



# Cleveland City Council

Cleveland City Hall, Room  
216  
601 Lakeside Avenue, N.E.  
Cleveland, OH 44114

## Committee Calendar

### City Council

---

Wednesday, August 26, 2020

11:00 AM

Virtual Meeting

---

**This is the approximate start time; the meeting will start after Committee of the Whole.  
This meeting will be conducted electronically; see meeting notice for public access.**

[Item-104](#) City Council Meeting Notice for August 26, 2020

**Attachments:** [Council Meeting Notice for 8-26-2020](#)

**CALL TO ORDER; ROLL CALL**

**PRAYER OR MOMENT OF REFLECTION**

**PLEDGE OF ALLEGIANCE**

**DISPENSE WITH THE JOURNAL**

#### **REPORTS AND COMMUNICATIONS**

##### **•Communications**

[705-2020](#) From Council President Kevin Kelley. Designating Va'Kedia Stiggers as Clerk Pro Tempore for the purposes of sign documents on August 19, 2020.

**Attachments:** [705-2020-Communication - Clerk pro temp 8-19-2020](#)

[706-2020](#) From Meghan Kaple, Project Manager, The Community Builders, Inc. Notice of intent to apply to Ohio Housing Finance Agency for multifamily funding programs for the development known as Woodhill Station-West, 9527 Buckeye Road, Cleveland, Ohio.

**Attachments:** [706-2020-Communication - Intent to apply to OHFA for Woodhill Station-West](#)

##### **•The Ohio Division of Liquor Control**

[707-2020](#) #87389080001. Transfer of Location Application, C2 C2X. Swift Foods, Inc., 3935 West 130th St. (Ward 11).

**Attachments:** [707-2020-Communication - Liquor - 3935W135](#)

**FIRST READING LEGISLATION****•Emergency Ordinances Referred****[673-2020](#)**

AN EMERGENCY ORDINANCE Authorizing an amendment to Ordinance 1379-09, passed October 9, 2009, to extend the term of the Tax Increment Financing structure for the Flats East Bank Project for an additional thirty years pursuant to Ohio Revised Code 5709.51, to make related changes to the project agreement, and to declare an emergency.

**Sponsors:**

Kerry McCormack, Anthony Brancatelli, Kevin Kelley and By Departmental Request

**Attachments:**

[Ord. No. 673-2020](#)

[673-2020-A-FILE - Amend TIF ag w Flats East Bank](#)

**[674-2020](#)**

AN EMERGENCY ORDINANCE Authorizing the Director of Public Safety to apply for and accept a grant from the U.S. Department of Homeland Security for the FY18 Port Security Grant Program; authorizing the acquisition of licenses; and authorizing the purchase and installation of a maritime radar security system, including associated equipment, maintenance and support for a period of three years.

**Sponsors:**

Matt Zone, Kevin Kelley and By Departmental Request

**Attachments:**

[Ord. No. 674-2020](#)

**[675-2020](#)**

AN EMERGENCY ORDINANCE Authorizing the Director of Public Safety to apply for and accept a grant from United States Department of Justice, COPS Office, under the 2020 COPS Hiring Program for the Operation Relentless Pursuit Program.

**Sponsors:**

Matt Zone, Kevin Kelley and By Departmental Request

**Attachments:**

[675-2020-Ap & Ac 2020 COPS grant for Operation Relentless Pursuit](#)

[675-2020-A-FILE - Ap & AC 2020 COPS Hiring for Operation Relentless Pursuit](#)

**[676-2020](#)**

AN EMERGENCY ORDINANCE To repeal and replace Ordinance No. 798-11, passed September 19, 2011 by enacting an ordinance to provide for the evaluation of Complete and Green Street elements in all construction and maintenance projects within the public right-of-way.

**Sponsors:**

Kerry McCormack

**Attachments:**

[676-2020-Complete and Green Streets](#)

[677-2020](#) AN EMERGENCY ORDINANCE Giving consent of the City of Cleveland to the County of Cuyahoga for the replacement of the Jefferson Avenue Bridge between West 3rd Street and the Cuyahoga River; authorizing the Director of Capital Projects to enter into agreements; and to apply for and accept an allocation of County Motor Vehicle License Tax Funds.

