



City of Cleveland Memorandum
Justin M. Bibb, Mayor

December 18, 2024

The meeting of the Board of Control convened in the Mayor's office on Wednesday, December 18, 2024, at 3:06 p.m. with Acting Director Michele Comer presiding.


MEMBERS PRESENT: Acting Director Comer; Director Keane; Acting Director Laird; Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Martin O'Toole

ABSENT: Mayor Bibb; Directors Barrett, Francis

OTHERS PRESENT:

Elizabeth Crowe, Director Urban Analytics & Innovation	Sherry Ulery, Project Manager Finance
James DeRosa, Director Mayor's Office of Capital Projects	Nicholas Dulaney, Assistant Director Law Department
Stephanie Wernet, CITO Finance-ITS	Tomasz Kacki, Paralegal Law Department
Tiffany White Johnson, Commissioner Division of Purchases & Supplies	
Kim Roy Wilson, Commissioner Finance-ITS	
Anthony Bango, Office Manager Housing Development	
Jennifer Kipp, Manager of Urban Forestry Public Works	
Jennifer Wiman, Contract Compliance Officer Office of Equal Opportunity	
Dennis Kramer, Chief of Planning & Engineering Port Control	

On motions, the resolutions attached were adopted, except as may be otherwise noted. There being no further business, the meeting was adjourned at 3:14 p.m.


Vishnu Ganglani
Acting Secretary – Board of Control

BOARD OF CONTROL

Received ..12/12/24.....

Approved ..12/16/24.....

Adopted ..12/18/24.....

RESOLUTION No. 637-24

Acting Secretary

By: Director Barrett

BE IT RESOLVED by the Board of Control of the City of Cleveland that EsportScholar LLC is selected from a list of firms determined after a full and complete canvass by the Director of Finance as the firm to be employed by contract to supplement the regularly employed staff of several departments of the City to provide the professional services necessary to conduct the Esports Program, for a term of one (1) year, with one (1) one-year option to renew, exercisable by the Director of Finance.

BE IT FURTHER RESOLVED that the Director of Finance is authorized to enter into contract with EsportScholar LLC, based on its proposal dated November 12, 2024, which contract shall be prepared by the Director of Law, shall provide for the furnishing of the professional services described in the proposal, for a fee not to exceed \$146,121 for each of the initial one (1) year term and the optional one (1) one-year renewal term, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Acting Director Comer; Director Keane; Acting Director Laird; Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb; Directors Barrett, Francis

BOARD OF CONTROL

Received 12/12/24Approved 12/16/24Adopted 12/18/24RESOLUTION No. 638-24

Acting Secretary

By: Director Barrett

WHEREAS, Ordinance No. 1081-2024, passed November 25, 2024 by the Council of the City of Cleveland, discontinued the Division of Information Technology and Services and the Offices of Urban Analytics and Innovation, and Information Technology Planning, and established the Department of Innovation and Technology; and

WHEREAS, Section 77 of the Charter of the City of Cleveland require the concurrence of this Board of Control in the establishment or discontinuance of any department, division or office; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that this Board concurs in the discontinuance of the Division of Information Technology and Services and the offices of Urban Analytics and Innovation and Information Technology Planning, and in the establishment of the Department of Innovation and Technology effective January 1, 2025, under the terms and conditions set forth in Ordinance No. 1081-2024, passed by Cleveland City Council November 25, 2024.

BE IT FURTHER RESOLVED that the Secretary of the Board of Control is instructed to file a certified copy of this resolution with the Clerk of Council immediately upon the adoption of this resolution for attachment to Ordinance No. 1081-2024.

Yeas: Acting Director Comer; Director Keane; Acting Director Laird; Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb; Directors Barrett, Francis


Received . 12/12/24

Approved . 12/17/24

Adopted . 12/18/24

RESOLUTION No. 639-24

By: Director Keane


 Acting Secretary

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND, that any rates, charges, and fees for Electric service fixed by Ordinance No. 940-81, passed on March 8, 1982, as amended by Ordinance No. 1027-83, passed on May 6, 1983, that conflict with those fixed in this resolution are superseded and rescinded.

BE IT FURTHER RESOLVED THAT in accordance with Section 112 of the Charter of the City of Cleveland, rates, charges and fees for electric service or products of the Division of Cleveland Public Power, Department of Public Utilities, are fixed as follows, subject to approval of City Council:

Residential Rate Schedule

Effective January 1 of each applicable year, the following schedule is applicable to private single residences or to any individually metered family accommodation when service is used primarily for domestic and household purposes, as distinguished from commercial, professional or industrial purposes. Usage charges are not prorated. The charge used will correspond with the bill period end date.

(a) *Kilowatt Hour Charge.*

<u>KHW Per Month</u>	<u>Summer</u>				<u>Winter</u>		
	<u>2024</u>	<u>2025</u>	<u>2026</u>		<u>2024</u>	<u>2025</u>	<u>2026</u>
<u>First 1,000</u>	<u>\$0.0774</u>	<u>\$0.0888</u>	<u>\$0.0970</u>		<u>\$0.0655</u>	<u>\$0.0752</u>	<u>\$0.0821</u>
<u>All over 1,000</u>	<u>\$0.0752</u>	<u>\$0.0863</u>	<u>\$0.0943</u>		<u>\$0.0353</u>	<u>\$0.0405</u>	<u>\$0.0443</u>

(b) *Definition of Seasonal Rate.* For the purpose of this rate schedule, the summer rates shall be in effect during the months of June, July, August, September and October. The winter rate shall be in effect during the months of November, December, January, February, March, April and May.

(c) *Power Supply Recovery.* In accordance with Section 523.21, the Power Supply Recovery shall be determined and applied on a monthly basis by the Division of Cleveland Public Power.


(d) *Environmental and Ecological Adjustment.* An adjustment to the Power Supply Recovery shall be applied this rate as set forth and described in Section 523.17.

RESOLUTION No.

639-24

BOARD OF CONTROL
 Received 12/12/24
 Approved 12/17/24
 Adopted 12/18/24

By: Director Keane


 Acting Secretary

Small Commercial Rate Schedule

Effective January 1 of each applicable year, the following schedule is applicable to all commercial installations during any month in which such installation has a demand of less than thirty (30) kilowatts (KWD). Usage charges are not prorated. The charge used will correspond with the bill period end date.

(a) *Kilowatt Hour Charge.*

	<u>Summer</u>				<u>Winter</u>		
<u>KHW Per Month</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>		<u>2024</u>	<u>2025</u>	<u>2026</u>
<u>First 7,500</u>	<u>\$0.0679</u>	<u>\$0.0779</u>	<u>\$0.0851</u>		<u>\$0.0588</u>	<u>\$0.0675</u>	<u>\$0.0737</u>
<u>All over 7,500</u>	<u>\$0.0398</u>	<u>\$0.0457</u>	<u>\$0.0499</u>		<u>\$0.0309</u>	<u>\$0.0355</u>	<u>\$0.0387</u>

(b) *Definition of Seasonal Rate.* For the purpose of this rate schedule, the summer rate shall be in effect during the months of June, July, August, September and October. The winter rate shall be in effect during the months of November, December, January, February, March, April and May.

(c) *Special Service.* Standby, temporary, special, welding intermittent or extremely low load factor Service is not included in this schedule and shall be subject to special rates based upon cost as computed by the Division of Cleveland Public Power.

Applicants for these services may be charged with the cost of installing and furnishing such services as well as the cost of removal of such services at the discretion of the Division.

(d) *Combined billing.* At the option of the Division, commercial installations on the same premises may be combined on one (1) meter and billed under this schedule with the number of kilowatt hours in each block of the rate and the minimum charge multiplied by the number of commercial installations.

(e) *Plural Service Connections.* Where plural service connections supply a customer on the same premises, meter readings on one (1) commercial light service connection and on one (1) commercial power service connection may, at the option of the Division, be added for billing purposes, and meter readings on two (2) or more commercial connections supplying a customer on the same premises may be added for billing purposes at the option of the Division.

(f) *Environmental and Ecological Adjustment.* An adjustment to the Power Supply Recovery shall be applied to this rate as set forth and described in Section 523.17.

RESOLUTION No. 639-24

BOARD OF CONTROL
 Received 12/12/24
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By: Director Keane


 Acting Secretary

(g) *Power Supply Recovery.* In accordance with Section 523.21, the Power Supply Recovery shall be determined and applied on a monthly basis by the Division.

(h) *Flat Rate Billing.* This rate schedule may be used for billing installations where the consumption is constant, and the installation of a meter is not economic or practical, as determined by the Commissioner of the Division of Cleveland Public Power, or designee. The kilowatt hours used for billing shall be calculated based on the consumption characteristics of the device being billed. At the option of the Commissioner of the Division of Cleveland Public Power, the summer and winter kilowatt hour rates may be combined on a weighted basis to provide one rate.

(i) *Determination of Applicable Schedule.* In any month that the kilowatt demand (KWD) equals or exceeds thirty (30), the billing for that month shall be calculated using the Large Commercial Rate Schedules set forth in Section 523.04.

Large Commercial Rate Schedules

Effective January 1 of each applicable year, the following are applicable to all commercial installations during any month in which such installation has a demand equal to or greater than thirty (30) kilowatts (KWD) and less than ten thousand (10,000) kilowatts (KWD) and a kilowatt hour consumption of less than or equal to five hundred thousand (500,000). Usage charges are not prorated. The charge used will correspond with the bill period end date.

