

The City Record

Official Publication of the Council of the City of Cleveland



April the Eleventh, Two Thousand and Seven

Frank G. Jackson
Mayor

Martin J. Sweeney
President of Council

Emily Lipovan
City Clerk, Clerk of Council

Ward	Name
1	Nina Turner
2	Robert J. White
3	Zachary Reed
4	Kenneth L. Johnson
5	Phyllis E. Cleveland
6	Patricia J. Britt
7	Fannie M. Lewis
8	Sabra Pierce Scott
9	Kevin Conwell
10	Roosevelt Coats
11	Michael D. Polensek
12	Anthony Brancatelli
13	Joe Cimperman
14	Joseph Santiago
15	Brian J. Cummins
16	Kevin J. Kelley
17	Matthew Zone
18	Jay Westbrook
19	Dona Brady
20	Martin J. Sweeney
21	Martin J. Keane

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

Containing	PAGE
City Council	3
The Calendar	3
Board of Control	3
Civil Service	6
Board of Zoning Appeals	6
Board of Building Standards and Building Appeals	6
Public Notice	7
Public Hearings	7
City of Cleveland Bids	7
Adopted Resolutions and Ordinances	9
Committee Meetings	16
Index	16

DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

Ward	Name	Residence	
1	Nina Turner.....	16204 Sunny Glen Avenue	44128
2	Robert J. White	9703 Cardwell Avenue	44105
3	Zachary Reed	3734 East 149th Street	44120
4	Kenneth L. Johnson.....	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44105
6	Patricia J. Britt.....	12402 Britton Drive	44120
7	Fannie M. Lewis.....	7416 Star Avenue	44103
8	Sabra Pierce Scott.....	1136 East 98th Street	44108
9	Kevin Conwell.....	10647 Ashbury Avenue	44106
10	Roosevelt Coats.....	1775 Cliffview Road	44112
11	Michael D. Polensek.....	17855 Brian Avenue	44119
12	Anthony Brancatelli.....	6924 Ottawa Road	44105
13	Joe Cimperman.....	3053 West 12th Street	44113
14	Joseph Santiago.....	3169 West 14th Street	44109
15	Brian J. Cummins.....	3104 Mapledale Avenue	44109
16	Kevin J. Kelley.....	6608 Woodhaven Avenue	44144
17	Matthew Zone.....	1228 West 69th Street	44102
18	Jay Westbrook.....	1278 West 103rd Street	44102
19	Dona Brady.....	1272 West Boulevard	44102
20	Martin J. Sweeney.....	3632 West 133rd Street	44111
21	Martin J. Keane.....	15907 Colletta Lane	44111

City Clerk, Clerk of Council – Emily Lipovan, 216 City Hall, 664–2840
First Assistant Clerk – Sandra Franklin

MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff
Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer
Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs
Tracy Y. Martin, Executive Assistant to the Mayor, Chief of Education
Maureen Harper, Executive Assistant to the Mayor, Chief of Communications
Andrea V. Taylor, Executive Assistant to the Mayor, Press Secretary
Debra Linn Talley, Director, Office of Equal Opportunity

DEPT. OF LAW – Robert J. Triozzi, Director, Richard F. Horvath, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel, Barbara A. Langhenry, Chief Counsel, Rm. 106
Karen E. Martines, Law Librarian, Room 100

DEPT. OF FINANCE – Sharon Dumas, Director, Room 104;

Frank Badalamenti, Manager, Internal Audit
DIVISIONS: Accounts – Richard W. Sensenbrenner, Commissioner, Room 19
Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122
City Treasury – Algeron Walker, Treasurer, Room 115
Financial Reporting and Control – James Gentile, Controller, Room 18
Information Technology and Services – Douglas Divish, Commissioner, 205 W. St. Clair Avenue
Purchases and Supplies – James E. Hardy, Commissioner, Room 128
Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue
Taxation – Nassim Lynch, Tax Administrator, 205 W. St. Clair Avenue

DEPT. OF PUBLIC UTILITIES – Julius Ciaccia, Director, 1201 Lakeside Avenue

DIVISIONS – 1201 Lakeside Avenue
Cleveland Public Power – Ivan Henderson, Commissioner
Street Lighting Bureau – _____, Acting Chief
Utilities Fiscal Control – Dennis Nichols, Commissioner
Water – John Christopher Nielson, Commissioner
Water Pollution Control – Ollie Shaw, Commissioner

DEPT. OF PORT CONTROL – Ricky D. Smith, Director

Cleveland Hopkins International Airport, 5300 Riverside Drive
Burke Lakefront Airport – Khalid Bahur, Commissioner
Cleveland Hopkins International Airport – Fred Szabo, Commissioner

DEPT. OF PUBLIC SERVICE – Jomarjie Wasik, Director, Room 113

DIVISIONS: Architecture – Kurt Wiebusch, Commissioner, Room 517
Engineering and Construction – Randall E. DeVaul, Commissioner, Room 518
Motor Vehicle Maintenance, Daniel A. Novak, Commissioner, Harvard Yards Streets – Randall T. Scott, Commissioner, Room 25
Traffic Engineering – Robert Mavec, Commissioner, 4150 East 49th Street, Building #1
Waste Collection and Disposal – Ron Owens, Commissioner, 5600 Carnegie Avenue

DEPT. OF PUBLIC HEALTH – Matt Carroll, Director, Mural Building, 1925 St. Clair Ave.