**Sponsors:** Kerry McCormack, Kenneth Johnson, Anthony Brancatelli, Kevin Kelley and By Departmental Request

**Attachments:** [677-2020-Consent Ag w County - Jefferson Ave Bridge](#)

[678-2020](#) AN EMERGENCY ORDINANCE Authorizing the Director of Capital Projects to issue a permit to Electric Gardens, LLC to encroach into the public right-of-way of West 4th Street by installing, using, and maintaining streetscape and landscape improvements.

**Sponsors:** Kerry McCormack, Kenneth Johnson, Anthony Brancatelli and By Departmental Request

**Attachments:** [Ord. No. 678-2020](#)

[679-2020](#) AN EMERGENCY ORDINANCE Authorizing the Director of Public Utilities to exercise the first option to renew the Joint Registration Agreement with The Medical Center Company, as authorized by Ordinance No. 1467-18, passed January 28, 2019.

**Sponsors:** Brian Kazy, Kevin Kelley and By Departmental Request

**Attachments:** [679-2020-Exercise option to renew Joint Registration Ag w Medical Center Corr](#)

[692-2020](#) AN EMERGENCY ORDINANCE Authorizing the Director of Public Safety to enter into one or more contracts with Avail Forensics for the acquisition of software and licenses for the Pathfinder Turn-Key Solution, for the Division of Police, Department of Public Safety; and authorizing the director to enter into an agreement with the Federal Bureau of Investigation to reimburse the City for expenses related to the City's acquisition of the software and licenses.

**Sponsors:** Matt Zone, Kevin Kelley and By Departmental Request

**Attachments:** [692-2020-K w Avail Forensics and reimbursement from FBI](#)

[693-2020](#) AN EMERGENCY ORDINANCE Authorizing the Director of Finance to enter into an agreement with the Cleveland Foundation to establish, manage, and implement the Greater Cleveland COVID-19 Rapid Response Fund Program by providing grants to local non-profits to assist them with COVID-19 related issues.

**Sponsors:** Kevin Kelley and By Departmental Request

**Attachments:** [693-2020-K w Cleveland Foundation for the COVID-19 Rapid Response Fund I](#)

- [694-2020](#) AN EMERGENCY ORDINANCE To vacate a portion of West 37th Place and West 36th Street.
- Sponsors:** Kerry McCormack, Kenneth Johnson, Anthony Brancatelli, Kevin Kelley and By Departmental Request
- Attachments:** [694-2020-Ord to vac portion of W 37 and W 36](#)
- [695-2020](#) AN EMERGENCY ORDINANCE To vacate a portion of the 1st un-named alley (10.00 feet wide) West of Bellaire Road and North of Guardian Boulevard.
- Sponsors:** Brian Mooney, Kenneth Johnson, Anthony Brancatelli, Kevin Kelley and By Departmental Request
- Attachments:** [695-2020-Ord to vac 1st unnamed alley w of Bellaire](#)
- [696-2020](#) AN EMERGENCY ORDINANCE To vacate a portion of Keene Court S.W. and West 31st Street.
- Sponsors:** Jasmin Santana, Kenneth Johnson, Anthony Brancatelli, Kevin Kelley and By Departmental Request
- Attachments:** [696-2020-Ord to vac portion of Keene Ct and W 31](#)
- [699-2020](#) AN EMERGENCY ORDINANCE To vacate a portion of Buettner Court.
- Sponsors:** Phyllis E. Cleveland, Kenneth Johnson, Anthony Brancatelli, Kevin Kelley and By Departmental Request
- Attachments:** [699-2020-Ord to vac portion of Buettner](#)
- [700-2020](#) AN EMERGENCY ORDINANCE Authorizing the Director of Public Safety to employ one or more professional consultants, computer software developers, or vendors to acquire licenses for, or to develop and implement, one or more Policy Management Systems and other related services, for the various divisions of the Department of Public Safety, for a period of one year, with three one-year options to renew, exercisable by the Director of Public Safety.
- Sponsors:** Matt Zone, Kevin Kelley and By Departmental Request
- Attachments:** [Ord. No. 700-2020](#)
- [701-2020](#) AN EMERGENCY ORDINANCE Authorizing the Director of Public Works to renew Lease Agreement No. CT 7001 LS 2015-14 with the Cleveland Browns Stadium Company, LLC for the lease of a limited access parking lot located on the south side of First Energy Stadium, for a term of one year, with four one-year options to renew, exercisable by the Director of Public Works.
- Sponsors:** Kerry McCormack, Kenneth Johnson, Kevin Kelley and By Departmental Request
- Attachments:** [701-2020-Renew lease with Cleveland Browns for media lot jdd \(2\)](#)