(a) *Demand Charge.*

	Summer				Winter		
Kilowatt Per Month	2024	2025	2026		2024	2025	2026
First 50	\$7.99	\$9.17	\$10.02		\$7.28	\$8.35	\$9.13
All over 50	\$6.92	\$7.94	\$8.68		\$6.33	\$7.26	\$7.94


(b) *Reactive Charge.*

	Summer				Winter		
Kilovar Per Month	2024	2025	2026		2024	2025	2026
In excess of 30	\$0.20	\$0.23	\$0.25		\$0.20	\$0.23	\$0.25

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By: Director Keane


 Acting Secretary

(c) *Kilowatt Hour Charge.*

	<u>Summer</u>				<u>Winter</u>		
<u>Kilowatt Per Month</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>		<u>2024</u>	<u>2025</u>	<u>2026</u>
<u>First 40,000</u>	<u>\$0.0331</u>	<u>\$0.0380</u>	<u>\$0.0415</u>		<u>\$0.0288</u>	<u>\$0.0330</u>	<u>\$0.0361</u>
<u>Next 60,000</u>	<u>\$0.0207</u>	<u>\$0.0238</u>	<u>\$0.0260</u>		<u>\$0.0173</u>	<u>\$0.0199</u>	<u>\$0.0217</u>
<u>All over 100,000</u>	<u>\$0.0166</u>	<u>\$0.0190</u>	<u>\$0.0208</u>		<u>\$0.0140</u>	<u>\$0.0161</u>	<u>\$0.0176</u>

(d) *Minimum Charge.* The monthly minimum charge shall be fifteen dollars and thirty-five cents (\$15.35), plus the Power Supply Recovery.

(e) *Maximum Charge.* The monthly maximum charge shall be twenty and one half cents (\$0.205)/KWH, plus the Power Supply Recovery.

(f) *Definition of Seasonal Rate.* For the purpose of this rate schedule, the summer rate shall be in effect during the months of June, July, August, September and October. The winter rate shall be in effect during the months of November, December, January, February, March, April and May.

(g) *Determination of Demand.* The kilowatt demand shall be determined monthly by demand measurements and shall be the maximum thirty (30) minute kilowatt demand during the month.

(h) *Determination of Reactive Demand.* For all three (3) phase installations where the kilowatt demand is sixty-five (65) or greater, and all single-phase installations where the kilowatt demand is seventy-five (75) or greater, the reactive billing demand shall be determined by multiplying the monthly kilowatt demand by the ratio of the monthly lagging reactive kilovolt ampere hours to the monthly kilowatt hours.

For all three (3) phase installations where the kilowatt demand is less than sixty-five (65), and all single-phase installations where the kilowatt demand is less than seventy-five (75), the reactive billing demand shall be zero.


(i) *Discount for Primary Metering.* Where the electric energy is metered on the primary (2,300 volts or higher) side of the service transformers, a discount of two percent (2%) of the gross primary Metered kilowatt hours may be allowed.

(j) *Voltage Supply Discount.* Where the electric energy is provided entirely from an eleven thousand (11,000) volt circuit, a discount of five cents (\$0.05) per kilowatt of demand billed may be allowed.

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By: Director Keane


Secretary

(k) *Substation Ownership Discount.* A discount of thirty cents (\$0.30) per kilowatt of demand Billed may be allowed when a customer owns, installs and maintains transformation and substation apparatus, Thereby relieving the Division of Cleveland Public Power of these costs.

(l) *Off-Peak Demand Allowance.* At the option of the Division, the billing demand may be the greater of the regularly incurred demand or eighty-five percent (85%) of the maximum demand incurred during off-peak periods.

The cost of special metering to determine such demand shall be charged to the customer.

Off-peak periods shall be from 12:00 a.m. until 8:00 a.m., Tuesday through Saturday, and from 4:00 p.m. Saturday through 8:00 a.m. Monday.

(m) *Special Service.* Direct current, standby, temporary, special, welding, intermittent or extremely low load and extremely low load factor service is not included in this schedule and shall be subject to special rates based upon cost as computed by the Division of Cleveland Public Power.

Applicants for these services may be charged with the cost of installing and furnishing such services as well as the cost of removal of such services at the discretion of the Division.

The monthly minimum charge shall be applied in the case of special services.

(n) *Combined Billing.* Where plural service connections supply a customer on the same premises, meter reading may, at the option of the Division, be added for billing purposes. The combined demand shall be the sum of the undiversified demands computed as for separate billing.

(o) *Environmental and Ecological Adjustment.* An adjustment to the Power Supply Recovery shall be applied to this rate as set forth and described in Section 523.17.

(p) *Power Supply Recovery.* In accordance with Section 523.21, the Power Supply Recovery shall be determined and applied on a monthly basis by the Division.

(q) *Determination of Applicable Schedule.* In any month that the kilowatt demand (KWD) is less than ten thousand (10,000) and the kilowatt hour consumption exceeds five hundred thousand (500,000), the billing for that month shall be calculated using the Small Industrial Rate Schedules set forth in Section 523.043.

In any month that the kilowatt demand (KWD) is less than thirty (30), the billing for that month shall be

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By: Director Keane

[Signature]
 Acting Secretary

calculated using the Small Commercial Rate Schedule set forth in Section 523.03.

Small Industrial Rate Schedules

Effective January 1 of each applicable year, the following schedules are applicable to all commercial installations during any month in which such installation uses more than five hundred thousand (500,000) kilowatt hours during the current month and has a demand of less than ten thousand (10,000) kilowatts. Usage charges are not prorated. The charge used will correspond with the bill period end date.

(a) *Demand Charge.*

	<u>Summer</u>				<u>Winter</u>		
<u>Kilowatt Per Month</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>		<u>2024</u>	<u>2025</u>	<u>2026</u>
<u>First 50</u>	<u>\$7.99</u>	<u>\$9.17</u>	<u>\$10.02</u>		<u>\$7.28</u>	<u>\$8.35</u>	<u>\$9.13</u>
<u>All over 50</u>	<u>\$6.92</u>	<u>\$7.94</u>	<u>\$8.68</u>		<u>\$6.33</u>	<u>\$7.26</u>	<u>\$7.94</u>

(b) *Reactive Charge.*

	<u>Summer</u>				<u>Winter</u>		
<u>Kilovar Per Month</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>		<u>2024</u>	<u>2025</u>	<u>2026</u>
<u>For KVAR excess of 30</u>	<u>\$0.20</u>	<u>\$0.23</u>	<u>\$0.25</u>		<u>\$0.20</u>	<u>\$0.23</u>	<u>\$0.25</u>

(c) *Kilowatt Hour Charge.*

	<u>Summer</u>				<u>Winter</u>		
<u>Kilowatt Per Month</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>		<u>2024</u>	<u>2025</u>	<u>2026</u>
<u>First 40,000</u>	<u>\$0.0331</u>	<u>\$0.0380</u>	<u>\$0.0415</u>		<u>\$0.0288</u>	<u>\$0.0330</u>	<u>\$0.0361</u>
<u>Next 60,000</u>	<u>\$0.0207</u>	<u>\$0.0238</u>	<u>\$0.0260</u>		<u>\$0.0173</u>	<u>\$0.0199</u>	<u>\$0.0217</u>
<u>Next 200 KWH/KWD but not less than 400,000 KWH</u>	<u>\$0.0166</u>	<u>\$0.0190</u>	<u>\$0.0208</u>		<u>\$0.0140</u>	<u>\$0.0161</u>	<u>\$0.0176</u>
<u>Next 200 KWH/KWD</u>	<u>\$0.0105</u>	<u>\$0.0120</u>	<u>\$0.0132</u>		<u>\$0.0084</u>	<u>\$0.0096</u>	<u>\$0.0105</u>
<u>All excess KWH</u>	<u>\$0.0056</u>	<u>\$0.0064</u>	<u>\$0.0070</u>		<u>\$0.0056</u>	<u>\$0.0064</u>	<u>\$0.0070</u>


(d) *Determination of Demand.* The kilowatt demand shall be determined monthly by demand

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By: Director Keane


Acting Secretary

measurements and shall be the maximum thirty (30) minute kilowatt demand during the month.

(e) *Definition of Seasonal Rate.* For the purpose of this rate schedule, the summer rate shall be in effect in the months of June, July, August, September and October. The winter rates shall be in effect during the months of November, December, January, February, March, April and May.

(f) *Determination of Reactive Demand.* The reactive billing demand shall be determined by multiplying the monthly kilowatt demand by the ration of the monthly lagging reactive kilovolt ampere hours to the monthly kilowatt hours.

(g) *Discount for Primary Metering.* Where the electric energy is metered on the primary (two thousand three hundred (2,300) volts or higher) side of the service transformers, a discount of two percent (2%) of the gross primary metered kilowatt hours may be allowed.

(h) *Voltage Supply Discount.* Where the electric energy is provided entirely from an eleven thousand (11,000) volt circuit, a discount of five cents (\$0.05) per kilowatt of demand billed may be allowed.

(i) *Substation Ownership Discount.* A discount of thirty cents (\$0.30) per kilowatt of demand billed may be allowed when a customer owns, installs and maintains transformations and substation apparatus, thereby relieving the Division of these costs.

(j) *Off-Peak Demand Allowance.* At the option of the Division, the billing demand may be the greater of the regularly incurred demand or eighty-five percent (85%) of the maximum demand incurred during off-peak periods.

The cost of special metering to determine such demand shall be charged to the customer.

Off-peak periods shall be from 12:00 a.m. until 8:00 a.m., Tuesday through Saturday, and from 4:00 p.m. Saturday through 8:00 a.m. Monday.

(k) *Special Service.* Direct current, standby, temporary, special, welding, intermittent or extremely low load factor service is not included in this schedule and shall be subject to special rates based upon cost as computed by the Division of Cleveland Public Power.


Applicants for these services may be charged with the cost of installing and furnishing such services as well as the cost of removal of such services at the discretion of the Division.

The monthly minimum charge shall be applied in the case of all special services.

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By: Director Keane


 Acting Secretary

(l) *Combined Billings.* Where plural service connections supply a customer on the same premises, meter readings may, at the option of the Division, be added for billing purposes. The combined demand shall be the sum of the undiversified demands computed as for separate billing.

(m) *Environmental and Ecological Adjustment.* An adjustment to the Power Supply Recovery shall be applied to this rate as set forth and described in Section 523.17.