DIVISIONS: Air Quality – Richard L. Nemeth, Commissioner
Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.
Environment – Willie Bess, Commissioner, Mural Building, 1925 St. Clair Ave.
Health – Anjou Parekh, Commissioner, Mural Building, 1925 St. Clair Ave.

DEPT. OF PUBLIC SAFETY – Martin Flask, Director, Room 230

DIVISIONS: Dog Pound – John Baird, Chief Dog Warden, 2690 West 7th Street
Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive
Fire – Paul A. Stubbs, Chief, 1645 Superior Avenue
Police – Michael C. McGrath, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

DEPT. OF PARKS, RECREATION & PROPERTIES – Michael Cox, Director

Cleveland Convention Center, Clubroom A, 1220 East 6th Street
DIVISIONS: Convention Center & Stadium – James Glending, Commissioner
Public Auditorium, East 6th Street and Lakeside Avenue
Parking Facilities – Leigh Stevens, Commissioner
Public Auditorium, East 6th Street and Lakeside Avenue
Park Maintenance and Properties – Richard L. Silva, Commissioner
Public Auditorium – East 6th Street and Lakeside Avenue
Property Management – Tom Nagle, Commissioner, East 49th Street & Harvard
Recreation – Kim Johnson, Commissioner, Room 8
Research, Planning & Development – Mark Fallon, Commissioner, 1501 N. Marginal Road
Burke Lakefront Airport

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director, 3rd Floor, City Hall
DIVISIONS: Administrative Services – Terrence Ross, Commissioner
Neighborhood Services – Louise V. Jackson, Commissioner
Neighborhood Development – Joseph A. Sidoti, Commissioner

DEPT. OF BUILDING AND HOUSING – Edward W. Rybka, Director, Room 500
DIVISIONS: Code Enforcement – Tyrone L. Johnson, Commissioner
Construction Permitting – Timothy R. Wolosz, Commissioner

DEPT. OF PERSONNEL AND HUMAN RESOURCES – Trudy Hutchinson, Director, Room 121

DEPT. OF ECONOMIC DEVELOPMENT – Brian A. Reilly, Director, Room 210

DEPT. OF AGING – Jane Fumich, Director, Room 122

DEPT. OF CONSUMER AFFAIRS – Angel Guzman, Director

COMMUNITY RELATIONS BOARD – Room 11, Blaine Griffin, Director; Mayor Frank G. Jackson, Chairman Ex-Officio; Rev. Charles Lucas, Jr., Vice-Chairman; Councilman Kevin Conwell, Councilman Brian J. Cummins, Councilman Joe Santiago, Councilman Matthew Zone, City Council Representatives; Charles L. Patton, Jr., Paula Castleberry, Emmett Saunders, John Banno, Kathryn M. Hall, Evangeline Hardaway, Janet Jankura, Gia Hoa Ryan, Rev. Jesse Harris, Magda Gomez, Fred J. Livingstone, Margot James Copeland.

CIVIL SERVICE COMMISSION – Room 119, Reynaldo Galindo, President; Rev. Earl Preston, Vice President; Lucille Ambroz, Secretary; Members: Diane M. Downing, Michael L. Nelson.

SINKING FUND COMMISSION – Frank G. Jackson, President; Council President Martin J. Sweeney; Betsy Hruby, Asst. Sec’y; Sharon Dumas, Director.

BOARD OF ZONING APPEALS – Room 516, Carol A. Johnson, Chairman; Members: John Myers, Ozell Dobbins, Joan Shaver Washington, Tim Donovan, _____, Secretary.

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS – Room 516, J. F. Denk, Chairman; _____, Arthur Saunders, Alternate Members – D. Cox, P. Frank, E. P. O’Brien, Richard Pace, J.S. Sullivan.

BOARD OF REVISION OF ASSESSMENTS – Law Director Robert J. Triozzi, President; Finance Director Sharon Dumas, Secretary; Council President Martin J. Sweeney.

BOARD OF SIDEWALK APPEALS – Service Director Jomarjie Wasik, Law Director Robert J. Triozzi; Councilman _____.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Robert J. Triozzi; Utilities Director _____; Council President Martin J. Sweeney.

CITY PLANNING COMMISSION – Room 501 – Robert N. Brown, Director; Anthony J. Coyne, Chairman; David Bowen, Lillian Kuri, Lawrence A. Lumpkin, Gloria Jean Pinkney, Rev. Sam Edward Small, Council Member Joe Cimperman.

FAIR CAMPAIGN FINANCE COMMISSION – Chris Warren, C. Ellen Connolly, Hillary S. Taylor.

