, arbitrage bonds, or hedge bonds under Sections 141, 148 or 149 of the Code, or (ii) be treated other than as bonds to which division

(a) of Section 103 of the Code applies, and (b) the interest thereon will not be treated as an item of tax preference under Section 57 of the Code.

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

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

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

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

Section 13. *Ratings; Credit Enhancement.*

If, in the judgment of the Director of Finance, based on the written advice of a Municipal Advisor, the filing of an application for a rating on one or more Series of Outstanding Bonds or Refunding Bonds by one or more nationally recognized rating agencies is in the best interests of the City, the Director of Finance is authorized to prepare and submit those applications and to provide to each such agency such information as may be required for the purpose. The Director of Finance is authorized to contract for one or more Credit Support Instruments for any Series of Outstanding Bonds or Refunding Bonds, or designated portions thereof, if the Director determines, based on the written advice of a Municipal Advisor, that the Credit Support Instruments will result in debt service savings to the City, or will stabilize interest rates on those Bonds, or will minimize the risk of increased interest expense on those Bonds. The Director of Finance is further authorized to terminate any such contract if the Director of Finance determines, based on the written advice of a Municipal Advisor, that the City's best interests will be served by such termination. The cost of obtaining each rating and the cost of obtaining or terminating each Credit Support Instrument, except to the extent paid by the Original Purchasers in accordance with the Bond Purchase Agreement, shall be paid from the proceeds of Refunding Bonds or funds of the Division of Water Pollution Control, which are appropriated for that purpose.

Section 14. *Official Statements; Continuing Disclosure.*

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

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

Those officers each are further authorized to sign and deliver, on behalf of the City and in their official capacities, each final official statement and such certificates regarding the accuracy of each preliminary official statement and each final official statement and any amendments thereto as may, in their judgment, also be necessary or appropriate. The Director of Finance is authorized to contract for services for the production and distribution of preliminary and final official statements, including by printed and electronic means.

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

Section 15. *Authorization of Other Documents.*

Each of the Mayor, the Director of Finance, the Director of Public Utilities, and other City officials, as appropriate under the Charter, is authorized to sign and deliver such instruments, certificates and documents as are necessary or appropriate to consummate the transactions authorized by this WPC Refunding Ordinance, the Bond Purchase Agreements, the Supplemental Trust Agreements, the Trust Agreement, any Escrow Agreements, and any Hedge Agreements.

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

The Director of Finance is also authorized, notwithstanding any other previously imposed limitations on redemption provisions for such Outstanding Bonds, to enter into

agreements with any holder of any Outstanding Bonds to extend, in consideration of payment, the earliest optional redemption date of those Bonds, provided that the Director of Finance receives written advice of a Municipal Advisor that the consideration being received by the City fairly compensates the City for such extension of the redemption date. Any amounts received with respect to such extensions shall be deposited in the Construction Fund or Revenue Fund.

Section 16. *Incorporation of General Bond Ordinance Covenants and Requirements.* This Series 2025 Bond Ordinance hereby incorporates all covenants and requirements of the General Bond Ordinance insofar as applicable to any Refunding Bonds.

Section 17. *Other Provisions for Payment of Outstanding Bonds.*

The City may, from time to time, deposit legally available funds, other than the proceeds of Bonds issued for that purpose, in trust with the Trustee under the Trust Agreement or an Escrow Agreement, for the payment of debt service requirements on any Outstanding Bonds if, in the judgment of the Director of Finance and the Director of Public Utilities, based on the written advice of a Municipal Advisor, doing so will improve the debt service coverage ratio of the System (being the ratio of Net Revenues Available for Debt Service to Debt Service on all Bonds then Outstanding). The Director of Finance is authorized to make such deposits, from time to time, from moneys in the Contingency Fund or the Balance Subfund under the Trust Agreement, with the actual amount of any deposit to be determined by the Director of Finance in consultation with the Director of Public Utilities. In order to cause any amounts so deposited to be dedicated and applied solely to the payment of the principal of and interest, and any redemption premium on the designated Outstanding Bonds, as and when due at maturity or upon prior redemption, the Mayor, the Director of Finance and the Director of Public Utilities, or any two of them, are authorized, in the name and on behalf of the City, to sign and deliver one or more Escrow Agreements approved as to form and correctness by the Director of Law, providing for the establishment of an Escrow Fund as a trust fund in the custody of the Trustee and the investment, dedication and application of the moneys deposited therein and further providing for the payment to the Trustee of fees and expenses for its performance of its duties under the Escrow Agreement. The officers signing the Escrow Agreement on behalf of the City shall determine that the agreement satisfies the requirements of this Section, and that determination shall be conclusively evidenced by the signing of the Escrow Agreement by those officers. The Mayor, the Director of Finance and the Director of Public Utilities, or any two of them, are authorized, in the name and on behalf of the City, to sign and deliver agreements, approved as to form and correctness by the Director of Law, with one or more institutions, including agreements which will enable the City to more efficiently structure any escrow funds established pursuant to this Section, and thereby maximize debt service savings and minimize negative arbitrage. The Director of Finance is authorized to take such other actions as may be necessary or appropriate to accomplish any defeasance of the designated Outstanding Bonds to be paid from any escrow fund, including without limitation, the retention of a firm of independent certified public accountants to verify that the securities to be deposited in escrow are of such maturities or redemption dates, and interest payment dates, and bear such interest, as will be sufficient, together with any available moneys, for the payment of debt service on the designated Outstanding Bonds.

Section 18. *Municipal Advisors and Consultants.*

The Director of Finance may obtain the services of one or more Municipal Advisors, from time to time, to assist the Director of Finance in making any of the determinations required by this WPC Refunding Ordinance, to be determined by the Director of Finance, or to negotiate any Hedge Agreements. Any such Municipal Advisor shall be registered with the SEC and the Municipal Securities Rulemaking Board as a municipal advisor. The Director of Finance may rely on the written advice of any Municipal Advisor so retained. The Director of Finance may obtain the services of one or more feasibility consultants, from time to time, to provide reports in connection with the issuance and sale of any Refunding Bonds, or the delivery of any Hedge Agreements concerning the utilization and operation of the System, debt service coverage, rates and charges or other matters. Any Municipal Advisor or consultant employed under the authority of this WPC Refunding Ordinance shall have a fiduciary duty to the City, be disinterested in the transaction, and be independent of the Original Purchaser and any other party interested in the transaction.

Section 19. *Appointment of Successor Trustee.*

The Director of Finance is authorized to appoint a successor Trustee in the event that the current Trustee, Zions Bank, A Division of ZB, National Association, shall resign or be removed, or be dissolved or otherwise become incapable of acting as Trustee under the Trust Agreement, or in case it shall be taken under the control of any public officer or officers or of a receiver appointed by a court, in accordance with the provisions of the Trust Agreement.

Section 20. *Captions, Headings, and Section References.*

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

Section 21. *Severability.*

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

Section 22. *Interpretation.*

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

Section 23. *Validity.*

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

Section 24. *Compliance with Open Meeting Requirements.*

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

Section 25. *Sunset of Authorization.*

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

Section 26. *Emergency.*

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 717-2025

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

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to WESTON-CMG JV, LLC, to encroach into the public right-of-way of East Prospect Avenue by installing and maintaining a 48 ½" x 46" "RECORD RENDEZVOUS" Ohio Historical Marker that is mounted on a pole, with a foundation.

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

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

Section 1. That the Director of Capital Projects is authorized to issue a permit, revocable at the will of Council, to WESTON-CMG JV, LLC, located at 75 East Market Street, Akron, Ohio 44308 ("Permittee"), to encroach into the public right-of-way of Prospect Avenue by installing and maintaining a 48 ½" x 46" "RECORD RENDEZVOUS" Ohio Historical Marker that is mounted on a pole, with a foundation at the following location: Front of 300 East Prospect Avenue.

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

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

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

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 723-2025

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

An emergency ordinance determining the method of making the public improvement of designing, installing and constructing various energy conservation measures at the City's Division of Police District facilities; authorizing the Directors of Capital Projects, Finance and Public Safety to enter into one or more guaranteed energy saving performance contracts for a guaranteed maximum price with Leopardo Energy, LLC, for the making of the improvement and professional services for procurement modifications; authorizing the Director of Public Works to enter into one or more maintenance agreements for the HVAC improvements; authorizing the Director of Finance to enter into one or more installment payment contracts and to finance the improvements; and authorizing other documents.

WHEREAS, the Office of Capital Projects issued a request for quotation, or RFQ, for Public Safety Energy Improvements, conducted interviews of the qualified respondents, and has selected Leopardo Energy, LLC ("Leopardo Energy"), to prepare an energy conservation report in accordance with R.C. 717.02(B) for all five of the City's Division of Police District facilities; and

WHEREAS, Leopardo's Energy Conservation Report dated May 20, 2025, as amended, (the "Energy Conservation Report") contains the following energy and conservation measures for such District facilities: (1) HVAC replacements at Districts 1, 4, and 5; (2) roof repairs at District 3 and replacement at District 5; (3) acoustical ceiling replacements at Districts 1, 2, 4 and 5; (4) replace windows and doors at Districts 1, 2, 4, and 5; (5) whole building back-up generator power at Districts 1 and 5; (6) modify District 4 electrical systems for full building back-up power on the existing generator; and (7) LED lighting fixture replacements, plumbing fixture replacements, building façade repairs, interior finish upgrades, roof solar installation with battery storage, and electrical wiring and service modifications at all Districts (collectively the "Project"); and

WHEREAS, the City desires to contract with Leopardo Energy to design, install, and implement the Project; and

WHEREAS, under R.C. 717.02, the City is authorized to procure energy conservation measures, as defined therein, in any manner authorized by the City's Charter and ordinances, and to enter into installment payment contracts or other appropriate financing for the Project, upon such terms and conditions as the City deems advisable; and

WHEREAS, the City may desire to finance all or some portion of the Project by entering into one or more installment payment contracts under R.C. 717.02(D), the contracts which are not subject to competitive bidding requirements; and

WHEREAS, Leopardo Energy has executed a project labor agreement with the Cleveland Building and Construction Trades Council as part of a comprehensive qualification process to identify multiple contractors by utilizing the local trades; and

WHEREAS, the unique design, time, budgetary, or other material elements of the Project can benefit from the special care, coordination, and expeditiousness by the performance of both the professional design services and the construction of public improvements comprising the Project in one or more design-build approach contracts with a single entity; 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 Council hereby finds that, based upon the Energy Conservation Report, placed in **File No. 723-2025-A**, the amount of the money that would be spent on the Project is not likely to exceed the amount of money the City would save in energy, operating, maintenance and avoided capital costs over the average life of the Project.

Section 2. That, under Section 167 of the Charter of the City of Cleveland and notwithstanding and as an exception to the Codified Ordinances of the City of Cleveland, Ohio, 1976, this Council determines to make the public improvement of the Project, for the Division of Police, Department of Public Safety, by one or more guaranteed energy saving performance contracts duly let to Leopardo Energy, based on its November 22, 2024, proposal and the Energy Conservation Report, to design, install, and implement the Project (the "Improvement Contract"). The total cost of the Improvement Contract shall be for a guaranteed maximum price not to exceed twenty-one million dollars (\$21,000,000). The Improvement Contract may be implemented in accordance with RC 717.02, and may also include professional services for procurement modifications to achieve additional cost savings for the City as further described in the Energy Conservation Report, and shall be prepared by the Director of Law, approved by the Directors of Capital Projects, Finance, and Public Safety, and certified by the Director of Finance.

Section 3. That the Director of Public Works is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a total term not to exceed the aggregate of the terms of any financing agreements entered into under Section 4 of this ordinance or twenty (20) years, whichever is greater, of the necessary items of labor and materials necessary to maintain, test, inspect, repair, or enhance the HVAC replacements of the Project, including, but not limited to, environmental controls, associated software, and components, and the rental of component parts, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Police, Department of Public Safety ("Maintenance Contract"). 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.

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.

That under division (b) of Section 108 of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Works may sign all documents that are necessary to make the purchases and may enter into one or more contracts with the vendors selected through that cooperative process. The Director of Public Works shall provide written notice to the Clerk of Council ("Clerk") whenever any purchase is made through the cooperative process, which notice shall include the details of such cooperative purchases.

Section 4. That the Director of Finance is authorized to enter into one or more installment payment contracts, or other appropriate financing instruments, for the design, purchase, installation, and implementation of the conservation measures under the Improvement Contracts, with one or more lending institutions or banks, for an aggregate principal amount not to exceed twenty-one million dollars (\$21,000,000) (the "Installment Contract"). Not less than five percent (5%) of the cost of the Installment Contract shall be paid within two (2) years of the date of purchase, with the remaining balance to be paid in accordance with R.C. 717.02(D)(2).

The selection of the lending institutions or banks for the Installment Contract shall be made by the Board of Control on the nomination of the Director of Finance, from a list of qualified and available lending institutions or banks after making a full and complete canvass for the purpose of compiling the list. The Board of Control shall fix, together or separately through one or more resolutions, the term of and the interest rate per annum under the Installment Contract.

Section 5. That the Director of Finance is authorized to take all actions necessary or reasonably required by the parties to the Installment Contract to carry out, give effect to and consummate the transactions contemplated thereby, including engaging financial advisors, special tax counsel and underwriters and/or placement agents for the Installment Contract, and executing and delivering any escrow agreement, federal tax certificate or agreement, memorandum of understanding with Leopardo Energy or the applicable vendor, disbursement requests, final acceptance certificate, or other closing or other documents or certificates as contemplated in or required by the Installment Contract.

Section 6. That, if the Director of Finance enters into the Installment Contract, the City may be reimbursed out of the proceeds thereof for expenditures paid or incurred in connection with the Project in accordance with the reimbursement requirements set

forth in Treasury Regulations Section 1.150-2 of the Internal Revenue Service. This ordinance shall constitute a declaration of the City's intent with respect to reimbursing expenses of the Project with proceeds of an Installment Contract within the meaning of Treasury Regulations Section 1.150-2.

Section 7. That the Director of Capital Projects is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

Section 8. That the Director of Capital Project and Director of Public Works, as appropriate, are authorized to enter into any other agreements and to sign documents, all to be approved for legal form and correctness by the Director of Law, to effectuate the transactions described in this ordinance. That all contracts otherwise authorized by this ordinance shall be approved by the Director of Law and shall contain any terms and conditions as are required to protect the interests of the City.

Section 9. That the Director of Public Safety or Director of Capital Projects, as appropriate, is authorized to apply for and accept any gifts or grants for this purpose from any public or private entity; and that the appropriate director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in this ordinance.

Section 10. That the cost of Improvement Contract authorized in Section 2 shall be paid from the principal amount under the Installment Contract authorized in Section 4, the fund or funds to which are credited grant funds or cash gifts received, or any funds approved by the Director of Finance, including 2025 bonds if issued for this purpose. That the cost of the Maintenance Contract, and Installment Contract authorized in Sections 3 and 4, respectively, shall be paid from annual funds appropriated for this purpose. That the cost of all other contracts and expenditures authorized in this ordinance shall be paid from funds approved by the Director of Finance. (RQS 0103, RLA 2025-54)

Section 11. That the Director of Capital Projects shall provide quarterly reports to the Clerk during Project construction and annual reports to the Clerk of cost savings after the Project completion.

Section 12. 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 August 13, 2025.

Effective August 18, 2025.

Ordinance No. 725-2025

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

An emergency ordinance authorizing the Director of Public Works to enter into an agreement with the Cleveland Browns Stadium Company LLC, to reimburse the Cleveland Browns for the emergency repairs made to Huntington Bank Field, performed by the Cleveland Browns Stadium Company LLC.

WHEREAS, the Huntington Bank Field (“Stadium”) is owned by the City of Cleveland and is operated by the Cleveland Browns Stadium Company LLC (“Cleveland Browns”);

WHEREAS, on October 23, 1998, the Cleveland Browns entered into assignment and assumption of a lease agreement with the National Football League, and pursuant to the requirements of the lease of the Stadium, in order to maintain the structure and to preserve its usefulness as a sports facility, the City of Cleveland is to reimburse the Cleveland Browns for the necessary emergency repairs performed or cause to be performed by the Cleveland Browns at the Stadium; and

WHEREAS, the improvements have been reviewed and physical conditions inspected by the Mayor’s Office of Capital Projects and have been deemed 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 Public Works is authorized to enter into an agreement with the Cleveland Browns to reimburse the Cleveland Browns for the repairs and improvements made to or caused to be made at the Stadium that have been deemed to be necessary emergency repairs as defined in **File 725-2025-A**.

Section 2. That the agreement shall be prepared by the Director of Law and shall contain any terms and conditions deemed necessary to protect and benefit the public interest.

Section 3. That, upon execution of the agreement authorized above, the Director of Public Works is authorized to reimburse the Cleveland Browns for the repairs and improvements made to the Stadium, in an amount not to exceed \$2,654,953.00, payable from Fund No. 20 SF 111. (RQS 0103, RL 2025-62)

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 August 13, 2025.

Effective September 12, 2025.

Ordinance No. 726-2025**By: Mayor Bibb**

An ordinance to amend Sections 352.01, 352.13, 401.34, 457.01 to 457.04, 457.09, 457.12, and 457.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances; to supplement the Codified Ordinances by enacting new Section 457.991; and to repeal Section 457.05, as enacted by Ordinance No. 1684-76, passed June 29, 1976, all relating to public garages and parking lots.

WHEREAS, the City desires to require owners and operators, as appropriate, of parking lots and garages in certain downtown areas to specifically identify their security measures in their license applications for the Chief of Police's review of the adequacy of safety measures to be implemented; now, therefore,

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

Section 1. That the title of Chapter 352 and following sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Sections 352.01 and 352.13, as amended by Ordinance No. 639-2024, passed November 4, 2024,

Section 401.34, as enacted by Ordinance No. 1684-76, passed June 29, 1976,

Section 457.01, as enacted by Ordinance No. 1552-A-90, passed June 17, 1991,

Section 457.02, as amended by Ordinance No. 2603-91, passed August 19, 1992,

Section 457.03, as amended by Ordinance No. 2393-02, passed February 3, 2003,

Section 457.04, as amended by Ordinance No. 832-96, passed June 18, 1996,

Section 457.09, as amended by Ordinance No. 1684-76, passed June 29, 1976,

Section 457.12, as amended by Ordinance No. 522-08, passed June 9, 2008, and

Section 457.99, as amended by Ordinance No. 2109-92, passed February 8, 1993,

are amended to read as follows:

Chapter 352 – Landscaping, Screening, and Parking Lot and Public Garage Lighting

Section 352.01 *Purpose*

The purpose of the requirements in this chapter is to provide for appropriate landscaping, screening, and parking lot and public garage lighting that will:

- (a) Protect residential and all other environments from adverse effects, such as noise, odors and dust, of more intensive adjacent uses;
- (b) Protect users of parking areas from excessive wind, glare, and temperature extremes;
- (c) Mitigate the adverse effects on public streets and adjacent properties of noise, blowing dust and debris, water runoff, and glare from motor vehicle headlights and parking area lighting;
- (d) Provide adequate lighting in parking lots and public garages for the safety of residents, pedestrians, and motorists;
- (e) Discourage unsafe access to, and circulation within, off-street parking areas;
- (f) Contribute to improved community appearance and property values and preserve and enhance the mature “established” character of City neighborhoods;
- (g) Preserve privacy in residential areas next to non-residential uses and discourage trespass thereupon;
- (h) Provide trees that improve the urban environment by cooling the air and land, reducing carbon dioxide in the air, and producing oxygen; and
- (i) Compensate for the inability in an older, densely developed city like Cleveland, to buffer incompatible uses by use of wide yards and open spaces.

Section 352.13 *Lighting Requirements for Parking Lots and Public Garages*

- (a) All parking lots containing ten (10) or more spaces, which are used during non-daylight hours, shall be illuminated during those hours with one (1) to two-and-a-half (2.5) footcandles, as recommended by the Illuminating Engineering Society (IES).
- (b) All public garages required to have a license under Chapter 457 of these Codified Ordinances shall be illuminated with a minimum one (1) footcandle (11 lux) on all egress walking surfaces, and a minimum of ten (10) footcandles (108 lux) on all stairways and their landings.
- (c) All illumination requirements contained in this section shall be designed and shielded so as not to shine, glare, reflect or be directed into or towards any premises used for residential purposes.

- (d) The installation of lighting, replacement of lighting, and changes to existing light fixtures must be made in compliance with this section.

Section 401.34 *Parking Place*

“Parking place” means any garage or other building or part thereof, or any premises or parcel of land in or upon which a business of storing more than ten (10) motor vehicles in any twenty-four (24) hour period, where the owner or person storing such vehicles is charged a fee, but excluding the rental of private garages and the all-night storing of vehicles upon the premises of and in connection with the operation of regularly established gasoline stations.

Section 457.01 *License Required*

No person, firm or corporation shall engage in the business of storing motor vehicles for hire in a building or a lot within the City unless and until licensed in accordance with the provisions of this chapter. As used in this chapter, the terms “parking facility,” “parking place,” “public garage” and “parking lot” reference the business activity defined in Section 401.34 hereof.

Section 457.02 *License Application*

Every applicant for a license to operate a public garage or parking lot shall make application in writing to the Commissioner of Assessments and Licenses, which application shall set forth the following information:

- (a) The name and address of the applicant, and if a partnership, the names and addresses of all partners, and if a corporation, the name, date and state under which incorporated, and the names and addresses of the officers and the statutory agent;
- (b) An accurately scaled and dimensioned site plan and elevation drawing(s) showing the configuration of entrances, exits, aisles and spaces; identifying the right-of-way, curbs and sidewalks, signage, landscaping, curbing, wheel stops, screening materials, bicycle parking, and lighting; and indicating the dimensions of all such elements;
- (c) The hours during which motor vehicles may be stored and the hours during which the premises will be served by an attendant;
- (d) For a parking facility located within the Downtown Core Parking District, Warehouse Parking District, Erieview Parking District, and Gateway Parking District, as established in division (b) of Section 457.035 of the Codified

Ordinances, and which are referred to in this chapter as the “Designated Parking Districts”, such information as the Chief of Police, or their designee, deems pertinent or necessary to detail the security measures at such facility;

- (e) The certificate of occupancy for the parking facility. Changes in the site, landscaping, or parking lot conditions shall require an updated certificate of occupancy.
- (f) Accurately scaled and dimensioned images of all parking facility signage; and
- (g) Such other information as the Commissioner deems pertinent or necessary to carry into effect the provisions of this chapter.

Section 457.03 *License Issuance; Renewal*

- (a) *Public Garages.* On receipt of an application for a license to operate a public garage, the payment of the fee required by division (h) of this section, and subject to division (c) of this section, as applicable, the Commissioner of Assessments and Licenses shall issue the license on a form promulgated by the Commissioner for that purpose. No license shall be issued except to an applicant for a property which is in compliance with the terms of this chapter and is also in compliance with Section 350.17 and Section 352.13 of the Codified Ordinances.
- (b) *Parking Lots.* On receipt of an application for a license to operate a parking lot, the payment of the fees required under divisions (h) and (i) of this section, and subject to division (c) of this section, as applicable, the Commissioner of Assessments and Licenses shall transmit the application to the Director of the City Planning Commission to determine whether the facility in question complies with the substantive provisions of the chapter. The Director of the City Planning Commission shall, within sixty (60) days of receipt of the application, notify the Commissioner of Assessments and Licenses whether the facility in question complies with all of the substantive provisions of this chapter. On notification of compliance from the Director of City Planning, under this division and the Chief of Police under division (c) of this section, the Commissioner of Assessments and Licenses shall issue the license on a form promulgated by the Commissioner for that purpose. No license shall be issued except to an applicant for property which is in compliance with the terms of this chapter and is also in compliance with Section 350.17 and Section 352.13 of the Codified Ordinances, as applicable to the subject property.
- (c) *Review by the Chief of Police of Safety Measures in Applications within Designated Parking Districts.* The Commissioner of Assessments and Licenses shall transmit each application for a parking facility within the Designated Parking Districts to the Chief of Police to determine whether the parking facility has reasonable operational, staffing, infrastructure, or other security measures reasonably calculated and necessary to address or minimize instances of criminal

behavior. The Chief shall, within sixty (60) days of receipt of the application, notify the Commissioner of Assessments and Licenses of such determination. The applicant shall supply all additional information requested by the Chief for evaluation of the safety measures. No license shall be issued unless the Chief determines that reasonable safety measures are or will be in place. If the Chief determines that such reasonable safety measures are insufficient, the applicant may submit revised security measures for review one time without incurring any additional costs, or may appeal the Chief's determination in accordance with Section 457.12 of these Codified Ordinances.

- (d) *Issuance and Renewal.* All licenses issued under this section shall be issued for a period of one (1) year commencing November 1. Licenses may be renewed if an application for renewal containing the information listed in Section 457.02 is submitted to the Commissioner of Assessments and Licenses not less than ninety (90) days before termination of the previous license or registration. Applications for license renewal or for the licensing of a registered parking lot shall be accompanied by an approved site and landscape plan as documented in the certificate of occupancy. Changes in the site, landscaping, or parking lot conditions shall require an updated certificate of occupancy to be included with the application.
- (e) *License Extension.* If an application for a license renewal has been submitted in accordance with the provisions of Sections 457.02 and 457.03 of this chapter, and if, before the existing license has expired, the City has not taken all administrative and legislative action required for approval of the renewal of the license (including, if applicable, the granting of an encroachment permit), the Commissioner of Assessments and Licenses shall extend the existing license on a month-by-month basis until the City has taken action as required by this chapter.
- (f) *Applicability to Premises.* Licenses issued under this section shall apply only to the premises described in the application, and a separate application and license shall be required for each noncontiguous site operated. The license shall not be assignable or transferable.
- (g) *Notification of Police Chief.* The Commissioner of Assessments and Licenses shall notify the Chief of Police of each license issued under this chapter.
- (h) *License Fee.* Each application for a new or renewal license shall be accompanied by a fee of one dollar \$1.00 per parking space.
- (i) *Site Plan Review Fee.* Each application for a new or renewal license, including a new or revised site plan, shall be accompanied by an additional fee of one hundred and twenty dollars (\$120.00).

Section 457.04 *Signs*

- (a) *Purpose.* The regulations of this section are established to ensure that licensed parking facilities are furnished with signs which provide customers with accurate, useful, and legible information regarding rates and other operational matters. Furthermore, these regulations are established to ensure provision of signs which clearly and effectively identify parking available to visitors seeking daily or other short-term parking. The requirement for provision of such visitor-oriented signage is intended to promote economic activity in the City by facilitating easy access to parking which serves the Central Business District and major visitor attractions.
- (b) *Display of Rates and Other Information.* The following regulations shall apply to all parking lots and garages subject to licensing regulations.
- (1) *Display of Rates.* Each parking facility shall be furnished with signs readable from each vehicular entrance, displaying all parking rates applicable at any given time. When multiple rates are applicable at a given time, the display shall include, at a minimum, the lowest and highest rates. All rates applicable at a given time shall be displayed in numerals which are the same size for each rate. Rates displayed on signs for surface lots or on free-standing signs for garages shall be a minimum height of five (5) inches for dollar amounts and three (3) inches for display of cents and other rate information. For garages, rates and rate information displayed on or adjacent to booths and ticket dispensers shall have a minimum character height of two (2) inches.
 - (2) *Visibility of Rate Information.* For a surface lot or for a garage which is set back from the street, the sign displaying the required rate information shall be placed so that the rates are visible and readable to the motorist prior to entering the property. For a garage entrance located at the sidewalk edge, such sign shall be placed so that the rates are readable to the motorist prior to passing the ticket dispenser or attendant's booth.
 - (3) *Required Information.* In addition to the rate information required in division (b)(1) of this section, each parking facility shall display the following items of information: 1) a full listing of all rates applicable at all times, 2) the telephone number for after-hours contact, 3) the name of the operator, 4) the closing time of the facility if exits are blocked after closing, and (5) the presence of security measures on the premises, including if the premises is patrolled by a security guard during the hours of operation. Such additional information shall be displayed in lettering and numerals a minimum of two (2) inches and a maximum of eight (8) inches in height, placed at all attendant's booths, all payment boxes and/or at all vehicular entrances.
 - (4) *Destination Information.* The sign(s) identifying the parking facility and/or its rates, as required in division (b)(1) of this section, may also display information identifying businesses or other uses served by the parking facility. Such information shall be displayed in lettering no more than five

(5) inches in height and shall be incorporated within the standard-size sign, as permitted in this section.

(c) *Special Event and Other Special Rate Parking.* Information regarding flat rates for special event parking or other special time-period parking, such as “early bird specials,” shall be displayed in accordance with the following regulations. Such sign may also be used to indicate that the garage is “full.”

- (1) Such rate information shall be displayed on the permanent free-standing sign or signs which identify the parking facility’s regular rates, using changeable panels or electronically-changeable copy, in accordance with design standards adopted by the City Planning Commission.
- (2) In the case of a garage which is not served by a free-standing rate sign, the special event or other special time-period parking rate may be displayed on a metal or plastic panel, mounted on a pole which is inserted into a base which is permanently affixed to the ground. Such sign shall be a maximum of six (6) square feet in area and four (4) feet in height above the ground and shall not project into the public right-of-way.
- (3) Availability of parking for special events shall be identified by use of the term “Event,” accompanied by the applicable rate. Such information may be displayed in characters which are larger than those used for display of other rates.

(d) *Sign Structures and Locations.* The following regulations shall apply to all parking lots and garages subject to licensing regulations.