[702-2020](#) AN EMERGENCY ORDINANCE To repeal Chapter 163, Tree Commission, Sections 163.01 to 163.03, of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2044-92, passed December 7, 1992, and to supplement the codified ordinances by enacting new Chapter 163, Tree Commission, Sections 163.01 to 163.04 to re-establish the Tree Commission.

**Sponsors:** Brian Kazy and Kerry McCormack

**Attachments:** [702-2020-Repealing and re-establishing Chapter 163 Tree Commission-FINAL](#)

•Emergency Ordinances Read in Full and Passed

[686-2020](#) AN EMERGENCY ORDINANCE To amend Section 50 of Ordinance No. 323-15, passed March 30, 2015, as amended, relating to compensation for various classifications.

**Sponsors:** Kevin Kelley and By Departmental Request

**Attachments:** [686-2020-FOR PASSAGE-Amend Section 50 of payband, MCEO](#)  
[686+689+690-2020- For Passage letter](#)

[687-2020](#) AN EMERGENCY ORDINANCE Authorizing the Director of the Department of Public Works to enter into agreement with Cleveland Public Theatre for the Student Theatre Enrichment Program (STEP) through the use of Wards 3, 5, 12 and 15 Casino Revenue Funds.

**Sponsors:** Kerry McCormack, Phyllis E. Cleveland, Anthony Brancatelli and Matt Zone

**Attachments:** [687-2020-FOR PASSAGE-Cleveland Public Theatre Ordinance STEP 2020 Ca:](#)

[688-2020](#) AN EMERGENCY ORDINANCE Authorizing the Director of the Department of Public Works to enter into agreement with the Greater Collinwood Development Corporation for the Collinwood Observer Project through the use of Ward 8 Casino Revenue Funds.

**Sponsors:** Michael Polensek

**Attachments:** [688-2020-FOR PASSAGE-Collinwood Observer Ordinance Ward 8 2020](#)

[689-2020](#) AN EMERGENCY ORDINANCE Approving the collective bargaining agreement with Cleveland Association of Rescue Employees (CARE), Local 1975; and to amend Section 22 of Ordinance No. 323-15, passed March 30, 2015, as amended, relating to compensation for various classifications.

**Sponsors:** Kevin Kelley and By Departmental Request

**Attachments:** [689-2020-FOR PASSAGE-Ratify CBA collective bargaining agreement with CAI](#)  
[686+689+690-2020- For Passage letter](#)  
[689-2020-A-FILE - CBA CARE, payband Section 22](#)

[690-2020](#) AN EMERGENCY ORDINANCE Approving the collective bargaining agreement with International Local 100, AFSCME Ohio Council 8 AFL-CIO; and to amend Section 8 of Ordinance No. 323-15, passed March 30, 2015, as amended, relating to compensation for various classifications.

**Sponsors:** Kevin Kelley and By Departmental Request

**Attachments:** [690-2020-FOR PASSAGE-Ratify CBA collective bargaining agreement with Loc 686+689+690-2020- For Passage letter](#)  
[690-2020-A-FILE - CBA Local 100, payband 8](#)

•Ordinances Referred

[703-2020](#) AN ORDINANCE Changing the Use, Area, and Height Districts of a parcel of land east of Scranton Road and south of Kenilworth Avenue and adding an Urban Form Overlay District (Map Change 2614).