FAIR EMPLOYMENT WAGE BOARD – Room 210 – Gerald Meyer, Chair; Angela Caldwell, Vice Chair; Patrick Gallagher, Kathryn Jackson, Draydean McCaleb, Council Member _____, Ed Romero.

FAIR HOUSING BOARD – Charles See, Chair; _____, Vice Chair; Daniel Conway, Doris Honsa, Lisa Camacho.

HOUSING ADVISORY BOARD – Room 310 – Keith Brown, Terri Hamilton Brown, Vickie Eaton-Johnson, Mike Foley, Eric Hodderson, Janet Loehr, Mark McDermott, Marcia Nolan, David Perkowski, Joan Shaver Washington, Keith Sutton.

CLEVELAND BOXING AND WRESTLING COMMISSION – Robert Jones, Chairman; Clint Martin, Mark Rivera.

MORAL CLAIMS COMMISSION – Law Director Robert J. Triozzi; Chairman; Finance Director Sharon Dumas; Council President Martin J. Sweeney; Councilman Kevin Kelley; Councilman Nina Turner.

POLICE REVIEW BOARD – Thomas Jones, Board Chair Person; Vernon Collier, Vermel Whalen, Nancy Cronin, Elvin Vauss.

CLEVELAND LANDMARKS COMMISSION – Room 519 – India Pierce Lee, Chair; Laura M. Noble, Vice Chair; Robert Brown, Thomas Coffey, Jennifer Coleman, Lee, Michael Rastatter, Jr., John Torres, Ari Maron, N. Kurt Wiebusch, Council Member Joe Cimperman, Robert Jackimowicz; Robert Keiser, Secretary.

AUDIT COMMITTEE – Robert Rawson, Chairman; Yvette Ittu, Debra Janik, Bracy Lewis, Don Neebes, Council President Martin J. Sweeney; Law Director Robert J. Triozzi.

CLEVELAND MUNICIPAL COURT JUSTICE CENTER – 1200 ONTARIO STREET JUDGE COURTROOM ASSIGNMENTS

Judge	Courtroom
Presiding and Administrative Judge Larry A. Jones	14B
Judge Ronald B. Adrine	15A
Judge Emanuella Groves	13A
Judge Kathleen Ann Keough	13D
Judge Anita Laster Mays	14C
Judge Lauren C. Moore	14A
Judge Charles Patton, Jr.	12B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Michael Ryan	12A
Judge Angela R. Stokes	15C
Judge Joan Synenberg	13C
Judge Pauline H. Tarver	12C
Judge Joseph J. Zone	14D

Earle B. Turner – Clerk of Courts, Michael E. Flanagan – Court Administrator, Paul J. Mizerak – Bailiff; Regina Daniel – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate

The City Record

71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 94

WEDNESDAY, APRIL 11, 2007

No. 4870

CITY COUNCIL

MONDAY, APRIL 9, 2007

The City Record
Published weekly by the City Clerk,
Clerk of Council under authority
of the Charter of the
City of Cleveland
The City Record is available
online at
www.clevelandcitycouncil.org
Address all communications to
EMILY LIPOVAN
City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2006-2009

MONDAY—Alternating

9:30 A.M. — **Public Parks, Property & Recreation Committee:** Johnson, Chair; White, Vice Chair; Brancatelli, Cummins, Kelley, Polensek, Turner.

9:30 A.M. — **Health & Human Services Committee:** Britt, Chair; Cleveland, Vice Chair; Conwell, Kelley, Reed, Santiago, Westbrook.

11:00 A.M. — **Public Service Committee:** Brady, Chair; Turner, Vice Chair; Cleveland, Cummins, Johnson, Polensek, Reed, Santiago, White.

11:00 A.M. — **Legislation Committee:** Cleveland, Chair; Keane, Vice Chair; Cimperman, Lewis, Pierce Scott, Reed, White.

MONDAY

2:00 P.M. — **Finance Committee:** Sweeney, Chair; Cimperman, Vice Chair; Brady, Brancatelli, Britt, Coats, Conwell, Pierce Scott, Westbrook, White, Zone.

TUESDAY

9:30 A.M. — **Community and Economic Development Committee:** Pierce Scott, Chair; Brancatelli, Vice Chair; Brady, Cimperman, Cummins, Coats, Lewis, Westbrook, Zone.

1:30 P.M. — **Employment, Affirmative Action & Training Committee:** Lewis, Chair; Santiago, Vice Chair; Brancatelli, Coats, Conwell, Johnson, Turner.

WEDNESDAY—Alternating

10:00 A.M. — **Aviation & Transportation Committee:** Kelley, Chair; Westbrook, Vice Chair; Brancatelli, Britt, Cleveland, Keane, Turner.

10:00 A.M. — **Public Safety Committee:** Conwell, Chair; Brady, Vice Chair; Britt, Coats, Cummins, Kelley, Polensek, Santiago, Turner.