- (1) *Sign Types.* Signs for parking facilities may take the form of a free-standing sign, a sign projecting from or otherwise applied to a building wall, a sign mounted on an attendant’s booth, ticket machine or payment box, a sign placed on a canopy or marquee, or a sign mounted above a fence post or pier. Portable signs (i.e., “sandwich boards” and other signs not permanently affixed to the ground or to a permitted structure) shall not be permitted, except as permitted in division (c)(2) of this section.
- (2) *Location of Signs.* No freestanding sign, nor any portion of such sign, shall be located within or above the public right-of-way, except as permitted in division (e)(1) of this section for a sign element displaying the international parking symbol. No sign projecting from a building wall shall extend to a point which is within two (2) feet of the outer edge of a street curb, nor shall such sign extend more than five (5) feet from the building wall.
- (3) *Vertical Clearance.* No portion of a sign located above a sidewalk or other pedestrian walking area shall be located less than eight (8) feet above the surface of such area. No portion of a sign located above a driveway or other

vehicular way shall be located less than sixteen (16) feet above the surface of such area.

- (4) *Primary and Secondary Signs.* As used in this section, the terms “primary signs” and “secondary signs” shall have the following meanings. “Primary signs” are a parking facility’s principal signs identifying the parking facility and/or its rates. A primary sign may display other permitted information in addition to the identification and rate information. “Secondary signs” are signs which display only directional and instructional messages necessary to guide motorists and pedestrians within the parking facility. Signs which provide detailed rate information, supplementing that provided on the primary signs, shall also be considered secondary signs.
- (5) *Size, Number and Height of Signs.* Each parking facility shall be permitted a total of thirty-two (32) square feet of “primary sign” area for each vehicular entrance, except that two (2) vehicular entrances located less than thirty (30) feet apart, as measured along the property line, shall be counted as a single entrance for this purpose. Such primary sign area permitted for each entrance may be displayed on either one (1) or two (2) sign structures. If two (2) sign structures are used, rate information must be readable at each vehicular entrance. No single primary sign shall exceed thirty-two (32) square feet in area, nor shall it exceed fifteen (15) feet in height if free-standing. “Secondary signs,” if free-standing, shall not exceed six (6) square feet in area, nor four (4) feet in height, and shall be placed, as approved by the City Planning Director, only where necessary to provide instructions to customers of the parking facility. Secondary signs displayed on building walls or on overhead structures shall be no larger than necessary to display permitted information in a readable manner, as determined by the City Planning Director.
- (6) *Measurement of Sign Area.* Only one (1) side of double-sided signs shall be counted in the measurement of sign area if the two (2) sides are in parallel, back-to-back arrangement.
- (7) *Temporary Signs.* For a newly-established license parking facility, the following temporary signs shall be permitted for a period not exceeding sixty (60) days following the opening of the parking facility:
- A. Signs substituting for approved but not-yet-installed permanent signs, conforming, to the maximum extent feasible, with all regulations and design standards for permanent signs except those pertaining to fabrication materials; and
 - B. For each vehicular entrance, one (1) wall-mounted banner, not exceeding forty (40) square feet in area, or one (1) free-standing temporary sign, not exceeding ten (10) square feet in area, announcing the opening of the parking facility.

(e) *Signs for Visitor-Oriented Parking Facilities.* In addition to other applicable regulations of this section, the following supplemental regulations shall apply to signs for parking facilities which are available to the general public on an hourly, daily or special event basis (i.e., “visitor-oriented parking facilities”). These supplemental regulations shall not apply to parking facilities which are restricted to use by employees, residents, faculty or students of businesses, institutions or other buildings served by the parking facility nor shall these regulations apply to parking facilities which are restricted exclusively to use on a weekly or monthly basis.

- (1) *Use of the International Parking Symbol.* All visitor-oriented parking facilities shall be furnished with a sign or signs, visible from each vehicular entrance, displaying the international parking symbol, displayed as a white letter “P” at least fourteen (14) inches in height, placed on a purple (PMS #2685) circular background, a minimum of twenty-two (22) inches in diameter. The design shall be in accordance with design standards adopted by the City Planning Commission. In the case of a free-standing sign, the parking symbol may project over a public sidewalk, extending no more than thirty (30) inches beyond the property line and maintaining a minimum vertical clearance of eight (8) feet. No other element of such sign may project over the public sidewalk.
- (2) *Design Standards.* The City Planning Commission shall adopt and disseminate design standards which, through use of narrative materials and illustrations, describe and depict signs which conform to the requirements of this section applicable to signs for visitor-oriented parking facilities. The standards shall also provide supplemental information on such design elements as color, materials, illumination, methods of attachment, border areas, positioning of information items, etc.
- (3) *Approval Process.* The Director of the City Planning Commission shall determine whether a proposed sign for a visitor-oriented parking facility meets the requirements of this section and the adopted design standards, and shall approve or disapprove each application on that basis. In the case of a proposed sign which does not meet the requirements of this section, the City Planning Commission may approve the sign if it determines that such sign meets the standards of division (e)(7) of this section.
- (4) *Comprehensive Sign Systems for Large-Scale Facilities.* In the case of a large-scale complex of facilities served by a network of parking lots or garages under common management, the City Planning Commission may approve signs which differ from the standards established in this section as necessary to create a uniform series of signs which identify parking facilities serving such complex.

- (5) *Replacement of Nonconforming Signs.* For parking signs installed prior to the initial effective date of this ordinance, any such signs which do not conform to the applicable regulations of this section shall be replaced by conforming signs in accordance with the following schedule, except as provided in division (e)(6) of this section.
- A. For parking facilities located within the Downtown Core and Downtown Lakefront Parking Districts, as established in Section 457.035, and for parking facilities located in the area directly north of the Downtown Lakefront Parking District, all nonconforming signs shall be replaced or removed by August 1, 1997, except that any nonconforming sign installed pursuant to a Building Permit issued between June 1, 1991, and May 31, 1996, shall be replaced or removed by August 1, 1998.
 - B. For parking facilities located within the Gateway, Warehouse, Erieview, and Flats Parking Districts, as established in Section 457.035, all nonconforming signs shall be replaced or removed by August 1, 1998.
 - C. For parking facilities located within the remainder of the City, all nonconforming signs shall be replaced or removed by August 1, 1999.
- (6) *Retention of Nonconforming Signs.* With respect to signs whose replacement is required under the provisions of division (e)(5), any owner wishing to retain such sign shall submit a written request to the City Planning Commission no later than six (6) months prior to the date on which replacement is required. Such application shall include the address of the parking place, a sketch showing the sign's dimensions and its approximate location on the property, and color photographs of the sign. The City Planning Commission shall, within two (2) months of receipt, approve retention of the sign if it determines that such sign meets the standards of division (e)(7) of this section.
- (7) *Standards for Approval of Nonconforming Signs.* With respect to an application for the installation or retention of a sign which does not conform to the regulations of this section, the City Planning Commission shall approve such application if it determines that the sign, either alone or in combination with other signs, provides information which is sufficient to fulfill the stated purposes of this section, and that the sign meets the following standards, as applicable:
- A. The sign is attached to the wall of a building and is better suited to the design of such building than a conforming sign would be; or
 - B. The sign meets a higher standard of design quality than would result from minimal conformance to the standards of this section; or

- C. The sign has been designed so that it is more appropriate to its environs or the uses which it serves than a conforming sign would be; or
 - D. The sign is part of a comprehensive signage system for a large-scale complex of facilities, and such system meets the standards of division (e)(4); and
 - E. In the case of a new sign, the deviation from the otherwise applicable regulations of this section is the minimum necessary to meet one (1) or more of the special standards established for approval of nonconforming signs.
- (f) *Application.* Plans for installation of signs regulated in this section shall be submitted to the City Planning Director either prior to or concurrently with submission of any required Building Permit application. The plans shall be sufficient to demonstrate compliance with all regulations of this section and with the design standards adopted by the City Planning Commission pursuant to the provisions of this section. No signs regulated in this section shall be installed before approval by the City Planning Director and issuance of any required Building Permit.

Section 457.09 Maintenance of Parking Place and Surroundings, Payment of Fees and Safety Requirements

- (a) Each operator of a parking place shall keep all parking spaces, driveways, and maneuvering areas (i) properly graded for drainage so that all water is drained within the parking place providing parking spaces; (ii) surfaced with concrete, asphaltic concrete, asphalt or other surfacing materials approved by the Director of Building and Housing; and (iii) maintained in good condition and free of debris and trash.
- (b) Each operator of a parking place shall keep the sidewalk surrounding the parking place free from dirt, ice, sleet and snow and shall keep the sidewalk and driveways in a safe condition for the travel of pedestrians.
- (c) The loading or unloading of passengers or drivers across or upon a public sidewalk is expressly prohibited and any operator or employee who by receiving or delivering motor vehicles other than within the space provided by such place, aids or assists in blocking any sidewalk or street shall be deemed to have violated the provisions of this section.
- (d) In outdoor parking lots the operator shall at all times be required to keep the lot in good order and condition and free from nuisance, and if the lot is not a hard surface, to take the necessary precautions to prevent the raising of dust and dirt by the movement of cars thereon.

- (e) Each operator of a parking place shall take all reasonable steps to ensure that all parking fees collected at the parking place are being paid directly to the operator or the operator's designee.
- (f) Each operator of a parking place within the Downtown Core Parking District, Warehouse Parking District, Erieview Parking District, and Gateway Parking District, as established in division (b) Section 457.035 of the Codified Ordinances, shall comply with the safety measures detailed in its license application, approved by the Chief of Police, or their designee, or as may be amended from time to time with the prior approval of the Chief.
- (g) The Chief of Police, or their designee, upon finding three (3) or more nuisance activities defined in Section 630.01 of the Codified Ordinances or any other criminal violation have occurred on separate occasions within any six (6) months, may cause a written notice to be served on the licensee identifying the nuisance activities and criminal violations and providing an opportunity to submit revised security measures to address such activities. If the licensee fails to submit such revised measures, or the Chief determines that any submitted revised plans are inadequate, the Chief, or their designee, may conduct a hearing with the licensee on the matter. If the parties cannot agree on revised security measures at such hearing, the City official may require additional security measures after providing notice in writing and giving a reasonable time to implement the revised security measures. Failure to comply with such notification shall be grounds for revocation of the license under Section 457.11 of these Codified Ordinances.

Section 457.12 *Appeals*

In case of refusal to issue a license or of revocation or suspension of a license by the Commissioner of Assessments and Licenses, the applicant or licensee may appeal from such order to the Board of Zoning Appeals established pursuant to Charter Section 76-6. Notice of such appeal shall be in writing and filed with the Board within ten (10) days after the making of such order. The Board shall fix a time of hearing for such appeal not later than ten (10) days after the filing of such notice, at which hearing all parties interested shall be afforded an opportunity to be heard. Such Board shall approve, modify or reverse such order from which the appeal has been perfected. Such opinion of the Board shall be final on all parties thereto. If the Director of the City Planning Commission, or the Chief of Police, as appropriate, has not notified the Commissioner of Assessments and Licenses of his or her determination within the required sixty (60) day period, the applicant may appeal to the Board of Zoning Appeals for a determination.

Section 457.99 *Penalty*

Whoever violates any of the provisions of Sections 457.01, 457.04, 457.06, 457.08 or 457.09, shall be guilty of a minor misdemeanor and fined not more than one hundred

and fifty dollars (\$150.00). In addition to any other method of enforcement provided for in this chapter, these minor misdemeanors may be enforced by the issuance of a citation in compliance with Rule 4.1 of the Ohio Rules of Criminal Procedures. Whoever violates any of the provisions of these sections, having previously been convicted of a violation of any of these sections within five (5) years, shall be guilty of a misdemeanor of the fourth degree.

Section 2. That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 457.991 to read as follows:

Section 457.991 Civil Penalties, Enforcement and Appeals

- (a) Any person who violates Section 457.01 shall be subject to a civil penalty of one thousand dollars (\$1,000.00) for the first offense and a civil penalty of three thousand dollars (\$3,000) for each subsequent offense.
- (b) Any person who violates any of the provisions of Sections 457.04, 457.06, 457.07, 457.08 or 457.09, each constituting a separate offense, shall be subject to a civil penalty of two hundred dollars (\$200.00) for each offense.
- (c) In addition to Cleveland Police Officers, the Commissioner of Assessments and Licenses (“Commissioner”), and any officer or employee designated by the Commissioner, may enforce Section 457.01.
- (d) In addition to Cleveland Police Officers, the Director of Building and Housing, the Commissioner, and any officer or employee designated by them, may enforce Sections 457.04, 457.06 457.07, 457.08 and 457.09.
- (e) The civil penalties prescribed in this section are in addition to any rights, remedies, or other penalties provided by law.
- (f) A civil penalty imposed under Section 457.01 may be appealed to the Director of Finance, or designee, and a civil penalty imposed under Sections 457.04, 457.06, 457.07, 457.08 or 457.09 may be appealed to the Director of Building and Housing, or designee, within ten (10) days after receipt of the civil penalty. The appropriate director shall grant the appeal or conduct a hearing within thirty (30) days and shall have jurisdiction to affirm or reverse the civil penalty. A person aggrieved by a final decision of a director may further appeal to the Board of Zoning appeals within thirty (30) days after the director’s written decision.

Section 3. That existing title of Chapter 352 and the following existing sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Sections 352.01 and 352.13, as amended by Ordinance No. 639-2024, passed November 4, 2024,

Section 401.34, as enacted by Ordinance No. 1684-76, passed June 29, 1976,
Section 457.01, as enacted by Ordinance No. 1552-A-90, passed June 17, 1991,
Section 457.02, as amended by Ordinance No. 2603-91, passed August 19, 1992,
Section 457.03, as amended by Ordinance No. 2393-02, passed February 3, 2003,
Section 457.04, as amended by Ordinance No. 832-96, passed June 18, 1996,
Section 457.09, as amended by Ordinance No. 1684-76, passed June 29, 1976,
Section 457.12, as amended by Ordinance No. 522-08, passed June 9, 2008, and
Section 457.99, as amended by Ordinance No. 2109-92, passed February 8, 1993,
are repealed.

Section 4. That existing Section 457.05, Claims Checks to be Furnished, of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1684-76, passed June 29, 1976, is repealed.

Section 5. That after one year after the effective date of this Ordinance, the Director of Public Safety shall report to Council on the effectiveness of the security measures affected by this Ordinance.

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

Passed August 13, 2025.

Effective September 12, 2025.

Ordinance No. 786-2025**By Council Member: McCormack**

An emergency ordinance authorizing the Director of the Department of Parks and Recreation to enter into a grant agreement with Ohio City Incorporated to provide program support for Near West Recreation youth programs.

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 Parks and Recreation is authorized to enter into a grant agreement with Ohio City Incorporated to provide program support for Near West Recreation youth programs, as set forth in Ohio City Incorporated's grant proposal. This grant agreement shall be entered into for the 2025-2026 program year.

Section 2. The agreement shall be certified in an amount not to exceed \$100,000.00 and from Fund 01001, Dept. 4503, Subfund /Approp. 630, Object Code 6380.

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 798-2025

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

An emergency ordinance to amend Section 571.061 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 325-04, passed May 10, 2004, relating to secured area identification badges issued 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 Section 571.061 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 325-04, passed May 10, 2004, is amended to read as follows:

571.061 *Identification Badges*

(a) The Director of Port Control, or the Director's designee, shall be authorized to issue and revalidate identification badges in accordance with the rules, regulations, and directives (collectively, "Regulations") of the Transportation Security Administration, or its equivalent ("TSA").

(b) An identification badge issued by the Director of Port Control, or the Director's designee, shall be possessed and displayed in accordance with TSA Regulations and the Airport Security Program. Identification badges shall be of a design and contain such information as is determined by the Director of Port Control in accordance with TSA Regulations.

(c) Any person with an identification badge issued under division (a) of this section shall return the badge to the Department of Port Control within twenty-four (24) hours of a determination by the Director of Port Control, or the Director's designee, that the person no longer has access to a Secured Area at the Airport. The reasons for this determination include: termination or suspension from employment; change in duties of employment; breach, termination or expiration of a City contract; and any additional reasons as set forth in TSA Regulations or in the Airport Security Program.

(d) The Director of Port Control, or the Director's designee, may assess and collect fees or charges related to Secured Area identification badges, including, but not limited to; fees for new, lost, stolen, or missing badges; charges for failing to obtain or return a badge when required; and charges for violations of TSA Regulations or the Airport Security Program related to a badge. The fees and charges are to be determined by the Director, or the Director's designee, and be displayed in the Airport Security Office.

(e) Airport tenants, contractors and subcontractors, and any person or entity that has been issued a Secured Area identification badge, shall be responsible for assuring the compliance of their officers, employees, agents, contractors, and subcontractors with the requirements of this section, TSA Regulations, and the Airport Security Program, and shall be responsible for the payment of any fees and charges assessed against those persons and entities under division (d) of this section.

Section 2. That the existing Section 571.061 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 325-04, passed May 10, 2004, is repealed.

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 799-2025

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

An emergency ordinance authorizing the Director of Economic Development to enter into an agreement with the Urban League of Greater Cleveland, or its designee, to assist with costs related to outreach, assistance, and administration of the UBIZ Micro Loan Program, and assistance, training and planning for small businesses through the Entrepreneurship Center of the Urban League of Greater Cleveland.

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

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

Section 1. That the Director of Economic Development is authorized to enter into an agreement with the Urban League of Greater Cleveland, or its designee, to assist with costs related to outreach, assistance, and administration of the UBIZ Micro Loan Program, and assistance, training and planning for small businesses through the Entrepreneurship Center of the Urban League of Greater Cleveland.

Section 2. That the agreement and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

Section 3. That the costs of the agreement shall not exceed an amount of \$450,000.00, and shall be paid from Fund No. 17 SF 652. (RQS 9501, RL 2025-64)

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 August 13, 2025.

Effective August 18, 2025.

Ordinance No. 800-2025

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

An emergency ordinance to amend Section 1 of Ordinance No. 1167-2024, passed January 13, 2025, relating to a contract with Stantec Consulting Services, Inc., to provide professional services for on-call planning services.

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

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

Section 1. That Section 1 of Ordinance No. 1167-2024, passed January 13, 2025, is amended to read as follows:

Section 1. That the Director of City Planning is authorized to exercise the first option to renew Contract No. PS 2024-0030 with Stantec Consulting Services, Inc. to provide professional services for on-call planning services. This ordinance constitutes the additional legislative authority required by Ordinance No. 1200-2023 to exercise this option and shall not exceed \$200,000 for the first option year.

Section 2. That existing Section 1 of Ordinance No. 1167-2024, passed January 13, 2025, is repealed.

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 801-2025

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

An emergency ordinance to amend Section 171.37 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 92-11, passed April 25, 2011, relating to reimbursement of tuition for employee education.

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

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

Section 1. That Section 171.37 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 92-11, passed April 25, 2011, is amended to read as follows:

171.37 Reimbursement of Tuition for Employee Education

- (a) Any full-time officer or employee of the City may be reimbursed by the City in an amount not to exceed five thousand dollars (\$5,000.00) per employee, per calendar year, for payments he or she has made for tuition, course materials, and fees for a course of study at an accredited university, college, high school, or continuing education program, that will assist the officer or employee and improve his or her ability to perform his or her duties. Any full-time officer or employee of the City may be reimbursed by the City for all payments he or she has made for tuition, course materials, and fees for a course of study at an accredited university, college, high school, or continuing education program, if the course of study results in the receipt of one or more professional or academic credentials required for the employee to continue in his or her position within the City.
- (b) Reimbursement of tuition, course materials, and fees is subject to the following conditions:
 - (1) The officer or employee shall have received the prior written approval of his or her director, or his or her appointing authority in the case of those employees not in a department administered by a director, to attend the course of study;
 - (2) The officer's or employee's director, or appointing authority in the case of those employees not in a department administered by a director, shall have reported to the Mayor, or his or her designee, that the course of study will assist the officer or employee and improve his or her ability to perform his or her duties, will result in the receipt of one or more professional or academic credentials, and/or is required for the employee to continue in his or her position within the City;

- (3) The officer or employee has successfully completed the course of study; and
 - (4) Any additional conditions that the officer's or employee's director, or appointing authority in the case of those employees not in a department administered by a director, may require for reimbursement if those additional conditions were provided to the officer or employee at the time the director or appointing authority provided the prior written approval to attend the course(s) of study.
- (c) Two (2) times per year, the Mayor, or his or her designee, shall submit to Council for its review a list of the names of all individuals who received approval for tuition reimbursements.

Section 2. That the existing Sections 171.37 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 92-11, passed April 25, 2011, is repealed.

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 802-2025

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

An emergency ordinance authorizing the Director of Port Control to enter into an amendment to Contract No. PS 2024-09 with J.D. Power, to provide additional survey services and extend the contract.

WHEREAS, under the authority of Ordinance No. 1276-2023, passed November 27, 2023, the Director of Port Control entered into Contract No. PS 2024-09 (the “Agreement”) with J.D. Power, for professional services necessary to participate in, and have access to, the JDP North America Airport Satisfaction Study; and

WHEREAS, additional services are necessary and the Director of Port Control is authorized to extend the length of the term through July 31, 2027; and

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operations 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 an amendment to Contract No. PS 2024-09 with J.D. Power, to add survey services for an amount not to exceed \$96,000 for each remaining year of the term. All other terms and conditions of this contract shall remain the same.

Section 2. That the Director of Port Control is authorized to enter into an amendment to Contract No. PS 2024-09 with J.D. Power to extend the term through July 31, 2027. All other terms and conditions of this contract shall remain the same.

Section 3. That the additional cost of the contract or contracts authorized shall be paid from Fund Nos. 60 SF 001, and 60 SF 141. (RQS 3001, RL 2025-69)

Section 4. That the amendment to the above-referenced contract shall be prepared by the Director of Law.

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 805-2025

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

An emergency ordinance authorizing the Director of Public Safety to enter into one or more requirement contracts without competitive bidding with Bound Tree Medical, for proprietary Curaplex hazmat kits, for the Division of Emergency Medical Service, Department of Public Safety, for a term of one year, with two one-year options to renew, exercisable by the Director of Public Safety; and to repeal Ordinance No. 941-2024, passed October 7, 2024, relating to a requirement contract for hazmat suits.

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

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

Section 1. That this Council determines that the within commodities are non-competitive and cannot be secured from any source other than Bound Tree Medical. Therefore, the Director of Public Safety is authorized to make one or more written requirement contracts with Bound Tree Medical, on the basis of their proposal dated May 22, 2025, for the requirements for a period not to exceed one year, with two one-year options to renew, exercisable by the Director of Public Safety, of the necessary items of proprietary Curaplex hazmat kits, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Division of Emergency Medical Service, Department of Public Safety.

Section 2. That under division (b) of Section 108 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 Safety 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 6004, RL 2024-28)

Section 4. That Ordinance No. 941-2024, passed October 7, 2024, is repealed.

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

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 806-2025

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

An emergency ordinance authorizing the Director of Public Safety to donate a former police vehicle to the Cleveland Police Museum; and to enter into an agreement to make the donation.

WHEREAS, Section 181.19 of the Codified Ordinances of Cleveland, Ohio, 1976, authorizes the Commissioner of Purchases and Supplies to sell personal property owned by the City of Cleveland when no longer needed or not suitable for the use of any department or office of the City; and

WHEREAS, the City owns a 2014 Dodge 5PO621, former police vehicle, which is no longer needed for public use and desires to donate it, with title, to the Cleveland Police Museum; 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 Section 181.19 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Safety is authorized to donate a 2014 Dodge 5PO621, former police vehicle, which is no longer needed for use by any department or office of the City to the Cleveland Police Museum; and to enter into one or more agreements if necessary to make the donation.

Section 2. That the agreement 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 August 13, 2025.

Effective August 18, 2025.

Ordinance No. 809-2025

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

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to the Cleveland Clinic Foundation to encroach into, over, and under the public right-of-way of East 96th Street by installing, using and maintaining a canopy, footers and columns.

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

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

Section 1. That the Director of Capital Projects is authorized to issue a permit, revocable at the will of Council, to Cleveland Clinic Foundation, located at 9500 Euclid Avenue, Cleveland, Ohio 44195 ("Permittee"), to encroach into, over, and under the public right-of-way of East 96th Street by installing, using and maintaining a canopy supported by four columns and footers at the following location:

Encroachment Description

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio, being part of Range 12, Town 6 of the Connecticut Western Reserve Survey, and being part of Original 100 Acre Lot Number 401, and being within the right-of-way of East 96th Street (66 feet wide), and being more completely described as follows:

Commencing at the centerline intersection of said East 96th Street and the centerline of Carnegie Avenue SE (80 feet wide); thence, North 0° 29' 20" East along the centerline of said East 96th Street, 375.47 feet; to the PLACE OF BEGINNING for the area herein described;

Course No. 1: thence South 88° 38' 28" West, 33.02 feet, to the western right-of-way of said East 96th Street;

Course No. 2: thence North 0° 29' 20" East, along the western right-of-way of said East 96th Street, 121.06 feet;

Course No. 3: thence North 88° 38' 31" East, 29.11 feet;

Course No. 4: thence South 1° 21' 32" East, 121.00 feet, to the PLACE OF BEGINNING, containing 0.0863 acres, (3,758.9 square feet) more or less, but subject to all highways, covenants, and easements of legal record as prepared in February 2025, by *McSteen Land Surveyors* under Project No. 24-167(a).

Legal Description approved by Eric B. Westfall, P.S., Section Chief,

Plats, Surveys and House Numbering Section.

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

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

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

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 810-2025

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

An emergency ordinance authorizing the Director of Capital Projects to issue one or more permits to Greater Cleveland Regional Transit Authority to encroach into the public right-of-way of East 79th Street.

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

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

Section 1. That the Director of Capital Projects is authorized to issue one or more permits, revocable at the will of Council, to the Greater Cleveland Regional Transit Authority, 1240 West 6th Street, Cleveland, Ohio 44113 ("Permittee"), to encroach into the public right-of-way of East 79th Street, by installing, using, and maintaining pedestrian barriers, bollards, an overhead canopy, and utility trenches to connect existing storm, water, and electrical lines at the following location:

Encroachment Legal Description

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being a part of East 79th Street and Lot Nos. 2, 3, 4, 5 and 6 as shown by the Dedication of part of East 79th St. Plat recorded in Volume 61, Page 5 of Cuyahoga County Map Records;

COMMENCING at the intersection of the northerly line of Hillside Road S.E., 40.00 feet wide, and the westerly line of said East 79th Street, 60.00 feet wide, thence North 07° 58'49" West along said westerly line of East 79th Street, 182.74 feet to the Principal Place of Beginning of the encroachment herein intended to be described;

Course No.1: Thence continuing North 07° 58'49" West along said westerly line of East 79th Street, 183.50 feet;

Course No.2: Thence North 82° 01'11" East, 60.00 feet to a point in the easterly line of said East 79th Street;

Course No.3: Thence South 07° 58'49" East along said easterly line of East 79th Street, 183.50 feet;

Course No.4: Thence South 82° 01'11" West, 60.00 feet to the Principal Place of Beginning and containing 11,012.27 square feet (0.25280 acres).

Legal Description approved by Eric B. Westfall, P.S., Section Chief,
Plats, Surveys and House Numbering Section.

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

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

Section 4. That the permit(s) shall reserve to the City reasonable right of entry to the encroachment location(s).

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 811-2025

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

An emergency ordinance to amend Section 1 of Ordinance No. 718-2024, passed September 9, 2024, relating to the purchase, lease, or lease with option to purchase, of various on-road vehicles, apparatus, and off-road equipment, cabs, bodies, and accessories, equipment and other aftermarket items, for the various divisions of City government.

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

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

Section 1. That Section 1 of Ordinance No. 718-2024, passed September 9, 2024, is amended to read as follows:

Section 1. That the Director of Public Works is authorized to make one or more written standard purchase and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of requirements to be determined by the Director, for the necessary items required for the purchase, lease, or lease with option to purchase, of various types of on-road vehicles, apparatus, and off-road equipment, cabs, bodies and accessories, equipment, and other aftermarket items necessary to equip the vehicles authorized for their intended purposes, including labor and materials necessary for vehicle rehabilitation, training, and inspections, as needed, in the estimated sum of \$9,726,500, to be purchased or procured by the Commissioner of Purchases and Supplies on a unit basis for the Department of Public Utilities, as described below:

2024 Enterprise Capital Vehicle Plan

Item Number	Item Description	Division	Quantity	Estimated Cost	Extended Estimated Cost
1	Sedan	Water	1	\$35,000	\$35,000
2	SUV AWD	Water	2	\$51,500	\$103,000
3	Pickup F150	Water	4	\$50,000	\$200,000
4	Pickup F250 w/plow & spreader	Water	1	\$65,000	\$65,000
5	Pickup F350	Water	1	\$80,500	\$80,500
6	Cargo Van T150	Water	1	\$50,000	\$50,000
7	Cargo Van T250	Water	10	\$56,150	\$561,500
8	Cargo Van T350	Water	1	\$62,000	\$62,000

9	Pipe Truck Type A	Water	5	\$285,000	\$1,425,000
10	Tandem Axle Dump	Water	3	\$310,500	\$931,500
11	Backhoe/Trailer	Water	3	\$213,000	\$639,000
12	ATV Gator w/ plow	Water	2	\$25,000	\$50,000
13	Mower – 72”	Water	2	\$25,000	\$50,000
14	Bobcat	Water	1	\$89,000	\$89,000
			CWD TOTAL		\$4,341,500
15	Crew Dump Truck	WPC	2	\$190,000	\$380,000
16	Backhoe w/ Trailer	WPC	1	\$285,000	\$285,000
17	Tandem Axle Dump Truck	WPC	1	\$250,000	\$250,000
18	Sewer Cleaning Equipment	WPC	3	\$575,000	\$1,725,000
19	SUV AWD Explorer	WPC	4	\$50,000	\$200,000
20	Knuckle Boom Truck	WPC	1	\$390,000	\$390,000
21	Cement Mixer	WPC	2	\$7,000	\$14,000
22	Heavy Duty Pickup	WPC	1	\$85,000	\$85,000
23	Pickup Truck F450	WPC	1	\$110,000	\$110,000
			WPC TOTAL		\$3,439,000
24	Cargo Van T150	CPP	5	\$65,000	\$325,000
25	Cargo Van HD	CPP	1	\$70,000	\$70,000
26	60’ Bucket Truck	CPP	1	\$375,000	\$375,000
27	Derrick Truck	CPP	1	\$665,000	\$665,000
28	Support Vehicles	CPP	6	\$40,000	\$240,000
29	Pole Trailer (Dinky)	CPP	2	\$23,000	\$46,000
30	Light Truck/Stake Body	CPP	1	\$125,000	\$125,000
			CPP TOTAL		\$1,846,000
31	Pickup F150	Admin	1	\$50,000	\$50,000
32	SUV	Admin	1	\$50,000	\$50,000
			ADMIN TOTAL		\$100,000
			GRAND TOTAL	\$9,726,500	

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 Section 1 of Ordinance No. 718-2024, passed September 9, 2024, is repealed.