**Sponsors:** Kerry McCormack

**Attachments:** [703-2020-Zoning - E of Scranton, W of Kenilworth](#)

[704-2020](#) AN ORDINANCE Changing the Use, Area and Height Districts of a parcel of land on the Northwest side of Literary Road at the intersection of West 10th Street known as Permanent Parcel Number 004-12-091 and adding an Urban Form Overlay along the Literary Road Frontage (Map Change 2613).

**Sponsors:** Kerry McCormack

**Attachments:** [704-2020-Zoning - NWS of Literary](#)

•Emergency Resolutions Referred

[691-2020](#) AN EMERGENCY RESOLUTION Declaring the intent to vacate a portion of East 66th Place extending from Lexington Avenue to Quimby Avenue.

**Sponsors:** Basheer Jones, Kenneth Johnson, Anthony Brancatelli and By Departmental Request

**Attachments:** [691-2020-Int to vacate E 66](#)

•Emergency Resolutions Read in Full and Adopted

[680-2020](#)

AN EMERGENCY RESOLUTION Commemorating the 100th anniversary of the passage and ratification of the 19th Amendment to the Constitution, providing for women's suffrage.

**Sponsors:**

Anthony Brancatelli, Phyllis E. Cleveland, Jasmin Santana, Kevin Bishop, Kevin Conwell, Blaine Griffin, Anthony Hairston, Kenneth Johnson, Basheer Jones, Joseph Jones, Brian Kazy, Kevin Kelley, Kerry McCormack, Brian Mooney, Michael Polensek, Charles Slife and Matt Zone

**Attachments:**

[680-2020-FOR ADOPTION-100th anniv. womens suffrage](#)

[681-2020](#)

AN EMERGENCY RESOLUTION Strongly opposing the federal government's attempt to rush the 2020 Census count; demanding that the federal government return to the revised extended schedule to ensure an accurate count; and urging the Jackson administration to sign onto the California lawsuit challenging the decision to shorten the timeframe for completing the census.

**Sponsors:**

Kevin Kelley, Kevin Bishop, Anthony Brancatelli, Phyllis E. Cleveland, Kevin Conwell, Blaine Griffin, Anthony Hairston, Kenneth Johnson, Basheer Jones, Joseph Jones, Brian Kazy, Kerry McCormack, Brian Mooney, Michael Polensek, Jasmin Santana, Charles Slife and Matt Zone

**Attachments:**

[Res. No. 681-2020](#)

[682-2020](#)

AN EMERGENCY RESOLUTION Opposing Senate Bill 352 to modify municipal income tax employer withholding rules for COVID-19 related work-from-home employees.

**Sponsors:**

Charles Slife, Anthony Brancatelli, Kerry McCormack, Kevin Bishop, Phyllis E. Cleveland, Kevin Conwell, Blaine Griffin, Anthony Hairston, Kenneth Johnson, Basheer Jones, Joseph Jones, Brian Kazy, Kevin Kelley, Brian Mooney, Michael Polensek, Jasmin Santana and Matt Zone

**Attachments:**

[682-2020-FOR ADOPTION-opposing HB 352](#)

[683-2020](#)

AN EMERGENCY RESOLUTION Fixing the date of the next regular meeting of Council.

**Sponsors:**

Kevin Kelley

**Attachments:**

[683-2020-FOR ADOPTION-setting next Council Meeting \[9-9-2020\]](#)

[684-2020](#)

AN EMERGENCY RESOLUTION Designating Jennifer Heinert O'Leary and Rachel Nigro Scalish, individually, as designees of members of Cleveland City Council for the purposes of attending public records law training programs required under the Ohio Revised Code.

**Sponsors:**

Kevin Kelley

**Attachments:**

[684-2020-FOR ADOPTION-sunshine laws designees](#)

[685-2020](#)

AN EMERGENCY RESOLUTION Urging Secretary LaRose to immediately reverse his premature and unwarranted order banning off-site secure drop boxes for absentee ballots; and urging the City of Cleveland Law Department to explore whether a legal action to vindicate voting rights could be brought pursuant to the federal Voting Rights Act, the Help America Vote Act, the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution, and the Ohio Constitution and relevant statutes, guaranteeing all citizens their precious right to vote.