WEDNESDAY—Alternating

1:30 P.M. — **Public Utilities Committee:** Zone, Chair; Reed, Vice Chair; Cleveland, Cummins, Keane, Kelley, Polensek, Santiago, Westbrook.

1:30 P.M. — **City Planning Committee:** Cimperman, Chair; Westbrook, Vice Chair; Conwell, Keane, Lewis, Reed, Zone.

The following Committees are subject to the Call of the Chair:

Rules Committee: Sweeney, Chair; Cleveland, Kelley, Pierce Scott, Polensek.

Personnel and Operations Committee: Sweeney, Chair; Britt, Kelley, Pierce Scott, Santiago, Westbrook, White.

Mayor's Appointment Committee: Coats, Chair; Pierce Scott, Kelley, Sweeney, Westbrook.

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

The following measures will be on their final passage at the next meeting:

NONE

BOARD OF CONTROL

April 4, 2007

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, April 4, 2007, at 10:30 a.m. with Mayor Jackson presiding.

Present: Mayor Jackson, Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Absent: None.
Others: Jim Hardy, Commissioner, Purchases and Supplies.

Debra Linn Talley, Director, Office of Equal Opportunity.

On motions, the following resolutions were adopted, except as may be otherwise noted:

Resolution No. 158-07.

By Director Dumas.

Resolved, by the Board of Control of the City of Cleveland that the bid of Action Door for an estimated quantity of labor and material necessary to maintain and repair overhead doors, for all items for the various divisions of City government, for the period of one year beginning with the date of execution of a contract, received on March 1, 2007, under the authority of Ordinance No. 2048-06, passed January 8, 2007, which on the basis of the estimated quantity would amount to \$400,000.00 (2%, 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Finance is requested to enter into a requirement contract for the goods and/or services, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 172131
which shall be certified against the contract in the sum of \$20,000.00.

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Action Door, for the above-mentioned service is hereby approved:

Servco Products
MBE — \$2,000.00 — 0.50%

Samsel Supply
FBE — \$182,000.00 — 0.05%

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: None.

Resolution No. 159-07.

By Director Dumas.

Resolved, by the Board of Control of the City of Cleveland that all bids received on March 23, 2007, for the purchase of an estimated quantity of towel and linen service, for the various divisions of City government, for all items, under the authority of Ordinance No. 1623-06, passed by the Council of the City of

Cleveland on October 23, 2006 are rejected.

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: None.

Resolution No. 160-07.

By Director Ciaccia.
Be it resolved by the Board of Control of the City of Cleveland that the employment of Burns and Roe Enterprises, Inc., as a subcontractor under City Contract No. 64542 entered into with Middough Associates, Inc. under Ordinance No. 2288-04, passed January 31, 2005, and Board of Control Resolution No. 313-05, adopted June 15, 2005, for professional engineering services necessary to study Cleveland Public Power's potential participation in a coal-fired generating plant planned by American Municipal Power — Ohio, be and the same is approved.

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: None.

Resolution No. 161-07.

By Director Ciaccia.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Univar USA Inc. for an estimated quantity of sodium hypochlorite solution, items 1A and 1B, for the Division of Water, Department of Public Utilities, for a period of two years starting upon the later of execution of the contract or the day following expiration of the currently effective contract for the goods or services, received on February 23, 2007 under the authority of Section 129.24 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$1,107,660.00 (0%, Net 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the commodities, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 177271
which shall be certified against the contract in the sum of \$150,000.00.

The requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for the commodities, whether more or less than the estimated quantity, as may be ordered under subsequent requisitions separately certified against the contract.

Be it further resolved that the employment of the following subcontractor by Univar USA Inc. for the sodium hypochlorite solution requirements contract is approved:

SUBCONTRACTOR DOLLAR
MBE/FBE% AMOUNT

Distribution Technology \$20,000.00
0%

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: None.

Resolution No. 162-07.

By Director Wasik.
Whereas, under the authority of Ordinance No. 2011-04, passed by the Council of the City of Cleveland on December 13, 2004, and Resolution No. 65-05, adopted by this Board of Control on February 9, 2005, the City through its Director of Public Service, entered into Contract No. 64142 with The Osborn Engineering Company ("Consultant"), for the purpose of supplementing the regularly employed staff of the several departments of the City to obtain professional engineering services necessary for the rehabilitation of the Cornell Road Bridge;

Whereas, the City desires to modify the scope of services to include additional design services to include the installation and demolition of a temporary pedestrian bridge including right of way, changing the bridge span arrangement from a four-span to a three-span and added services needed during construction; and

Whereas, Engineer has proposed in its letter dated October 3, 2006 to provide the additional design services mentioned above for an additional amount not to exceed \$68,740.00; and

Whereas, Ordinance No. 820-05, passed by the Council of the City of Cleveland on June 6, 2005, amended Ordinance No. 2011-04 by naming an additional funding source for payment of the contract costs; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Public Service is authorized to enter into a first modification to Contract No. 64142 with The Osborn Engineering Company ("Consultant"), for the rehabilitation of the Cornell Road Bridge on the basis of Engineer's proposal dated October 3, 2006. The compensation for the additional services shall not exceed a total of \$68,740.00, thereby increasing the total compensation under the agreement as modified from \$334,500.00 to \$403,240.00. The modification authorized above shall be prepared by the Director of Law and shall include such additional provision as the Director of Law deems necessary to benefit and protect the public interest.