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 812-2025

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

An emergency ordinance authorizing the Director of Public Safety to enter into an amendment to Contract No. CT 6007 PS 2017-251 with Cuyahoga County for the County Sheriff's Department, relating to housing and providing services for City prisoners to increase the per diem rate and to amend other provisions regarding the booking and charging of City prisoners.

WHEREAS, under Ordinance No. 299-14, passed April 28, 2014, as amended by Ordinance No. 246-17, passed June 5, 2017, and Ordinance No. 1216-17, passed October 16, 2017 (collectively "Authorizing Ordinances"), and Board of Control Resolution No. 537-17, adopted October 18, 2017 (the "Resolution"), the Director of Public Safety entered into Contract No. CT 6007 PS 2017-251 with Cuyahoga County for the County Sheriff's Department ("County"), to house and provide services for City prisoners (the "Agreement"); and

WHEREAS, under the Agreement, the per diem rate per City prisoner, as defined in the Agreement, is Ninety-Nine Dollars (\$99.00) per day, as established by the Resolution; and

WHEREAS, under the Authorizing Ordinances, the per diem rate may be increased upon written agreement of the parties with City's Board of Control approval, not to exceed two percent (2%) of the most recent per diem rate, and not more than one (1) increase during any twelve (12) month period, based on verifiable County costs directly attributable to increased City prisoner costs; and

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

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

Section 1. That the Director of Public Safety is authorized to enter into an amendment to Contract No. CT 6007 PS 2017-251 with the County to increase the per diem rate to One Hundred Forty-Three Dollars (\$143.00) beginning January 1, 2026, to provide annual increases of two and one-half percent (2.5%) thereafter, to allow for increases in the per diem rate that exceeds the annual increase if the County provides the City documentation that justifies such an additional increase in the City's reasonable discretion, and to amend other provisions of the Agreement related to the booking and charging of City prisoners. All other terms and conditions of the Agreement shall remain the same.

Section 2. That the amendment 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 August 13, 2025.

Effective August 18, 2025.

Ordinance No. 813-2025

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

An emergency ordinance authorizing the Director of Port Control to amend Lease Agreement Nos. LS 2022-0011 and LS 2024-0006 with MarKenCami, LLC, for the lease of space located at Burke Lakefront Airport, for the operation of podcast studios and a software company.

WHEREAS, under Ordinance No. 217-2023, passed April 10, 2023, and Ordinance No. 918-18, passed October 8, 2018, this Council authorized the Director of Port Control to enter into Lease Agreement Nos. LS 2024-0006 and LS 2022-0011 with MarKenCami, LLC, for the use and occupancy of space located in the terminal building at Burke Lakefront Airport, for the operation of its podcast studio and office space (“Original Leases”) and;

WHEREAS, the MarKenCami, LLC has changed its legal entity name to BigPlay, LLC 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 any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Port Control is authorized to amend Original Leases to change the entity name from MarKenCami LLC, to BigPlay, LLC. All other terms and conditions of the Original Lease and Lease Amendment shall remain the same.

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 August 13, 2025.

Effective August 18, 2025.

Ordinance No. 814-2025

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

An emergency ordinance giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio to replace the Lorain Avenue Bridge over Columbus Road; and authorizing agreements.

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 it is declared to be in the public interest that the consent of the City of Cleveland is given to the Director of Transportation of the State of Ohio (the “State”) to construct the following improvement under plans, specifications, and estimates approved by the State: replace the Lorain Avenue (SR-10) bridge over Columbus Road (CUY-010-15.890; Bridge SFN 1801473), PID 115825 (the “Improvement”).

Section 2. That the City gives its consent to the Improvement and its administration by the Director of Transportation, provided that this ordinance shall not be construed to impose any financial obligation on the City for the Improvement. However, the City agrees to assume and contribute 100% of the cost of any item, included in the construction contracts at the request of the City, which are determined by the Director of Transportation to be ineligible or unnecessary for the Improvement.

Section 3. *Cooperation Statement.* The City shall cooperate with the Director of Transportation in the development and construction of the Improvement, and shall enter into a LPA Federal ODOT Let Project agreement, if applicable.

Section 4. *Utilities and Right-of-Way Statement.* The City agrees that all right-of-way acquired for the Improvement will be acquired and/or made available to ODOT under current State and Federal regulations. The City also understands that right-of-way costs include eligible utility costs. The City agrees that all utility accommodation, relocation, and reimbursement and agrees that all such accommodations, relocations, and reimbursements will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

Section 5. *Maintenance.* Upon completion of the Improvement, the City shall (1) provide adequate maintenance for the Improvement in accordance with all applicable State and Federal law, including but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Improvement; (3) maintain the right-of-way, keeping it free of obstruction, and (4) hold said right-of-way inviolate for public highway purposes.

Section 6. That this Council requests the State to proceed with the Improvement.

Section 7. That the Director of Capital Project, or his designee, is authorized to enter into and execute contracts with the Director of Transportation which are necessary to develop plans for and to complete the Improvement; and to execute contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Improvement.

Section 8. That the Director of Capital Projects is authorized to enter into any agreements necessary to implement the Improvement.

Section 9. That the Clerk of Council is authorized and directed to transmit to the State three (3) certified copies of this ordinance immediately on it taking effect, and it shall become the basis for proceeding with the Improvement.

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.

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 815-2025

By Council Member: Griffin (by departmental request)

An emergency ordinance to provide for the transfer and amendment of Two Hundred Forty-Two Thousand Eight Hundred Four Dollars (\$242,804) within the General Fund.

WHEREAS, in accordance with Section 41 of the Charter, the Mayor has recommended in writing the within transfer; and

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

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

Section 1. That to provide for the transfer and amendment of Two Hundred Forty-Two Thousand Eight Hundred Four Dollars (\$242,804) within the General Fund, as follows:

	Transfer To	Transfer From
Executive Branch		
Department of Public Health		
Division of Environment		
I Personnel and Related Expenses	\$ 242,804	
Total Department of Public Health	\$ 242,804	
Department of Building and Housing		
Division of Building and Housing Administration		
I Personnel and Related Expenses		\$ 190,096
Division of Code Enforcement		
I Personnel and Related Expenses		\$ 52,708
Total Department of Building and Housing		\$ 242,804
Total Executive Branch	\$ 242,804	\$ 242,804
TOTAL GENERAL FUND	\$ 242,804	\$ 242,804

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 August 13, 2025.

Effective August 18, 2025.

Ordinance No. 816-2025

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

An emergency ordinance authorizing the Directors of Parks and Recreation and Finance to enter into one or more contracts with the Cleveland Metropolitan School District, to conduct recreational, cultural and extracurricular programs for the benefit of school children during the 2024-25 school year.

WHEREAS, under Ordinance No. 1025-A-95, passed June 28, 1995, tax revenues from levying the parking facility tax, and increases in the motor vehicle lessor tax and the admission tax, can be used to fund recreational, cultural and extracurricular programs within the Cleveland Metropolitan School District; and

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

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

Section 1. That the Directors of Parks and Recreation and Finance are authorized to enter into one or more contracts with the Cleveland Metropolitan School District, to conduct various recreational, cultural and extracurricular programs for the benefit of City school children during the 2024-25 school year, under the program description contained in **File No. 816-2025-A**. The cost of the contract or contracts shall not exceed \$950,000, and shall be paid from Fund No. 11 SF 035. (RQS 4501, RL 2025-56)

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 August 13, 2025.

Effective August 18, 2025.

Ordinance No. 817-2025

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

An emergency ordinance authorizing the Director of Parks and Recreation to enter into an agreement with the Neighborhood Leadership Institute to implement educational, recreational, and cultural programs in various school buildings and other facilities during evening hours, provide leadership training, and supervise the summer tennis program.

WHEREAS, based on recommendations made by the Cleveland Summit on Education, certain pilot programs were created; 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 Parks and Recreation is authorized to enter into an agreement with Neighborhood Leadership Institute to implement educational, recreational, and cultural programs in various school buildings and other facilities during evening hours, provide leadership training, and supervise the summer tennis program, in an amount not to exceed \$453,846.22, payable from Fund No. 01-4503-6380. (RQS 4503, RL 2025-04)

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 August 13, 2025.

Effective August 18, 2025.

Ordinance No. 818-2025**By Council Member:** Hairston**An emergency ordinance designating Greater New Calvary Baptist Church (former First Congregational Church of Collinwood) as a Cleveland Landmark.**

WHEREAS, under Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976, the Cleveland Landmarks Commission (the “Commission”), has proposed to designate Greater New Calvary Baptist Church (former First Congregational Church of Collinwood) as a landmark; and

WHEREAS, the owner of Greater New Calvary Baptist Church (former First Congregational Church of Collinwood) has been properly notified and has consented in writing to the proposed designation; and

WHEREAS, the Commission has recommended designation of Greater New Calvary Baptist Church (former First Congregational Church of Collinwood) as a landmark and has set forth certain findings of fact constituting the basis for its decision; and

WHEREAS, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, and safety in that the immediate protection of the historic landmark is necessary to safeguard the special historical, community, or aesthetic interest or value in the landmark; now, therefore

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

Section 1. That Greater New Calvary Baptist Church (former First Congregational Church of Collinwood) whose street address in the City of Cleveland is 822 East 150th Street (aka 14904 Aspinwall Avenue), Cuyahoga County Auditor’s Permanent Parcel Number is 115-09-036, and is also known as the following described property:

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Original Euclid Township Lot No. 1, Tract No. 16, and all of Sublot No. 13, in Lucian Gunn’s Heirs Subdivision, of part of Original Euclid Township Lot No. 1, Tract No. 16, as shown by the recorded plat of said Subdivision, in Volume 18 of Maps, Page 29 of Cuyahoga County Records, and together bounded and described as follows:

Beginning on the Southerly line of Aspinwall Avenue, N.E., (formerly Manchester Avenue), at its point of intersection with the Westerly line of East 150th Street (formerly Mars Avenue); thence Westerly along said Southerly line of Aspinwall Avenue, N.E., 152 feet 1-1/2 inches; thence Southerly parallel with the Westerly line of said Sublot No. 13, 140 feet; thence Easterly along the Westerly prolongation of the Southerly line of said Sublot No. 13, and the Easterly

prolongation thereof, 151.97 feet to said Westerly line of East 150th Street; thence Northerly along said Westerly line of East 150th Street, 140 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Legal Description approved by Eric Westfall, Section Chief,
Plats, Surveys and House Numbering Section

which in its entirety is a property having special character or special historical or aesthetic value as part of the development, heritage, or cultural characteristics of the City, State, or the United States, is designated a landmark under Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976.

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 August 13, 2025.

Effective August 18, 2025.

Ordinance No. 819-2025

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

An emergency ordinance authorizing the Director of Economic Development to enter into a forgivable loan agreement with Famicos Foundation, or its designee, to provide economic development assistance to partially finance the acquisition, and development of interior and exterior improvements at a mixed-use building located at 1355 East 105th Street, and other associated costs necessary to redevelop the property.

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

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

Section 1. That the Director of Economic Development is authorized to enter into a forgivable loan agreement with Famicos Foundation, or its designee, to provide economic development assistance to partially finance the acquisition and development of interior and exterior improvements, including hard and soft costs, furniture fixtures, and equipment of a mixed-use building located 1355 East 105th Street, and other associated costs necessary to redevelop the property.

Section 2. That the summary for the loan, **File No. 819-2025-A**, made a part of this ordinance as if fully rewritten, is approved in all respects and shall not be materially changed without additional legislative authority.

Section 3. That the Director of Economic Development is authorized to accept such collateral as the director determines is sufficient in order to secure repayment of the loan.

Section 4. That the Director of Economic Development is authorized to accept monies in repayment of the loan and to deposit the monies in Fund No. 17 SF 006.

Section 5. That the Director of Economic Development is authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations, and the fees are appropriated to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. The fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

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 the costs of any funding under this ordinance shall not exceed \$500,000, and shall be paid from Fund No. 10 SF 555. (RQS 9501, RL 2025-66)

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 843-2025

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the United States Department of Homeland Security for the BioWatch Program; and authorizing the Director to enter into various written standard purchase and requirement contracts for courier services needed to transport BioWatch samples to the Ohio Department of Health for testing.

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

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

Section 1. That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$414,870.00, and any other funds that become available during the grant term, from the United States Department of Homeland Security, to conduct the BioWatch Program in accordance with the purposes set forth in the executive summary; that the Director of Public Health is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes in the executive summary for the grant.

Section 2. That the executive summary for the grant, **File No. 843-2025-A**, made a part of this ordinance as if fully rewritten, is approved in all respects and shall not be changed without additional legislative authority.

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

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

Section 5. That the Director of Public Health is authorized to make one or more written standard purchase contracts and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of requirements to be determined by the Director, for the necessary items of courier services needed to transport BioWatch samples to the Ohio Department of Health for testing, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Air Quality, Department of Public Health. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contracts for each or any combination of the items as the Board of Control determines.

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

Section 7. That the costs of the standard and requirement contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contracts, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts, and certified by the Director of Finance. (RQS 5007, RLA 2025-53)

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 844-2025

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

An emergency ordinance to vacate a portion of Hancock Avenue.

WHEREAS, under Resolution No. 301-2025, adopted March 31, 2025, this Council declared its intent to vacate a portion of Hancock Avenue, as described; and

WHEREAS, notice of the adoption of the above vacation was served on the abutting property owners affected by the resolution which stated a time and place when objections would be heard before the Board of Revision of Assessments; and

WHEREAS, on July 3, 2025, the Board of Revision of Assessments approved the above vacation under the provisions of Section 176 of the Charter of the City of Cleveland; and

WHEREAS, this Council is satisfied that there is good cause for vacating all of the above, and that it will not be detrimental to the general interest and that it should be made; 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 declares that the following described real property is vacated:

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and being part of Hancock Avenue (16 feet wide), part of Original Brooklyn Township Lots Nos. 51, 52, 69, and 70, as shown by the plat recorded in Volume 11, Page 26 of Cuyahoga County Records, and further bounded and described as follows:

Beginning at a drill hole in a stone monument found (0.00 feet north, 0.15 feet east) on the centerline of Hancock Avenue (16 feet wide) and the westerly right-of-way of West 26th Street (formerly Hudson Street and McLean Street) (50 feet wide) and being the Principal Place of Beginning of premises herein described;

Course 1: Thence South 31°10'04" East along the westerly right-of-way of West 26th Street, 8.00 feet to a point on the southerly right-of-way of Hancock Avenue;

Course 2: Thence South 58°41'55" West along the southerly right-of-way of Hancock Avenue, 111.53 feet to a point on the northeasterly corner of Parcel "A" of the Lot Consolidation Survey, as shown by the recorded plat in Volume 372, Page 54 of Cuyahoga County Map Records;

Course 3: Thence North 31°08'55" West, 16.00 feet to a drill hole set on the northerly right-of-way of Hancock Avenue;

Course 4: Thence North 58°41'55" East along the northerly right-of-way of Hancock Avenue, 111.53 feet to a point on the westerly right-of-way of said West 26th Street;

Course 5: Thence South 31°10'04" East along the westerly right-of-way of West 26th Street, 8.00 feet to the Principal Place of Beginning, containing 0.0410 acres, more or less, but subject to all legal highways, restrictions, reservations and easements.

Legal Description approved by Eric B. Westfall, P.S., Section Chief,
Plats, Surveys and House Numbering Section.

Section 2. That there is reserved to the City of Cleveland an easement of full width as described above for Cleveland Public Power.

That there is reserved to the City of Cleveland for the Division of Fire, a 20-foot-wide fire apparatus access drive easement from Chatham Avenue to Monroe Avenue, a gate with knox lock that dead ends at Hancock Avenue and two (2) fire hydrants.

That no structures shall be erected on the premises described in these easements except those constructed under the approval of, and in compliance with, plans approved by Cleveland Public Power and the City of Cleveland.

Section 3. That provided all required approvals have been obtained, the Manager of Engineering and Construction is directed to record the vacation plat in the Office of the Recorder of Cuyahoga County.

Section 4. That the Clerk of Council is directed to transmit a copy of this ordinance to the Fiscal Officer of Cuyahoga County.

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 859-2025**By Council Member:** Hairston

An emergency ordinance designating East 90th Street between St. Clair Avenue and East 91st Street with a secondary and honorary designation of “Ruby Mumford Way”.

WHEREAS, Ruby Mumford, along with her husband Jesse Mumford Sr. and five children, moved to 797 East 90th Street and St. Clair Avenue, during the summer of 1958, as the first black family on the street; and

WHEREAS, as the years went on, Ruby Mumford became a big influence on East 90th Street as part of the Neighborhood Street Club, to help keep the neighborhood safe, clean, and politically connected, and helping organize a fun-filled block party every year to encourage the neighborhood and Glenville community to come together; and

WHEREAS, having one of the largest families in the neighborhood with seven children by 1962, meant that Mrs. Mumford was “neighborhood mom” to a lot more children than just her own; she chose not to work, but remain a homemaker until her youngest child was enrolled in school full-time; and

WHEREAS, a survey was taken of the families in the neighborhood, to see if there was a need for a new school to be built nearby, since the closest elementary school at the time was Miles Standish Elementary School, which meant Mrs. Mumford’s children had to cross St. Clair Avenue to go to school; she felt she was one of the reasons that Charles H. Lake Elementary School was built because she had so many children that would benefit from having a school closer to home; and

WHEREAS, Ruby Mumford also fulfilled her civic duties by voting, working the election polls, and serving as a juror on jury duty; she loved children and always advocated for their well-being; and

WHEREAS, in the 1960s, Ruby participated in The March of Dimes Foundation, a nationwide, non-profit organization started by President Franklin D. Roosevelt that is still one of the largest foundations today; in addition to being a homemaker and caring for seven children of her own, she still made time to walk the neighborhood, going door to door, asking for dime donations that would help fund research for a vaccine needed to combat polio; she took this opportunity to help bring awareness to child polio, birth defects, and infant mortality; and

WHEREAS, in the late '60s and '70s, Ruby Mumford was part of the workforce, working at Stouffer's El Cantina, a popular downtown cafeteria; of course, she was a great cook and helped prepare foods for the cafeteria as well as the upscale restaurant, "Top of The Town", located in the same building on the 38th floor; she was later

promoted to work in Stouffer's Test Kitchen where she assisted in preparing and testing the recipes for Stouffer's famous foods; and

WHEREAS, Ruby raised more than one teenager at a time in her household and recognized the need for them to learn responsibility by having a summer job; through her great rapport with her place of employment, she was trusted to bring in summer help from her neighborhood, including her daughter and several of her daughter's friends who were hired for the summer; these jobs provided financial help with their school's senior expenses, and some even received permanent job offers after graduation; this was another way Ruby looked out for her children, neighborhood, and community; and

WHEREAS, over the years, Mrs. Mumford's children attended and were active in a storefront church, located between 91st and 92nd on St. Clair Avenue, Angelic Missionary Baptist Church, under Pastor Thomas Craig, and she served as the church's Treasurer; around 1980, she started attending Greater Faith Missionary Baptist Church, located on 88th Street and St. Clair Avenue, where she served on the Mother's Board; after the death of her Pastor, Leon Lawrence, she moved her membership to True Vine Baptist Church in 2004, along with her daughter and family; under Pastor Edward McGhee, she continued to serve on the Mother's Ministry; and

WHEREAS, on Sundays, Ruby Mumford encouraged other children in the neighborhood to attend church as well; when their parents were invited to witness their children involved in plays, reciting poems, and singing in the choir, some of them even joined the church; and

WHEREAS, with the help of her daughter, Ruby made sure that the families on her street were fed by extending the OASIS Food Ministry from True Vine Baptist Church to 90th Street; produce was made available from her porch to families on the street who could not travel to the church for pick-up; and

WHEREAS, Ruby's family experienced good times and sad times; as a young mother, she lost a son in 1965, her husband was called home in 1992, and another son in 2004; her best friends were all deceased as well, but she believed in keeping God first in her life, and the power of prayer for comfort and strength; Ruby Mumford was a Gold Star Mother and a Strong Black Woman; and

WHEREAS, Ruby Mumford, the matriarch of her family, has lived on East 90th Street for 62 years, and was the oldest homeowner residing from the 1950s; one of her favorite past times over the years was to sit on her porch, enjoy the summer weather, and speak or wave to neighbors walking by; neighborhood children from the past six decades came back to visit her and reminisce about their childhood and the good old days; some called her on Mother's Day, remembering that her phone number had not changed since they were kids; and

WHEREAS, at the age of 92 years young, she still looked out for the safety of the children playing on the street; the neighborhood children affectionately called her

"Biggie," which is the name of endearment she answered to her 17 grandchildren, 16 great-grandchildren, and 5 great-great grandchildren; and

WHEREAS, the citizens of Cleveland want to honor Ruby Mumford with a secondary street sign designation of "Ruby Mumford Way" in recognition of the immeasurable amount of influence she has had on her community, especially East 90th Street; and

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

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

Section 1. That East 90th Street between St. Clair Avenue and East 91st Street is designated with a secondary and honorary designation of "Ruby Mumford Way".

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 860-2025**By Council Member:** Slife

An ordinance changing the Use, Area & Height Districts of parcels of land north and south of Lorain Avenue, west of Rocky River Drive (Map Change 2679).

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

Section 1. Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, that the Use Districts of lands bounded and described as follows:

Beginning at the intersection the centerline of Lorain Avenue and the centerline of West 179th Street;

Thence, southeasterly along the centerline of Lorain Avenue to its intersection with the centerline of Riveredge Road;

Thence, southwesterly along the centerline of Riveredge Road to its intersection with Old Lorain Road;

Thence, westerly and northwesterly along the street centerline of Old Lorain Road to its intersection with the southerly prolongation of the northwesterly line of a parcel of land conveyed by deed to the Board of Park Commissioners of the Cleveland Metropolitan Park District, as recorded by the Auditor's File Number 119901110164 dated January 11, 1999, known more commonly as Permanent Parcel Number (PPN) 026-01-001;

Thence, northeasterly along the aforementioned northwesterly line and its northeasterly prolongation to its intersection with the centerline of Lorain Avenue;

Thence, southeasterly along the centerline of Lorain Avenue to its intersection with the southwesterly prolongation of the westerly line of a parcel of land known as being Sublot No. 16 in the Handy Park Subdivision, of part of Original Rockport Township Section No. 13, as shown by the recorded plat in Volume 108 of Maps, Page 36 of Cuyahoga County Records, and more commonly known as being PPN 025-02-012;

Thence, northeasterly along the southwesterly prolongation of said westerly line to its intersection with the northerly line thereof;

Thence, easterly along said northerly line and its easterly prolongation to its intersection with the centerline of West 179th Street;

Thence, southerly along the centerline of West 179th Street to its intersection with the easterly prolongation of the northerly line of a parcel of land known as being Sublot

No. 8 in the Handy Park Subdivision, of part of Original Rockport Township Section No. 13, as shown by the recorded plat in Volume 108 of Maps, Page 36 of Cuyahoga County Records, also more commonly known as PPN 025-02-043;

Thence, westerly along the easterly prolongation of said northerly line to its intersection with the westerly line thereof;

Thence, southerly along said westerly line and its southerly prolongation to its intersection with the centerline of Lorain Avenue;

Thence, southeasterly along the centerline of Lorain Avenue to its intersection with the centerline of West 179th Street and the point of origin.

And as identified on the attached map, shall be changed to a 'Institutional Research' District, a 'D' Area District and a '3' Height District.

Section 2. Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, that the Use, Area, and Height Districts of lands bounded and described as follows:

Beginning at the intersection of the centerline of Lorain Avenue and the centerline of West 179th Street;

Thence, northerly along the street centerline of West 179th Street to its intersection with the westerly prolongation of the southerly line of a parcel of land known as being Sub-Lot No. 53 in the Handy Park Subdivision, of Part of Original Rockport Township Section No. 13, as shown by the recorded plat in Volume 108 of Maps, Page 36 of Cuyahoga County Records, also more commonly known as being Permanent Parcel Number (PPN) 025-02-020;

Thence, easterly along the southerly line of said parcel to its intersection with the southerly line of a parcel of land known as being part of Burt Court, N.W., (15 feet wide and turnouts), as dedicated in Handy Park Subdivision, of part of Original Rockport Township Section Number 13, as shown by the recorded plat in Volume 108 of Maps, Page 36 of Cuyahoga County Records, known more commonly as PPN 025-02-038;

Thence, easterly along said westerly prolongation of the southerly line and its easterly prolongation to its intersection with the centerline of West 178th Street;

Thence, southerly along the centerline of West 178th Street to its intersection with the westerly prolongation of the northerly line of a parcel of land known as being Sublot Nos. 1, 2 and 3 in The Handy Park Subdivision, of part of Original Rockport Township Section No. 13, as shown by the recorded Plat Volume 108, Page 36 of Cuyahoga County Records, also more commonly known as being Permanent Parcel Number (PPN) 025-03-058;

Thence, easterly along the westerly prolongation of the northerly line of said parcel to its intersection with the easterly line thereof;

Thence, southerly along the easterly line of said parcel to its intersection with the northerly line of a parcel of land conveyed by deed to Brian Miller, as recorded by Auditor's File Number 00922074, dated January 7, 1976, known more commonly as PPN 025-03-004;

Thence, easterly along the northerly line of said parcel and its easterly prolongation to its intersection with the street centerline of West 176th Street;

Thence, southerly along the street centerline of West 176th Street to its intersection with the street centerline of Lorain Avenue;

Thence, easterly along the street centerline of Lorain Avenue to its intersection with the northerly prolongation of the easterly line of a parcel of land known as being Sublots Nos. 13, 14 and Westerly part of Sublot No. 15, in Henry Barthelman's Subdivision, of part of Original Rockport Township Sections Nos. 8 and 13, as shown by the recorded plat in Volume 67 of Maps, Page 2 of Cuyahoga County Records, known more commonly as PPN 026-03-006;

Thence, southerly along the northerly prolongation of the easterly line of said parcel to its intersection with the southerly line thereof;

Thence, westerly along the westerly prolongation of the southerly line of said parcel to its intersection with the westerly line of a parcel of land known as being part of Sublot No. 8 in Henry Barthelman's Subdivision, of part of Original Rockport Township Sections Nos. 8 and 13, as shown by the recorded plat in Volume 67 of Maps, Page 2 of Cuyahoga County Records, known more commonly as PPN 026-02-016;

Thence, northerly along the northerly prolongation of the westerly line of said parcel to its intersection with the street centerline of Lorain Avenue;

Thence, northwesterly along the street centerline of Lorain Avenue to its intersection with the street centerline of West 179th Street and the point of origin;

And as identified on the attached map, shall be changed to an Institutional Research District, a 'D' Area District, and a '2' Height District.

Section 3. Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, that the Use, Area, and Height Districts of lands bounded and described as follows:

Beginning at the intersection of the street centerline of Lorain Avenue and the northerly prolongation of the westerly line of a parcel of land known as being part of Sub lot No. 15 in the Henry Barthelman subdivision, of part of Original Rockport Township Section Nos. 8 and 13, as shown by the recorded plat in Volume 67 of

Maps, Page 2 of Cuyahoga County Records, known more commonly as PPN 026-03-007;

Thence, southerly along the northerly prolongation of the westerly line of said parcel to its intersection with the southerly line thereof;

Thence, easterly along the southerly line of said parcel and its easterly prolongation to its intersection with the westerly line of a parcel of land known as being part of Original Rockport Section Township No. 13, known more commonly as PPN 026-03-015;

Thence, northerly along the easterly line of said parcel and its northerly prolongation to its intersection with the centerline of Lorain Avenue;

Thence, westerly along the centerline of Lorain Avenue to its intersection with the northerly prolongation of the westerly line of a parcel of land known as PPN 026-03-007, and the point of origin;

And as identified on the attached map shall be changed to a Local Retail Business District, a 'D' Area District and a '2' Height District.