(n) *Power Supply Recovery.* In accordance with Section 523.21, the Power Supply Recovery shall be determined and applied on a monthly basis by the Division.

(o) *Determination of Applicable Schedule.* In any month that the kilowatt demand (KWD) equals or exceeds ten thousand (10,000), the billing for that month shall be calculated using the Large Industrial Rate Schedules set forth in Section 523.047.

In any month that the kilowatt hour consumption is less than or equal to five hundred thousand (500,000), and the kilowatt demand (KWD) is less than ten thousand (10,000), the billing for that month shall be calculated using the Large Commercial Rate Schedules set forth in Section 523.04.

Large Industrial Rate Schedules

Effective January 1 of each applicable year, the following schedules are applicable to all commercial Installation during any month in which such installation has a demand of greater than ten thousand (10,000) Kilowatts. Usage charges are not prorated. The charge used will correspond with the bill period end date.


(a) *Demand Charge.*

<u>Kilowatt Per Month</u>	<u>Summer</u>				<u>Winter</u>		
	<u>2024</u>	<u>2025</u>	<u>2026</u>		<u>2024</u>	<u>2025</u>	<u>2026</u>
<u>First 5,000</u>	<u>\$8.43</u>	<u>\$9.67</u>	<u>\$10.57</u>		<u>\$7.68</u>	<u>\$8.81</u>	<u>\$9.63</u>
<u>All over 5,000</u>	<u>\$7.85</u>	<u>\$9.01</u>	<u>\$9.84</u>		<u>\$7.09</u>	<u>\$8.14</u>	<u>\$8.89</u>

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By: Director Keane


 Acting Secretary

(b) *Reactive Charge.*

	<u>Summer</u>				<u>Winter</u>		
<u>Kilovar Per Month</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>		<u>2024</u>	<u>2025</u>	<u>2026</u>
For KVAR in excess pf 10% of kilowatt demand	\$0.20	\$0.23	\$0.25		\$0.20	\$0.23	\$0.25

(c) *Kilowatt Hour Charge.*

	<u>Summer</u>				<u>Winter</u>		
<u>Kilowatt Per Month</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>		<u>2024</u>	<u>2025</u>	<u>2026</u>
<u>First 115 KWH/KWD</u>	Charges are included in the demand charge						
<u>Next 305 kwh/kwd</u>	\$0.0115	\$0.0132	\$0.0144		\$0.0092	\$0.0106	\$0.0115
<u>All excess KWH</u>	\$0.0050	\$0.0057	\$0.0063		\$0.0053	\$0.0061	\$0.0066

(d) *Determination of Demand.* The kilowatt demand shall be determined monthly by demand measurements and shall be the maximum thirty (30) minute kilowatt demand during the month.

(e) *Determination of Reactive Demand.* The reactive billing demand shall be determined by multiplying the monthly kilowatt demand by the ratio of the monthly lagging reactive kilovolt ampere hours to the monthly kilowatt hours.

(f) *Definition of Seasonal Rate.* For the purpose of this rate schedule, the summer rate shall be in effect in the months of June, July, August, September and October. The winter rates shall be in effect during the months of November, December, January, February, March, April and May.

(g) *Discount for Primary Metering.* Where the electric energy is metered on the primary (two thousand three hundred (2,300) volts or higher) side of the service transformers, a discount of two percent (2%) of the gross primary metered kilowatt hours may be allowed.


(h) *Voltage Supply Discount.* Where the electric energy is provided entirely from an eleven thousand (11,000) volt circuit, a discount of five cents (\$0.05) per kilowatt of demand billed may be allowed.

(i) *Substation Ownership Discount.* A discount of thirty cents (\$0.30) per kilowatt of demand billed may be allowed when a customer owns, installs and maintains transformation and substation apparatus,

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thereby relieving the Division of these costs.

(j) *Off-Peak Demand Allowance.* At the option of the Division, the billing demand may be the greater of the regularly incurred demand or eighty-five percent (85%) of the maximum demand incurred during off-peak periods.

The cost of special metering to determine such demand shall be charged to the customer.

Off-peak periods shall be from 12:00 a.m. until 8:00 a.m., Tuesday through Saturday, and from 4:00 p.m. Saturday through 8:00 a.m. Monday.

(k) *Special Service.* Direct current, standby, temporary, special, welding, intermittent or extremely low load factor service is not included in this schedule and shall be subject to special rates based upon cost as computed by the Division of Cleveland Public Power.

Applicants for these services may be charged with the cost of installing and furnishing such services as well as the cost of removal of such services at the discretion of the Division.

The monthly minimum charge shall be applied in the case of all special services.

(l) *Combined Billings.* Where plural service connections supply a customer on the same premises, meter readings may, at the option of the Division, be added for billing purposes. The combined demand shall be the sum of the undiversified demands computed as for separate billing.

(m) *Environmental and Ecological Adjustment.* An adjustment to the Power Supply Recovery shall be applied to this rate as set forth and described in Section 523.17.

(n) *Power Supply Recovery.* In accordance with Section 523.21, the Power Supply Recovery shall be determined and applied on a monthly basis by the Division.

(o) *Determination of Applicable Schedule.* In any month that the demand is less than ten thousand (10,000) kilowatts, the billing for that month shall be calculated using the Small Industrial Rate Schedules set forth in Section 523.043.

Capacity Enhancement Incentive Rate Schedules

The following schedules are applicable to all new commercial customers who have not received Cleveland Public Power service at their present location in the preceding two (2) years, who enter into a

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written ten (10) year contract for service anticipated to commence in 2010, who will be served by distribution capacity created as part of Cleveland Public Power's "Capacity Enhancement Program," and whose peak demand is equal to or in excess of one hundred fifty (150) kilowatts. The availability of this rate schedule shall be limited to the first one hundred thousand (100,000) kilowatts of peak demand contracted under this rate schedule, or such lower total as may be determined by the Division.

The rates and charges contained in paragraphs (a) through (h) of this schedule shall be fixed for the duration of the initial contract term. For all commercial installations during any month in which such installations has a demand of less than one hundred fifty (150) kilowatts, the appropriate standard rate schedule shall apply.

For all commercial installations during any month in which such installation has a demand of at least one hundred fifty (150) kilowatts and less than six hundred fifty (650) kilowatts:

(a) *Customer Charge per Month:* Ninety dollars and fifty-eight cents (\$90.58).

(b) *Demand Charge.*

Kilowatt Per Month	Summer	Winter
For the first 200 KWD	\$14.269/KWD	\$13.326/KWD
For all excess KWD	\$12.631/KWD	\$11.750/KWD

(c) *Reactive Charge.*

Kilovar Demand Per Month	Summer	Winter
For all KVAR in excess of 30	\$0.456/KVAR	\$0.456/KVAR

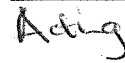
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(d) *Kilowatt Hour Charge.*

Kilowatt Per Month	Summer	Winter
For the first 200 KWH/KWD	\$0.06709/KWH	\$0.06365/KWH
For the next 200 KWH/KWD	\$0.05115/KWH	\$0.04790/KWH
For all excess KWH	\$0.04197/KWH	\$0.04017/KWH

For all commercial installations during any month in which such installation has a demand equal to or greater than six hundred fifty (650) kilowatts:

(e) *Customer Charge Per Month.* Two hundred twenty-six dollars and thirty-two cents (\$226.32).(f) *Demand Charge.*

Kilowatt Per Month	Summer	Winter
For the first 500 KWD	\$14.994/KWD	\$14.994/KWD
For the next 500 KWD	\$13.905/KWD	\$13.905/KWD
For all excess KWD	\$11.723/KWD	\$11.723/KWD

(g) *Reactive Charge.*

Kilovar Demand Per Month	Summer	Winter
For all KVARD in excess of 30	\$0.456/KVARD	\$0.456/KVARD

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(h) *Kilowatt Hour Charge.*

Kilowatt Per Month	Summer	Winter
For the first 150 KWH/KWD	\$0.06480/KWH	\$0.06480/KWH
For the next 150 KWH/KWD	\$0.05100/KWH	\$0.05100/KWH
For the next 150 KWH/KWD	\$0.03552/KWH	\$0.03552/KWH
For all excess KWH	\$0.01362/KWH	\$0.1362/KWH

(i) *Applicability.* This rate schedule shall be in effect for capacity enhancement contracts entered into with new commercial customers before December 31, 2024 and will remain in effect for the duration of the contract. Usage charges are not prorated. The charge used will correspond with the bill period end date. This rate schedule will no longer be available for new commercial customers who enter into new service contracts on or after January 1, 2025. After January 1, 2025, the commercial contract rates for new commercial customers shall be determined under Sections 523.03, 523.04, 523.043 or 523.0491.

(j) *Determination of Demand.* The kilowatt demand shall be determined monthly by demand measurements and shall be the maximum thirty (30) minute kilowatt demand during the month.

(k) *Determination of Reactive Demand.* The reactive billing demand shall be determined by multiplying the monthly kilowatt demand by the ratio of the monthly lagging reactive kilovolt ampere hours to the monthly kilowatt hours. At the Division's option, the reactive billing demand may be the metered reactive demand.

(l) *Definition of Seasonal Rate.* For the purpose of this rate schedule, the summer rate shall be in effect for bills rendered during the months of June, July, August, and September. The winter rate shall be in effect for bills rendered during the months of October, November, December, January, February, March, April and May.

(m) *Discount for Primary Metering.* Where the electric energy is metered on the primary (two thousand three hundred (2,300) volts or higher) side of the service transformers, a discount of two percent (2%) of the gross primary metered kilowatt hours may be allowed.

(n) *Substation Ownership Discount.* A discount of thirty cents (\$0.30) per kilowatt of demand billed

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may be allowed when a customer owns, installs and maintains transformation and substation apparatus, thereby relieving the Division of these costs.