Be it further resolved that Board of Control Resolution No. 65-05, adopted February 9, 2005, is amended by revising the participation of certain subconsultants to The Osborn Engineering Company under Contract No. 64142, as follows:

DLZ, Ohio Inc.
(MBE - 27.30%) — \$110,080.00

MV Technologies
(MBE - 7.40%) — \$29,850.78

KS Associates
(FBE - 5.00%) — \$20,155.00

OR Colan
(FBE - 4.93%) — \$19,875.00

TBE
(1.62%) — \$6,537.00

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: None.

Resolution No. 163-07.

By Director Wasik.
Resolved, by the Board of Control of the City of Cleveland that the bid of David Williams and Associates, Inc. for an estimated quantity of concrete receptacle lids, for the Department of Public Service, Division of Waste Collection, for the period of one (1) year beginning with the date of execution of a contract received on February 22, 2007, under the authority of Ordinance No. 1630-06, passed December 11, 2006, which on the basis of the estimated quantity would amount to \$23,250.00, is approved as the only bid, and the Director of Public Service is requested to enter into a requirement contract for the goods and/or services, for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 130721
which shall be certified against the contract in the amount of \$23,250.00.

The requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for the goods and/or services, whether more or less than the estimated quantity, as may be ordered under subsequent requisitions certified against the contract.

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: None.

Resolution No. 164-07.

By Director Wasik.
Be it resolved, by the Board of Control of the City of Cleveland that the bid of Advanced Tire, Inc. for an estimated quantity of tire repair road service, for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of two years beginning with the date of execution of a contract, received on February 1, 2007, under the authority of Ordinance No. 501-06, passed by the Council of the City of Cleveland on May 1, 2006, which on the basis of the estimated quantity would amount to \$69,636.00 (Net 30), is affirmed and approved as the lowest and best bid, and the Director of Public Service is requested to enter into a requirement contract for the goods and/or services, which shall provide, for the immediate purchase as the initial amount of the contract the following:

Requisition No. 161948 which shall be certified against the contract in the sum of \$20,000.00.

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

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: None.

Resolution No. 165-07.

By Director Cox.

Whereas, the City of Cleveland owns certain real property commonly known as the former East Side Market under the supervision and control of the Director of Parks, Recreation and Properties; and

Whereas, Levi's Farm Fresh Produce formerly operated market stands offering locally grown vegetables for sale to the general public and operated a food terminal, building a loyal customer base of local City of Cleveland residents. Subsequent to the closing of the East Side Market, Levi's Farm Fresh Produce proposed to enter into a concession agreement to offer produce for sale to the general public and operate a food terminal; and

Whereas, the operation of Levi's Farm Fresh Produce will provide the general public access to fresh produce; now therefore,

Be it resolved by the Board of Control of the City of Cleveland that, under Section 183.04 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Parks, Recreation and Properties is authorized to enter into a concession agreement with Levi's Farm Fresh Produce to operate a maximum of eight (8) concession units from the area under the canopy adjacent to the East Side Market building offering produce for sale to the general public and to operate a food terminal for a period not to exceed sixty (60) days beginning on the date of the concession agreement's execution for a concession fee of \$5.00 per concession unit per day. The concession agreement shall be prepared by the Director of Law and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit public interest.

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: None.

Resolution No. 166-07.

By Director Rush.

Whereas, under the authority of Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a

Land Reutilization Program according to the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, City has acquired Permanent Parcel No. 119-21-022, located at East 79th Street under the Land Reutilization Program; and

Whereas, Ordinance No. 322-06 passed March 12, 2007, authorized the sale of the parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Regal Arms, Inc. has proposed to the City to purchase and develop the parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 322-06 passed March 12, 2007, by the Cleveland City Council, the Mayor is authorized to execute an official deed for and on behalf of the City of Cleveland with Regal Arms, Inc. for the sale and development of Permanent Parcel No. 119-21-022, as described in the Ordinance 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 parcel shall be \$2,500.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Land Reutilization Program.

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: None.

Resolution No. 167-07.

By Director Rush.

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

Whereas, City has acquired Permanent Parcel Nos. 105-30-021, 105-30-044, 105-30-156, 105-30-159, 107-02-027, 107-02-065 and 107-02-071, located at scattered sites under the Land Reutilization Program; and

Whereas, Ordinance No. 2054-06 passed March 12, 2007, authorized the sale of the parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Greater Cleveland Habitat for Humanity has proposed to the City to purchase and develop the parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 2054-06 passed March 12, 2007, by the Cleveland City Council, the Mayor is authorized to execute an official deed for and on behalf of the City of Cleveland with Greater Cleveland Habitat for Humanity for the sale and development of Permanent Parcel Nos. 105-30-021, 105-30-044, 105-30-156, 105-30-159, 107-02-027, 107-02-065 and 107-02-071, as described in the Ordinance 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 parcels shall be \$1.00 each, which amount is determined to be not less than the fair market value of the parcels for uses according to the Land Reutilization Program.