Section 4. That all existing mapped setbacks of five (5) feet from the property line along the westerly side of West 179th Street between Lorain Avenue and the northerly line of a parcel of land known as being 025-02-043; and

That all existing mapped setbacks of five (5) feet from the property line along the easterly side of West 179th Street between the northerly side of Lorain Avenue and the northerly line of the parcel; and

That all existing mapped setbacks five (5) feet from the property line along the westerly side of West 178th Street between the northerly side of Lorain Avenue and the northerly line of the aforementioned parcel; and

That all existing mapped setbacks five (5) feet from the property line along the southerly side of Lorain Avenue between the easterly side of PPN 026-03-006 and the westerly side of PPN 026-02-016; and

That all existing mapped setbacks five (5) feet from the property line along the northerly and southerly side as the previously known Groveland Avenue between Lorain Avenue and PPN 026-01-001;

And as identified on the attached map, are hereby removed from the Building Zone Maps.

Section 5. That all existing Mapped Building Setbacks of fifteen (15) feet from the property line along the northerly side of Lorain Avenue between the westerly side of a

parcel of land known as being PPN 025-02-012 and the centerline of West 178th Street;
and

That all existing Mapped Building Setbacks of fifteen (15) feet from the property line along the southerly side of Lorain Avenue between the westerly side of PPN 0-026-01-001 and the centerline of Old Lorain Road S.W.; and

That all existing Mapped Building Setbacks of fifteen (15) feet from the property line along the northerly side of Old Lorain Road between Lorain Avenue and Fernshaw Street;

And as identified on the attached, are hereby removed from the Building Zone Maps.

Section 6. That the change of zoning of lands described in Section 1 through 5 shall be identified as Map Change 2679, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council, and on file in the office of the City Planning Commission, by the appropriate person designated for this purpose by the City Planning Commission.

Section 7. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Current Zoning

- Current Zoning Districts
- Pedestrian Retail Overlay
- Riparian - Wetland Zones

Proposed Zoning

- Local Retail Business-D2
- Institutional Research-D2
- Institutional Research-D3

Remove Mapped Specific Setback

- 5 foot Mapped Specific Setback
- 15 foot Mapped Specific Setback

Map Change 2679

Changing the Use, Area, & Height districts of parcels of land north and south of Lorain Avenue west of Rocky River Drive.

300 Feet

Effective September 12, 2025.

Ordinance No. 940-2025**By Council Member:** McCormack

An emergency ordinance to add the name José Ramírez Way as a secondary and honorary name to an unnamed park road beginning at about 950 Clark Avenue and ending at Clark Field, the location of José Ramírez Field.

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 Codified Ordinances of the City of Cleveland, 1976, the name José Ramírez Way shall be added as a secondary and honorary name to an unnamed park road beginning at about 950 Clark Avenue and ending at Clark Field, the location of José Ramírez Field.

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 941-2025**By Council Member:** McCormack

An emergency ordinance consenting and approving the issuance of a permit for the Santos in Tremont 1 mile run, December 13, 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 Santos in Tremont 1 mile run, December 13, 2025, managed by Hermes Sports & Events; START at The SouthSide (2207 West 11th Street); head south on West 11th Street; turn left on Starkweather Avenue; turn left on Professor Avenue; FINISH at The SouthSide (2207 West 11th Street); provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 942-2025**By Council Member:** Starr

An emergency ordinance authorizing the Director of the Department of Public Works to enter into agreement with Burten, Bell, Carr Development, Inc. for the Youth Football Recreation Program through the use of Ward 5 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Public Works is hereby authorized to enter into agreement with Burten, Bell, Carr Development, Inc. for the Youth Football Recreation Program for the public purpose of providing a youth football and mentoring program 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 \$35,000.00, 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 5	\$35,000.00	G25731

Section 3. That the Law Department has reviewed and approved this proposal on June 26, 2025. The Department has reviewed and approved the proposal on June 10, 2025. Project shall begin as of April 1, 2025.

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

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 959-2025

By Council Member: Griffin (by departmental request)

An emergency ordinance to amend Sections 32, 34, 38 and 39 of Ordinance No. 194-2021, passed March 29, 2021, as amended by various ordinances, relating to compensation for various classifications.

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

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

Section 1. That the following:

Section 32 of Ordinance No. 194-2021, passed March 29, 2021, as amended by Ordinance No. 1073-2021, passed November 29, 2021, Ordinance No. 94-2022, passed March 21, 2022, Ordinance No. 1281-2022, passed December 5, 2022, Ordinance No. 338-2024, passed March 25, 2024, Ordinance No. 850-2024, passed August 7, 2024, and Ordinance No. 47-2025, passed January 6, 2025,

Section 34 of Ordinance No. 194-2021, passed March 29, 2021, as amended by Ordinance No. 1281-2022, passed December 5, 2022, Ordinance No. 523-2023, passed April 24, 2023, Ordinance No. 338-2024, passed March 25, 2024, Ordinance No. 850-2024, passed August 7, 2024, Ordinance No. 1217-2024, passed November 25, 2024, and Ordinance No. 47-2025, passed January 6, 2025,

Section 38 of Ordinance No. 194-2021, passed March 29, 2021, as amended by Ordinance No. 94-2022, passed March 21, 2022, Ordinance No. 1281-2022, passed December 5, 2022, Ordinance No. 776-2023, passed July 12, 2023, Ordinance No. 901-2023, passed August 16, 2023, Ordinance No. 1239-2023, passed November 13, 2023, Ordinance No. 235-2024, passed March 4, 2024, Ordinance No. 338-2024, passed March 25, 2024, Ordinance No. 850-2024, passed August 7, 2024, Ordinance No. 1217-2024, passed November 25, 2024, and Ordinance No. 47-2025, passed January 6, 2025, and

Section 39 of Ordinance No. 194-2021, passed March 29, 2021, as amended by Ordinance No. 94-2022, passed March 21, 2022, Ordinance No. 1073-2021, passed November 29, 2021, Ordinance No. 1151-2022, passed November 21, 2022, Ordinance No. 1281-2022, passed December 5, 2022, Ordinance No. 338-2024, passed March 25, 2024, Ordinance No. 850-2024, passed August 7, 2024, Ordinance No. 1217-2024, passed November 25, 2024, and Ordinance No. 47-2025, passed January 6, 2025,

are amended to read as follows:

Section 32. That the salaries in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Classification	Minimum	Maximum
1	Airport Maintenance Supervisor	32,968.00	78,803.29
2	Assistant Custodian	32,968.00	62,774.15
3	Assistant Superintendent of Electrical Generation	32,968.00	73,473.69
4	Bureau Manager – Housing	32,968.00	106,409.71
5	Bureau Manager – Demolition	32,968.00	106,409.71
6	Bureau Manager – Building	32,968.00	106,409.71
7	CD Code Enforcement Inspector Supervisor	34,464.91	73,649.83
8	Chief of Traffic Signal	32,968.00	109,490.00
9	Field Operations Forester	32,968.00	78,427.98
10	Instrumentation Supervisor	32,968.00	86,979.53
11	Parking Meter Unit Leader	32,968.00	58,295.86
12	Printing Unit Leader	32,968.00	67,477.21
13	Supervisor of Parking Enforcement Unit	32,968.00	52,675.06
14	Supervisor of Markets	32,968.00	61,167.88
15	Supervisor of Weights and Measures	32,968.00	82,423.70
16	Survey Party Chief	32,968.00	72,956.90
17	Surveyor Intern	32,968.00	74,700.92

Section 34. That the salaries in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Classification	Minimum	Maximum
1	Airport Maintenance Superintendent	32,968.00	81,777.01
2	Assistant Manager of Audit Control and Personnel	32,968.00	76,210.68
3	Assistant Manager of Recreation	32,968.00	73,632.50
4	Auditor	32,968.00	84,656.00
5	Auditor II	32,968.00	79,767.47
6	Chief of the Demolition Bureau	32,968.00	73,632.50
7	City Planner	32,968.00	78,632.95
8	Deputy Project Director	32,968.00	81,390.13
9	District Supervisor - Environmental Health	32,968.00	78,632.95

10	GIS Technician	32,968.00	62,246.50
11	Income Tax Supervisor	32,968.00	84,459.67
12	OPS Research Analyst	32,968.00	80,000.00
13	OPS Investigator	32,968.00	90,000.00
14	Recreation Center Manager	32,968.00	92,935.62
15	Reporter/Producer TV20	32,968.00	88,078.35
16	Senior Electric Transmissions Operator	32,968.00	70,453.03
17	Senior Tax Auditor	32,968.00	76,248.32
18	Superintendent of Vehicle Administrative Services	32,968.00	91,714.38
19	Supervisor Administrative Services-Data Processing Ctr	32,968.00	73,632.50
20	Talent Development Specialist	32,968.00	94,297.48

Section 38. That the salaries in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Classification	Minimum	Maximum
1	Airport Chief of Aircraft Rescue & Fire Fighting (ARFF)	32,968.00	198,000.00
2	Airport Maintenance Manager	32,968.00	121,624.23
3	Airport Operations Manager	32,968.00	115,755.23
4	Airport Safety Chief	32,968.00	118,874.40
5	Assistant Commissioner of Airports	32,968.00	134,538.68
6	Assistant Income Tax Administrator	32,968.00	146,631.38
7	Assistant Superintendent of Electric Trans & Distribution	32,968.00	110,097.96
8	Building and Housing Executive Assistant	32,968.00	115,755.23
9	Business Process Specialist	40,000.00	93,844.08
10	Chief of Air Pollution Enforcement	32,968.00	103,987.43
11	Chief of Air Pollution Engineering	32,968.00	103,987.43
12	Chief of Air Pollution Monitoring	32,968.00	103,987.43
13	Chief Civil Service Examiner	32,968.00	99,000.00
14	City Hall Custodian	32,968.00	91,714.38
15	Commercial Development Officer	52,000.00	112,112.00
16	Community Development Executive Assistant	32,968.00	118,105.64
17	Contract Compliance Officer	32,968.00	91,714.38
18	Deputy Budget Administrator	32,968.00	106,851.45

19	Deputy Commissioner of Emergency Medical Service	32,968.00	115,500.00
20	Director of Public Health Nurses	32,968.00	106,851.45
21	Fair Housing Administrator	32,968.00	114,072.06
22	General Manager of Administrative Services	32,968.00	121,623.99
23	Human Resources Administrator	32,968.00	106,851.45
24	OPS Administrator	32,968.00	120,000.00
25	Personnel Administrator	32,968.00	106,851.45
26	Senior Budget and Management Analyst	32,968.00	103,402.09
27	Superintendent of Motorized Equipment	32,968.00	91,714.38
28	Utilities Comptroller	32,968.00	123,038.33

Section 39. That the salaries in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Classification	Minimum	Maximum
1	Administrative Manager	32,968.00	170,092.40
2	Assistant Secretary of Sinking Fund Commission	32,968.00	131,946.78
3	Aviation Unit Manager	88,000.00	126,689.51
4	Behavioral Health Counselor	32,968.00	87,978.83
5	Business Development Administrator	32,968.00	100,387.22
6	Chief-Systems Analyst	32,968.00	126,703.09
7	Consulting Engineer	36,000.00	123,039.37
8	Disease Intervention Specialist Supervisor	47,396.28	85,725.71
9	Emergency Management Planner	36,000.00	105,574.59
10	Emergency Operations Center Manager	32,968.00	113,156.97
11	FMIS Functional Manager	32,968.00	116,956.27
12	Health Services Administrator	32,968.00	100,387.22
13	Helicopter Pilot	60,000.00	88,848.20
14	Inspector General	100,000.00	158,361.89
15	Labor Relations Officer	32,968.00	100,387.22
16	Manager of Compensation and Classifications	32,968.00	150,875.96
17	Manager of Education and Research	32,968.00	113,549.78
18	Manager of Employee Relations	32,968.00	116,956.27

19	Manager of Public Safety Office of Quality Control	32,968.00	113,156.97
20	OPS Senior Investigator	32,968.00	100,000.00
21	Project Coordinator	32,968.00	108,000.00
22	Project Director	32,968.00	118,000.00
23	Project Manager	32,968.00	130,000.00
24	Superintendent of Electric Trouble Operations	32,968.00	100,387.22

Section 2. That the following existing Sections:

Section 32 of Ordinance No. 194-2021, passed March 29, 2021, as amended by Ordinance No. 1073-2021, passed November 29, 2021, Ordinance No. 94-2022, passed March 21, 2022, Ordinance No. 1281-2022, passed December 5, 2022, Ordinance No. 338-2024, passed March 25, 2024, Ordinance No. 850-2024, passed August 7, 2024, and Ordinance No. 47-2025, passed January 6, 2025,

Section 34 of Ordinance No. 194-2021, passed March 29, 2021, as amended by Ordinance No. 1281-2022, passed December 5, 2022, Ordinance No. 523-2023, passed April 24, 2023, Ordinance No. 338-2024, passed March 25, 2024, Ordinance No. 850-2024, passed August 7, 2024, Ordinance No. 1217-2024, passed November 25, 2024, and Ordinance No. 47-2025, passed January 6, 2025,

Section 38 of Ordinance No. 194-2021, passed March 29, 2021, as amended by Ordinance No. 94-2022, passed March 21, 2022, Ordinance No. 1281-2022, passed December 5, 2022, Ordinance No. 776-2023, passed July 12, 2023, Ordinance No. 901-2023, passed August 16, 2023, Ordinance No. 1239-2023, passed November 13, 2023, Ordinance No. 235-2024, passed March 4, 2024, Ordinance No. 338-2024, passed March 25, 2024, Ordinance No. 850-2024, passed August 7, 2024, Ordinance No. 1217-2024, passed November 25, 2024, and Ordinance No. 47-2025, passed January 6, 2025, and

Section 39 of Ordinance No. 194-2021, passed March 29, 2021, as amended by Ordinance No. 94-2022, passed March 21, 2022, Ordinance No. 1073-2021, passed November 29, 2021, Ordinance No. 1151-2022, passed November 21, 2022, Ordinance No. 1281-2022, passed December 5, 2022, Ordinance No. 338-2024, passed March 25, 2024, Ordinance No. 850-2024, passed August 7, 2024, Ordinance No. 1217-2024, passed November 25, 2024, and Ordinance No. 47-2025, passed January 6, 2025,

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 August 13, 2025.

Effective August 18, 2025.

Ordinance No. 960-2025

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

An emergency ordinance to repeal Ordinance No. 40-2025, passed March 31, 2025, relating to a ground lease with Rust Belt Riders Composting, LLC., for the use and occupancy of property located on East 79th Street, to consolidate its composting facility operations, and to install a retail operation at the location.

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 Ordinance No. 40-2025, passed March 31, 2025, is repealed.

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 August 13, 2025.

Effective August 18, 2025.

Ordinance No. 961-2025

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located on East 79th Street to Rust Belt Riders Composting, LLC, or its designee.

WHEREAS, the Directors of Public Works and Capital Projects have requested the sale of the City-owned property no longer needed for public use on East 79th Street to Rust Belt Riders Composting, LLC, or its designee (the “Redeveloper”); and

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

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

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

PPN 125-16-003

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being a part of Sublot No. 50 and all of Sublots Nos. 51 and 52 in Charles H. Seymour's Allotment of a part of Original One Hundred Acre Lots 431 and 439, as shown by the recorded plat in Volume 5 of Maps, Page 38 of Cuyahoga County Records, and also parts of Original One Hundred Acre Lots Nos. 323 and 327, and bounded and described as follows:

Beginning in the Westerly line of East 79th Street, 60 feet wide at the Northeasterly corner of said Sublot No. 50; thence South 2 degrees 23 minutes 15 seconds West 114.42 feet along said Westerly line of East 79th Street to the Southeasterly corner of said Sublot No. 52; thence North 88 degrees 14 minutes 45 seconds West 129 feet along the southerly line of said Sublot No. 52 to the Southwesterly corner thereof, being also a point in the Easterly line of said Original Lot No. 323; thence South 2 degrees 23 minutes 15 seconds West 19.77 feet along said Easterly line of Original Lot No. 323 to an angle point in the Northerly line of land conveyed to The Cleveland Hardware Company by Deed recorded in Volume 1658, Page 463 of Cuyahoga County Records; thence North 89 degrees 56 minutes 40 seconds West 796.72 feet along said Northerly line of land so conveyed to the Cleveland Hardware Company to an angle point therein; thence North 1 degree 44 minutes 50 seconds East 61.17 feet following one of the lines of the land so conveyed to The Cleveland Hardware Company to a point in the Northerly line of said Original Lot No. 323; thence North 89 degrees 25 minutes 20 seconds West 47.47 feet along said Northerly line of Original Lot No. 323

and following one of the lines of the land so conveyed to The Cleveland Hardware Company to a point in the Northeasterly line of land conveyed to The Cleveland and Pittsburgh Railroad Company by Deed recorded in Volume 381, Page 408 of Cuyahoga County Records; thence North 31 degrees 24 minutes 48 seconds West 80.52 feet along said Northeasterly line of land so conveyed to The Cleveland and Pittsburgh Railroad Company to a point; thence South 89 degrees 56 minutes 40 seconds East 1018.82 feet to the place of beginning, containing 2.8276 acres of land, according to a Survey by Robert H. Krause, Registered Ohio Surveyor No. 2885, March 6 and 10, 1953, be the same more or less, but subject to all legal highways.

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being a part of Sublots Nos. 46 and 50 and all of Sublots Nos 47, 48 and 49 in Charles H. Seymour's Allotment of a part of Original One Hundred Acre Lots Nos. 431 and 439, as shown by the recorded plat in Volume 5 of Maps, Page 38 of Cuyahoga County Records, and also part of Original One Hundred Acre Lot No. 327, and bounded and described as follows:

Beginning in the Westerly line of East 79th Street, 60 feet wide, at the Northeasterly corner of said Sublot No. 50; thence North 89 degrees 56 minutes 40 seconds West 1018.82 feet to a point in the Northeasterly line of land conveyed to the Cleveland and Pittsburgh Railroad Company by deed recorded in Volume 381, Page 408 of Cuyahoga County Records; thence North 31 degrees 24 minutes 48 seconds West 187.58 feet along said Northeasterly line of land so conveyed to the Cleveland and Pittsburgh Railroad Company to a point; thence South 87 degrees 36 minutes 45 seconds East 1122.33 feet to the Northeasterly corner of said Sublot No. 47, being a point in said Westerly line of East 79th Street; thence South 2 degrees 23 minutes 15 seconds West 114.42 feet along said Westerly line of East 79th Street to the place of beginning, containing 3.3450 acres of land, according to a survey by Robert H. Krause, Registered Ohio Surveyor No. 2885, as appears from a revised survey plat dated August 8, 1953, be the same more or less, but subject to all legal highways.

Section 2. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to the Redeveloper at a price not less than fair market value as determined by the Board of Control, taking into account all restrictions, reversionary interests and similar encumbrances placed by the City of Cleveland in the deed of conveyance.

Section 3. That the conveyance shall be made by official deed prepared by the Director of Law and executed by the Mayor and the Commissioner of Purchases and Supplies on behalf of the City of Cleveland. The deed shall contain necessary provisions, including restrictive reversionary interests as may be specified by the Board of Control or Director of Law, which shall protect the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 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 August 13, 2025.

Effective August 18, 2025.

Ordinance No. 967-2025

By Council Member: Griffin (by departmental request)

An emergency ordinance approving the collective bargaining agreement with the International Longshoremen's Association, Local 1317 for the period from April 1, 2025, through March 31, 2028; and to amend Section 19 of Ordinance No. 194-2021, passed March 29, 2021, as amended, relating to compensation for various classifications.

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

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

Section 1. That under division (B) of Section 4117.10 of the Revised Code, this Council approves the collective bargaining agreement with the International Longshoremen's Association, Local 1317, under the terms contained in **File No. 967-2025-A**, for the period from April 1, 2025, through March 31, 2028, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit under the following schedule:

<u>Increase</u>	<u>Approximate Date of Increase</u>
3%	April 1, 2025
3%	April 1, 2026
3%	April 1, 2027

Section 2. That Section 19 of Ordinance No. 194-2021, passed March 29, 2021, is amended to read as follows:

Section 19. *International Longshoremen's Association, Local 1317.* That salaries in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<u>Minimum</u>	<u>Maximum</u>
1 Bridge Attendant	21.15	22.54
2 Electric Bridge Operator	23.37	24.91
3 Electric Bridge Operator Leader	25.02	26.67

Section 3. That existing Section 19 of Ordinance No. 194-2021, passed March 29, 2021, is repealed.

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

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 968-2025

By Council Member: Griffin (by departmental request)

An emergency ordinance approving the collective bargaining agreement with the Ohio Nurses Association (ONA), Local 85, for the period from April 1, 2025, through March 31, 2028; and to amend Section 24 of Ordinance No. 194-2021, passed March 29, 2021, as amended, relating to compensation for various classifications.

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

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

Section 1. That under division (B) of Section 4117.10 of the Revised Code, this Council approves the collective bargaining agreement with the Ohio Nurses Association, Local 85, under the terms contained in **File No. 968-2025-A**, for the period from April 1, 2025, through March 31, 2028, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit under the following schedule:

<u>Increase</u>	<u>Approximate Date of Increase</u>
3%	April 1, 2025
3%	April 1, 2026
3%	April 1, 2027

Section 2. That Section 24 of Ordinance No. 194-2021, passed March 29, 2021, is amended to read as follows:

Section 24. *Ohio Nurses Association, Local 85.* That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Classification	Minimum	Maximum
1	Public Health Nurse I	50,446.94	56,000.00
2	Public Health Nurse II	52,232.32	58,000.00
3	Public Health Nurse III	64,105.60	77,365.70

Section 3. That existing Section 24 of Ordinance No. 194-2021, passed March 29, 2021, is repealed.

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

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 969-2025**By Council Member:** Griffin

An emergency ordinance authorizing the Clerk of Council to enter into an amendment to agreement with NetX Internet LLC to increase the dedicated wireless internet service provided to Cleveland City Council.

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 Clerk of Council is authorized to enter into an amendment to agreement with NetX Internet LLC, City Contract PS2025*0041, to increase the dedicated wireless internet service provided to Cleveland City Council to 400 Mbps of data per month. The cost of the amendment shall be \$1,999 per month and shall be paid from fund 01, dept. 0101 subfund 001 object code 6320.

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 973-2025

By Council Member: Griffin (by departmental request)

An emergency ordinance approving the collective bargaining agreement with the International Association of Fire Fighters, Local 93, from April 1, 2025, through March 31, 2028; and to amend Section 58 of Ordinance No. 194-2021, passed March 29, 2021, as amended, relating to compensation for various classifications.

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

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

Section 1. That under division (B) of Section 4117.10 of the Revised Code, this Council approves the collective bargaining agreement with the International Association of Fire Fighters, Local 93, under the terms contained in **File No. 973-2025-A**, for the period from April 1, 2025, through March 31, 2028, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit under the following schedule:

<u>Increase</u>	<u>Approximate Date of Increase</u>
3% + 12%	April 1, 2025
3%	April 1, 2026
3%	April 1, 2027

Section 2. That Section 58 of Ordinance No. 194-2021, passed March 29, 2021, as amended by Ordinance 1283-2022, passed December 5, 2022, is amended to read as follows:

Section 58. *Division of Fire; Various Positions.* The annual salaries of persons appointed to the following ranks of the Division of Fire shall be fixed by the appointing authority within the limits established in the following schedules:

	<u>Minimum</u>	<u>Maximum</u>
1 Battalion Chief	135,595.78	144,572.83
2 Captain	116,892.92	124,631.75
3 Lieutenant	100,769.76	107,441.17
4 First Grade Firefighter (Over 5)	86,870.49	92,621.70

5	First Grade Firefighter (Over 4)	77,739.99	82,886.72
6	First Grade Firefighter (Over 3)	77,476.05	82,605.31
7	Second Grade Firefighter (Over 2)	70,024.99	74,660.96
8	Third Grade Firefighter	68,441.37	72,972.50
9	Fourth Grade Firefighter	67,385.62	71,846.86
10	Apprentice Firefighter (Trainee)	26.88	28.66

Section 3. That existing Section 58 of Ordinance No. 194-2021, passed March 29, 2021, as amended by Ordinance 1283-2022, passed December 5, 2022, is repealed.

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 974-2025

By Council Member: Griffin (by departmental request)

An emergency ordinance approving two collective bargaining agreements with the Treasurers and Ticket Sellers Union, Local 756, for the periods April 1, 2022, through March 31, 2025, and April 1, 2025, through March 31, 2028, respectively; and amending Section 46 of Ordinance No. 194-2021, passed March 29, 2021, relating to compensation for various classifications, for the foregoing periods.

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

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

Section 1. That under division (B) of Section 4117.10 of the Revised Code, this Council approves two collective bargaining agreements for the periods April 1, 2022, through March 31, 2025, and April 1, 2025, through March 31, 2028, respectively, with the Treasurers and Ticket Sellers Union, Local 756, under the terms contained in **File No. 974-2025-A**, which provide for, among other things, an increase in the salaries and wages for members of the bargaining unit, and approves an increase in the salaries and wages for members of the bargaining unit, during the respective terms of the collective bargaining agreements, under the following schedule:

<u>Increase</u>	<u>Approximate Date of Increase</u>
2%	April 1, 2022
2%	April 1, 2023
2%	April 1, 2024
3%	April 1, 2025
3%	April 1, 2026
3%	April 1, 2027

Section 2. That Section 46 of Ordinance No. 194-2021, passed March 29, 2021, is amended to read as follows to reflect the current collective bargaining agreement running April 1, 2025, through March 31, 2028:

Section 46. *Treasurers and Ticket Sellers Union, Local 756.* That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<u>Minimum</u>	<u>Maximum</u>
1 Assistant Box Office Manager	66,830.40	71,240.83
2 Box Office Cashier	22.09	23.55

3 Ticket Seller

22.66

24.16

Section 3. That existing Section 46 of Ordinance No. 194-2021, passed March 29, 2021, is repealed.

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 980-2025

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

An emergency ordinance to vacate all of Joy Court and Day Alley.

WHEREAS, under Resolution No. 1254-2024, adopted December 2, 2024, this Council declared its intention to vacate all of Joy Court and Day Alley, as described; and

WHEREAS, notice of the adoption of the above vacation was served on the abutting property owners affected by the resolution which stated a time and place when objections would be heard before the Board of Revision of Assessments; and

WHEREAS, on April 3, 2025, the Board of Revision of Assessments approved the above vacation under the provisions of Section 176 of the Charter of the City of Cleveland; and

WHEREAS, this Council is satisfied that there is good cause for vacating all of the above and that it will not be detrimental to the general interest and that it should be made; 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 declares that the following described real property is vacated:

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio, being part of Township 7, Range 13 of the Connecticut Western Reserve Survey, Original Brooklyn Township Lot 68, and being all of Joy Court (formerly Joy Alley) and all of Day Alley as shown in A.M. McGregors Reallotment as recorded in Plat Volume 12, Page 14 of Cuyahoga County Map Records and being more completely described as follows:

Commencing at a drill-hole in a stone in a monument box found at the centerline intersection of Train Avenue (60 feet wide) (formerly Walworth Avenue SW) and West 32nd Street (60 feet wide) (formerly Hitchcock Street), thence South 1° 46' 09" East along the centerline of said West 32nd Street, 252.18 feet to the centerline of Barber Avenue SW (56 feet wide) (formerly South Street), thence North 89° 22' 06" East along the centerline of said Barber Avenue SW, 466.79 feet, thence North 0° 37' 54" West, 28.00 feet to the southeasterly corner of Sublot 25 in said re-allotment and being the PLACE OF BEGINNING for the parcel herein described;

Course No. 1: thence North 0° 37' 54" West, along the easterly line of said Sublot 25, 120.00 feet, to a northeasterly corner of said Sublot 25;

Course No. 2: thence North 45° 37' 55" West, along the northeasterly line of said Sublot 25, 7.07 feet, to a northeasterly corner of said Sublot 25;

Course No. 3: thence South 89° 22' 04" West, along the northerly line of said Sublot 25 and Sublots 24, 23, 22, 21, 20 and 19 in said re-allotment, 289.89 feet, to the easterly right-of-way of West 32nd Place (20 feet wide) (formerly Bohne Court);

Course No. 4: thence North 1° 46' 54" West, along the easterly right-of-way of said West 32nd Place, 16.00 feet, to the southwesterly corner of Sublot 18 in said re-allotment;

Course No. 5: thence North 89° 22' 04" East, along the southerly line of said Sublot 18 and Sublot 17 in said re-allotment, 343.79 feet, to an angle point;

Course No. 6: thence North 60° 18' 34" East, continuing along the southerly line of said Sublot 17, 26.46 feet, to the westerly right-of-way of West 30th Street (50 feet wide) (formerly Mill Street);

Course No. 7: thence South 29° 57' 10" East, along the westerly right-of-way of said West 30th Street, 16.00 feet, to the northeasterly corner of Sublot 27 in said re-allotment;

Course No. 8: thence South 60° 18' 34" West, along the northerly line of said Sublot 27, 30.68 feet, to the northeasterly corner of Sublot 26 in said re-allotment;

Course No. 9: thence South 89° 22' 04" West, along the northerly line of said Sublot 26, 42.72 feet, to the northwesterly corner of said Sublot 26;

Course No. 10: thence South 0° 37' 54" East, along the westerly line of said Sublot 26, 125.00 feet, to the northerly right-of-way of said Barber Avenue SW;

Course No. 11: thence South 89° 22' 06" West, along the northerly right-of-way of said Barber Avenue SW, 10.00 feet to the PLACE OF BEGINNING, containing 0.1665 acres, more or less, but subject to all highways, covenants, and easements of legal record.