(o) *Combined Billing.* At the option of the Division, where plural connections supply the same customer in the same general location, meter readings may be added for billing purposes and the combined demand shall be the coincident demand or the sum of the undiversified demands.

(p) *Transmission, Taxes, and Other Charges.* Customers under this schedule shall be charged for increases incurred after the adoption of this schedule for transmission service, costs or charges imposed by federal or state law, regulatory authorities, regional transmission operators, or reliability authorities/ organizations, and taxes of any kind, however measured, paid directly or indirectly by the City. The kWh tax prescribed by RC Chapter 5727, or any successor tax, shall be charged to the same extent as such tax is applied to customers under the standard CPP rate schedules.

Street Lighting Schedules

Effective January 1 of each applicable year, the following schedules are applicable to all electric street lighting service provided by the Division of Cleveland Public Power to governmental entities. Such service shall include installation and full maintenance. Usage charges are not prorated. The charge used will correspond with the bill period end date.

Any fixtures not identified in division (f) of this section, LED Street Lights will require express written approval from the Commissioner of the Division of Cleveland Public Power prior to installation.

(a) *Non-ornamental Lighting Service.*

<u>High Pressure Sodium (Watt)</u>	<u>KWH/Lamp</u>	<u>Monthly Rate /Lamp</u>		
		<u>2024</u>	<u>2025</u>	<u>2026</u>
<u>100</u>	<u>52</u>	<u>\$6.20</u>	<u>\$8.25</u>	<u>\$8.25</u>
<u>150</u>	<u>71</u>	<u>\$7.66</u>	<u>\$10.19</u>	<u>\$10.19</u>
<u>250</u>	<u>112</u>	<u>\$9.94</u>	<u>\$13.22</u>	<u>\$13.22</u>
<u>400</u>	<u>174</u>	<u>\$11.28</u>	<u>\$15.00</u>	<u>\$15.00</u>

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(b) Ornamental Lighting Services – Type I (thirty (30) ft. Steel Pole).

High Pressure Sodium (Watt)	KWH/Lamp	Monthly Rate /Lamp		
		2024	2025	2026
100	52	\$10.58	\$14.07	\$14.07
100 (E & M only)	52	\$6.15	\$8.18	\$8.18
150	71	\$12.04	\$16.01	\$16.01
150 (E & M only)	71	\$7.55	\$10.04	\$10.04
250	112	\$14.62	\$19.44	\$19.44
250 (E & M only)	112	\$9.25	\$10.61	\$10.61
400	174	\$18.00	\$23.94	\$23.94
400 (E & M only)	174	\$12.25	\$14.06	\$14.06

Fluorescent (Watt*)	KWH/Lamp	Monthly Rate /Lamp		
		2024	2025	2026
200	101	\$10.45	\$11.99	\$11.99

* Not available for new installation

(c) Ornamental Lighting Service – Type II (thirty (30) ft. Concrete Pole).

High Pressure Sodium (Watt)	KWH/Lamp	Monthly Rate/Lamp		
		2024	2025	2026
250	112	\$21.21	\$28.21	\$28.21
400	174	\$24.59	\$32.70	\$32.70

(d) Ornamental Lighting Service – Type III (forty-one (41) ft. Steel Pole w/Breakaway Base).

High Pressure Sodium (Watt)	KWH/Lamp	Monthly Rate/Lamp		
		2024	2025	2026
400	174	\$30.00	\$34.43	\$34.43

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(e) Street and Highway Lighting Service – Energy Only.

<u>High Pressure Sodium (Watt)</u>	<u>KWH/Lamp</u>	<u>Monthly Rate/Lamp</u>		
		<u>2024</u>	<u>2025</u>	<u>2026</u>
<u>100 (Controlled)</u>	<u>52</u>	<u>\$1.30</u>	<u>\$1.73</u>	<u>\$1.73</u>
<u>100 (Continuous)</u>	<u>110</u>	<u>\$2.75</u>	<u>\$3.66</u>	<u>\$3.66</u>
<u>150 (Controlled)</u>	<u>71</u>	<u>\$1.78</u>	<u>\$2.04</u>	<u>\$2.04</u>
<u>150 (Continuous)</u>	<u>150</u>	<u>\$3.75</u>	<u>\$4.30</u>	<u>\$4.30</u>
<u>200 (Controlled)</u>	<u>88</u>	<u>\$2.20</u>	<u>\$2.93</u>	<u>\$2.93</u>
<u>200 (Continuous)</u>	<u>185</u>	<u>\$4.63</u>	<u>\$5.29</u>	<u>\$5.29</u>

<u>High Pressure Sodium (Watt)</u>	<u>KWH/Lamp</u>	<u>Monthly Rate/Lamp</u>		
		<u>2024</u>	<u>2025</u>	<u>2026</u>
<u>250 (Controlled)</u>	<u>112</u>	<u>\$2.80</u>	<u>\$3.72</u>	<u>\$3.72</u>
<u>250 (Continuous)</u>	<u>236</u>	<u>\$5.90</u>	<u>\$6.77</u>	<u>\$6.77</u>
<u>400 (Controlled)</u>	<u>174</u>	<u>\$4.35</u>	<u>\$5.79</u>	<u>\$5.79</u>
<u>400 Continuous)</u>	<u>366</u>	<u>\$9.15</u>	<u>\$10.50</u>	<u>\$10.50</u>
<u>1000 (Controlled)</u>	<u>396</u>	<u>\$9.90</u>	<u>\$13.17</u>	<u>\$13.17</u>

<u>Metal Halide (Watt)</u>	<u>KWH/Lamp</u>	<u>Monthly Rate/Lamp</u>		
		<u>2024</u>	<u>2025</u>	<u>2026</u>
<u>1000 (Controlled)</u>	<u>391</u>	<u>\$9.78</u>	<u>\$11.22</u>	<u>\$11.22</u>

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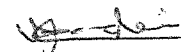
f) LED Street Lights.

<u>LED Type</u>	<u>Existing HID Wattage</u>	<u>Equivalent LED Wattage</u>	<u>Monthly Rate Lamp</u>	
			<u>2025</u>	<u>2026</u>
Cobra Head	150	47	\$5.56	\$5.56
Cobra Head – 480 V	150	47	\$5.56	\$5.56
Cobra Head	250	111	\$7.65	\$7.65
Cobra Head – 480 V	250	111	\$7.65	\$7.65
Cobra Head	400	194	\$32.34	\$32.34
Cobra Head – 480 V	400	196	\$32.34	\$32.34
Ornamental Epic – Bell	175	80	\$71.49	\$71.49
Ornamental Epic – Bell	400	150	\$71.53	\$71.53
Ornamental Acorn w/Cage	71	71	\$44.50	\$44.50
Ornamental Acorn wo/Cage	104	71	\$44.50	\$44.50
Ornamental Round	150	75	\$41.76	\$41.76
Ornamental Octogonal	150	60	\$44.50	\$44.50
Ornamental Octogonal	250	80	\$44.50	\$44.50
Ornamental Icon (Small)	175	75	\$30.93	\$30.93
Ornamental Icon	400	150	\$50.82	\$50.82
Ornamental Tear Drops	400	200	\$54.61	\$54.61
Ornamental Tear Drops – 480 V	400	200	\$54.61	\$54.61
Shoebox Classic	150	87	\$5.56	\$5.56
Shoebox Classic – 480 V	150	87	\$5.56	\$5.56
Shoebox Classic	250	143	\$7.65	\$7.65
Shoebox Classic – 480 V	250	143	\$7.65	\$7.65
Shoebox Classic	400	163	\$32.34	\$32.34
Shoebox Classic – 480 V	400	163	\$32.34	\$32.34
Shoebox Deluxe/E Cobra	400	262	\$32.34	\$32.34
Wallpack	150	40	\$16.23	\$16.23
Wallpack	250	55	\$16.23	\$16.23
Wallpack	400	70	\$29.15	\$29.15
Wallpack – 480 V	400	70	\$29.15	\$29.15

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(g) *Terms and Conditions.*

(1) Street lights will be operated by time clock, photoelectric control, or similar technology, to provide illumination from dusk to dawn, unless illumination is specified as continuous.

(2) The Division of Cleveland Public Power pays for the entire installation of the fixture and amortizes the cost through the monthly rate.

If the installation is paid for by governmental entities and the Division maintains the installation:

i. If Non-LED lights, the Division shall charge the appropriate "energy and maintenance only" (E & M only) rate;

ii. If LED lights, the Division shall provide a thirty percent (30%) discount off the appropriate rate found in the division (f) of this section.

If the installation is paid for and maintained by governmental entities:

i. If Non-LED lights, the Division shall charge the appropriate "energy only" rate;

ii. If LED lights, the Division shall provide a sixty percent (60%) discount off the appropriate rate found in the division (f) of this section.

(3) The Division may, at its discretion, meter "energy only" installations. If such an Installation is metered, the energy shall be billed at the same rate as the traffic signal service rate schedules in division (a) of Section 523.065.

(4) "Non-ornamental lighting service" means lights of an overhead-type construction where the supply circuits are overhead wires and the lights are attached or suspended from wooden poles, trolley poles or are wall-mounted.

(5) "Ornamental lighting service" means all lights other than non-ornamental including lights of an underground-type construction where the supply circuits are underground cables and lights are attached to ornamental standards; lights of an overhead construction where supply circuits are overhead and the lights are attached to ornamental poles; and the lights that are wall-mounted in which the supply circuit is enclosed in conduit.

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(h) *Environmental and Ecological Adjustment.* An adjustment to the Power Supply Recovery shall be applied to this rate as set forth and described in Section 523.17.

(i) *Power Supply Recovery.* In accordance with Section 523.21, the Power Supply Recovery shall be determined and applied on a monthly basis by the Division.

(j) For any street light fixtures not listed above, the Division of Cleveland Public Power shall select the rate that most closely resembles the type of fixture from the above schedules and shall base energy charges on the rated consumption of the fixture.