**Sponsors:**

Kevin Kelley, Kevin Bishop, Anthony Brancatelli, Phyllis E. Cleveland, Kevin Conwell, Blaine Griffin, Anthony Hairston, Kenneth Johnson, Basheer Jones, Joseph Jones, Brian Kazy, Kerry McCormack, Brian Mooney, Michael Polensek, Jasmin Santana, Charles Slife and Matt Zone

**Attachments:**

[Res. No. 685-2020](#)

[697-2020](#)

AN EMERGENCY RESOLUTION Objecting to the Order of Ohio Power Siting Board in the Icebreaker case, OPSB Case No. 16-1871-EI-BGN to prohibit Icebreaker's turbines from rotating and producing electricity all night for 8 months out of the year and strongly urging the Ohio Power Siting Board to grant Icebreaker's appeal in the case.

**Sponsors:**

Kevin Kelley, Matt Zone, Kenneth Johnson, Kevin Bishop, Anthony Brancatelli, Phyllis E. Cleveland, Kevin Conwell, Blaine Griffin, Anthony Hairston, Basheer Jones, Joseph Jones, Brian Kazy, Kerry McCormack, Brian Mooney, Michael Polensek, Jasmin Santana and Charles Slife

**Attachments:**

[Res. No. 697-2020](#)

**SECOND READING LEGISLATION****•Emergency Ordinances Passed**[498-2020](#)

AN EMERGENCY ORDINANCE Confirming the authority of the Cleveland Botanical Garden to charge admission fees and parking fees and to erect improvements on property leased or subleased to the Cleveland Botanical Garden, and authorizing the Director of Public Works to enter into a Fourth Supplemental Indenture of the Lease Agreement.

**Sponsors:**

Kevin Kelley

**Attachments:**

[498-2020-Cleveland Botanical Gardens lease agreement](#)

[499-2020](#)

AN EMERGENCY ORDINANCE To amend the title and Section 18 of Ordinance No. 588-17, passed June 5, 2017, relating to giving consent to the Director of Transportation of the State of Ohio to remove and replace the existing East 75th Street bridge; to supplement the ordinance by adding new Sections 7a, 7b, 7c, 7d, and 17a to add the authority to apply and accept additional funding; and to cause payment to the state for the City's share of the improvement.

**Sponsors:**

Phyllis E. Cleveland, Kenneth Johnson, Anthony Brancatelli, Kevin Kelley and By Departmental Request

**Attachments:**

[499-2020-CAP-Amend 588-17, E 75 bridge consent](#)

[499-2020 Executive Summary](#)

[499-2020 map](#)

[500-2020](#)

AN EMERGENCY ORDINANCE Authorizing the Mayor to apply to the District One Public Works Integrating Committee for state funding for the rehabilitation of a portion of Buckeye Road and to accept such funding; to apply for and accept gifts and grants from various entities for the improvement; authorizing the Director of Capital Projects to enter into contracts and agreements to design and construct the improvement and other agreements; and authorizing the Commissioner of Purchases and Supplies to acquire, accept, and record for right-of-way purposes real property and easements necessary to make the improvement.

**Sponsors:**

Blaine Griffin, Kenneth Johnson, Anthony Brancatelli, Kevin Kelley and By Departmental Request

**Attachments:**

[500-2020-CAP-Ap & Ac Issue I funding for Buckeye and other Ks \(1\)](#)

[500-2020 Executive Summary](#)

[500-2020 map](#)

[501-2020](#)

AN EMERGENCY ORDINANCE Giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio for improving Union Avenue from Broadway Avenue to Kinsman Road; to apply for and accept any gifts or grants from any public or private entity; authorizing the Director of Capital Projects to enter into any relative agreements; and causing payment of the City's share to the State for the cost of the improvement.