Legal Description approved by Eric B. Westfall, P.S., Section Chief,
Plats, Surveys and House Numbering Section.

Section 2. That there is reserved to the City of Cleveland an easement of full width as described above for AT&T, Enbridge Gas Ohio, The Illuminating Company (an easement

for the existing poles and overhead conductor on Day Alley and portion of Joy Court to end of Day Alley), and City of Cleveland Division of Water.

That there is reserved special easements of full width as described above for AT&T (a five-foot-wide utility easement), Enbridge Gas Ohio (a permanent easement in the vacant street(s) for the purposes of maintaining, operating, renewing, reconstructing, and removing Enbridge Gas Ohio's facilities and for purposes of access to said facilities pursuant to Ohio Revised Code Section 723.041), and City of Cleveland Division of Water (a standard City of Cleveland Division of Water easement on four-inch water main on Joy Court).

That no structures shall be erected on the premises described in this easement except those constructed under the approval of, and in compliance with, plans approved by the AT&T, Enbridge Gas Ohio, The Illuminating Company, and City of Cleveland Division of Water.

Section 3. That provided all required approvals have been obtained, the Manager of Engineering and Construction is directed to record the vacation plat in the office of the Recorder of Cuyahoga County.

Section 4. That the Clerk of Council is directed to transmit a copy of this ordinance to the Fiscal Officer of Cuyahoga County.

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 986-2025

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

An emergency ordinance authorizing the Director of Capital Projects or Parks and Recreation, as appropriate, to enter into one or more agreements with the Board of Park Commissioners of the Cleveland Metropolitan Park District, or their designee, for the development of the Irishtown Bend Park and trail; and authorizing one or more agreements with Metroparks for a period up to ninety-nine years for the lease, operation, and maintenance of the improvement.

WHEREAS, under Ordinance No. 592-2020, passed September 23, 2020, this Council authorized the Director of Capital Projects or Public Works to enter into one or more agreements with the Cleveland-Cuyahoga County Port Authority to improve Irishtown Bend and Franklin Avenue to correct a major hillside failure along the Cuyahoga River (“Stabilization Project”); and

WHEREAS, under Ordinance No. 521-2024, passed July 10, 2024, the new Department of Parks and Recreation was established and this improvement now falls under its authority instead of Public Works; and

WHEREAS, Ordinance No. 592-2020 also authorized the Commissioner of Purchases and Supplies to acquire, accept, and record the improved property to be used for future park development purposes at Irishtown Bend, including a trail connector for the Cleveland Foundation Centennial Trail, also known as the Lake Link Trail (collectively, the “Park Improvements”); and

WHEREAS, in order to implement the Park Improvements, the City requires one or more agreements with the Board of Park Commissioners of the Cleveland Metropolitan Park District, or its designee (collectively the “Metroparks”), to develop the Park Improvements and for a ninety-nine (99) year lease and management agreement with Metroparks for the ongoing operations and capital maintenance of the Park Improvements; 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 or Parks and Recreation, as appropriate, is authorized to enter into one or more agreements with Metroparks for the development of the Park Improvements.

Section 2. That the Director of Capital Projects or Parks and Recreation, as appropriate, is authorized to enter into one or more agreements with Metroparks for a

period up to ninety-nine (99) years for the lease, operation, and maintenance of the Park Improvements.

Section 3. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, and at the direction of the Board of Control, the Director of Capital Projects or Parks and Recreation, as appropriate, is authorized to lease to Metroparks, the area depicted on the map placed in **File No. 986-2025-A**, which is not needed for the City's public use.

Section 4. That the term of the lease authorized by this ordinance shall not exceed ninety-nine (99) years.

Section 5. That the property authorized by this ordinance shall be leased at \$1.00, and other valuable consideration, determined to be fair market value, exclusive of utilities.

Section 6. That the lease may authorize the Lessee to make improvements to, and maintain, the leased premises at its cost, subject to the approval of appropriate City agencies and officials.

Section 7. That the lease shall be prepared by the Director of Law.

Section 8. That the Director of Capital Projects or Parks and Recreation, as appropriate, the Director of Law, and other appropriate City officials are authorized to execute any other documents and certificates, and take any other actions which may be necessary or appropriate to effect the lease authorized by this ordinance.

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 987-2025

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

An emergency ordinance to amend Section 670.14 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 171-04, passed February 2, 2004, relating to limitation of authority; and to supplement the Codified Ordinances by enacting new Section 670.20, relating to authority to permit commissioned armed security guards to carry firearms outside the municipal boundaries of the City.

WHEREAS, the City of Cleveland operates and maintains critical infrastructure facilities, including utility and public service sites, located in municipalities outside its corporate boundaries; and

WHEREAS, the City employs Protective Services Officers (PSOs) responsible for the security of such sites, who are not sworn police officers but who meet prescribed training and qualification standards pursuant to Cleveland Codified Ordinance Chapter 670 (“Chapter 670”); and

WHEREAS, the safety of City personnel, infrastructure, and the public may necessitate authorizing PSOs to carry firearms while on duty on such locations, even if they are outside the municipal boundaries of the City; and

WHEREAS, Ohio Revised Code Sections 715.01, 9.482, and related provisions authorize municipalities to enter into agreements with other political subdivisions for mutual aid and the exercise of powers outside their territorial boundaries; 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 Section 670.14 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 171-04, passed February 2, 2004, is amended as follows:

Section 670.14 *Limitation of Authority*

The Director of Public Safety may designate the property, including properties or facilities that are owned and/or operated by the City but are outside the municipal boundaries of the City, or the geographical area of the City within which an armed security guard commissioned by the City may exercise his or her authority.

Commissioned armed security guards shall not obtain search warrants or warrants for arrest or perform any other specific function which the Director of Safety may, by rules and regulations, reserve exclusively to the Division of Police, or which are

exclusively reserved by the ordinances of the City and the City Charter to the Division of Police.

Commissioned armed security guards shall exercise their authority consistent with all applicable federal, state, and local laws.

Section 2. That the existing Section 670.14 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 171-04, passed February 2, 2004, is repealed.

Section 3. That the Codified Ordinances of Cleveland, Ohio 1976, are supplemented by enacting new Section 670.20 to read as follows:

Section 670.20 Authority to Permit Commissioned Armed Security Guards to Carry Firearms Outside the Municipal Boundaries of the City

The Director of Public Safety, or their designee, is authorized to permit commissioned armed security guards to carry firearms while on duty at properties or facilities that are owned and/or operated by the City located outside the municipal boundaries of the City.

The Director of Public Safety, or their designee, may enter into written agreements expressly authorizing armed security guards to carry firearms while on duty within the political subdivision where the property or facility that is owned and/or operated is located.

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 August 13, 2025.

Effective August 18, 2025.

Ordinance No. 988-2025

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

An emergency ordinance to amend Sections 1 and 3 of Ordinance No. 1071-2021, passed December 6, 2021, relating to approving the addition of certain property to the Northeast Ohio Advanced Energy District and providing for the assessments of the cost of the special energy improvement project in the 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 3 of Ordinance No. 1071-2021, passed December 6, 2021, are amended to read as follows:

Section 1. That the Project Petition and the Project Plan placed in File No. 1071-2021-B are approved, and this Council consents to the addition of the Property and the Additional Property to the District.

Section 3. That the Project Plan placed in the above-mentioned file is approved with an aggregate amount of Special Assessments of \$19,756,663.40, which is sufficient to pay the costs of the Project, including other related financing costs set forth in the Project Petition, and that the Special Assessments are levied and assessed on the Property. The interest portion of the Special Assessments, which shall accrue at the annual rate of 4.59%, together with amounts used to pay administrative expenses, has been determined by the District to be substantially equivalent to the fair market rate that would have been borne by notes or bonds issued by the District.

Section 2. That Sections 1 and 3 of Ordinance No. 1071-2021, passed December 6, 2021, are repealed.

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 993-2025

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

An emergency ordinance authorizing the Director of Capital Projects to enter into one or more agreements with Cuyahoga County and/or the Board of Park Commissioners of the Cleveland Metropolitan Park District, if necessary, relating to the construction and ongoing maintenance of improvements along the Lake Erie Shoreline, known as the Euclid Beach Connector Trail Project; to grant and accept easements and to enter into submerged land leases with the State of Ohio, for a term up to fifty years; and authorizing the Director of Public Works, Parks and Recreation, or appropriate director, to enter into an amendment to the Lakefront Parks Lease with the Metroparks to include the project area.

WHEREAS, the City of Cleveland, Cuyahoga County (the “County”), and the Board of Park Commissioners of the Cleveland Metropolitan Park District (“Metroparks”), desire to enter into one or more agreements relating to the construction and ongoing maintenance of improvements along the Lake Erie Shoreline, known as the Euclid Beach Connector Trail Project, including erosion control infrastructure, which include revetments, and for recreational improvements which include a multi-use trail located along the Lake Erie shoreline from East 151st Street to the Euclid Beach portion of Metroparks’ Euclid Creek Reservation (collectively “the Project”) located in the Project area, and is depicted in the drawing placed in **File No. 993-2025-A** (the “Project Area”); and

WHEREAS, the Project will address Lake Erie shoreline erosion concerns and connect an underserved area, including the neighborhoods of Beulah Park, Villa Beach and Shore Acres to the Lake Erie shoreline, and will provide recreational opportunities to attract future investment and development in the Project Area; and

WHEREAS, the County will construct the Project under Ordinance No. 528-2023, passed May 15, 2023, where this Council authorized the contribution of City funding to the County in an amount not to exceed Three Million Dollars (\$3,000,000) towards construction of the Project; and

WHEREAS, the City is authorized to acquire at no cost to the City, certain easement interests from upland owners in the Project Area for purposes of public access to, and maintenance of, the trail located within the Project Area (the “Trail Easements”) and for public access to the Project and the upland littoral consent to submerged land leases within the Project Area (the “Littoral Easements”); and

WHEREAS, the County has requested the City to convey certain temporary easement rights within the Project Area needed for construction of the Project; and

WHEREAS, the City will enter into submerged land leases with the State of Ohio to implement the Project as depicted in the drawing placed in the above-mentioned file; and

WHEREAS, the City and Metroparks will enter into an amendment to the Lease for Lakefront Parks with Metroparks, as authorized by Ordinance No. 504-13, passed April 22, 2013, as amended, Contract No. CT 7001 NF 2013-032 (the “Lakefront Lease”), to add the portion of the Project Area into the Lakefront Lease; and

WHEREAS, the City and Metroparks acknowledge that additional legislation is necessary after completion of the Project to authorize the Director of Public Works, Parks and Recreation, or appropriate director, to enter into an amendment to the Lakefront Lease to outline and clarify the City’s and Metroparks’s responsibilities for maintenance for all areas that are included in the Lakefront Lease; 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 the County and/or Metroparks, if necessary, relating to the Project.

Section 2. That notwithstanding and as an exception to the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized to acquire, accept and record certain exclusive easement rights, for a period not to exceed fifty (50) years, previously referred to as the Trail Easements, from upland owners in the Project Area for purposes of public access to, and maintenance of, the trail located within the Project Area for the Office of Capital Projects, at no cost to the City of Cleveland, and more fully described as follows:

**PARCEL 4-PT - PPN 112-12-015
SHORE ACRES DRIVE
PERPETUAL EASEMENT FOR PEDESTRIAN TRAIL PURPOSES
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE CITY OF CLEVELAND
CUYAHOGA COUNTY, OHIO**

A perpetual easement for public sidewalk and bike path purposes, including, but not limited to any construction, maintenance and/or replacement work deemed appropriate by The City of Cleveland, Cuyahoga County, Ohio, its successors and assigns forever.

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression “Grantor/Owner” includes the plural, and words

in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in Original Euclid Township Tract No. 16, Block "A" in The Shore Acres Land Company's Shore Acres Subdivision recorded in Volume 55 of Maps, Page 28 of Cuyahoga County Records, within the City of Cleveland, County of Cuyahoga, State of Ohio, being a 0.0888 acres (3,866 square feet) Permanent Easement area for a pedestrian trail, located within 0.49 acres (auditor) parcel of land conveyed to Roy D. Bundy, et al. by deed Vol. 2380 Pg. 440; and further bounded and described as follows:

Beginning, for reference, at a point of curvature in the centerline of Lakeshore Boulevard (80 feet wide), witnessed by a drill hole in a stone within a monument box found North 02°33'35" West, 0.03 feet;

Thence bearing North 02°33'35" West, along the projected centerline of said Lakeshore Boulevard, a distance of 116.78 feet to the point of intersection of a centerline curve of said Lakeshore Boulevard, witnessed by a drill hole in a stone within a monument box found on the centerline of said Lakeshore Boulevard North 66°24'49" East, 116.85 feet, said monument being 0.07' beyond the point of tangency of in the centerline of said Lakeshore Boulevard;

Thence bearing North 02°40'14" West, a distance of 6.49 feet to the intersection of the easterly right-of-way line Shore Acres Drive Northeast and the northerly line of said Lakeshore Boulevard;

Thence bearing North 02°40'14" West, along the easterly right-of-way line of said Shore Acres Drive Northeast, a distance of 249.51 feet to the intersection of the northerly right-of-way line of Shore Acres Drive (60 feet wide) and the easterly right-of-way line of said Shore Acres Drive Northeast;

Thence South 43°39'11" West along the northerly right-of-way sideline of Shore Acres Drive a distance of 50.45 feet to the southwesterly corner of said land conveyed to Jacob C. and Vicki D. Lohser by deed Doc #200702281071, and being The Principal Point of Beginning of the Permanent Easement Area herein intended to be described;

Course 1: Thence bearing South 43°39'11" West along said right-of-way line a distance of 20.98 feet to a point on said right-of-way line and Grantor's southerly line;

Course 2: Thence bearing North 39°56'50" West a distance of 12.33 feet to a point;

Course 3: Thence bearing North 23°41'45" West a distance of 66.91 feet to a point;

Course 4: Thence bearing North 28°05'51" West a distance of 84.01 feet to a point;

Course 5: Thence bearing North 48°05'03" East a distance of 28.84 feet to a point on the Grantor's easterly line;

Course 6: Thence along said Grantor's easterly line bearing South 24°20'49" East a distance of 163.45 feet to the Principal Place of Beginning and containing 0.0888 acres (3,866 square feet) of land as surveyed, calculated and Benjamin A. Stafford, Registered Surveyor #8909 of Chagrin Valley Engineering, Ltd., in July 2021, be the same more or less;

The above-described Permanent Easement Area is made in conjunction with "Euclid Beach Connector - Shoreline Improvements" prepared by Smithgroup on a survey conducted by Chagrin Valley Engineering.

BASIS OF BEARINGS for this survey is the northwesterly line of Shore Acres Drive as North 43°39'11" East, part of Shore Acres Subdivision recorded in Vol. 55, Pg. 28. As witnessed by monuments observed along the centerline of Lake Shore Boulevard. Based on surveys conducted for Cuyahoga County Euclid Beach Connector Shoreline Improvements plans. The same as calculated and reproduced from the Ohio State Plane Coordinate System, North Zone 3401 by ties to the O.D.O.T. VRS Network – NAD83 (2011).

Surveyed By: Benjamin A. Stafford, Registered Surveyor #8909 of Chagrin Valley Engineering

File Name: #22260 Roy D. Bundy Etal. - Permanent Easement

PARCEL 5-PT - PPN 112-12-016

SHORE ACRES DRIVE

PERPETUAL EASEMENT FOR PEDESTRIAN TRAIL PURPOSES

WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS

**IN THE NAME AND FOR THE USE OF THE CUYAHOGA COUNTY
DEPARTMENT OF PUBLIC WORKS, CUYAHOGA COUNTY, OHIO**

A perpetual easement for public sidewalk and bike path purposes, including, but not limited to any construction, maintenance and/or replacement work deemed appropriate by the [Cuyahoga](#) County, Ohio, its successors and assigns forever.

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in Original Euclid Township Tract No. 16, Sublot No. 20 in The Shore Acres Land Company's Shore Acres Subdivision recorded in Volume 55 of Maps, Page 28 of Cuyahoga County Records, within the City of Cleveland, Cuyahoga County, State of

Ohio, being a 0.0611 acres (2,662 square feet) Permanent Easement area for a pedestrian trail, located within 0.39 acres (auditor) parcel of land conveyed to Jacob C. & Vicki D Lohser by deed Doc #200702281071 and further bounded and described as follows:

Beginning, for reference, at a point of curvature in the centerline of Lakeshore Boulevard (80 feet wide), witnessed by a drill hole in a stone within a monument box found North 02°33'35" West, 0.03 feet;

Thence bearing North 02°33'35" West, along the projected centerline of said Lakeshore Boulevard, a distance of 116.78 feet to the point of intersection of a centerline curve of said Lakeshore Boulevard, witnessed by a drill hole in a stone within a monument box found on the centerline of said Lakeshore Boulevard North 66°24'49" East, 116.85 feet, said monument being 0.07' beyond the point of tangency of in the centerline of said Lakeshore Boulevard;

Thence bearing North 02°40'14" West, a distance of 6.49 feet to the intersection of the easterly right-of-way line Shore Acres Drive Northeast and the northerly line of said Lakeshore Boulevard;

Thence bearing North 02°40'14" West, along the easterly right-of-way line of said Shore Acres Drive Northeast, a distance of 249.51 feet to the intersection of the northerly right-of-way line of Shore Acres Drive (60 feet wide) and the easterly right-of-way line of said Shore Acres Drive Northeast;

Thence South 43°39'11" West along the northerly right-of-way sideline of Shore Acres Drive a distance of 50.45 feet to the southwesterly corner of said land conveyed to Lohser;

Thence North 24°20'49" West along said Lohser's west line, a distance of 94.70 feet to The Principal Point of Beginning of the Permanent Easement Area herein intended to be described;

Course 1: Thence along said west line bearing North 24°20'49" West a distance of 101.87 feet to a point at Lohser's westerly corner and on the Natural Shoreline of Lake Erie;

Course 2: Thence along said Natural Shoreline bearing South 82°10'50" East a distance of 9.76 feet to a point on said Natural Shoreline;

Course 3: Thence along said Natural Shoreline bearing South 04°03'31" East a distance of 8.62 feet to a point on said Natural Shoreline;

Course 4: Thence along said Natural Shoreline along a curve to the LEFT, having a radius of 116.61 feet, an arc length of 103.65 feet, a delta angle of 50°55'40", and whose long chord bears North 64°29'42" East a distance of 100.27 feet to a point on said Natural Shoreline;

Course 5: Thence along said Natural Shoreline along a curve to the RIGHT, having a radius of 320.13 feet, an arc length of 9.82 feet, a delta angle of 01°45'24", and whose long chord bears North 39°54'13" East a distance of 9.82 feet to a point at Lohser's northerly corner and on said Natural Shoreline;

Course 6: Thence along Lohser's easterly line bearing South 02°40'14" East a distance of 18.91 feet to a point on said easterly line;

Course 7: Thence bearing South 48°54'24" West a distance of 33.85 feet to a point;

Course 8: Thence bearing South 41°49'20" East a distance of 1.62 feet to a point;

Course 9: Thence bearing South 29°26'43" East a distance of 28.00 feet to a point;

Course 10: Thence bearing South 60°33'17" West a distance of 2.00 feet to a point;

Course 11: Thence bearing North 29°26'43" West a distance of 27.78 feet to a point;

Course 12: Thence bearing North 41°51'18" West a distance of 4.28 feet to a point;

Course 13: Thence bearing South 48°05'03" West a distance of 51.62 feet to a point;

Course 14: Thence bearing South 07°44'18" West a distance of 40.57 feet to a point;

Course 15: Thence bearing South 24°31'49" East a distance of 19.58 feet to a point;

Course 16: Thence bearing South 59°35'51" West a distance of 1.50 feet to the Principal Place of Beginning and containing 0.0611 acres (2,662 square feet) of land as surveyed, calculated and described by Benjamin A. Stafford, Registered Surveyor #8909 of Chagrin Valley Engineering, Ltd., in July 2021, be the same more or less;

The above-described Permanent Easement Area is made in conjunction with "Euclid Beach Connector - Shoreline Improvements" prepared by Smithgroup on a survey conducted by Chagrin Valley Engineering.

BASIS OF BEARINGS for this survey is the northwesterly line of Shore Acres Drive as North 43°39'11" East, part of Shore Acres Subdivision recorded in Vol. 55, Pg. 28. As witnessed by monuments observed along the centerline of Lake Shore Boulevard. Based on surveys conducted for Cuyahoga County Euclid Beach Connector Shoreline Improvements plans. The same as calculated and reproduced from the Ohio State Plane Coordinate System, North Zone 3401 by ties to the O.D.O.T. VRS Network – NAD83 (2011).

Surveyed By: Benjamin A. Stafford, Registered Surveyor #8909 of Chagrin Valley Engineering
File Name: #22260 Jacob C. & Vicki D. Lohser - Permanent Easement

**PARCEL 6-PT - PPN 112-14-001
VILLA BEACH DRIVE
PERPETUAL EASEMENT FOR PEDESTRIAN TRAIL PURPOSES
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE CUYAHOGA COUNTY
DEPARTMENT OF PUBLIC WORKS, CUYAHOGA COUNTY, OHIO**

A perpetual easement for public sidewalk and bike path purposes, including, but not limited to any construction, maintenance and/or replacement work deemed appropriate by the [Cuyahoga](#) County, Ohio, its successors and assigns forever.

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in Original Euclid Township Tract No. 16, also being Sublots Nos. 28 and 29 in Canfield & Webber's Villa Beach Subdivision recorded in Volume 16 of Maps, Page 20 of Cuyahoga County Records, City of Cleveland, County of Cuyahoga, State of Ohio, being a 0.0106 acres (462 square feet) Permanent Easement area for a pedestrian trail, located within a 0.179 acre (auditor) parcel of land conveyed to Dorothy Pirrung by deed Doc #201408190508; and further bounded and described as follows:

Beginning, for reference, at a point of curvature in the centerline of Lakeshore Boulevard (80 feet wide), witnessed by a drill hole in a stone within a monument box found North 02°33'35" West, 0.03 feet;

Thence bearing North 02°33'35" West, along the projected centerline of said Lakeshore Boulevard, a distance of 116.78 feet to the point of intersection of a centerline curve of said Lakeshore Boulevard, witnessed by a drill hole in a stone within a monument box found on the centerline of said Lakeshore Boulevard North 66°24'49" East, 116.85 feet, said monument being 0.07' beyond the point of tangency of in the centerline of said Lakeshore Boulevard;

Thence bearing North 02°40'14" West, a distance of 6.49 feet to the intersection of the easterly right-of-way line Shore Acres Drive Northeast and the northerly line of said Lakeshore Boulevard;

Thence bearing North 02°40'14" West, along the easterly right-of-way line of said Shore Acres Drive Northeast, a distance of 249.51 feet to the intersection of the northerly right-of-way line of Shore Acres Drive (60 feet wide) and the easterly right-of-way line of said Shore Acres Drive Northeast;

Thence, leaving the right of way, North 2°40'14" West a distance of 164.07 feet to the Principal Point of Beginning of the Permanent Easement Area herein intended to be described;

Course 1: Thence along the east line of Jacob C. and Vicki D. Lohser's land conveyed by deed Doc # 200702281071 bearing North 02°40'14" West a distance of 18.91 feet to a point on the Natural Shoreline of Lake Erie;

Course 2: Thence along said Natural Shoreline along a curve to the RIGHT, having a radius of 324.06 feet, an arc length of 28.08 feet, a delta angle of 04°57'51", and whose long chord bears North 43°13'31" East a distance of 28.07 feet to a point on the north line of said Pirrung's land;

Course 3: Thence along said north line bearing North 66°24'49" East a distance of 18.51 feet to a point;

Course 4: Thence bearing South 37°03'31" West a distance of 58.58 feet to the Principal Point of Beginning, and containing 0.0106 acres (462 square feet) of land as surveyed, calculated and described by Benjamin A. Stafford, Registered Surveyor #8909 of Chagrin Valley Engineering, Ltd., in July 2021, be the same more or less;

The above-described Permanent Easement Area is made in conjunction with "Euclid Beach Connector - Shoreline Improvements" prepared by Smithgroup on a survey conducted by Chagrin Valley Engineering.

BASIS OF BEARINGS for this survey is the northwesterly line of Shore Acres Drive as North 43°39'11" East, part of Shore Acres Subdivision recorded in Vol. 55, Pg. 28. As witnessed by monuments observed along the centerline of Lake Shore Boulevard. Based on surveys conducted for Cuyahoga County Euclid Beach Connector Shoreline Improvements plans. The same as calculated and reproduced from the Ohio State Plane Coordinate System, North Zone 3401 by ties to the O.D.O.T. VRS Network – NAD83 (2011).

Surveyed By: Benjamin A. Stafford, Registered Surveyor #8909 of Chagrin Valley Engineering
File Name: #22260 Dorothy Pirrung - Permanent Easement

PARCEL 7-PT1 - PPN 112-14-012
LAKE SHORE BOULEVARD
PERPETUAL EASEMENT FOR PEDESTRIAN TRAIL PURPOSES

**WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE CITY OF CLEVELAND,
CUYAHOGA COUNTY, OHIO**

A perpetual easement for public sidewalk and bike path purposes, including, but not limited to any construction, maintenance and/or replacement work deemed appropriate by The City of Cleveland, Cuyahoga County, Ohio, its successors and assigns forever.

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in Original East Cleveland Township Tract No. 16, unallotted lands marked "Private Grounds" in Canfield & Webber's Villa Beach Subdivision recorded in Volume 16 of Maps, Page 20 of Cuyahoga County Records, within the City of Cleveland, County of Cuyahoga, State of Ohio, being a 0.3200 acres (13,940 square feet) Permanent Easement area for a pedestrian trail, located within 2.29 acres (auditor) parcel of land conveyed to The Villa Beach Club Co. by deed of record in Vol. 763 Pg. 20, and further bounded and described as follows:

Beginning, for reference, at a point of tangency in the centerline of Lake Shore Boulevard (80-foot right-of-way), witnessed by a drill hole in a stone within a monument box found North 59°08'25" East, 0.17 feet, and witnessed by a drill hole in a stone within a monument box at the intersection of said Lake Shore Boulevard and East 156th Street (50-foot right-of-way) being North 61°30'18" East, 431.88 feet;

Thence along the centerline of Lake Shore Boulevard, along the arc of a curve which deflects to the LEFT, 108.98 feet, having a radius of 287.94 feet, a delta angle of 21°41'04", and whose long chord bears South 50°39'42" West a distance of 108.33 feet to a point on said centerline;

Thence, leaving said centerline, North 51°10'50" West a distance of 40.00 feet to a point on the northwesterly right-of-way sideline of Lake Shore Boulevard;

Thence North 00°45'44" West a distance of 665.71 feet to a point on the Natural Shoreline of Lake Erie being the Principal Point of Beginning of the Permanent Easement Area herein intended to be described;

Course 1: Thence along said easterly line bearing South 00°45'44" East a distance of 59.67 feet to a point on said easterly line;

Course 2: Thence bearing South 84°11'03" West a distance of 8.32 feet to a point;

- Course 3: Thence bearing South 45°04'28" West a distance of 85.35 feet to a point;
- Course 4: Thence bearing South 44°27'38" West a distance of 110.84 feet to a point;
- Course 5: Thence bearing South 39°44'53" West a distance of 96.43 feet to a point;
- Course 6: Thence bearing South 29°17'26" West a distance of 81.09 feet to a point;
- Course 7: Thence bearing South 25°19'12" West a distance of 46.22 feet to a point;
- Course 8: Thence bearing South 31°33'32" West a distance of 54.16 feet to a point;
- Course 9: Thence bearing South 25°46'09" West a distance of 25.92 feet to a point;
- Course 10: Thence bearing South 71°10'04" West a distance of 17.09 feet to a point;
- Course 11: Thence bearing South 43°27'49" West a distance of 3.00 feet to a point;
- Course 12: Thence bearing North 46°32'11" West a distance of 7.23 feet to a point;
- Course 13: Thence along a curve to the RIGHT, having a radius of 16.11 feet, an arc length of 12.92 feet, a delta angle of 45°57'13", and whose long chord bears North 22°30'41" West a distance of 12.57 feet to a point;
- Course 14: Thence bearing South 44°06'40" West a distance of 35.01 feet to a point;
- Course 15: Thence bearing South 37°55'25" West a distance of 25.16 feet to a point on said Natural Shoreline;
- Course 16: Thence along said Natural Shoreline bearing South 04°03'14" West a distance of 2.03 feet to a point on the Natural Shoreline;
- Course 17: Thence along said Natural Shoreline bearing North 39°21'22" West a distance of 12.29 feet to a point on the Natural Shoreline;
- Course 18: Thence along said Natural Shoreline bearing North 35°36'25" East a distance of 125.70 feet to a point on the Natural Shoreline;
- Course 19: Thence along said Natural Shoreline bearing North 47°39'54" East a distance of 57.25 feet to a point on the Natural Shoreline;
- Course 20: Thence along said Natural Shoreline bearing North 17°33'43" East a distance of 22.85 feet to a point on the Natural Shoreline;

Course 21: Thence along said Natural Shoreline bearing North 38°10'45" East a distance of 235.56 feet to a point on the Natural Shoreline;

Course 22: Thence along said Natural Shoreline bearing North 40°13'21" East a distance of 148.16 feet to a point on the Natural Shoreline;

Course 23: Thence along said Natural Shoreline bearing North 38°04'58" East a distance of 30.24 feet to the Principal Place of Beginning and containing 0.3200 acres (13,940 square feet) of land as surveyed, calculated and described by Benjamin A. Stafford, Registered Surveyor #8909 of Chagrin Valley Engineering, Ltd., in July 2021, be the same more or less;

The above-described Permanent Easement Area is made in conjunction with "Euclid Beach Connector - Shoreline Improvements" prepared by Smithgroup on a survey conducted by Chagrin Valley Engineering.