(k) For any Street Lights powered by other utilities, the Division shall charge each governmental entity the applicable fixture charge in divisions (a), (b), (c), (d), (e) or (f) of this section and the energy cost charged to the Division of Cleveland Public Power by the applicable entity, but not the Power Supply Recovery in division (i) of this section.

Protective Lighting Schedules

(a) Effective January 1 of each applicable year, the following schedules are applicable to all protective lighting service provided by the Division of Cleveland Public Power. Such service shall include installation and full maintenance. Usage charges are not prorated. The charge used will correspond with the bill period end date.

Rates are not available for new installation without written pre-approval from CPP.

<u>Area Lighting</u>	<u>KWH/Lamp</u>	<u>Monthly Rate/Lamp</u>		
		<u>2024</u>	<u>2025</u>	<u>2026</u>
<u>100 Watt High Pressure Sodium</u>	<u>52</u>	<u>\$12.67</u>	<u>\$14.54</u>	<u>\$15.88</u>
<u>250 Watt High Pressure Sodium</u>	<u>112</u>	<u>\$15.16</u>	<u>\$17.40</u>	<u>\$19.01</u>
<u>400 Watt High Pressure Sodium</u>	<u>174</u>	<u>\$19.14</u>	<u>\$21.96</u>	<u>\$23.99</u>

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<u>1000 Watt High Pressure Sodium</u>	<u>391</u>	<u>\$27.85</u>	<u>\$31.96</u>	<u>\$34.91</u>


<u>Flood Lighting</u>	<u>KWH/Lamp</u>	<u>Monthly Rate/Lamp</u>		
		<u>2024</u>	<u>2025</u>	<u>2026</u>
<u>250 Watt High Pressure Sodium</u>	<u>112</u>	<u>\$14.41</u>	<u>\$16.54</u>	<u>\$18.07</u>
<u>400 Watt High Pressure Sodium</u>	<u>174</u>	<u>\$20.45</u>	<u>\$23.47</u>	<u>\$25.64</u>
<u>1000 Watt High Pressure Sodium</u>	<u>391</u>	<u>\$29.05</u>	<u>\$33.33</u>	<u>\$36.42</u>

(a) *LED Protective Lighting.*

<u>LED Type</u>	<u>Existing HID Wattage</u>	<u>Equivalent LED Wattage</u>	<u>Monthly Rate/Lamp</u>	
			<u>2025</u>	<u>2026</u>
<u>Cobra Head</u>	<u>150</u>	<u>47</u>	<u>\$8.34</u>	<u>\$8.34</u>
<u>Cobra Head – 480 V</u>	<u>150</u>	<u>47</u>	<u>\$8.34</u>	<u>\$8.34</u>
<u>Cobra Head</u>	<u>250</u>	<u>111</u>	<u>\$11.48</u>	<u>\$11.48</u>

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<u>Cobra Head – 480 V</u>	<u>250</u>	<u>111</u>	<u>\$11.48</u>	<u>\$11.48</u>
<u>Cobra Head</u>	<u>400</u>	<u>194</u>	<u>\$48.51</u>	<u>\$48.51</u>
<u>Cobra Head – 480V</u>	<u>400</u>	<u>196</u>	<u>\$48.51</u>	<u>\$48.51</u>
<u>Cobra Head</u>	<u>1000</u>	<u>280</u>	<u>\$55.22</u>	<u>\$55.22</u>

(c) *LED Flood Lighting.*

<u>LED Flood Lighting</u>	<u>LED Wattage</u>	<u>Monthly Rate/Lamp</u>	
		<u>2025</u>	<u>2026</u>
<u>180 Watt LED</u>	<u>180</u>	<u>\$34.50</u>	<u>\$34.50</u>
<u>270 Watt LED</u>	<u>270</u>	<u>\$48.12</u>	<u>\$48.12</u>
<u>270 Watt LED (2,200 k)</u>	<u>270</u>	<u>\$53.37</u>	<u>\$53.37</u>
<u>390 Watt LED</u>	<u>390</u>	<u>\$51.83</u>	<u>\$51.83</u>

(d) Protective lighting and flood lighting shall be operated by time clock, photoelectric control or Similar technology, to provide illumination from dusk.

(e) *Environmental and Ecological Adjustment.* An adjustment to the Power Supply Recovery shall be applied to this rate as set forth and described in Section 523.17.

(f) *Power Supply Recovery.* In accordance with Section 523.21, the Power Supply Recovery shall be determined and applied on a monthly basis by the Division.

(g) For any powered bulbs not listed above, the Division shall base charges on the wattage rating used per bulb. For protective lighting and flood lighting that do not have a wattage rating, the Division of Cleveland Public Power shall select the rate that most closely resembles the type of fixture from the above schedules.

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Traffic Signal Service Rate Schedules

Effective January 1 of each applicable year, the following schedules are applicable to all energy sold to governmental entities for the purpose of traffic signal service. Usage charges are not prorated. The charge Used will correspond with the bill period end date.

(a) *Kilowatt Hour Charge.*

	Rates		
	2024	2025	2026
Traffic Signal Service Rate	\$0.023	\$0.026	\$0.029

(b) *Environmental and Ecological Adjustment.* An adjustment to the Power Supply Recovery shall be applied to this rate as set forth and described in Section 523.17.

(c) *Power Supply Recovery.* In accordance with Section 523.21, the Power Supply Recovery shall be determined and applied on a monthly basis by the Division.

Provisions Governing Advance Deposits

(a) A cash deposit equal to one hundred thirty percent (130%) of the estimated average bill may be required as security for the payment of services rendered. The applicant and/or consumer may, however, file a satisfactory guarantee with the Division of Cleveland Public Power that will serve to ensure payment of bills. All such guarantees, written or otherwise, shall be subject to the approval of the Division. If a deposit is required, it shall be billed at the time of application for service.

(b) A cash deposit may be required to cover the entire cost of line extensions or service connections which do not form a part of the permanent distribution system or in such cases where the revenue received by the Division will not be sufficient to cover the carrying charges thereof.

(c) Failure of the consumer to give advance notice of termination of service may result in forfeiture of the security deposit.

(d) No cash or guaranteed deposit shall be refunded or released until termination of service is complete and after all unpaid bills or other indebtedness to the Division have been paid in full. A cash deposit may be refunded, however, if the consumer files a satisfactory guarantee with the Division in lieu thereof.

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(e) No cash deposit will be refunded except where sufficient revenue either has been collected or is anticipated to cover carrying charges for line extensions and service connections, as hereinbefore described.

Delinquent Accounts

(a) If a statement rendered to a consumer is not paid on or before the due date stated thereon, the consumer's account shall be termed "delinquent" and shall be subject to discontinuation of service.

(b) The Division of Cleveland Public Power shall give notice to the consumer prior to termination of service. The first notice shall be sent by first class mail at least ten (10) calendar days prior to the date after which termination could occur. If the Division receives no response from the consumer within five (5) days after the date of mailing of the first notice, then a second notice shall be sent by first class mail, or personal contact shall be made with an adult on the premises (telephone or physical visitation). All notices shall be provided to the account name and address and, if different, to the address where service is provided, as well as any other party previously designed by a residential customer to receive a copy of a termination notice. The termination notice shall be provided to residential customers in alternative languages where appropriate.

(c) When terminating service to elderly or handicapped residential customers, the Division's final notice shall be by personal contact with an adult on the premises (telephone or physical visitation). If personal contact cannot be made, the notice of termination shall be posted in a conspicuous location at the service address at least forty-eight (48) hours (two (2) working days) before the date after which termination could occur.

For the purpose of this section, "elderly" means any residential customer, sixty-two (62) years of age or older, who resides at the service address and who has notified the Division of his or her status. For purpose of this section, "handicapped" means any residential customer who resides at the service address and has any physical or mental impairment which substantially limits one (1) or more of such person's life activities, and such person:

(1) Is certified and being physically disabled by a licensed physician; Or

(2) Is certified as being mentally disabled by a licensed psychiatrist, registered psychologist, Veterans Administration, Social Security Administration or local board of health; and


(3) Has notified the Division of his or her status.

(d) Tenants who pay for electric service as part of their rent in master-metered buildings, shall be individually notified, when practical, of any proposed termination. Tenants shall be collectively notified by

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posting a termination notice in a conspicuous location, such as near mailboxes, building entrances and exits or other areas of common usage. Tenants may collectively pay the delinquent amount in order to avoid termination of service.

(e) A notice of termination of service shall include the following information:

- (1) The name, address and account number of the customer to be terminated;
- (2) A statement of the reasons for the termination;
- (3) The date after which the termination could occur;
- (4) The charge for service reconnection;

(5) A statement that the consumer has the right to appear before a Arbitration Panel to present objections and to examine all data related to his or her account; and

(6) In cases where termination is based on failure to pay, the amount owed, the time period over which the amount was incurred and whether the amount was based on actual meter readings or on an estimated consumption.

(f) The Division shall determine when termination of service to a customer would be especially dangerous to health because of extreme environmental conditions or because a residential customer or party residing at the customer's address has provided the Division with certification by a licensed physician that he or she is likely to become seriously ill or more seriously ill if such service is terminated. The Division shall not terminate service during the time any such condition exists, provided that the customer furnishes sufficient information to the Division's customer service representative to establish, to the satisfaction of the Division, that:


- (1) He or she is unable to pay for such service; or
- (2) He or she is able to pay for such service but only in installments.

Upon establishment of the customer's eligibility for relief under this section, the Division shall refrain from terminating service so long as the conditions established prevail. The Division may, from time to time, require recertification of serious illness, if applicable. The Division shall make arrangements with the customer for the payment of delinquent bills in installments, taking into consideration the amount of money owed, the customer's ability to pay, the customer's payment history, the time that the debt has been out-

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standing, the reasons why the debt has been outstanding and any other relevant factor. If a customer does not meet the requirements of such installment plan, service shall be subject to termination upon notice given after such failure to pay, in accordance with divisions (a) through (c) hereof.