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: None.

Resolution No. 168-07.

By Director Rush.

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. 109-09-033 located at 10311 Westchester Avenue in Ward 8; 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 to adjacent or abutting landowners; and

Whereas, Tony D. Dove, abutting/adjacent landowner, has proposed to the City to purchase and develop the parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 8 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. 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 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 Tony D. Dove for the sale and development of Permanent Parcel No. 109-09-033 located at 10311 Westchester 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 said parcel shall be \$1.00, which amount is determined to be not less than the Fair Market value of said parcel for uses according to the Program.

Yeas: Mayor Jackson, Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Acting Director Smith, Directors Cox, Rush, Hutchinson, Reilly, Fumich, Guzman and Rybka.

Nays: None.
Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES**General Information**

Application blanks and information, regarding minimum entrance qualifications, scope of examination, and suggested reference materials may be obtained at the office of the Civil Service Commission, Room 119, City Hall, East 6th Street, and Lakeside Avenue.

Application blanks must be properly filled out on the official form prescribed by the Civil Service Commission and filed at the office of the commission not later than the final closing date stated in the examination announcement.

EXAMINATION RESULTS: Each applicant whether passing or failing will be notified of the results of the examination as soon as the commission has graded the papers. Thereafter, eligible lists will be established which will consist of the names of those candidates who have been successful in all parts of the examination.

PHYSICAL EXAMINATION: All candidates for original entrance positions who are successful in other parts of the examinations must submit to a physical examination.

REYNALDO GALINDO,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, APRIL 23, 2007

9:30 A.M.

Calendar No. 07-36: 8000 Euclid Avenue (Ward 6)

John R. and Barbara Linn, owners, the Zaremba Group LLC and Matt Casey, agent, appeal to construct a retail store building proposed to be situated on an irregular shaped corner parcel, located in split zoning between a General Retail Business District and a Multi-Family District on the southeast corner of Euclid Avenue and East 79th Street at 8000 Euclid Avenue; subject to the limitations of Section 337.08, a retail store and premises are not permitted in a Multi-Family District and the proposed parking spaces measure 162 square feet where accessory parking spaces shall be at least 180 square feet, according to the provisions of Section 325.03 of the Codified Ordinances.

Calendar No. 07-40: 1960 East 79th Street (Ward 6)

Abdel Abukalil, owner, appeals to construct a one-story, five store retail development, situated on a 110' x 150' parcel located in a Mid-town Mixed Use District-1 on the west side of East 79th Street at 1960 East 79th Street; contrary to the building width requirements of Section 344.06, a 30' width, or approximately 27% of the lot width is proposed where the building front fac-

ing East 79th Street shall be at least 50% of the lot width; and one-story is proposed, contrary to Section 344.07 that requires there to be a minimum building height of three stories that are occupiable floor space; with 19 parking spaces, where the maximum number of parking spaces for retail use shall not exceed 100% of the requirement specified in Chapter 349 of the Zoning Code, or 13 spaces; and all developments with 10 or more parking spaces are required to provide exterior lighting for all vehicular use areas, including entrance and exit access drives, as stated in Section 344.09(c)(1) of the Codified Ordinances.

Calendar No. 07-42: 2222 Detroit Avenue (Ward 13)

Vincent Potochar, et al, appeal under the authority of Section 76-6(b) of the Cleveland City Charter and Section 329.02(d) of the Cleveland Codified Ordinances from an action of the City Planning Commission dated March 2, 2007, granting a motion to approve the request to amend the Planned Unit Development for Stonebridge Towers, Phase 4, by approving the as-built drawings of the parking spaces for the parking garage.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, APRIL 9, 2007

At the meeting of the Board of Zoning Appeals on Monday, April 9, 2007, the following appeals were heard by the Board.

The following appeals were **Approved:**

Calendar No. 07-34: 1625 East 45th Street

Gary Chen appealed to change use to auto repair in a vacant industrial storage building in a Semi-Industry District; subject to conditions.

Calendar No. 07-37: 2613-17 Scranton Road

John Bartley appealed to change from a gas station to an auto body and mechanical repair shop a use in a Semi-Industry District; subject to conditions.

The following appeal was **Denied:**
None.

The following appeal was **Withdrawn:**

None.

The following appeal was **Dismissed:**

None.

The following appeal was **Postponed:**

Calendar No. 07-35: 1370 West 89th Street postponed to May 7, 2007.

In Executive Session on April 9, 2007, the following appeals heard by the Board on April 2, 2007 were ratified by the Board.