**Sponsors:**

Kevin Bishop, Phyllis E. Cleveland, Blaine Griffin, Kenneth Johnson, Anthony Brancatelli, Kevin Kelley and By Departmental Request

**Attachments:**

[501-2020-CAP-Consent w ODOT for Union rehab from Broadway to Kinsman \(](#)

[501-2020 Executive Summary](#)

[501-2020 map](#)

[502-2020](#) AN EMERGENCY ORDINANCE Giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio for resurfacing a portion of West 14th Street; to apply for and accept any gifts or grants from any public or private entity; authorizing the Director of Capital Projects to enter into any relative agreements; and causing payment of the City's share to the State for the cost of the improvement.

**Sponsors:** Kerry McCormack, Kenneth Johnson, Anthony Brancatelli, Kevin Kelley and By Departmental Request

**Attachments:** [502-2020-CAP-Consent with ODOT for W 14 improvements](#)  
[502-2020 Executive Summary](#)  
[502-2020 map](#)

[647-2020](#) AN EMERGENCY ORDINANCE Authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to apply for and accept a grant from the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County for the 2020-2021 Specialized Dockets Program; and authorizing the Director to enter into one or more contracts with various agencies, entities, or individuals to implement the grant.

**Sponsors:** Kevin Kelley and By Departmental Request

**Attachments:** [647-2020-Ap & Ac Specialized Dockets from ADAMHS Board, \(2\)](#)  
[647-2020-A-FILE - Ap & Ac grant for Specialized Dockets, Muni Ct](#)  
[Ord. 647-2020 Exec. Summary - ADAMS Board Muni Court](#)

[655-2020](#) AN EMERGENCY ORDINANCE Authorizing the Director of Economic Development to enter into a grant agreement with the Greater Cleveland Media Development Corporation dba Greater Cleveland Film Commission, or its designee, to assist with the general operating expenses of the organization.

**Sponsors:** Anthony Brancatelli, Kevin Kelley and By Departmental Request

**Attachments:** [655-2020-Grant w Greater Cleveland Media Dev w new marketing initiative, Filn](#)

[658-2020](#) AN EMERGENCY ORDINANCE Authorizing payment of membership dues of the City of Cleveland in the Northeast Ohio Areawide Coordinating Agency for fiscal year 2021.

**Sponsors:** Kevin Kelley and By Departmental Request

**Attachments:** [658-2020-Pay dues to NOACA membership](#)  
[Ord. 658-2020 Exec. Summary - NOACA Membership Dues 2021](#)

•Emergency Resolutions Adopted

[503-2020](#)

AN EMERGENCY RESOLUTION Declaring the intent to vacate a portion of Japan Court S.W.

**Sponsors:**

Kerry McCormack, Kenneth Johnson, Anthony Brancatelli and By Departmental Request

**Attachments:**

[503-2020-CAP-Int to vac portion of Japan Court](#)

[503-2020 Executive Summary](#)

[503-2020 map](#)

[504-2020](#)

AN EMERGENCY RESOLUTION Declaring the intent to vacate a portion of Lorain Court.

**Sponsors:**

Kerry McCormack, Kenneth Johnson, Anthony Brancatelli and By Departmental Request

**Attachments:**

[504-2020-CAP-Int to vac portion of Lorain Court](#)

[504-2020 Executive Summary](#)

[504-2020 map](#)

[625-2020](#)

AN EMERGENCY RESOLUTION Urging the Cleveland Metropolitan School District to change the name of Louis Agassiz Elementary School to Louis Stokes Elementary School.

**Sponsors:**

Brian Mooney, Kevin Conwell, Kevin Bishop, Anthony Brancatelli, Phyllis E. Cleveland, Blaine Griffin, Anthony Hairston, Kenneth Johnson, Basheer Jones, Joseph Jones, Brian Kazy, Kevin Kelley, Kerry McCormack, Michael Polensek, Jasmin Santana, Charles Slife and Matt Zone

**Attachments:**

[625-2020-urging renaming Agassiz School Louis Stokes Elementary](#)

**MISCELLANEOUS****MOTION TO EXCUSE THE ABSENCES****ADJOURN**