(g) All disputes regarding any of the provisions of Chapter 523 or rates charged thereunder shall shall be arbitrated before a Cleveland Public Power Panel as set forth in Section 523.115.

Special Charges

The following services changes may be charged by the Division of Cleveland Public Power:

(a) *Penalty for Late Payments.*

<u>Service</u>	<u>Charge</u>
Penalty for late payment of large commercial, Small industrial, large industrial, street lighting and traffic signal invoices	1.5% per month on unpaid balance

(b) *Disconnect/Reconnect at Meter or Pole/Service Fee.*

<u>Service</u>	<u>Charge</u>
Reconnect at Meter Fee – First Trip within a rolling 12 month period	\$8.00
Reconnect at Meter Fee – Second trip within a rolling 12 month period and trips thereafter	\$35.00
Reconnect at Meter Fee – Customer Reconnection-Faulty Meter Investigation	\$35.00
Disconnect/Reconnect at Pole Fee – Per Trip	\$232.00
Disconnect/Reconnect at Pole Fee – Per Trip after working hours	\$310.00

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(c) *Temporary Service.*

<u>Service</u>	<u>Charge</u>
Temporary Electric Service	Actual cost (\$120.00 min.)

(d) *Refasten/Relocate Facilities.*

<u>Service</u>	<u>Charge</u>
Loosen/Refasten Service Pipe After Construction	Actual cost (\$80.00 min.)

(e) *Meter Test.*

<u>Service</u>	<u>Charge</u>
Meter Test At Customer Request	\$84.00

(f) *Repeat Trip/Broken Appointment.*

<u>Service</u>	<u>Charge</u>
Repeat Trip / Broken Appointment (within 24 Hours of appointment time)	\$80.00

(g) *Special Service Calls.*

<u>Service</u>	<u>Charge</u>
Special Service Calls	\$80.00


(h) *Investigation Fee – Charge 175.00.*

<u>Service</u>	<u>Charge</u>
Investigation Fee	\$175

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(i) For purposes not named in the foregoing sections, of for use of power under special circumstances, special rates shall be established by the Commissioner of the Division of Cleveland Public Power.

Faulty Meters

Whenever a meter has failed to register correctly, the bill for such period shall be adjusted on the basis of the estimated amount of electricity used. In the event that a meter should be found to be registering incorrectly due to tampering or any illegal device attached thereto, electrical service will be discontinued immediately without notice. In the event the customer commits or is the beneficiary of any tampering or fraudulent practice in obtaining electric service, the Division of Cleveland Public Power shall assess the customer a investigation charge as stated in Section 523.12. The charge shall also be assessed where any connection or device is found on the service entrance equipment or premises of the customer or consumer which prevents the meter from accurately registering total consumption used or to be used, or where the service entrance equipment or other property used to supply electric service has been altered to avoid accurate metering or has been damaged.

The Division of Cleveland Public Power shall also assess the customer an estimated or actual bill representing the electric service fraudulently or falsely obtained and the actual costs to repair or replace any damaged or missing service entrance equipment or other property used to supply electric service. The customer shall also be assessed any additional charges for all costs or disconnection and reconnection as stated in Section 523.12.

Power Supply Recovery

(a) An additional charge for fuel, power production, and purchase power costs shall be applied to the rates prescribed in Sections 523.02 to 523.065 and any other rate schedules as may be adopted by the City.


(b) The charge shall be based on the power cost, per kilowatt hour delivered calculated under divisions (c)(1) and (c)2 of this section.

(c) (1) The power supply costs per kilowatt hour for residential ratepayers shall be determined by dividing the sum of the cost of the kilowatt hours purchased from the Power Authority of the State of New York (PASNY) and the average cost of kilowatt hours purchased or produced from other sources needed to Supply the residential customers by the total kilowatt hours distributed to residential customers. The charge calculated herein shall be adjusted by subtracting fifteen (15) mils per kilowatt hour for residential customers who provide the Division of Cleveland Public Power with a certificate of reduction of taxes obtained pursuant to the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code, and nine

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and three-quarters (9.75) mils per kilowatt hour for all other residential customers.

(2) Except as provided in Section 523.048, the power supply costs per kilowatt hour for all other ratepayers, shall be determined by dividing the sum of the total power supply costs by the total kilowatt hours distributed, except that the computation shall exclude the cost of PANSY power and the amount of PANSY power allocable to kilowatt hours distributed. The charge calculated herein shall be adjusted by subtracting three (3.0) mils per kilowatt hour.

(d) At the end of the month, the Division of Cleveland Public Power shall determine the actual power supply costs during such month as herein provided and may adjust this charge for future months to defer or over-recover the total power supply costs in order to stabilize customer bills.

Pole and Achor Attachments; Fee

The following schedule is applicable to any attachment of communication facilities to poles owned by the Division of Cleveland Public Power ("attachments") by any person or entity ("permittee") other than a joint owner of such pole or a party to any joint use agreement.

(a) *Application for Attachment.* Any person or entity desiring to install attachments shall make a written request for permission to install attachments on any pole owned by the Division of Cleveland Public Power. The request shall specify the location of each pole, the identifying number of each pole, the nature of the proposed attachment and the amount and location of space desired. Within thirty (30) days after receipt of a written request, the Division shall notify the applicant whether or not it will permit the attachment and under what conditions. The Division shall have the sole right to determine whether an attachment would adversely affect its electric utility services and its ability to provide such services in an economic and safe manner, including considerations for the future needs of its customers.

(b) *Conditions of Attachment.* All attachments shall be placed on Division's poles in a manner satisfactory to the Division and shall not interfere with the present or future use of the pole by the Division. All attachments shall be installed and at all items maintained by the permittee so as to comply with the requirements of the National Electrical Safety Code and other applicable Federal, State, County, or Municipal codes, as well as operating procedures of the Division of Cleveland Public Power. The permittee shall be responsible for obtaining any right, license or permit from any governmental body, authority, or other person or persons which may be required for the construction and maintenance of the attachments of the permittee, including easements, rights-of-ways, or rights of entry upon premises.


If the Division desires to replace an existing pole, or add facilities to an existing pole, to which the permittee has made attachments, the permittee shall, where required by the Division, relocate its facilities at its

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own expense.

In the event that a permittee fails to make or maintain any attachments in conformance to all applicable codes and procedures, the Division, after fifteen (15) days' written notice, shall have the right to make, or cause to be made, the necessary corrections or shall have the right to remove such attachments, without liability, at the entire expense of the permittee.

In the event of any emergency which, in the opinion of the Division, affects or threatens to affect the operations of the Division, the Division shall have the right to perform such detachment, disconnection, relocation or alteration, at the permittee's expense, of such attachments as may be necessary to meet such emergency.

(c) *Attachment Rental Fee.*

<u>Service</u>	<u>Charge</u>
Pole Attachment per Month	\$0.36
Each Anchor Attachment per Month	\$0.58

Attachment rental fee shall be billed monthly and shall be due and payable on or before twenty-one (21) calendar days following the date on which the bill is issued. Payments received after the due date shall be subject to the same penalty as prescribed in Section 523.12. The bill for attachment rental fees will reflect the total number of attachments in place during the previous month.

Within five (5) days following the end of each calendar month, the permittee shall notify the Division, in writing, of the completion of all attachments, or removal thereof, during the preceding month.

The Commissioner of the Division of Cleveland Public Power may waive the monthly pole fee, and as an alternative to the monthly pole attachment fee, the Commissioner of the Division of Cleveland Public Power, at his or her discretion, may charge the per pole attachment rental fees on an annual basis. Any payments for authorized annual rental fees shall be made in advance on the 31st day of January of each year.

(d) *Reimbursement of Costs.* If attachment to the Division's poles imposes on the Division costs which would not otherwise be incurred, the party requesting attachment shall reimburse the Division for all such costs. Such costs may include, but are not necessarily limited to any change in or strengthening of poles, any rearrangement, alteration or addition, or other changes in existing facilities, which in the opinion of the Division are necessary to accommodate the attachments of the party or entity requesting an attachment. Such costs

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may also include billing, engineering, and any necessary evaluation of the applicant's request for attachment. The Division reserves the right to require the permittee to have all necessary work performed at the permittee's expense by a contractor engaged by the permittee and approved by the Division, performing work in construction standards of the Division.

(e) *Multiple Applicants for Attachment.* When the Division receives application from more than one (1) applicant for permission to attach to any pole and, because of such multiple attachments, either the pole must be replaced or the facilities thereon must be rearranged to provide additional space for the attachments, the Division may apportion the additional total costs resulting from the pole replacement or rearrangement among all permittees. Such apportioned costs shall include common engineering, material and other expenses which result from the multiple applications and the multiple attachments. The permittee shall be bound by the Division's determination as to any such apportionment of costs.

(f) *Power Supplies and Amplifiers.* Power supplies and amplifiers may be mounted on the Division's poles at the sole discretion of the Division. Permittee shall request permission to mount such facilities in writing to the Division. The location and design shall be approved by the Division prior to installation.

Any electric service for power supplies and amplifiers shall be paid for by the permittee at the Division's applicable electric rate. The meter, if required, will be furnished by the Division. The meter base will be furnished by the Division and installed by the permittee according to standards set forth by the Division. The Permittee's service conductors, if required, shall be furnished and installed by the permittee with weatherhead included. Sufficient conductor shall be left to reach the Division's secondary circuit. The permittee shall ensure that all equipment is effectively grounded to an earth ground, separate and apart from any ground wire

Power supplies and amplifiers will not be permitted on poles which have transformers, reclosers, cut-outs, oil switches, capacitors, or other equipment of a size or type which would impair climbing or working space if an additional pole-mounted facility were installed. Power supplies and amplifiers may be prohibited in situations deemed sensitive from the standpoint of pole line appearance. The permittee shall install all of its attachments so as not to interfere with climbing space as defined by the National Electrical Safety Code or specifically defined by the Division.