The following appeal was **Approved:**

Calendar No. 07-32: 3323 West 25th Street

South Pointe Commons, L.P. appealed to construct a four-story permanent supportive housing facility that will include office and retail space located in split zoning between Multi-Family and Semi-Industry Districts.

The following appeal was **Denied:**

Calendar No. 07-31: 4142 Ridgeview Road

Samuel Feliciano appealed to establish a day care in an existing single family dwelling located in an A1 One-Family District.

In Executive Session on April 9, 2007, a Motion to Stay Execution was granted by the Board for the decision ratified on March 26, 2007 regarding the following appeal:

Calendar No. 06-255: 4974 Broadview Road

Patrick Realty Corporation appealed to erect a 14' x 48' double faced billboard on an acreage parcel in a General Industry District; subject to conditions.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of
April 4, 2007

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

* * *

Docket A-22-07.

RE: Appeal of Joseph Rocco — Michael Sudman (Trustee), Owner of the One Story Masonry Semi-Industry Property located on the premises known as 14308 Miles Avenue from a NOTICE OF VIOLATION — UNAUTHORIZED USE of the Director of the Department of Building and Housing, dated January 24, 2007, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant ninety (90) days in which to abate the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

* * *

Docket A-23-07.

RE: Appeal of Joseph Rocco — Michael Sudman (Trustee), Owner of the One Story Masonry Semi-Industry Property located on the premises known as 14312 Miles Avenue from a NOTICE OF VIOLATION — UNAUTHORIZED USE of the Director of the Department of Building and Housing, dated January 24, 2007, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant ninety (90) days in which to abate the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

* * *

Docket A-24-07.

RE: Appeal of Polster Family Trust, Etc., Owner of the Two Story Masonry Multi-Family Property located on the premises known as 8610 Franklin Avenue (aka 8611 Detroit Avenue) from a 30 DAY CONDEMNATION ORDER of the Director of the Department of Building and Housing, dated January 24, 2007, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-24-07 has been POSTPONED; to be rescheduled for May 2, 2007.

* * *

Docket A-25-07.

RE: Appeal of Rose L. Jones (Deceased) c/O Willie Annette Willoughby-Harris, Owner of the One Dwelling Unit Single Family Residential Property located on the premises known as 1382 East 89th Street from a 30 DAY CONDEMNATION ORDER of the Director of the Department of Building and Housing, dated December 23, 2006, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to require the Appellant to obtain permits within thirty (30) days and to continue to make satisfactory progress to completion of the abatement of the violations, noting that with the realization that they have requested additional time because of the probate process; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

Docket A-30-07.

RE: Appeal of John Fadel — Fadel Properties, Owner of the Property located on the premises known as 5712 Brookpark Road from an ADJUDICATION ORDER of the Director of the Department of Building and Housing, dated March 2, 2007, requiring compliance with Docket A-30-07 has been WITHDRAWN, at the request of the Appellant.

* * *

Docket A-41-07.

RE: Appeal of Flats Development, Owner of the Property located on the premises known as 1151 Main Avenue from an ADJUDICATION ORDER of the Director of the Department of Building and Housing, dated March 23, 2007, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, noting that the City has reviewed and concurs with compliance by all issues, a motion is in order at this time to permit the 20,336 square foot tent to be erected and used as requested by the Appellant. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

* * *

APPROVAL OF RESOLUTIONS:

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

- A-19-07—Edwin Taylor Jr.
- A-20-07—Mousa Kash.
- A-21-07—Kitson Hutchinson.
- A-29-07—Paul Butler.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

* * *

APPROVAL OF MINUTES:

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

March 21, 2007

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

* * *

Secretary

PUBLIC NOTICE

NOTICE OF PURPA HEARINGS

The City of Cleveland Council Committee on Public Utilities will hold a public hearing to consider whether Cleveland Public Power

should adopt standards for interconnection, smart metering, and net metering, as set forth in amendments to the Federal Public Utility Regulatory Policies Act (Sections 1251, 1252, and 1254 of the Energy Policy Act of 2005). The hearing will be held as a workshop on April 18, 2007, at the Cleveland Convention Center, from 1:00 to 5:00 P.M. Additional information may be obtained from the City of Cleveland Council website at:

<http://www.clevelandcitycouncil.org/>.

March 28, 2007, April 4, 2007 and April 11, 2007

NOTICE OF PUBLIC HEARING

Notice of Public Hearing of the City of Cleveland Records Commission

Notice is hereby given in accordance with Chapter 149 of the Ohio Revised Code and Chapter 167 of the Codified Ordinances of the City of Cleveland, that the Cleveland Records Commission will hold a public meeting on Tuesday, April 24, 2007 at 10:00 a.m. in Room 106, City Hall, 601 Lakeside Avenue, Cleveland, Ohio for the purpose of considering records retention and disposal requests.

April 11, 2007 and April 18, 2007

CITY OF CLEVELAND BIDS

For All Departments

Sealed bids will be received at the office of the Commissioner of Purchases and Supplies, Room 128, City Hall, in accordance with the appended schedule, and will be opened and read in Room 128, City Hall, immediately thereafter.