BASIS OF BEARINGS for this survey is the Westerly parcel line of The Villa Beach Club's land as North 02°40' 14" West along The Villa Beach Club Co.'s Westerly parcel line. As witnessed by monuments observed along the centerline of Lake Shore Boulevard. Based on surveys conducted for Cuyahoga County Euclid Beach Connector Shoreline Improvements plans. The same as calculated and reproduced from the Ohio State Plane Coordinate System, North Zone 3401 by ties to the O.D.O.T. VRS Network – NAD83 (2011).

Surveyed By: Benjamin A. Stafford, Registered Surveyor #8909 of Chagrin Valley Engineering

File Name: #22260 The Villa Beach Club Co. - Permanent Easement Area 1

**PARCEL 7-PT2 PPN 112-14-012
LAKE SHORE BOULEVARD
PERPETUAL EASEMENT FOR PEDESTRIAN TRAIL PURPOSES
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE CITY OF CLEVELAND,
CUYAHOGA COUNTY, OHIO**

A perpetual easement for public sidewalk and bike path purposes, including, but not limited to any construction, maintenance and/or replacement work deemed appropriate by The City of Cleveland [Cuyahoga](#) County, Ohio, its successors and assigns forever.

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in Original East Cleveland Township Tract No. 16, unallotted lands marked "Private Grounds" in Canfield & Webber's Villa Beach Subdivision recorded in Volume 16 of Maps, Page 20 of Cuyahoga County Records, within the City of Cleveland, County of Cuyahoga, State of Ohio, being a 0.0024 acres (103 square feet) Permanent Easement area for a pedestrian trail, located within 2.29 acres (auditor) parcel of land conveyed to The Villa Beach Club Co. by deed of record in Vol. 763 Pg. 20, and further bounded and described as follows:

Beginning, for reference, at a point of curvature in the centerline of Lakeshore Boulevard (80 feet wide), witnessed by a drill hole in a stone within a monument box found North 02°33'35" West, 0.03 feet;

Thence bearing North 02°33'35" West, along the projected centerline of said Lakeshore Boulevard, a distance of 116.78 feet to the point of intersection of a centerline curve of said Lakeshore Boulevard, witnessed by a drill hole in a stone within a monument box found on the centerline of said Lakeshore Boulevard North 66°24'49" East, 116.85 feet, said monument being 0.07' beyond the point of tangency of in the centerline of said Lakeshore Boulevard;

Thence bearing North 02°40'14" West, a distance of 6.49 feet to the intersection of the easterly right-of-way line Shore Acres Drive Northeast and the northerly line of said Lakeshore Boulevard;

Thence bearing North 02°40'14" West, along the easterly right-of-way line of said Shore Acres Drive Northeast, a distance of 249.51 feet to the intersection of the northerly right-of-way line of Shore Acres Drive (60 feet wide) and the easterly right-of-way line of said Shore Acres Drive Northeast;

Thence North 02°40'14" West, leaving the right-of-way, a distance of 198.81 feet to the northwesterly corner of land conveyed to Dorothy Pirrung by deed Doc# 201408190508;

Thence North 66°27'58" East along said Pirrung's northerly line, a distance of 21.59 feet to a point being the Principal Point of Beginning of the Permanent Easement Area herein intended to be described;

Course 1: Thence along the Natural Shoreline of Lake Erie and along a curve to the RIGHT, having a radius of 322.64 feet, an arc length of 25.69 feet, a delta angle of 04°33'45", and whose long chord bears North 47°57'01" East a distance of 25.69 feet to a point on said Natural Shoreline;

Course 2: Thence along said Natural Shoreline and along a curve to the LEFT, having a radius of 66.23 feet, an arc length of 8.37 feet, a delta angle of 07°14'28", and whose long chord bears North 46°31'08" East a distance of 8.36 feet to a point on said Natural Shoreline;

Course 3: Thence bearing South 27°44'19" West a distance of 17.57 feet to a point on the northerly line of said Pirrung's land;

Course 4: Thence along said Pirrung's northerly line bearing South 66°24'49" West a distance of 18.51 feet to the Principal Place of Beginning and containing 0.0024 acres (103 square feet) of land as surveyed, calculated and described by Benjamin A. Stafford, Registered Surveyor #8909 of Chagrin Valley Engineering, Ltd., in July 2021, be the same more or less;

The above-described Permanent Easement Area is made in conjunction with "Euclid Beach Connector - Shoreline Improvements" prepared by Smithgroup on a survey conducted by Chagrin Valley Engineering.

BASIS OF BEARINGS for this survey is the westerly parcel line of The Villa Beach Club's land as North 02°40' 14" West. As witnessed by monuments observed along the centerline of Lake Shore Boulevard. Based on surveys conducted for Cuyahoga County Euclid Beach Connector Shoreline Improvements plans. The same as calculated and reproduced from the Ohio State Plane Coordinate System, North Zone 3401 by ties to the O.D.O.T. VRS Network – NAD83 (2011).

Surveyed By: Benjamin A. Stafford, Registered Surveyor #8909 of Chagrin Valley Engineering

File Name: #22260 The Villa Beach Club Co. - Permanent Easement Area 2

PARCEL 17-PT - PPN 112-14-107

BROWN STREET

PERPETUAL EASEMENT FOR PEDESTRIAN TRAIL PURPOSES

WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS

**IN THE NAME AND FOR THE USE OF THE CITY OF CLEVELAND,
CUYAHOGA COUNTY, OHIO**

A perpetual easement for public sidewalk and bike path purposes, including, but not limited to any construction, maintenance and/or replacement work deemed appropriate by The City of Cleveland, Cuyahoga County, Ohio, its successors and assigns forever.

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in Original Euclid Township Tract No. 16, within the City of Cleveland, County of Cuyahoga, State of Ohio, being a 0.4175 acres (18,188 square feet) Permanent Easement area for a pedestrian trail, located within a 1.728 acre (auditor)

parcel of land conveyed to Northeast Ohio Regional Sewer District by deed Doc # 200310241262; and further bounded and described as follows:

Beginning, for reference, at a point of tangency in the centerline of Lake Shore Boulevard (80-foot right-of-way), witnessed by a drill hole in a stone within a monument box found North 59°08'25" East, 0.17 feet, and witnessed by a drill hole in a stone within a monument box at the intersection of said Lake Shore Boulevard and East 156th Street (50-foot right-of-way) being North 61°30'18" East, 431.88 feet;

Thence along the centerline of Lake Shore Boulevard, along the arc of a curve which deflects to the LEFT, 108.98 feet, having a radius of 287.94 feet, a delta angle of 21°41'04", and whose long chord bears South 50°39'42" West a distance of 108.33 feet to a point on said centerline;

Thence, leaving said centerline, North 51°10'50" West a distance of 40.00 feet to a point on the northwesterly right-of-way sideline of Lake Shore Boulevard;

Thence North 00°45'44" West a distance of 606.04 feet a point on the easterly line of conveyed to The Villa Beach Club Co. by deed Doc #201402210389, being the Principal Point of Beginning of the Permanent Easement Area herein intended to be described;

Course 1: Thence along the westerly line of Northeast Ohio Regional Sewer District and also being the easterly parcel line of Villa Beach Club Co.'s land conveyed by deed Vol. 763, Pg. 20 bearing North 00°45'44" West a distance of 59.67 feet to a point on the Natural Shoreline of Lake Erie;

Course 2: Thence along said Natural Shoreline bearing North 38°02'34" East a distance of 45.48 feet to a point on the Natural Shoreline;

Course 3: Thence along said Natural Shoreline bearing North 36°46'55" East a distance of 9.27 feet to a point on the Natural Shoreline;

Course 4: Thence along said Natural Shoreline bearing North 42°07'05" East a distance of 72.57 feet to a point on the Natural Shoreline;

Course 5: Thence along said Natural Shoreline bearing North 52°49'04" East a distance of 24.28 feet to a point on the Natural Shoreline;

Course 6: Thence along said Natural Shoreline and along a curve to the LEFT, having a radius of 190.69 feet, a delta angle of 30°58'07", and whose long chord bears North 52°21'58" East a distance of 101.82 feet to a point on the Natural Shoreline;

Course 7: Thence along said Natural Shoreline bearing North 39°19'22" East a distance of 47.18 feet to a point on the Natural Shoreline;

- Course 8: Thence along said Natural Shoreline bearing North 42°51'43" East a distance of 82.25 feet to a point on the Natural Shoreline;
- Course 9: Thence along said Natural Shoreline bearing North 38°03'57" East a distance of 23.89 feet to a point on the Natural Shoreline;
- Course 10: Thence along said Natural Shoreline bearing North 34°23'42" East a distance of 21.49 feet to a point on the Natural Shoreline;
- Course 11: Thence along said Natural Shoreline bearing North 47°28'06" East a distance of 43.90 feet to a point on the Natural Shoreline;
- Course 12: Thence along said Natural Shoreline bearing North 34°03'46" East a distance of 22.47 feet to a point on the Natural Shoreline;
- Course 13: Thence along said Natural Shoreline North 47°01'29" East a distance of 27.80 feet to a point on the Natural Shoreline;
- Course 14: Thence along said Natural Shoreline bearing North 40°39'50" East a distance of 23.81 feet to a point on the westerly parcel line of John and Leah Ban's land conveyed by deed Doc # 200408050989;
- Course 15: Thence along said westerly parcel line bearing South 45°38'31" East a distance of 39.48 feet to a point on the northerly sideline of Lakeside Walk (Width Varies);
- Course 16: Thence along said northerly sideline bearing South 44°21'56" West a distance of 282.90 feet to a point on said northerly sideline;
- Course 17: Thence along said northerly sideline bearing South 50°21'00" West a distance of 167.51 feet to a point on said northerly sideline;
- Course 18: Thence along said north sideline bearing South 27°13'56" West a distance of 72.07 feet to a point on the westerly sideline of Lakeside Avenue (25-foot right-of-way);
- Course 19: Thence along said westerly sideline and along a curve to the RIGHT, having a radius of 160.00 feet, a delta angle of 06°04'18", and whose long chord bears South 59°43'55" East a distance of 16.95 feet to a point;
- Course 20: Thence along said northerly sideline bearing South 45°39'47" West a distance of 38.81 feet to a point on said northerly sideline;
- Course 21: Thence bearing South 62°32'36" West a distance of 34.12 feet the Principal Point of Beginning containing 0.4175 acres (18,188 square feet) of land, surveyed, calculated and described by Benjamin A. Stafford, Registered

Surveyor #8909 of Chagrin Valley Engineering, Ltd., in July 2021, be the same more or less;

The above-described Permanent Easement Area is made in conjunction with "Euclid Beach Connector - Shoreline Improvements" prepared by Smithgroup on a survey conducted by Chagrin Valley Engineering.

BASIS OF BEARINGS for this survey is the westerly parcel line of the Northeast Ohio Regional Sewer District's land as North 00°45'44" West. As witnessed by monuments observed along the centerline of Lake Shore Boulevard. Based on surveys conducted for Cuyahoga County Euclid Beach Connector Shoreline Improvements plans. The same as calculated and reproduced from the Ohio State Plane Coordinate System, North Zone 3401 by ties to the O.D.O.T. VRS Network – NAD83 (2011).

Surveyed By: Benjamin A. Stafford, Registered Surveyor #8909 of Chagrin Valley Engineering

File Name: #22260 Northeast Ohio Regional Sewer District - Permanent Easement

PARCEL 18-PT - PPN 112-14-060

LAKESIDE WALK

PERPETUAL EASEMENT FOR PEDESTRIAN TRAIL PURPOSES

WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS

**IN THE NAME AND FOR THE USE OF THE CUYAHOGA COUNTY
DEPARTMENT OF PUBLIC WORKS, CUYAHOGA COUNTY, OHIO**

A perpetual easement for public sidewalk and bike path purposes, including, but not limited to any construction, maintenance and/or replacement work deemed appropriate by the [Cuyahoga](#) County, Ohio, its successors and assigns forever.

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in Original Euclid Township Tract No. 16, Sublot No. 90 in H.B. Cody's Camp Lakewood Allotment as recorded in Volume 20 of Maps, Page 21 of Cuyahoga County Records, Cleveland, Cuyahoga County, State of Ohio, being a 0.0864 acres (3,763 square feet) Permanent Easement area for a pedestrian trail, located within a 1.187 acre (auditor) parcel of land conveyed to Northeast Ohio Regional Sewer District by deed Doc #200310241262; and further bounded and described as follows:

Beginning, for reference, at a drill hole in a stone within a monument box found in the centerline intersection of East 156th Street (50 feet wide) and Lake Shore Boulevard. (80 feet wide);

Thence North 01°14'41" West along the centerline of said East 156th Street a distance of 825.23 feet to a point;

Thence bearing South 88°45'19" West a distance of 25.00 feet to a point at the intersection of Lakeside Walk (10-foot right-of-Way) southerly right-of-way sideline with the intersection of the westerly right-of-way sideline of East 156th Street (50-foot right-of-way);

Thence South 44°21'29" West along said southerly right-of-way sideline of Lakeside Walk a distance of 350.00 feet to the northerly corner of Jennifer Munoz's land conveyed by deed Doc# 202012030939;

Thence South 49°09'09" West a distance of 16.34 feet to a point at the intersection of the southerly right-of-way sideline of Lakeside Walk and the westerly right-of-way sideline of Park Avenue (15-foot right-of-way);

Thence South 50°22'01" West a distance of 26.25 feet to a point being The Principal Point of Beginning of the permanent parcel herein intended to be described;

Course 1: Thence bearing South 33°02'30" West a distance of 143.59 feet to a point;

Course 2: Thence bearing South 57°46'48" West a distance of 25.09 feet to a point;

Course 3: Thence along a curve to the LEFT, having a radius of 185.00 feet, an arc length of 22.65 feet, a delta angle of 07°01'05", and whose long chord bears North 56°09'35" West a distance of 22.65 feet to a point;

Course 4: Thence bearing North 27°13'56" East a distance of 45.34 feet to a point;

Course 5: Thence bearing North 50°22'01" East a distance of 126.70 feet to the Principal Point of Beginning, and containing 0.0864 acres (3,763 square feet) of land as surveyed, calculated and described by Benjamin A. Stafford, Registered Surveyor #8909 of Chagrin Valley Engineering, Ltd., in July 2021, be the same more or less;

The above-described Permanent Easement Area is made in conjunction with "Euclid Beach Connector - Shoreline Improvements" prepared by Smithgroup on a survey conducted by Chagrin Valley Engineering.

BASIS OF BEARINGS for this survey is the centerline of East 156th Street as North 01°14'41" West. As witnessed by monuments observed along the centerline of Lake Shore Boulevard. Based on surveys conducted for Cuyahoga County Euclid Beach Connector Shoreline Improvements plans. The same as calculated and reproduced from the Ohio State Plane Coordinate System, North Zone 3401 by ties to the O.D.O.T. VRS Network – NAD83 (2011).

Surveyed By: Benjamin A. Stafford, Registered Surveyor #8909 of Chagrin Valley Engineering
File Name: #22260 Northeast Ohio Regional Sewer District - Permanent Easement

**PARCEL 29-PT - PPN 112-14-051
LAKESIDE WALK
PERPETUAL EASEMENT FOR TRAIL PURPOSES
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF
CUYAHOGA COUNTY, OHIO**

A perpetual easement for public sidewalk and bike path purposes, including, but not limited to any construction, maintenance and/or replacement work deemed appropriate by the [Cuyahoga](#) County, Ohio, its successors and assigns forever.

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in Original Euclid Township Tract No. 16, part of an un-numbered parcel of land in H.B. Cody's Camp Lakewood Allotment as recorded in Volume 20 of Maps, Page 21 of Cuyahoga County Records, within the City of Cleveland, County of Cuyahoga, State of Ohio, being a 0.1019 acres (4,437 square feet) Permanent Easement area for a pedestrian trail, located within a 0.11 acre (auditor) parcel of land conveyed to John and Leah Ban by deed Doc #200408050989; and further bounded and described as follows:

Beginning, for reference, at a drill hole in a stone within a monument box found in the centerline intersection of East 156th Street (50 feet wide) and Lake Shore Boulevard. (80 feet wide);

Thence North 01°14'41" West along the centerline of said East 156th Street a distance of 839.23 feet to a point;

Thence bearing South 88°45'19" West a distance of 25.00 feet to a point at an interior corner of John and Leah Ban's parcel, at the intersection of Lakeside Walk (Width Varies) right-of-way and East 156th Street (50-foot right-of-way) right-of-way;

Thence bearing North 01°14'41" West along an easterly parcel line, a distance of 13.14 feet to a point being the Principal Point of Beginning of the Permanent Easement Area herein intended to be described;

- Course 1: Thence bearing South 88°20'51" West a distance of 5.75 feet to a point;
- Course 2: Thence bearing South 46°17'26" West a distance of 39.10 feet to a point;
- Course 3: Thence bearing South 35°55'43" West a distance of 13.39 feet to a point;
- Course 4: Thence bearing South 39°01'35" West a distance of 2.52 feet to a point;
- Course 5: Thence bearing South 42°12'25" West a distance of 2.35 feet to a point;
- Course 6: Thence bearing North 45°47'41" West a distance of 8.59 feet to a point;
- Course 7: Thence bearing South 43°54'39" West a distance of 23.79 feet to a point;
- Course 8: Thence bearing South 45°04'29" East a distance of 11.46 feet to a point;
- Course 9: Thence bearing South 44°55'02" West a distance of 2.08 feet to a point;
- Course 10: Thence bearing North 45°39'43" West a distance of 11.65 feet to a point;
- Course 11: Thence bearing South 42°04'06" West a distance of 1.57 feet to a point on the easterly parcel line of Northeast Ohio regional Sewer District's land conveyed by deed Doc #200310241262;
- Course 12: Thence along said easterly line bearing North 45°43'15" West a distance of 18.53 feet to a point along the Natural Shoreline of Lake Erie;
- Course 13: Thence along said Natural Shoreline bearing North 37°49'10" East a distance of 72.89 feet to a point;
- Course 14: Thence along said Natural Shoreline bearing North 22°41'34" East a distance of 29.35 feet to a point;
- Course 15: Thence along said Natural Shoreline bearing North 18°07'40" East a distance of 71.44 feet to a point;
- Course 16: Thence along said Natural Shoreline bearing North 34°53'16" East a distance of 5.18 feet to a point;
- Course 17: Thence bearing South 1°14'35" East a distance of 114.31 feet to a point on the west sideline of East 156th Street, being the Principal Point of Beginning, and containing 0.1019 acres (4,437 square feet) of land as surveyed, calculated and described by Benjamin A. Stafford, Registered Surveyor #8909 of Chagrin Valley Engineering, Ltd., in July 2021, be the same more or less;

The above-described Temporary Easement Area is made in conjunction with "Euclid Beach Connector - Shoreline Improvements" prepared by Smithgroup on a survey conducted by Chagrin Valley Engineering.

BASIS OF BEARINGS for this survey is the centerline of East 156th Street as North 01°14'41" West. As witnessed by monuments observed along the centerline of Lake Shore Boulevard. Based on surveys conducted for Cuyahoga County Euclid Beach Connector Shoreline Improvements plans. The same as calculated and reproduced from the Ohio State Plane Coordinate System, North Zone 3401 by ties to the O.D.O.T. VRS Network – NAD83 (2011).

Surveyed By: Benjamin A. Stafford, Registered Surveyor #8909 of Chagrin Valley Engineering

File Name: #22260 John & Leah Ban - Permanent Easement

PARCEL 31-PT - PPN 113-01-003

EAST 156th STREET

PERPETUAL EASEMENT FOR PEDESTRIAN TRAIL PURPOSES

WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS

**IN THE NAME AND FOR THE USE OF THE CUYAHOGA COUNTY
DEPARTMENT OF PUBLIC WORKS, CUYAHOGA COUNTY, OHIO**

A perpetual easement for public sidewalk and bike path purposes, including, but not limited to any construction, maintenance and/or replacement work deemed appropriate by the [Cuyahoga](#) County, Ohio, its successors and assigns forever.

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in Original Euclid Township Tract No. 16, Cleveland, Cuyahoga County, State of Ohio, being a 0.0184 acres (800 square feet) Permanent Easement area for a pedestrian trail, located within a 6.02 acre (auditor) parcel of land conveyed to Euclid Beach Preservation Owner, LLC by deed Doc #202012310315, and further bounded and described as follows:

Beginning, for reference, at a drill hole in a stone within a monument box found in the centerline intersection of East 156th Street (50 feet wide) and Lake Shore Boulevard. (80 feet wide);

Thence bearing North 01°14'41" West along the centerline of said East 156th Street a distance of 770.15 feet to a point;

Thence bearing North 88°45'19" East a distance of 25.00 feet to a point on the easterly sideline of East 156th Street (50-foot right-of-way) being The Principal Point of Beginning of the Permanent Easement Area herein intended to be described;

Course 1: Thence bearing North 01°14'41" West a distance of 74.21 feet to a point;

Course 2: Thence bearing South 33°24'20" East a distance of 32.97 feet to a point;

Course 3: Thence bearing South 00°00'35" East a distance of 17.95 feet to a point;

Course 4: Thence bearing South 29°57'03" West a distance of 33.14 feet to The Principal Point of Beginning and containing 0.0184 acres (800 square feet) of land as surveyed, calculated and described by Benjamin A. Stafford, Registered Surveyor #8909 of Chagrin Valley Engineering, Ltd., in July 2021, be the same more or less;

The above-described Permanent Easement Area is made in conjunction with "Euclid Beach Connector - Shoreline Improvements" prepared by Smithgroup on a survey conducted by Chagrin Valley Engineering.

BASIS OF BEARINGS for this survey is the centerline of East 156th Street as North 01°14'41" West. As witnessed by monuments observed along the centerline of Lake Shore Boulevard. Based on surveys conducted for Cuyahoga County Euclid Beach Connector Shoreline Improvements plans. The same as calculated and reproduced from the Ohio State Plane Coordinate System, North Zone 3401 by ties to the O.D.O.T. VRS Network – NAD83 (2011).

Surveyed By: Benjamin A. Stafford, Registered Surveyor #8909 of Chagrin Valley Engineering

File Name: #22260 Euclid Beach Preservation Owner, LLC - Permanent Easement

Section 3. That notwithstanding and as an exception to the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized to acquire, accept and record certain exclusive easement rights, for a period not to exceed fifty (50) years, previously referred to as the Littoral Easements from upland owners in the Project Area, for purposes of public access to the Project and confirmation of consent to the submerged land leases within the Project Area for the Office of Capital Projects, at no cost to the City of Cleveland, and more fully illustrated in the drawing placed in the above-mentioned file and as more fully described by the legal descriptions of the one or more submerged land leases with the State of Ohio in this legislation.

Section 4. That the Director of Capital Projects, Public Works, Parks and Recreation, and/or other appropriate director, or any combination thereof, are authorized to execute all documents to acquire certain rights in and to the properties described above.

Section 5. That the survey, title, escrow, recording fees and all other costs incurred in acquiring and recording the easement interests for the properties described above shall be paid from the fund or funds deemed appropriate by the Director of Finance.

Section 6. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that a temporary easement interest located within the Project Area (the "Temporary Easement") is not needed for the City's public use and is further described as follows:

**PARCEL 33-T - PPN 113-01-002
LAKESHORE BOULEVARD
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
SHORELINE REHABILITATION
FOR 18 MONTHS FROM DATE OF ENTRY BY THE CUYAHOGA COUNTY
DEPARTMENT OF PUBLIC WORKS, CUYAHOGA COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in Original Euclid Township Tract No. 16, within the City of Cleveland, County of Cuyahoga, State of Ohio, being a 0.8826 acres (38,445 square feet) Temporary Easement area for shoreline rehabilitation, located within a 17.123 acre (auditor) parcel of land conveyed to the City of Cleveland by deed Vol. 15614, Pg. 491; and further bounded and described as follows:

Beginning, for reference, at a drill hole in a stone within a monument box found in the centerline intersection of East 156th Street (50 feet wide) and Lake Shore Boulevard. (80 feet wide);

Thence North 01°14'41" West along the centerline of said East 156th Street a distance of 936.61 feet to a point;

Thence bearing North 88°45'19" West a distance of 25.00 on the westerly right of way sideline of East 156th Street (50-foot right-of-way), being the Northwest corner of Euclid Beach Preservation Owner, LLC's land conveyed by deed Doc #202012310315;

Thence along the northerly line of said Euclid Beach Preservation Owner, LLC's land bearing South 42°16'49" West, a distance of 715.21 feet to a point at the Northeast corner of Euclid Beach Preservation Owner, LLC's land conveyed by deed Doc # 202012310315, being the Principal Point of Beginning of the Temporary Easement Area herein intended to be described;

Course 1: Thence bearing North 44°51'07" East a distance of 24.06 feet to a point;

- Course 2: Thence bearing North 45°02'34" East a distance of 30.22 feet to a point;
- Course 3: Thence bearing North 44°42'09" East a distance of 20.95 feet to a point;
- Course 4: Thence bearing North 45°04'03" East a distance of 34.91 feet to a point;
- Course 5: Thence bearing South 46°20'49" East a distance of 43.60 feet to a point;
- Course 6: Thence bearing South 42°10'36" West a distance of 23.80 feet to a point;
- Course 7: Thence bearing South 46°40'20" East a distance of 38.56 feet to a point;
- Course 8: Thence bearing North 85°38'47" East a distance of 66.99 feet to a point;
- Course 9: Thence bearing South 56°39'56" East a distance of 167.35 feet to a point;
- Course 10: Thence bearing South 43°07'56" West a distance of 206.11 feet to a point;
- Course 11: Thence bearing North 30°42'15" West a distance of 214.16 feet to a point;
- Course 12: Thence bearing North 29°41'17" East a distance of 42.11 feet to a point;
- Course 13: Thence bearing North 46°40'00" West a distance of 19.66 feet to a point;
- Course 14: Thence bearing South 52°35'27" West a distance of 15.31 feet to a point;
- Course 15: Thence bearing South 80°52'42" West a distance of 29.35 feet to a point;
- Course 16: Thence bearing South 50°43'08" West a distance of 23.33 feet to a point;
- Course 17: Thence bearing North 44°39'04" West a distance of 28.02 feet to a point;
- Course 18: Thence bearing North 90°00'00" West a distance of 2.30 feet to a point on the westerly parcel line of said Euclid Beach Preservation Owner, LLC's land;
- Course 19: Thence along said westerly line bearing North 21°05'06" West a distance of 8.69 feet to the Principal Point of Beginning, and containing 0.8826 acres (38,445 square feet) of land as surveyed, calculated and described by Benjamin A. Stafford, Registered Surveyor #8909 of Chagrin Valley Engineering, Ltd., in July 2021, be the same more or less;

The above-described Temporary Easement Area is made in conjunction with "Euclid Beach Connector - Shoreline Improvements" prepared by Smithgroup on a survey conducted by Chagrin Valley Engineering.

BASIS OF BEARINGS for this survey is the centerline of East 156th Street as North 01°14'41" West. As witnessed by monuments observed along the centerline of Lake Shore Boulevard. Based on surveys conducted for Cuyahoga County Euclid Beach Connector Shoreline Improvements plans. The same as calculated and reproduced from the Ohio State Plane Coordinate System, North Zone 3401 by ties to the O.D.O.T. VRS Network – NAD83 (2011).

Surveyed By: Benjamin A. Stafford, Registered Surveyor #8909 of Chagrin Valley Engineering
File Name: #22260 City of Cleveland - Temporary Easement

Section 7. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the above-described non-exclusive Temporary Easement interest to the County at a cost of \$1.00 and other valuable consideration which is determined to be fair market value.

Section 8. That the purpose of the Temporary Easement shall be to allow the County access to construct the Project.

Section 9. That the duration of the Temporary Easement shall be until the Project is completed; that the Temporary Easement may include reasonable rights of entry to the City; that the Temporary Easement shall not be assignable without the consent of the Director of Capital Projects or the appropriate director; that the Temporary Easement shall require that the County or its contractor provide reasonable insurance; and pay any applicable taxes and assessments.

Section 10. That the conveyances referred to above shall be made by official deeds of Temporary Easement prepared by the Director of Law and executed by the Commissioner of Purchases and Supplies and the Director of Capital Projects, or the appropriate director, on behalf of the City of Cleveland. The deeds of Temporary Easement shall contain any additional terms and conditions as are required to protect the interest of the City. The Director of Capital Projects, or the appropriate director, and Director of Law are authorized to execute any other documents, including without limitation, contracts for right of entry, as may be necessary to effect this ordinance.