(g) *Inspection of Facilities.* The Division shall have the right to inspect each installation of the permittee upon its poles and thereafter to make periodic inspections. The permittee shall reimburse the Division for the expense of such inspection, which reimbursement for any pole subject hereto, shall not exceed in any the expense of one (1) inspection.

The right to make such inspections and any inspection made shall not impose any obligation or liability on the Division nor shall it relieve the permittee of any responsibility, obligation or liability.

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(h) Indemnification. The permittee shall indemnify, hold harmless, and defend the Division from and against any and all actions or causes of actions, claims, demands, liabilities, loss, damage, or expense whatsoever, including attorney's fees, which that Division may suffer or incur by reason of the failure of the permittee to secure any right, license, permit, or easement required for the construction or maintenance of permittee's attachments to the Division's poles, by reason of interruption of permittee's service to permittee's subscribers, by reason of bodily injury, including death, to any person or persons, or by reason of damage to or destruction of any property, including the loss of use thereof, arising out of or in any manner connected with the facilities of the permittee to be installed hereunder, or the installation, maintenance, removal, rearrangement or alteration of such facilities by the Division or permittee, or which the Division may sustain or incur in connection with any litigation, investigation, or other expenditures incident thereto including any suit instituted to enforce contractual obligations whether or not due in whole or part to any act, omission, or negligence of the Division, or any of its representatives or employees.

Commercially Contracted Alternative Rate Schedules

Effective January 1 of each applicable year, the following schedules are applicable to all new commercial customers who have not received Cleveland Public Power services at their present location in the preceding two (2) years, and enter into, at minimum, a written ten (10) year contract for service anticipated to commence on or after January 1, 2025. This rate shall also apply to existing Cleveland Public Power customers who enter into, at minimum, a new written five (5) year contract for service commencing on or after January 1, 2025. This rate shall also apply to existing Cleveland Public Power customers who enter into, at minimum, a new written five (5) year contract for service commencing on or after January 1, 2025. Commercially Contracted Alternative Rate – Small Capacity rates shall apply to commercial contract customers with a peak demand between 150 kwd and 650 kwd. Commercially Contracted Alternate Rate – Large Capacity rates shall apply to commercial contract customers with a peak demand greater than 650 kwd.

The rates and charges contained in this section shall be fixed for four (4) years starting January 1, 2025 and shall be adjusted effective January 1, 2029 for five (5) additional years. For all commercial installations during any month in which such installation has a demand of less than one hundred fifty (150) kilowatts, the appropriate standard rate schedule shall apply. Usage charges are not prorated. The charge used will correspond with the bill period end date.

For all commercial installations during any month in which such installation has a demand of a least one hundred fifty (150) kilowatts and less than six hundred fifty (650) kilowatts, the schedules in divisions (a) to (d) of this section shall apply:

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(a) *Customer Charge per Month – Small Capacity.*

	Commercially Contracted Alternate Rate – Small Capacity			
	Winter		Summer	
Fixed Fee	2025 -2028	2029-2034	2025-2028	2029-2034
Each Account	\$112.32	\$129.17	\$112.32	\$129.17

(b) *Demand Charge – Small Capacity.*

	Commercially Contracted Alternate Rate – Small Capacity			
	Winter		Summer	
Demand Charges	2025 -2028	2029-2034	2025-2028	2029-2034
Tier 1 (up to 200 kwd)	\$16.524	\$19.003	\$17.694	\$20.348
Tier 2 (All excess kwd)	\$14.570	\$16.756	\$15.662	\$18.012

(c) *Reactive Charge – Small Capacity.*

	Commercially Contracted Alternate Rate – Small Capacity			
	Winter		Summer	
Reactive Charges (\$/kvar)	2025 -2028	2029-2034	2025-2028	2029-2034
All kvar over 30	\$0.57	\$0.65	\$0.57	\$0.65

(d) *Kilowatt Hour Charge – Small Capacity.*

	Commercially Contracted Alternate Rate – Small Capacity			
	Winter		Summer	
Kwh Usage	2025 -2028	2029-2034	2025-2028	2029-2034
First 200 kwh/kwd	\$0.07893	\$0.09076	\$0.08319	\$0.09567
Second 200 kwh/kwd	\$0.05940	\$0.06831	\$0.06343	\$0.07294
All Excess kwh	\$0.04981	\$0.05728	\$0.05204	\$0.05985

For all commercial installations during any month in which such installation has a demand equal to or greater than six hundred fifty (650) kilowatts rate the schedules in divisions (e) to (h) of this section shall apply:

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(e) *Customer Charge per Month – Large Capacity.*

	Commercially Contracted Alternate Rate – Large Capacity			
	Winter			Summer
Fixed Fee	2025 -2028	2029-2034		2025-2028 2029-2034
Each Account	\$271.58	\$312.32		\$271.58 \$312.32

(f) *Demand Charge – Large Capacity.*

	Commercially Contracted Alternate Rate – Large Capacity			
	Winter			Summer
Demand Charges	2025 -2028	2029-2034		2025-2028 2029-2034
Tier 1 (up to 500 kwd)	\$17.993	\$20.692		\$17.993 \$20.692
Tier 2 (501- 1000 kwd)	\$16.686	\$19.189		\$16.686 \$19.189
Tier 3 (All excess kwd)	\$14.068	\$16.178		\$14.068 \$16.178

(g) *Reactive Charge – Large Capacity.*

	Commercially Contracted Alternate Rate – Large Capacity			
	Winter			Summer
Reactive Charges (\$/kvar)	2025 -2028	2029-2034		2025-2028 2029-2034
All kvar over 30	\$0.55	\$0.63		\$0.55 \$0.63

(h) *Kilowatt Hour Charge – Large Capacity.*

	Commercially Contracted Alternate Rate – Large Capacity			
	Winter			Summer
Kwh Usage	2025 -2028	2029-2034		2025-2028 2029-2034
First 150 kwh/kwd	\$0.07776	\$0.08942		\$0.07776 \$0.08942
Second 150 kwh/kwd	\$0.06120	\$0.07038		\$0.06120 \$0.07038
Third 150 kwh/kwd	\$0.04262	\$0.04902		\$0.04262 \$0.04902
All Excess kwh	\$0.01634	\$0.01880		\$0.01634 \$0.01880

(i) *Determination of Demand.* The kilowatt demand shall be determined monthly by demand measurements, and shall be the maximum thirty (3) minute kilowatt demand during the month.

(j) *Determination of Reactive Demand.* The reactive billing demand shall be determined by

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multiplying the monthly kilowatt demand by the ratio of the monthly lagging reactive kilovolt ampere hours to the monthly kilowatt hours. At the option of the Commissioner of the Division of Cleveland Public Power, the reactive billing demand may be the metered reactive demand.

(k) *Definition of Seasonal Rate.* For the purpose of this rate schedule, the summer rate shall be in effect for bills rendered during the months of June, July, August, and September. The winter rate shall be in effect for bills rendered during the months of October, November, December, January, February, March, April, and May.

(l) *Discount for Primary Metering.* Where the electric energy is metered on the primary (two thousand three hundred (2,300) volts or higher) side of the service transformers, a discount of two percent (2%) of The gross primary metered kilowatt hours may be allowed.

(m) *Substation Ownership Discount.* A discount of thirty cents (\$0.30) per kilowatt of demand billed may be allowed when a customer owns, installs and maintains transformation and substation apparatus, thereby relieving the Division of these costs.

(n) *Combined Billing.* At the option of the Commissioner of the Division of Cleveland Public Power, where plural connections supply the same customer in the same general locations, meter reading may be added for billing purposes and the combined demand shall be the coincident demand or the sum of the undiversified demands.

(o) *Transmission, Taxes, and Other Charges.* Customers under this schedule shall be charged for transmission service, costs or charges imposed by federal or state law, regulatory authorities, regional transmission operators, or reliability authorities/organizations, and taxes of any kind, however measured, paid directly or indirectly by the City. The kWh tax prescribed by RC Chapter 5727, or any successor tax, shall be charged to the same extent as such tax is applied to customers under the standard Cleveland Public Power rate schedules.

Security Equipment Rate Schedule

The following schedule is applicable to all electric security equipment service provided by the Division of Cleveland Public Power to governmental entities:

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By: Director Keane

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(a) *Kilowatt Hour Charge.*

	Rates		
	2024	2025	2026
Security Equipment Rate	\$0.023	\$0.026	\$0.029

(b) *Environmental and Ecological Adjustment.* An adjustment to the Power Supply Recovery shall be applied to this rate as set forth and described in Section 523.17.

(c) *Power Supply Recovery.* In accordance with Section 523.21, the Power Supply Recovery shall be determined and applied on a monthly basis by the Division.

Small Wireless Facility Rate Schedule

Small wireless facilities are subject to the monthly consumption charges in the small commercial rate Schedule in Section 523.03 of these codified ordinances in addition to the items below.

In accordance with the Federal Communications Commission ruling, FCC 18-133 dated September 27, 2018, the rates are:

Service	Charge
Application Fee (Up to five (5) Wireless Facilities	\$500
Application Fee (for each Small Wireless Facility above the Initial Five (5)	\$100
Non-Recurring Fees for a New Pole Intended to Support One (1) or More Small Wireless Facilities	\$1,000
Annual Fee Per Small Wireless Facility	\$270

Charges for Work Provided

In addition to all other charges in this chapter, the Division of Cleveland Public Power shall have the right to recover costs for work completed and materials furnished for repairs or improvements made on behalf of an account holder or owner(s) of the premise, as deemed appropriate by the Commissioner.

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By: Director Keane

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Extension of Time for Payment

Cleveland Public Power bills shall be paid on or before the date stated on the bill but the Director of Public Utilities may after investigation, grant an extension of time in cases of indigency, emergency, relief and similar Conditions. Partial payments may be accepted, properly approved, but bills must be paid in full pursuant to the Rules and regulations of the Division of Cleveland Public Power.