Section 11. That the Director of Capital Projects, Public Works, Parks and Recreation, appropriate director, or any combination thereof, is authorized to enter into one or more submerged land leases with the State of Ohio for a term up to fifty years ("Term") as more fully described as follows:

**PARCEL A
STATE OF OHIO
LAKE ERIE SUBMERGED LANDS LEASE**

[Surveyor's description of the premises follows]

Situated in Submerged Lands of Lake Erie, State of Ohio, County of Cuyahoga, being adjacent to lands within the City of Cleveland, Original Euclid Township, Tract 16, being adjacent to and between the littoral partition lines of East 156th Street (50-foot right-of-way) as established in D&A Vol. 3 Pg. 415, being a 0.0160 acre (696 square feet) Submerged Lands Lease Area "A" on behalf of The City of Cleveland and further bounded and described as follows:

Beginning, for reference, at a drill hole found in a stone within a monument box found at the centerline intersection of Lakeshore Boulevard (80 feet wide) and said East 156th Street, witnessed by a point of tangency of said Lakeshore Boulevard located South 61°30'14" West, 431.88 feet, witnessed by a drill hole in a stone within a monument box found North 59°08'25" East, 0.17 feet;

Thence North 01°14'41" West, passing an iron pin set at 25.00 feet left of a point 839.23 feet along the centerline of East 156th Street, a total distance of 1,000.59 feet to a point on the Natural Shoreline based on the edge of water as shown on 2015 aerial imagery;

Thence South 50°46'22" West, along said Natural Shoreline, a distance of 1.13 feet to the Principal Point of Beginning of the Submerged Lands Lease Area "A" herein intended to be described;

Course 1: Thence South 34°44'34" West, along said Natural Shoreline, a distance of 41.03 feet to the northeasterly corner of land as conveyed to John K. and Leah Ban by deed of record in Doc. #200408050989;

Course 2: Thence North 55°10'50" West, along the Littoral Partition Line, a distance of 26.21 feet to a point;

Course 3: Thence along the arc of a non-tangential curve to the right, having an arc length of 9.49 feet, a radius of 37.00 feet, a delta angle of 14°41'28", and whose long chord bears North 58°12'58" East a distance of 9.46 feet to a point;

Course 4: Thence North 65°33'42" East, a distance of 36.37 feet to a point;

Course 5: Thence North 21°58'23" West, a distance of 3.33 feet to a point;

Course 6: Thence North 34°44'46" West, a distance of 3.20 feet to a point;

Course 7: Thence North 49°35'51" West, a distance of 14.87 feet to a point;

Course 8: Thence North 35°00'46" East, a distance of 3.01 feet to a point;

Course 9: Thence South 49°35'51" East, a distance of 15.54 feet to a point;

Course 10: Thence South 34°44'46" East, a distance of 3.93 feet to a point;

Course 11: Thence South 21°58'23" East a distance of 6.25 feet to the Principal Point of Beginning, and containing 0.0160 acres (696 square feet) of submerged lands as surveyed, calculated and described by Benjamin A. Stafford, Registered Surveyor #8909 of Chagrin Valley Engineering, Ltd., in July 2021, be the same more or less;

The above-described Submerged Lands Lease Area is made in conjunction with "Euclid Beach Connector - Shoreline Improvements" prepared by Smithgroup on a survey conducted by Chagrin Valley Engineering.

BASIS OF BEARINGS for this survey is the centerline of Lakeshore Boulevard as North 61°30'14" East. As witnessed by monuments observed along the centerline of Lakeshore Boulevard. Based on surveys conducted for Cuyahoga County Euclid Beach Connector Shoreline Improvements plans. The same as calculated and reproduced from the Ohio State Plane Coordinate System, North Zone 3401 by ties to the O.D.O.T. VRS Network – NAD83 (2011).

Surveyed By: Benjamin A. Stafford, Registered Surveyor #8909 of Chagrin Valley Engineering
File Name: 22260 City of Cleveland - Submerged Lands Lease

**PARCEL B
STATE OF OHIO
LAKE ERIE SUBMERGED LANDS LEASE**

[Surveyor's description of the premises follows]

Situated in Submerged Lands of Lake Erie, State of Ohio, County of Cuyahoga, being adjacent to lands within the City of Cleveland, Original Euclid Township, Tract 16, being adjacent to and between the littoral partition lines of East 156th Street (50-foot right-of-way) as established in D&A Vol. 3 Pg. 415, being a 0.0032 acre (138 square feet) Submerged Lands Lease Area "B" on behalf of The City of Cleveland and further bounded and described as follows:

Beginning, for reference, at a drill hole found in a stone within a monument box found at the centerline intersection of Lakeshore Boulevard (80 feet wide) and said East 156th Street, witnessed by a point of tangency of said Lakeshore Boulevard located South 61°30'14" West, 431.88 feet, witnessed by a drill hole in a stone within a monument box found North 59°08'25" East, 0.17 feet;

Thence North 01°14'41" West, passing an iron pin set at 25.00 feet left of a point 839.23 feet along the centerline of East 156th Street, a total distance of 1,000.59 feet to a point on the Natural Shoreline based on the edge of water as shown on 2015 aerial imagery;

Thence North 50°46'22" East, along said Natural Shoreline, a distance of 15.56 feet to the Principal Point of Beginning of the Submerged Lands Lease Area "B" herein intended to be described;

Course 1: Thence North 15°25'32" West, a distance of 4.61 feet to a point;

Course 2: Thence North 19°52'04" West, a distance of 11.52 feet to a point;

Course 3: Thence North 54°59'14" West, a distance of 15.96 feet to a point;

Course 4: Thence North 35°00'46" East, a distance of 3.00 feet to a point;

Course 5: Thence South 54°59'19" East, a distance of 16.91 feet to a point;

Course 6: Thence South 35°00'46" East, a distance of 12.71 feet to a point;

Course 7: Thence North 50°46'22" East, a distance of 13.90 feet to a point on the westerly line of existing Submerged Lands Lease Sub-2410-CU of record in AFN 201607250396, and on the extended easterly right-of-way line of said East 156th Street;

Course 8: Thence South 01°14'41" East, along the westerly line of said Submerged Lands Lease and said extended easterly right-of-way line, a distance of 3.81 feet to a point on said Natural Shoreline at the northwesterly corner of land as conveyed to Euclid Beach Preservation Owner, LLC by deed of record in Doc. #202012310321;

Course 9: Thence South 50°46'22" West, along said Natural Shoreline, a distance of 16.16 feet to the Principal Point of Beginning, and containing 0.0032 acres (138 square feet) of submerged lands as surveyed, calculated and described by Benjamin A. Stafford, Registered Surveyor #8909 of Chagrin Valley Engineering, Ltd., in July 2021, be the same more or less;

The above-described Submerged Lands Lease Area is made in conjunction with "Euclid Beach Connector - Shoreline Improvements" prepared by Smithgroup on a survey conducted by Chagrin Valley Engineering.

BASIS OF BEARINGS for this survey is the centerline of Lakeshore Boulevard as North 61°30'14" East. As witnessed by monuments observed along the centerline of Lakeshore Boulevard. Based on surveys conducted for Cuyahoga County Euclid Beach Connector Shoreline Improvements plans. The same as calculated and reproduced from the Ohio State Plane Coordinate System, North Zone 3401 by ties to the O.D.O.T. VRS Network – NAD83 (2011).

Surveyed By: Benjamin A. Stafford, Registered Surveyor #8909 of Chagrin Valley Engineering

File Name: 22260 City of Cleveland - Submerged Lands Lease

**PARCEL A
STATE OF OHIO
LAKE ERIE SUBMERGED LANDS LEASE**

[Surveyor's description of the premises follows]

Situated in Submerged Lands of Lake Erie, State of Ohio, County of Cuyahoga, being adjacent to lands within the City of Cleveland, Original Euclid Township, Tract 16, and between the littoral partition lines of the following five parcels:

- 1) Block A of the Shore Acres Subdivision recorded in Vol. 55, Pg. 28, also known as a 0.49 acre (Auditor) parcel as conveyed to Roy D. Bundy et al. by deed of record in Vol. 2380, pg. 440 of the Cuyahoga County Records;
- 2) Sublot 20 of the Shore Acres Subdivision recorded in Vol. 55, Pg. 28, also known as a 0.391 acre (Auditor) parcel as conveyed to Jacob & Vicki D. Lohser by deed of record in Doc #200702281071 of the Cuyahoga County Records;
- 3) Sublot 29 of Canfield and Webber's Subdivision recorded in Vol. 16, Pg. 20, also known as a 0.179 acre (Auditor) parcel as conveyed to Dorothy M. Pirrung by deed of record in Doc. #201408190508 of the Cuyahoga County Records;
- 4) Private Grounds of Canfield and Webber's Subdivision recorded in Vol. 16, Pg. 20, also known as a 2.29 acre (Auditor) parcel as conveyed to The Villa Beach Club Co. by deed of record in Vol. 763, Pg. 20;
- 5) Parcel B of Plat of Survey & Consolidation recorded in Vol. 277, Pg. 12, also known as a 1.728 acre (Auditor) parcel as conveyed to Northeast Ohio Regional Sewer District (NEORS) by deed of record in Doc #200310241262 of the Cuyahoga County Records;

being a 1.7480 acre Submerged Lands Lease Area "A" on behalf of The City of Cleveland and further bounded and described as follows:

Beginning, for reference, at a point of curvature in the centerline of Lakeshore Boulevard (80 feet wide) witnessed by a drill hole in a stone within a monument box found North 02°33'35" West, 0.03 feet;

Thence North 02°33'35" West, along the projected centerline of said Lakeshore Boulevard, a distance of 116.78 feet to the point of intersection of a centerline curve of said Lakeshore Boulevard, witnessed by a drill hole in a stone within a monument box found on the centerline of said Lakeshore Boulevard North 66°24'49" East, 116.85 feet, said monument being 0.07' beyond the point of tangency of in the centerline of said Lakeshore Boulevard;

Thence North 02°40'14" West, a distance of 6.49 feet to the intersection of the easterly right-of-way line Shore Acres Drive Northeast and the northerly line of said Lakeshore Boulevard;

Thence North 02°40'14" West, along the easterly right-of-way line of said Shore Acres Drive Northeast, a distance of 249.51 feet to an iron pin set at the intersection of the northerly right-of-way line of Shore Acres Drive (60 feet wide) and the easterly right-of-way line of said Shore Acres Drive Northeast;

Thence South 43°39'11" West, along the northerly right-of-way line of said Shore Acres Drive, a distance of 50.45 feet to a mag nail set at the easterly corner of said lands conveyed to Roy D. Bundy et al.;

Thence North 24°20'49" West, passing an iron pin set at 90.00 feet along the northeasterly line of said Bundy's land, a total distance of 195.94 feet to a point on the Natural Shoreline based on located concrete structures as shown on 1956 aerial imagery, being the Principal Point of Beginning of the Submerged Lands Lease Area herein intended to be described;

Course 1: Thence North 82°10'50" West, along said Natural Shoreline, a distance of 2.33 feet to a point;

Course 2: Thence South 01°00'40" West, along said Natural Shoreline, a distance of 9.48 feet to a point;

Course 3: Thence South 51°01'48" West, along said Natural Shoreline, a distance of 11.79 feet to a point;

Course 4: Thence North 64°14'17" West, a distance of 37.77 feet to a point;

Course 5: Thence South 88°07'03" West, a distance of 22.64 feet to a point;

Course 6: Thence South 61°13'43" West, a distance of 41.02 feet to a point;

Course 7: Thence South 77°19'56" West, a distance of 26.46 feet to a point on the southwesterly Littoral Partition Line of said Bundy's land;

Course 8: Thence North 32°35'58" West, along said Littoral Partition Line, a distance of 10.90 feet to a point on the arc of a curve;

Course 9: Thence along the arc of a curve to the left, having an arc length of 8.42 feet, a radius of 45.00 feet, a delta angle of 10°43'06", and whose long chord bears North 22°51'39" West a distance of 8.41 feet to a point of tangency;

Course 10: Thence North 28°13'12" West, a distance of 9.67 feet to a point of curvature;

Course 11: Thence along the arc of a curve to the right, having an arc length of 68.08 feet, a radius of 40.00 feet, a delta angle of $97^{\circ}31'28''$, and whose long chord bears North $20^{\circ}32'32''$ East a distance of 60.16 feet to a point of tangency;

Course 12: Thence North $69^{\circ}18'16''$ East, a distance of 22.28 feet to a point of curvature;

Course 13: Thence along the arc of a curve to the right, having an arc length of 52.43 feet, a radius of 105.50 feet, a delta angle of $28^{\circ}28'22''$, and whose long chord bears North $83^{\circ}53'38''$ East a distance of 51.89 feet to a point of non-tangency;

Course 14: Thence North $45^{\circ}29'42''$ East, a distance of 18.55 feet to a point;

Course 15: Thence North $39^{\circ}05'47''$ East, a distance of 6.70 feet to a point;

Course 16: Thence North $40^{\circ}58'06''$ West, a distance of 17.47 feet to a point of curvature;

Course 17: Thence along the arc of a curve to the right, having an arc length of 35.91 feet, a radius of 20.00 feet, a delta angle of $102^{\circ}53'03''$, and whose long chord bears North $10^{\circ}28'25''$ East a distance of 31.28 feet to a point of tangency;

Course 18: Thence North $61^{\circ}54'57''$ East, a distance of 29.52 feet to a point of curvature;

Course 19: Thence along the arc of a curve to the right, having an arc length of 45.37 feet, a radius of 102.00 feet, a delta angle of $25^{\circ}29'08''$, and whose long chord bears North $74^{\circ}39'31''$ East a distance of 45.00 feet to a point of tangency;

Course 20: Thence North $87^{\circ}24'05''$ East, a distance of 28.71 feet to a point of on the arc of a curve;

Course 21: Thence along the arc of a curve to the right, having an arc length of 23.32 feet, a radius of 57.00 feet, a delta angle of $23^{\circ}26'34''$, and whose long chord bears North $10^{\circ}08'22''$ East a distance of 23.16 feet to a point of tangency;

Course 22: Thence North $21^{\circ}51'39''$ East, a distance of 14.51 feet to a point of curvature;

Course 23: Thence along the arc of a curve to the right, having an arc length of 31.65 feet, a radius of 103.83 feet, a delta angle of $17^{\circ}27'52''$, and whose long

chord bears North 30°35'35" East a distance of 31.53 feet to a point of compound curvature;

Course 24: Thence along the arc of a curve to the right, having an arc length of 38.38 feet, a radius of 43.67 feet, a delta angle of 50°21'21", and whose long chord bears North 64°30'12" East a distance of 37.16 feet to a point of reverse curvature;

Course 25: Thence along the arc of a curve to the left, having an arc length of 25.74 feet, a radius of 25.00 feet, a delta angle of 59°00'00", and whose long chord bears North 60°10'52" East a distance of 24.62 feet to a point of reverse curvature;

Course 26: Thence along the arc of a curve to the right, having an arc length of 16.25 feet, a radius of 50.00 feet, a delta angle of 18°37'33", and whose long chord bears North 39°59'39" East a distance of 16.18 feet to a point of tangency;

Course 27: Thence North 49°18'25" East, a distance of 13.22 feet to a point of curvature;

Course 28: Thence along the arc of a curve to the right, having an arc length of 59.55 feet, a radius of 54.00 feet, a delta angle of 63°11'14", and whose long chord bears North 80°54'02" East a distance of 56.58 feet to a point of tangency;

Course 29: Thence South 67°30'21" East, a distance of 4.06 feet to a point;

Course 30: Thence North 22°39'50" East, a distance of 57.72 feet to a point of curvature;

Course 31: Thence along the arc of a curve to the right, having an arc length of 23.54 feet, a radius of 163.00 feet, a delta angle of 08°16'33", and whose long chord bears North 26°48'06" East a distance of 23.52 feet to a point of tangency;

Course 32: Thence North 30°56'23" East, a distance of 46.21 feet to a point of curvature;

Course 33: Thence along the arc of a curve to the right, having an arc length of 37.89 feet, a radius of 163.00 feet, a delta angle of 13°19'08", and whose long chord bears North 37°35'57" East a distance of 37.81 feet to a point of tangency;

Course 34: Thence North 44°15'31" East, a distance of 146.73 feet to a point;

Course 35: Thence North 44°48'05" East, a distance of 113.68 feet to a point;

- Course 36: Thence North 46°20'21" East, a distance of 39.33 feet to a point;
- Course 37: Thence North 35°29'13" East, a distance of 45.22 feet to a point;
- Course 38: Thence North 57°07'34" West, a distance of 31.93 feet to a point;
- Course 39: Thence North 27°54'10" East, a distance of 3.01 feet to a point;
- Course 40: Thence South 57°07'34" East, a distance of 17.96 feet to a point;
- Course 41: Thence South 58°11'34" East, a distance of 41.47 feet to a point;
- Course 42: Thence South 61°12'45" East, a distance of 10.90 feet to a point on the Natural Shoreline based on the observed edge of water;
- Course 43: Thence South 38°02'54" West, along said Natural Shoreline, a distance of 45.48 feet to a point on the easterly line of said The Villa Beach Club Co.'s land, referenced by an iron pin set South 00°45'44" East 105.91 feet on the southeasterly corner of said The Villa Beach Club Co.'s land;
- Course 44: Thence South 38°04'58" West, along the Natural Shoreline based on a concrete slab revetment shown in 1956 aerial imagery, a distance of 30.24 feet to a point;
- Course 45: Thence South 40°13'21" West, along said Natural Shoreline, a distance of 148.16 feet to a point;
- Course 46: Thence South 38°10'45" West, along said Natural Shoreline, a distance of 235.56 feet to a point;
- Course 47: Thence South 17°33'43" West, along the Natural Shoreline based on the observed edge of water, a distance of 22.85 feet to a point;
- Course 48: Thence South 47°39'54" West, along said Natural Shoreline, a distance of 57.25 feet to a point;
- Course 49: Thence South 35°36'25" West, along the Natural Shoreline based on the edge of water from 1956 aerial imagery, a distance of 125.70 feet to a point;
- Course 50: Thence South 39°21'22" East, along said Natural Shoreline, a distance of 12.29 feet to a point;
- Course 51: Thence along the Natural Shoreline and along the arc of a non-tangential curve to the right, having an arc length of 53.42 feet, a radius of 65.53 feet,

a delta angle of $46^{\circ}42'31''$, and whose long chord bears South $26^{\circ}51'05''$ West a distance of 51.96 feet to a point;

Course 52: Thence along said Natural Shoreline and along the arc of a non-tangential curve to the left, having an arc length of 25.68, a radius of 324.42 feet, a delta angle of $04^{\circ}32'08''$, and whose long chord bears South $47^{\circ}56'35''$ West a distance of 25.68 feet to a point on the northerly line of said Pirrung's land, referenced by an iron pin set South $66^{\circ}24'49''$ West 43.51 feet on a northeasterly corner of said Pirrung's land;

Course 53: Thence along said Natural Shoreline and along the arc of a non-tangential curve to the left, having an arc length of 28.08 feet, a radius of 323.77 feet, a delta angle of $04^{\circ}58'07''$, and whose long chord bears South $43^{\circ}13'31''$ West a distance of 28.07 feet to a point on the easterly parcel line of said Losher's land, referenced by an iron pin set South $02^{\circ}40'14''$ East 88.17 feet on the southwesterly corner of said Pirrung's land;

Course 54: Thence along said Natural Shoreline and along the arc of a non-tangential curve to the left, having an arc length of 9.82 feet, a radius of 320.13 feet, a delta angle of $01^{\circ}45'24''$, and whose long chord bears South $39^{\circ}54'13''$ West a distance of 9.82 feet to a point;

Course 55: Thence along said Natural Shoreline and along the arc of a non-tangential curve to the right, having an arc length of 103.65, a radius of 116.61 feet, a delta angle of $50^{\circ}55'40''$, and whose long chord bears South $64^{\circ}29'42''$ West a distance of 100.27 feet to a point;

Course 56: Thence North $04^{\circ}03'31''$ West, along said Natural Shoreline, a distance of 8.62 feet to a point;

Course 57: Thence North $82^{\circ}10'50''$ West, along said Natural Shoreline, a distance of 9.76 feet to the Principal Point of Beginning of Submerged Lands Lease Area "A" and containing 1.7480 acres (76,143 square feet) of submerged lands as surveyed, calculated and described by Benjamin A. Stafford, Registered Surveyor #8909 of Chagrin Valley Engineering, Ltd., in July 2021, be the same more or less;

All iron pins set are 5/8-inch x 30-inch iron pins with a yellow cap bearing "CVE LTD"

The above-described Submerged Lands Lease is made in conjunction with "Euclid Beach Connector - Shoreline Improvements" prepared by Smithgroup on a survey conducted by Chagrin Valley Engineering.

BASIS OF BEARINGS for this survey is the northwesterly line of Shore Acres Drive as North $43^{\circ}39'11''$ East, part of Shore Acres Subdivision recorded in Vol. 55, Pg. 28. As witnessed by monuments observed along the centerline of Lake Shore Boulevard.

Based on surveys conducted for Cuyahoga County Euclid Beach Connector Shoreline Improvements plans. The same as calculated and reproduced from the Ohio State Plane Coordinate System, North Zone 3401 by ties to the O.D.O.T. VRS Network – NAD83 (2011)

Surveyed By: Benjamin A. Stafford, Registered Surveyor #8909 of Chagrin Valley Engineering
File Name: 22260 City of Cleveland Euclid Beach Connector - Submerged Lands Lease

**PARCEL B
STATE OF OHIO
LAKE ERIE SUBMERGED LANDS LEASE**

[Surveyor's description of the premises follows]

Situated in Submerged Lands of Lake Erie, State of Ohio, County of Cuyahoga, being adjacent to lands within the City of Cleveland, Original Euclid Township, Tract 16, and between the littoral partition lines of the following two parcels:

- 1) Parcel B of Plat of Survey & Consolidation recorded in Vol. 277, Pg. 12, also known as a 1.728 acre (Auditor) parcel as conveyed to Northeast Ohio Regional Sewer District (NEORS) by deed of record in Doc #200310241262 of the Cuyahoga County Records;
- 2) Part of an unnumbered subplot of H.B. Cody's Camp Lakewood Allotment recorded in Vol. 20, Pg. 21, also known as a 0.11 acre (Auditor) parcel as conveyed to John K. & Leah M. Ban by deed of record in Doc #200408050989 of the Cuyahoga County Records;

being a 0.8404-acre Submerged Lands Lease Area "B" on behalf of The City of Cleveland and further bounded and described as follows:

Beginning, for reference, at a drill hole found in a stone within a monument box found at the centerline intersection of Lakeshore Boulevard (80 feet wide) and said East 156th Street, witnessed by a 1-inch iron pin within a monument box found on the centerline of said Lakeshore Boulevard North 68°56'07" East, 2,079.19 feet;

Thence North 01°14'41" West, along the centerline of East 156th Street, a distance of 1,000.59 feet to a point on the Natural Shoreline based on the edge of water as shown on 2015 aerial imagery,

Thence South 50°46'22" West, along said Natural shoreline, a distance of 1.13 feet to a point;

Thence South 34°44'34" West, along said Natural Shoreline, a distance of 41.03 feet to a point on the westerly right of way line of said East 156th Street, the northerly corner of said Ban's land, the Principal Point of Beginning of the Submerged Lands Lease Area "B" herein intended to be described, referenced by an iron pin set South 01°15'41" East 127.45 feet at the intersection of the westerly right-of-way line of said East 156th Street and the northwesterly right-of-way line of Lakeside Walk (Private 10 feet wide);

Course 1: Thence South 34°50'53" West, along said Natural Shoreline, a distance of 5.18 feet to a point;

Course 2: Thence South 18°07'40" West, along said Natural Shoreline, a distance of 71.44 feet to a point;

Course 3: Thence South 22°41'34" West, along the Natural Shoreline, a distance of 29.35 feet to a point;

Course 4: Thence South 37°48'22" West, along the Natural Shoreline based on the observed edge of water, a distance of 72.90 feet to a point on the southwesterly parcel line of said Ban's land, the northeasterly line of said NEORSD's land, referenced by an iron pin set South 45°38'31" East 39.48 feet at the intersection of said parcel line and the northwesterly right-of-way line said Lakeside Walk;

Course 5: Thence South 40°39'50" West, along said Natural Shoreline, a distance of 23.81 feet to a point;

Course 6: Thence South 47°01'29" West, along said Natural Shoreline, a distance of 27.80 feet to a point;

Course 7: Thence South 34°03'46" West, along said Natural Shoreline, a distance of 22.47 feet to a point;

Course 8: Thence South 47°28'06" West, along said Natural Shoreline, a distance of 43.90 feet to a point;

Course 9: Thence South 34°23'42" West, along said Natural Shoreline, a distance of 21.49 feet to a point;

Course 10: Thence South 38°03'57" West, along said Natural Shoreline, a distance of 23.89 feet to a point;

Course 11: Thence South 42°51'43" West, along said Natural Shoreline, a distance of 82.25 feet to a point;

Course 12: Thence South 39°19'22" West, along said Natural Shoreline, a distance of 47.18 feet to a point;

Course 13: Thence along said Natural Shoreline and along the arc of a non-tangential curve to the right, having an arc length of 103.07 feet, a radius of 190.69 feet, a delta angle of 30°58'07", and whose long chord bears South 52°21'58" West, a distance of 101.82 feet to a point;

Course 14: Thence South 52°49'04" West, along said Natural Shoreline, a distance of 24.28 feet to a point;

Course 15: Thence South 42°07'05" West, along said Natural Shoreline bearing a distance of 72.57 feet to a point;

Course 16: Thence North 50°59'08" West, a distance of 54.93 feet to a point;

Course 17: Thence North 52°33'11" West, a distance of 13.51 feet to a point;

Course 18: Thence North 48°09'16" East, a distance of 3.05 feet to a point;

Course 19: Thence South 52°33'11" East, a distance of 31.71 feet to a point;

Course 20: Thence North 42°18'39" East, a distance of 30.81 feet to a point;

Course 21: Thence North 33°30'40" East, a distance of 43.04 feet to a point;

Course 22: Thence North 24°34'55" East, a distance of 7.27 feet to a point;

Course 23: Thence North 36°29'52" East, a distance of 28.30 feet to a point;

Course 24: Thence North 43°28'00" East, a distance of 45.33 feet to a point;

Course 25: Thence North 43°51'22" East, a distance of 174.93 feet to a point;

Course 26: Thence North 44°14'24" East, a distance of 133.29 feet to a point;

Course 27: Thence North 37°55'08" East, a distance of 137.47 feet to a point;

Course 28: Thence North 20°35'44" East, a distance of 5.09 feet to a point;

Course 29: Thence North 37°29'04" East, a distance of 42.36 feet to a point of curvature;

Course 30: Thence along the arc of a curve to the right, having an arc length of 8.64 feet, a radius of 37.00 feet, a delta angle of 13°23'09", and whose long chord bears North 44°10'39" East a distance of 8.62 feet to a point on the southwesterly Littoral Partition Line of said East 156th Street;

Course 31: Thence South 55°09'07" East, along said southwesterly Littoral Partition Line, a distance of 26.22 feet to the Principal Point of Beginning of Submerged Lands Lease Area "B" and containing 0.8404 acres (36,607 square feet) of submerged lands as surveyed, calculated and described by Benjamin A. Stafford, Registered Surveyor #8909 of Chagrin Valley Engineering, Ltd., in July 2021, be the same more or less;

All iron pins set are 5/8-inch x 30-inch iron pins with a yellow cap bearing "CVE LTD".

The above-described Submerged Lands Lease is made in conjunction with "Euclid Beach Connector - Shoreline Improvements" prepared by Smithgroup on a survey conducted by Chagrin Valley Engineering.

BASIS OF BEARINGS for this survey is the northwesterly line of Shore Acres Drive as North 43°39'11" East, part of Shore Acres Subdivision recorded in Vol. 55, Pg. 28. As witnessed by monuments observed along the centerline of Lake Shore Boulevard. Based on surveys conducted for Cuyahoga County Euclid Beach Connector Shoreline Improvements plans. The same as calculated and reproduced from the Ohio State Plane Coordinate System, North Zone 3401 by ties to the O.D.O.T. VRS Network – NAD83 (2011)

Surveyed By: Benjamin A. Stafford, Registered Surveyor #8909 of Chagrin Valley Engineering
File Name: 22260 City of Cleveland Euclid Beach Connector - Submerged Lands Lease

Section 12. The Director of Capital Projects, Public Works, Parks and Recreation, and/or other appropriate director, or any combination thereof, is authorized to expend funds necessary to pay the annual base rent, as determined by the use of the leased premises, for the Term of the submerged land leases.

Section 13. That the Director of Capital Projects, the Director of Law and/or other appropriate director or City officials, are authorized to execute any other documents and certificates, and take any other actions which may be necessary or appropriate to implement this ordinance.

Section 14. That the Director of Director of Public Works, Parks and Recreation, or appropriate director, is authorized to enter into an amendment to the Lakefront Lease to add the Project Area into the Lakefront Lease and to permit improvements to be made by the County in the amount not to exceed Three Million Dollars (\$3,000,000.00).

Section 15. That all other terms of the Lakefront Lease shall remain the same.

Section 16. That the amendment shall be prepared by the Director of Law and shall contain any additional provisions that the Director of Law deems necessary to protect the public interest.

Section 17. That the Director of Capital Projects, Public Works, Parks and Recreation, and/or other appropriate director, or any combination thereof, is authorized to enter into any agreement needed to implement this ordinance.

Section 18. 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 August 13, 2025.

Effective August 18, 2025.

Ordinance No. 994-2025

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

An emergency ordinance authorizing the Director of Public Safety to enter into an agreement with Deccan International to acquire licenses and maintenance for software to be utilized by the Divisions of Fire and Emergency Medical Service, to improve response times and overall operations by optimizing divisional resources and personnel, for a period of one year.

WHEREAS, since 2011, the Commissioner of Purchases and Supplies has acquired from Deccan International licenses and maintenance for certain essential decision-support software applications utilized by the Divisions of Fire and Emergency Medical Service to improve response times and overall operations by optimizing the deployment of divisional personnel and equipment resources (the “Software”), for annual costs less than \$50,000; and

WHEREAS, the cost to acquire licenses and maintenance for the Software for the current year will exceed \$50,000; 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. The Director of Public Safety is authorized to enter an agreement with Deccan International to acquire licenses and maintenance to implement, maintain, expand, and enhance the Software for a period of one year at a cost not to exceed \$56,881.00.

Section 2. That the costs of the licenses, maintenance and any associated expenditures shall be paid from Fund No. 01-1601-6612. (RQS 1601, RL 2025-72)

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 August 13, 2025.

Effective August 18, 2025.

Ordinance No. 995-2025

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

An emergency ordinance authorizing the Directors of Building and Housing and/or Innovation and Technology and/or other directors, as appropriate, to implement a one-year pilot program to assess the feasibility of using automated technology to create a current property survey; to apply for and accept a grant from the Rocket Community Fund; and to enter into one or more contracts with City Detect Inc. for the purchase of Software as a Service, hardware, installation, set-up, training, implementation, technical support, and maintenance, including a monthly service fee, needed to implement the pilot program.

WHEREAS, the Directors of Building and Housing and/or Innovation and Technology and/or other directors, as appropriate, desire to implement, through available grant funding, a one-year pilot program to assess the feasibility of using automated technology to create a current property survey for the City of Cleveland (the “Pilot Program”); and

WHEREAS, the Pilot Program will, among other things, allow the City to enter properties into a property survey, monitor them, proactively identify certain areas that need special attention, assist staff and inspectors with conditions of properties on an on-going and frequent basis, and will give the City the opportunity to evaluate the effectiveness of automated technology for these purposes; and

WHEREAS, the automated technology utilized in the Pilot Program shall not be used for the purpose of citing residents for property violations; and

WHEREAS, said automated technology to monitor and update the property survey will assist City staff and eliminate costly, time-consuming and out-of-date property information; 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 Building and Housing and/or Innovation and Technology and/or other directors, as appropriate, are authorized to apply for and accept a grant in the approximate amount of \$85,000, and any other funds that may become available during the grant term from the Rocket Community Fund, to implement the Pilot Program; that the appropriate director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

Section 2. That the summary for the grant, **File No. 995-2025-A**, made a part of this ordinance as if fully rewritten, is approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the Director of Building and Housing and/or Innovation and Technology and/or other directors, as appropriate, are authorized to extend the term of the grant during the grant term.

Section 4. That the Directors of Building and Housing and/or Innovation and Technology and/or other directors, as appropriate, are authorized to enter into one or more contracts with City Detect Inc. for the purchase of Software as a Service, hardware, installation, set-up, training, implementation, technical support, maintenance, and/or other professional services related to the Pilot Program on the basis of its proposal dated June 2, 2025, for a period of one year. The contract(s) shall also include the City's obligation to pay monthly service fees for the term of the contract.

Section 5. That under division (b) of Section 108 of the Charter, the services authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Directors of Building and Housing and/or Innovation and Technology, and/or other directors as appropriate, 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 6. That the costs of the contract or contracts and payments authorized by this ordinance shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance. (RQS 8501, RLA 2025-77).

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.

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 997-2025**By Council Member:** Jones

An emergency ordinance to add the name Rev. Dr. George O. Stewart Way as a secondary and honorary name to Deforest Avenue between Lee Road and East 186th Street.

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 Codified Ordinances of the City of Cleveland, 1976, the name Rev. Dr. George O. Stewart Way shall be added as a secondary and honorary name to Deforest Avenue between Lee Road and East 186th Street.

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 1000-2025

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

An emergency ordinance authorizing the Director of Economic Development to enter into a forgivable loan agreement with Metro West Community Development Organization, or its designee, to provide economic development assistance to partially finance the acquisition and pre-development costs and fees associated with acquiring and stabilizing mixed commercial buildings located throughout the Ward 14 service area and other associated costs necessary to acquire the properties.

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

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

Section 1. That the Director of Economic Development is authorized to enter into a forgivable loan agreement with Metro West Community Development Organization, or its designee, to provide economic development assistance to partially finance the acquisition, holding, stabilization, pre-development costs and fees associated with acquiring and stabilizing several mixed commercial buildings and other associated costs necessary to acquire the properties located throughout the Ward 14 service area.

Section 2. That the terms of the loan shall be according to the terms set forth in the summary contained in **File No. 1000-2025-A**, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, and are approved in all respects and shall not be materially changed without additional legislative authority.

Section 3. That the costs of the loan shall not exceed two million three hundred thousand dollars (\$2,300,000.00), and shall be paid from Fund No. 10 SF 557, which funds are appropriated for this purpose. (RQS 9501, RL 2025-74)

Section 4. That the Director of Economic Development is authorized to accept such collateral as the director determines is sufficient in order to secure repayment of the loan. Any loan agreement, security instrument, or other document shall be prepared and approved by the Director of Law.

Section 5. That the Director of Economic Development is authorized to accept monies in repayment of the loan and to deposit the monies in Fund No. 10 SF 557.

Section 6. That the Director of Economic Development is authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and the fees are appropriated to cover costs incurred in the preparation of

the loan application, closing and servicing of the loan. The fees shall be deposited to and expended from Fund No. 17 SF 305 (Loan Fees Fund).

Section 7. 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 8. The contract authorized in this legislation will require the recipients of financial assistance to work with, and/or cause their tenants to work with, Ohio Means Jobs of Cuyahoga County, and/or related affiliate, and City of Cleveland to identify and solicit qualified candidates for job opportunities related to the City's contracts, and place special emphasis on the hard to employ, including but not limited to the disabled and persons who have been convicted of or have pled guilty to a criminal offense, unless the criminal conviction or related circumstances relate to the duties for the particular job sought.

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 1001-2025

By Council Members: Conwell and Hairston

An emergency ordinance authorizing the Director of the Department of Economic Development to enter into agreement with the Famicos Foundation for the 1355 East 105th Street Redevelopment Project through the use of Wards 9 and 10 Discretionary Revenue Funds.

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

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

Section 1. That the Director of the Department of Economic Development is hereby authorized to enter into agreement with Famicos Foundation for the 1355 East 105th Street Redevelopment Project for the public purpose of rehabilitation of the property located at 1355 East 105th Street through the use of Wards 9 and 10 Discretionary Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$300,000.00 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 9	\$200,000.00	D25328
Ward 10	\$100,000.00	D25328

Section 3. That the Law Department has reviewed and approved this proposal on August 11, 2025. The Department has reviewed and approved the proposal on August 7, 2025. Project shall begin as of October 1, 2025.

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

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 1002-2025**By Council Member:** Hairston

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Famicos Foundation for the 2025 Five Points Senior Meal Program 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 a 2025 Senior Meal Program for the public purpose of providing weekly congregate meals to residents 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 \$53,538.10 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	\$53,538.10	G25739

Section 3. That the Law Department has reviewed and approved this proposal on June 12, 2025. The Department has reviewed and approved the proposal on June 10, 2025. Project shall begin as of July 1, 2025.

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

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

Passed August 13, 2025.**Effective August 18, 2025.**

Ordinance No. 1003-2025

By Council Members: McCormack and Maurer

An emergency ordinance authorizing the Director of the Department of City Planning to enter into agreement with Tremont West Development Corporation for the Tremont-Holmden-Buhrer-Rowley-Mentor-Castle-Clark Plan through the use of Wards 3 and 12 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of City Planning is hereby authorized to enter into agreement with Tremont West Development Corporation for a Tremont-Holmden-Buhrer-Rowley-Mentor-Castle-Clark Plan for the public purpose of developing a community plan to prioritize and promote key projects and opportunities through the use of Wards 3 and 12 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$20,000.00 and shall be paid from Fund No. 10 SF 188 using the fund and project number from the following Wards:

<u>Ward</u>	<u>Amount</u>	<u>Project Number</u>
Ward 3	\$10,000.00	G25738
Ward 12	\$10,000.00	G25738

Section 3. That the Law Department has reviewed and approved this proposal on June 3, 2025. The Department has reviewed and approved the proposal on June 12, 2025. Project shall begin as of May 15, 2025.

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

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 1004-2025**By Council Member:** Hairston

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Famicos Foundation for the 2025 Beautification and Litter Program 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 a 2025 Beautification and Litter Program for the public purpose of providing a community cleanup 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 \$27,340.00 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	\$27,340.00	G225348

Section 3. That the Law Department has reviewed and approved this proposal on July 17, 2025. The Department has reviewed and approved the proposal on July 16, 2025. Project shall begin as of August 8, 2025.

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

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

Passed August 13, 2025.**Effective August 18, 2025.**

Ordinance No. 1005-2025**By Council Member:** Jones

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 Community Programming Event Promotion Program through the use of Ward 1 Neighborhood Equity 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 public purpose of providing the Community Programming Event Promotion Program through the use of Ward 1 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$29,400.00 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 1	\$29,400.00	D25363

Section 3. That the Law Department has reviewed and approved this proposal on July 17, 2025. The Department has reviewed and approved the proposal on June 10, 2025. Project shall begin as of July 1, 2025.

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

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 1006-2025**By Council Member:** Jones

An emergency ordinance authorizing the Director of the Department of Parks and Recreation to enter into agreement with NuPoint Community Development Corporation for the public purpose of providing the Ohio Elite Seminoles Football Team through the use of Ward 1 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Parks and Recreation is hereby authorized to enter into agreement with the NuPoint Community Development Corporation for the public purpose of providing funding for equipment for the Ohio Elite Seminoles Football Team through the use of Ward 1 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$7,995.50 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 1	\$7,995.50	G25740

Section 3. That the Law Department has reviewed and approved this proposal on June 26, 2025. The Department has reviewed and approved the proposal on June 17, 2025. Project shall begin as of July 1, 2025.

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

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

Passed August 13, 2025.

Effective August 18, 2025.

Ordinance No. 1055-2025

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the Local Tobacco Prevention and Control grant; and to enter into one or more contracts with various agencies, entities, or individuals to implement the grant.

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

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

Section 1. That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$73,650.00, and any other funds that may become available during the grant term from the Ohio Department of Health, to conduct the Local Tobacco Prevention and Control grant; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the Executive Summary for the grant contained in the file described below.

Section 2. That the Executive Summary for the grant, **File No. 1055-2025-A**, made a part of this ordinance as if fully rewritten is approved in all respects and shall not be changed without additional legislative authority. (RQS 5001, RLA 2025-76)

Section 3. That the Director of Public Health is authorized to extend the term of the grant during the grant term.

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

Section 5. That the Director of Public Health is authorized to enter into one or more contracts with various agencies, entities, or individuals to implement the grant as described in the file.

Section 6. That under division (b) of Section 108 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 Health 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 7. That the costs of the contract or contracts or payments authorized by this ordinance shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance.

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

Passed August 13, 2025.

Effective August 18, 2025.

Resolution No. 943-2025**By Council Member:** Maurer**An emergency resolution objecting to the renewal of a D5 and D6, Liquor Permit at 2218 Broadview Road.**

WHEREAS, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

WHEREAS, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

WHEREAS, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D5 and D6, Liquor Permit, Permit No. 04118908, owned by IBEX Transportation, LLC., DBA: Lucy's Ethiopian Restaurant & Bar, 2218 Broadview Road, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code of Ohio.

Section 2. That the Clerk of Council be and she is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 13, 2025.

Effective August 18, 2025.

Resolution No. 944-2025**By Council Member:** Harsh**An emergency resolution objecting to the renewal of a D5 Liquor Permit at 4555 State Road, 1st Floor and basement.**

WHEREAS, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

WHEREAS, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

WHEREAS, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D5 Liquor Permit, Permit No. 2434309-0005, owned by E5 Capital Corp., DBA: Wexlers Tavern & Eatery, 4555 State Road, 1st floor and basement, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code of Ohio.

Section 2. That the Clerk of Council be and she is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 13, 2025.

Effective August 18, 2025.

Resolution No. 945-2025**By Council Member:** Harsh**An emergency resolution objecting to the renewal of a D1, D2, D3, D3A, and D6 Liquor Permit at 4818-22 Memphis Avenue.**

WHEREAS, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

WHEREAS, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

WHEREAS, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D1, D2, D3, D3A, and D6 Liquor Permit, Permit No. 3845983, owned by H.I.M. Inc., DBA: Memphis Tavern, 4818-22 Memphis Avenue, Cleveland, Ohio 44144, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code of Ohio.

Section 2. That the Clerk of Council be and she is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 13, 2025.

Effective August 18, 2025.

Resolution No. 946-2025**By Council Member:** Polensek**An emergency resolution objecting to the renewal of a D1, D2, D3, D3A and D6, Liquor Permit at 15507 Saranac Road.**

WHEREAS, the uniform date for renewal of liquor permits in the State of Ohio is October 1st; and

WHEREAS, pursuant to Section 4303.271 of the Revised Code, the legislative authority of a municipal corporation may object to the renewal of a permit based upon legal grounds as set forth in division (A) of Revised Code Section 4303.292; and

WHEREAS, the applicant is unfit to continue to engage in the liquor permit business in that he has operated his liquor permit business in a manner that demonstrates a disregard for the laws, regulations or local ordinances of the state, and that 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 4303.271 of the Ohio Revised Code, objections to renewal of liquor permits shall be made no later than thirty days prior to the expiration date of the permit; now, therefore,

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

Section 1. That Council does hereby record its objection to the renewal of a D1, D2, D3, D3A and D6, Liquor Permit, Permit No. 9574755, owned by White Road Gang, Inc., DBA: Wallands Saloon, 15507 Saranac Road, Cleveland, Ohio 44110, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.271 of the Revised Code of Ohio.

Section 2. That the Clerk of Council be and she is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County, and a statement by the Director of Law that, in the Director's opinion, that the objection is based upon substantial legal grounds within the meaning and intent of division (A) of Section 4303.292 of the Revised Code to the Director of Liquor Control.

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 August 13, 2025.

Effective August 18, 2025.

Resolution No. 947-2025**By Council Member:** Kazy

An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit at 3892 West 130th Street, and repealing Resolution No. 82-2025 objecting to said permit.

WHEREAS, this Council objected to a transfer of ownership of a C2 and C2X Liquor Permit to Shiv Shakti 3892, LLC, 3892 West 130th Street, Cleveland, Ohio 44111, Permit No. 8114356, by Resolution No. 82-2025, adopted by the Council on January 6, 2025; and

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

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

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

Section 1. That objection to the transfer of ownership of a C2 and C2X Liquor Permit to Shiv Shakti 3892, LLC, 3892 West 130th Street, Cleveland, Ohio 44111, Permit No. 8114356, by Resolution No. 82-2025, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted August 13, 2025.

Effective August 18, 2025.

Resolution No. 948-2025**By Council Member:** Kazy

An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit at 4282 West 130th Street, and repealing Resolution No. 225-2025 objecting to said permit.

WHEREAS, this Council objected to a transfer of ownership of a C2, C2X and D6, Liquor Permit to Ashapura Krupa, LLC, DBA: JJ's Grab & Go, 4282 West 130th Street, Cleveland, Ohio 44135, Permit No. 02974110005, by Resolution No. 225-2025, adopted by the Council on February 24, 2025; and

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

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

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

Section 1. That objection to the transfer of ownership of a C2, C2X, and D6 Liquor Permit to Ashapura Krupa, LLC, DBA: JJ's Grab & Go, 4282 West 130th Street, Cleveland, Ohio 44135, Permit No. 02974110005, by Resolution No. 225-2025, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted August 13, 2025.

Effective August 18, 2025.

Resolution No. 949-2025**By Council Member:** McCormack**An emergency resolution withdrawing objection to a NEW C2 Liquor Permit at 1936 West 25th Street, and repealing Resolution No. 1319-2024 objecting to said permit.**

WHEREAS, this Council objected to a NEW C2 Liquor Permit to Family Dollar Stores of Ohio, LLC., DBA: Family Dollar Store 22599, 1936 West 25th Street, Cleveland, Ohio 44113, Permit No. 26312753090, by Resolution No. 1319-2024, adopted by the Council on November 25, 2024; and

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

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

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

Section 1. That objection to the NEW C2 Liquor Permit to Family Dollar Stores of Ohio, LLC., DBA: Family Dollar Store 22599, 1936 West 25th Street, Cleveland, Ohio 44113, Permit No. 26312753090, be and the same is hereby withdrawn and Resolution No. 1319-2024, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted August 13, 2025.**Effective August 18, 2025.**

Resolution No. 981-2025**By Council Member:** Harsh

An emergency resolution urging the U.S. House of Representatives to adopt bi-partisan House Resolution 581, the Epstein Files Transparency Act, that would require the Attorney General to release unclassified files related to the federal investigation of Jeffrey Epstein, Ghislaine Maxwell, and associates, including government officials.

WHEREAS, on July 15, 2025, the U.S. House of Representatives (House) introduced bi-partisan Resolution 581, providing for consideration of the bill (H.R. 185) to advance responsible policies, that would require the House to vote on releasing unclassified files related to the federal investigation of Jeffrey Epstein; and

WHEREAS, if adopted, this Epstein Files Transparency Act will require the Attorney General, not later than 30 days, to make publicly available all unclassified records, documents, communications, and investigative materials in the possession of the Department of Justice, including the Federal Bureau of Investigation and United States Attorneys' Offices, that relate to Jeffrey Epstein, Ghislaine Maxell, travel records, and individuals, including government officials, named in connection with Epstein's criminal activities and civil settlements, and entities with ties to Epstein; and

WHEREAS, this bill also requires that within 15 days of the completion of the release, the Attorney General shall submit to the House and Senate Committees on the Judiciary a report listing all categories of records released and withheld, a summary of redactions with legal basis, and a list of all government officials and politically exposed persons named in the released materials; and

WHEREAS, adoption of this bill is urgent, because American citizens have a right to know whether elected officials are involved in the illegal sex trafficking of children; and

WHEREAS, Donald Trump told Fox News' Rachel Compos-Duffy in June of 2024 that he would declassify the Epstein Files; and

WHEREAS, Donald Trump then told Alexei "Lex" Fridman in September of 2024 that he would release the files; and

WHEREAS, JD Vance told Theo Von "we need to release the Epstein list" in October of 2024; and

WHEREAS, Attorney General Pam Bondi said in February of 2025 that the file was on her desk; and

WHEREAS, evidence of such a file was confirmed by said administration when three prominent podcasters were granted copies of “The Epstein Files: Phase 1” on February 27, 2025; and

WHEREAS, Council believes transparency should be the highest order for this administration, and urges the House to vote for the Epstein Files Transparency Act; 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 urges the U.S. House of Representatives to adopt bipartisan House Resolution 581, the Epstein Files Transparency Act, that would require the Attorney General to release unclassified files related to the federal investigation of Jeffrey Epstein, Ghislaine Maxwell, and associates, including government officials.

Section 2. That the Clerk of Council is directed to transmit copies of this resolution to Ohio members of the U. S. House of Representatives.

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 August 13, 2025.

Effective August 18, 2025.

Resolution No. 985-2025**By Council Member:** Griffin

An emergency resolution supporting H.R. 4392, The Uterine Fibroid Intervention and Gynecological Health and Treatment Act (U-FIGHT Act), reintroduced by United States Congresswoman Shontel Brown.

WHEREAS, last month, United States Congresswoman Shontel Brown, along with Maryland Senator Angela Alsobrooks, reintroduced The Uterine Fibroid Intervention and Gynecological Health and Treatment Act (U-FIGHT Act), H.R. 4392, as part of a Uterine Health Legislative Initiative; and

WHEREAS, the U-FIGHT Act authorizes the Secretary of Health and Human Services (HHS) to award grants to increase early detection of and intervention for uterine fibroids, education and awareness programs, and research; and also addresses Asherman's syndrome, uterine scar tissue build-up following surgery, as well as disparities in pain management as it relates to uterine fibroids; and

WHEREAS, uterine fibroids are extremely common, yet the cause is unknown; there is no current authorization for an HHS grant program for uterine fibroids, limiting the federal response to this widespread and significant problem; and

WHEREAS, it is estimated that approximately two-thirds of all women will experience uterine fibroids during their lifetime, including 80% of African-American women and 70% of white women; additionally, symptoms are frequently more severe for black women; and

WHEREAS, uterine fibroids can cause pain, heavy menstrual bleeding, and problems with fertility, and are the leading cause of hysterectomies in the United States; in rare cases, uterine fibroids require emergency treatment; and

WHEREAS, early detection and intervention treatment can reduce the need for invasive surgery and treatment options that may impact fertility, including hysterectomy; early detection can also prevent tumor progression and worsening symptoms such as heavy bleeding, cramping, and abnormal menstruation; and

WHEREAS, the U-FIGHT Act authorizes the HHS Secretary to conduct or support research on the early detection or intervention of uterine fibroids and formulate evidence-based or evidence-informed strategies to increase early detection in health care settings; 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 supports H.R. 4392, The Uterine Fibroid Intervention and Gynecological Health and Treatment Act (U-FIGHT Act), reintroduced by United States Congresswoman Shontel Brown.

Section 2. That the Clerk of Council is directed to transmit copies of this resolution to United States Congresswoman Shontel 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.

Adopted August 13, 2025.

Effective August 18, 2025.

Resolution No. 989-2025

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

An emergency resolution approving the report of the Assessment Equalization Board on objections concerning estimated assessments with respect to the re-creation of the Gordon Square Arts District - Cleveland Improvement Corporation; determining to proceed with the plan to provide public services within the District; adopting the assessments; levying the assessments; and authorizing the City to enter into an agreement with Gordon Square Arts District - Cleveland Improvement Corporation.

WHEREAS, by Resolution No. 850-2025, adopted July 9, 2025, this Council appointed the Assessment Equalization Board (the “Board”) to hear and determine all objections concerning the estimated assessments under Resolution No. 669-2025, adopted June 2, 2025, as amended by Resolution No. 796-2025, adopted July 9, 2025 (“Resolution of Necessity”), to provide for public services benefitting the Gordon Square Arts District – Cleveland Improvement Corporation (the “District”); and

WHEREAS, the Board has filed its report with this Council as to its determination of the objections; and

WHEREAS, this Council deems the report proper in all respects; and

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

Section 1. That the report of Board is approved and placed in **File No. 989-2025-A**, along with the final assessments for the District, as equalized by the Board.

Section 2. That it is hereby determined to proceed to provide for the plan for public services benefitting the District (collectively, “District Services”) as established in the Resolution of Necessity.

Section 3. That the District Services shall be performed under the provisions of the Resolution of Necessity, and consistent with the plans, specifications, profiles, and assessments approved and filed in the office of the Clerk of Council.

Section 4. That judicial inquiry into all claims for damages resulting from the District Services filed under law shall occur after completion of the District Services.

Section 5. That the cost of the District Services to be assessed against benefited property shall be assessed in the amount, manner and number of installments as provided for in the Resolution of Necessity, as equalized by the Board.

Section 6. That the final assessments, as equalized by the Board, for the cost of the District Services, placed in the File mentioned above and aggregating \$829,996.07, are adopted and confirmed as final assessments.

Section 7. That the final assessments shall be assessed and levied on the lots and lands benefited and to be charged therewith in the District in proportion to the benefits as described in the Resolution of Necessity.

Section 8. That it is determined that the assessments do not exceed the special benefits resulting from the District Services, and do not exceed any statutory limitation.

Section 9. That the final assessments which have been filed with the Clerk of Council shall remain open to public inspection.

Section 10. That the annual installments against each lot and parcel of land shall be certified by the Clerk of Council to the County Auditor on or before the certification deadline in each of years 2025, 2026, 2027, 2028, and 2029, to be placed on the tax duplicate and collected the same as other taxes in each of the immediately following years, as provided by law.

Section 11. That the Clerk of Council is directed to cause a certified copy of this resolution to be filed with the County Fiscal Officer within fifteen (15) days after the passage of this ordinance, or as otherwise required by Section 319.61 of the Revised Code.

Section 12. That the Clerk of Council is directed to cause notice of the levy of the assessments to be filed with the County Fiscal Officer within twenty (20) days following the passage of this ordinance, or as otherwise required by Section 319.61 of the Revised Code.

Section 13. That the Clerk of Council is directed to cause a notice of the passage of this resolution to be published once in a newspaper of general circulation in this City.

Section 14. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were conducted in meetings open to the public, in compliance with all legal requirements; and

Section 15. That the Directors of City Planning and Finance are authorized to enter into a contract with Gordon Square Arts District - Cleveland Improvement Corporation, setting forth the terms under which the City will levy an assessment for the District and the use of the proceeds of the assessments levied herein.

Section 16. That this resolution is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it

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

Adopted August 13, 2025.

Effective August 18, 2025.

Resolution No. 999-2025**By Council Member:** Griffin**An emergency resolution appointing two members to the Civilian Police Review Board.**

WHEREAS, Section 115-2 of the Charter of the City of Cleveland, effective November 8, 2016, requires that Council appoint four members to the nine-member Civilian Police Review Board; and

WHEREAS, pursuant to Charter Section 115-2, two Council-appointed seats must be filled: a vacant seat of a 4-year term that began on February 23, 2025; and one seat of a 4-year term that begins on August 17, 2025; and

WHEREAS, pursuant to Charter Section 115-2, Council has requested and reviewed applications to fill each term and has selected from the applicants two members to the Board: one member to fill the vacant seat of a term that began February 23, 2025, and one member whose term begins August 17, 2025; and

WHEREAS, this resolution constitutes an emergency measure for the immediate preservation of public peace, property, health or safety, in that Council must fill the seat of the expiring term on the Civilian Police Review Board so that it complies with the Charter; now, therefore,

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

Section 1. That this Council hereby appoints the following individuals to the Civilian Police Review Board:

<u>Appointee:</u>	<u>Term:</u>
Edwin Moore	February 23, 2025 - February 22, 2029
Waverly Willis	August 17, 2025 - August 16, 2029

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

Adopted August 13, 2025.**Effective August 18, 2025.**

Resolution No. 1053-2025**By Council Member:** Hairston**An emergency resolution objecting to a New D2, D3, and D6 Liquor Permit at 1321 East 40th Street.**

WHEREAS, Council has been notified by the Division of Liquor Control of an application for a New D2, D3, and D6 Liquor Permit at Still Pats, LLC, DBA: 1321 East 40th Street, 1321 East 40th Street, Cleveland, Ohio 44114, Permit No. 10002347-1; and

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

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

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

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

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

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

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

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLEVELAND

Section 1. That Council does hereby record its objection to a New D2, D3, and D6 Liquor Permit at Still PATS, LLC, DBA: 1321 East 40th Street, 1321 East 40th Street, Cleveland, Ohio 44114, Permit No. 10002347-1; 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 be and she is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing 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 August 13, 2025.

Effective August 18, 2025.

Resolution No. 1054-2025**By Council Member:** Spencer

An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit at 7310 Lorain Avenue, and repealing Resolution No. 801-2024 objecting to said renewal.

WHEREAS, this Council objected to the renewal of a C2 and C2X Liquor Permit to 7310 Lorain, LLC., 7310 Lorain Avenue, Cleveland, Ohio 44102, Permit No. 2849577, by Resolution No. 801-2024, adopted by the Council on August 7, 2024; and

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

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

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

Section 1. That objection to the renewal of a C2 and C2X Liquor Permit to 7310 Lorain, LLC., 7310 Lorain Avenue, Cleveland, Ohio 44102, Permit No. 2849577, be and the same is hereby withdrawn and Resolution No. 801-2024, containing such objection, be and the same is hereby repealed, and that this Council consents to the immediate permit thereof.

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

Adopted August 13, 2025.

Effective August 18, 2025.

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

[* denotes interim committee member]

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), Gray*, Hairston, 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), Conwell*, Gray, Slife, Spencer, Starr.

TUESDAY – Alternating

9:30 a.m. – **Development, Planning and Sustainability Committee:** Hairston (CHAIR), Santana (VICE-CHAIR), Harsh, Howse-Jones, McCormack, Slife*, Spencer.

WEDNESDAY – Alternating

10:00 a.m. – **Safety Committee:** Polensek (CHAIR), Gray, Howse-Jones, Kazy*, 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: Harsh (CHAIR), Griffin, Hairston, Polensek*, 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

BOARD OF ZONING APPEALS –

Elizabeth Kukla, Secretary

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 PLANNING COMMISSION – Calley Mersmann, Director

CIVIL SERVICE COMMISSION – Rachon Long, Executive Director**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 – Alix Nouredine, Interim Executive Director**COMMUNITY RELATIONS BOARD** – Angela Shute-Woodson, Executive Director**ECONOMIC DEVELOPMENT** – Thomas S. McNair, Director**FINANCE** – Paul C. Barrett, 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

INNOVATION AND TECHNOLOGY – Stephanie Wernet, Chief Innovation and Technology Officer

LANDMARKS COMMISSION – Daniel A. Musson, Secretary

LAW – Mark D. Griffin, Director

Michele Comer, Chief Counsel

Stephanie K. Melnyk, 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 – Mark Duluk, 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

PARKS AND RECREATION – Alexandria Nichols, 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 – John Laird, Interim 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

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/>