Yeas: Acting Director Comer; Director Keane; Acting Director Laird; Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Martin O'Toole
Nays: None
Absent: Mayor Bibb; Directors Barrett, Francis

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RESOLUTION No. 640-24

By: Director Francis

WHEREAS, under the authority of Ordinance No. 401-09, passed by the Council of the City of Cleveland on May 4, 2009, and Board of Control Resolution No. 26-11, adopted January 19, 2011, the City, through the Director of Port Control, entered into Contract No. PS2011*069 with Gregory C. Rigamer & Associates, Inc., nka GCR, Inc., to provide professional services necessary to provide software solutions necessary to manage, administer and track City-owned leased and owned properties through a lease management system, for the Department of Port Control; and

WHEREAS, when a director has been authorized to contract with a software developer or vendor, division (d) of Section 181.102 C.O. authorizes the director of the department for which the software is acquired to enter into an agreement with the software vendor for professional services necessary to implement or maintain the software system, including but not limited to maintenance, repair, upgrades, enhancements, training and technical support; and

WHEREAS, under the authority of Section 181.102 C.O. the City intends to enter into an agreement with GCR, Inc. dba TADERA, to maintain the previously acquired software for the lease management system for the Department of Port Control, for a period of one year, with three one-year options to renew; now, therefore,

BE IT RESOLVED by the Board of Control of the City of Cleveland that, under the authority of division (e) of Section 181.102 C.O., the compensation to be paid GCR, Inc., dba TADERA to maintain the previously acquired software for a lease management system for the Department of Port Control shall not exceed \$118,680.00 for the initial one-year term and, if exercised, not exceeding \$78,750.00 for the first option year, not exceeding \$82,688.00 for the second option year, and not exceeding \$86,822.00 for third option year.

Yeas: Acting Director Comer; Director Keane; Acting Director Laird; Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb; Directors Barrett, Francis

Board of Control

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Approved 12/17/24

Adopted 12/18/24

Acting Secretary

RESOLUTION No. 641-24 BY: Director DeRosa

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND
that the bid of Feghali Brothers, LLC.

for the public improvement of the Recreation Center Locker Room
Improvements: Cudell, Estabrook and
Fairfax, Alternates 1-2, Base Bid Items A-D
and Contingency Allowances 1-4,

for the Division of Architecture and Site
Development, Office of Capital Projects,

received on November 13, 2024, under the authority of Ordinance No. 643-2024,
passed by Cleveland City Council July 10, 2024, for a gross price for the improvement
in the aggregate amount of \$2,504,100.00

is affirmed and approved as the lowest responsible bid, and the Director of Capital
Projects is requested to enter into contract with the bidder.

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

<u>Subcontractor:</u>	<u>CSB/MBE/FBE</u>	<u>Amount</u>
*Functional Building Supply, Inc.	CSB/LPE 60% Supplier	\$ 64,800.00
Qual Air HVAC Inc.	FBE/LPE	\$ 25,000.00
Gratton Building Specialties, Inc.	FBE	\$ 270,018.00
River City Building Solutions LLC.	CSB/FBE/LPE	\$ 160,000.00
Inca Construction LLC	MBE/CSB/FBE	\$ 494,000.00

*Functional Building Supply Inc. total is \$108,000.00 (60% supplier credit is \$64,800.00)

Yeas: Acting Director Comer; Director Keane; Acting Director Laird; Directors Margolius,
Drummond, Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb; Directors Barrett, Francis

Board of Control
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Adopted 12/15/24
[Signature]
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RESOLUTION No. 642-24

BY: Director Williams

REQUIREMENT CONTRACT

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

Environmental Equipment Sales & Services Holdings LLC

for an estimated quantity of Heil packer body parts and labor, all items,

for the Division of Motor Vehicle Maintenance, Department of Public Works,

for a period of one year, beginning with the later of the date of execution of a contract or the day following expiration of the currently effective contract for the goods and/or services, with two one-year renewal options,

received on November 13, 2024 under the authority of Section 131.64 of the Codified Ordinances of Cleveland, Ohio, 1976,

which on the basis of the estimated quantity would amount to \$605,200.00 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a REQUIREMENT contract for the goods and/or services specified.

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

Yeas: Acting Director Comer; Director Keane; Acting Director Laird; Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb; Directors Barrett, Francis

Board of Control
Received 12/12/24
Approved 12/17/24
Adopted 12/18/24
[Signature]
Acting Secretary

RESOLUTION No. 643-24 BY: Director Williams

REQUIREMENT CONTRACT

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

VanCuren Services, Inc.,

for an estimated quantity of tree pruning, all items,

for the Division of Park Maintenance and Properties, Department of Public Works,

for the period of one year beginning with the date of execution of a contract, with a one-year renewal option,

received on November 14, 2024, under the authority of Ord. No. 405-2024, passed by Cleveland City Council on May 20, 2024,

which on the basis of the estimated quantity would amount to \$752,445.00(1% Net 30), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a REQUIREMENT contract for the specified goods and/or services.

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

BE IT FURTHER RESOLVED by the Board of Control that the employment of the following subcontractors by VanCuren Services, Inc. is approved:

<u>Subcontractor</u>	<u>Percentage</u>	<u>Amount</u>
Woodland Tree Service (CSB)	16%	\$120,500.00
Ullman Oil Company	0%	\$220,000.00

Yeas: Acting Director Comer; Director Keane; Acting Director Laird; Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb; Directors Barrett, Francis

Board of Control
Received 12/12/2024
Approved 12/16/24
Adopted 12/18/24
[Signature]
Acting Secretary

RESOLUTION No. 644-24

BY: Director Williams

STANDARD PURCHASE CONTRACT

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

Cleveland American Road, LLC dba Rock n Roll City Harley-Davidson

for the purchase of 5 motorcycles, all items,

for the Division Motor Vehicle Maintenance, Department of Public Works,

received on November 13, 2024 under the authority of Ordinance No. 684-2023, passed by Cleveland City Council on July 12, 2023 and under the authority of Ordinance No. 761-2022, passed by Cleveland City Council on September 19, 2022,

which on the basis of the order quantities would amount to \$155,050.00, is approved as the lowest and best bid, and the Director of Public Works is requested to enter into contract for the items.

Yeas: Acting Director Comer; Director Keane; Acting Director Laird; Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb; Directors Barrett, Francis

BOARD OF CONTROL

Received

12/12/24

Approved

12/16/24

Adopted

12/18/24

Acting
Secretary

W. J. [Signature]

RESOLUTION No. 645-24

BY: Director Hernandez

WHEREAS, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

WHEREAS, under the Program, the City has acquired Permanent Parcel No. 015-06-091 located at 4307 Trowbridge Avenue; and

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

WHEREAS, Johnnie W. Cromer has proposed to the City to purchase and develop the parcel for yard expansion; and

WHEREAS, the following conditions exist:

1. The member of Council from Ward 14 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Johnnie W. Cromer, for the sale and development of Permanent Parcel No. 015-06-091 located at 4307 Trowbridge Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Acting Director Comer; Director Keane; Acting Director Laird; Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb; Directors Barrett, Francis

BOARD OF CONTROL

Received

Approved

Adopted

Acting
Secretary

12/12/24
12/16/24
12/18/24
[Signature]

RESOLUTION No. 646-24**BY: Director Hernandez**

WHEREAS, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

WHEREAS, under the Program, the City has acquired Permanent Parcel No. 130-21-079 located at 3378 E 118th Street; and

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

WHEREAS, Jaenin Deskin has proposed to the City to purchase and develop the parcel for Yard Expansion; and

WHEREAS, the following conditions exist:

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

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Jaenin Deskin, for the sale and development of Permanent Parcel No. 130-21-079 located at 3378 E 118th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

BE IT FURTHER RESOLVED THAT the consideration for the sale of the parcel shall be \$3,640.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Acting Director Comer; Director Keane; Acting Director Laird; Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Martin O'Toole
Nays: None
Absent: Mayor Bibb; Directors Barrett, Francis

BOARD OF CONTROL

Received

Approved

Adopted

Acting
Secretary

12/12/24

12/16/24

12/18/24

[Signature]

RESOLUTION No. 647-24

BY: Director Hernandez

WHEREAS, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

WHEREAS, under the Program, the City has acquired Permanent Parcel No. 104-08-044 located at 1393 East 43rd Street; and

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

WHEREAS, Mary Rose Hottois and Julee Hottois have proposed to the City to purchase and develop the parcel for yard expansion; and

WHEREAS, the following conditions exist:

1. The member of Council from Ward 10 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchasers of the parcel are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Mary Rose Hottois and Julee Hottois, for the sale and development of Permanent Parcel No. 104-08-044 located at 1393 East 43rd Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

BE IT FURTHER RESOLVED THAT the consideration for the sale of the parcel shall be \$3,780.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Acting Director Comer; Director Keane; Acting Director Laird; Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb; Directors Barrett, Francis

BOARD OF CONTROL

Received 12/18/2024

Approved 12/18/2024

Adopted 12/18/24

RESOLUTION No. 648-24

Acting Secretary

By: Director McNair

WHEREAS, Ordinance No. 1124-2021, passed by the Cleveland City Council December 6, 2021, authorizes the Director of Economic Development ("Director") to enter into agreement with an private, nonprofit organization, and determined by the Board of Control on nomination of the Director, to finance the construction and other associated costs of the affordable housing portion of Allen Estates, part of a multi-phase development project consisting of townhomes and apartments over mixed-use commercial building on E. 66th Street at Linwood Avenue; now, therefore,

BE IT RESOLVED by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 1124-2021 passed by the Cleveland City Council on December 6, 2021, The Presidents' Council Foundation, Inc. ("Grantee") is determined, on nomination of the Director, as the private, nonprofit organization with which the Director is authorized to enter into an agreement to grant an amount of \$3,000,000 for the "Gateway 66" project portion of Allen Estates.

Yeas: Acting Director Comer; Director Keane; Acting Director Laird; Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb; Directors Barrett, Francis