Each bid must be made in accordance with the specifications and must be submitted on the blanks supplied for the purpose, all of which may be obtained at the office of the said Commissioner of Purchases and Supplies, but no bid will be considered unless delivered to the office of the said commissioner previous to 12:00 noon (Eastern Standard Time) on the date specified in the schedule.

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

Where invitations for bids are advertised, the following notice shall be included in the advertisement: "Pursuant to the MBE/FBE Code, each prime bidder, each minority business enterprise ("MBE") and each female business enterprise ("FBE") must be certified before doing business with the City. Therefore, any prime contractor wishing to receive credit for using an MBE or FBE should ensure that applications for certification as to MBE or FBE status compliance with the Code, affirmative action in employment and, if applicable, joint venture status, are submitted to the Of-

office of Equal Opportunity ("OEO") prior to the date of bid opening or submission of proposals or as specified by the Director. Failure to comply with the business enterprise code or with representations made on these forms may result in cancellation of the contract or other civil or criminal penalties."

WEDNESDAY, APRIL 18, 2007

Messenger Services, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 1619-06, passed by the Council of the City of Cleveland, October 23, 2006.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, FRIDAY, APRIL 13, 2007 AT 10:30 A.M., CITY HALL, DIVISION OF PURCHASES & SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

Disaster Recovery Hardware/Software, for Cleveland City Council, as authorized by Ordinance No. 541-07, passed by the Council of the City of Cleveland, April 2, 2007.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, MONDAY, APRIL 16, 2007 AT 1:00 P.M., CITY HALL, CLEVELAND CITY COUNCIL, CONFERENCE ROOM 216, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

April 4, 2007 and April 11, 2007

THURSDAY, APRIL 19, 2007

Earle B. Turner Recreation Center Renovations (Phase 3), for the Division of Architecture, Department of Public Service, as authorized by Ordinance No. 1264-03, passed by the Council of the City of Cleveland, December 15, 2003.

THERE WILL BE A **REFUNDABLE FEE FOR PLANS/SPECIFICATIONS** IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** MONDAY, APRIL 16, 2007 AT 2:00 P.M., EARLE B. TURNER RECREATION CENTER, 11300 MILES AVENUE, CLEVELAND, OHIO 44105.

April 4, 2007 and April 11, 2007

WEDNESDAY, APRIL 25, 2007

Electronic Protection Services (Re-Bid), for the Various Divisions, Department of Finance, as authorized by Ordinance No. pending, passed by the Council of the City of Cleveland, pending.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, MONDAY, APRIL 23, 2007 AT 11:00 A.M., CITY HALL, DIVISION OF PURCHASES & SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

April 11, 2007 and April 18, 2007

WEDNESDAY, MAY 2, 2007

Building Material (Re-Bid), for the Various Divisions, Department of Finance, as authorized by Ordinance No. 601-06, passed by the Council of the City of Cleveland, April 10, 2006.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, MONDAY, APRIL 23, 2007 AT 10:30 A.M., CITY HALL, DIVISION OF PURCHASES & SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

Cold Mix Material, for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 1054-06, passed by the Council of the City of Cleveland, July 12, 2006.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** TUESDAY, APRIL 24, 2007 AT 10:00 A.M., DIVISION OF STREETS, CONFERENCE ROOM #25, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

Hough Multi-Purpose Center Mechanical and Electrical Improvements, for the Division of Architecture, Department of Public Service, as authorized by Ordinance No. 735-06, passed by the Council of the City of Cleveland, June 12, 2006.

THERE WILL BE A **REFUNDABLE FEE FOR PLANS/SPECIFICATIONS** IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, APRIL 26, 2007 AT 10:00 A.M., HOUGH MULTI-PURPOSE CENTER, 8555 HOUGH AVENUE, CLEVELAND, OHIO 44106.

April 11, 2007 and April 18, 2007

THURSDAY, MAY 3, 2007

Estimated Quantity of One (1) Fork Lift (Re-Bid), for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 889-06, passed by the Council of the City of Cleveland, August 9, 2006.

THERE WILL BE A **MANDATORY PRE-BID MEETING** TUESDAY, APRIL 24, 2007 AT 10:00 A.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, BUILDING #1, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

THE CITY WILL NOT CONSIDER THE BID OF ANYONE WHO DOES NOT ATTEND A MANDATORY PRE-BID CONFERENCE.

Estimated Quantity of Two (2) Cab/Chassis with USV Bodies, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 887-06, passed by the Council of the City of Cleveland, August 9, 2006.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** WEDNESDAY, APRIL 25, 2007 AT 10:00 A.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, BUILD-

ING #1, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

Line Locators, Ferrous Metal Detection Equipment, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1255-06, passed by the Council of the City of Cleveland, October 30, 2006.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, APRIL 19, 2007 AT 11:00 A.M., DIVISION OF WATER — DISTRIBUTION & MAINTENANCE, 4600 HARVARD AVENUE, NEWBURGH HEIGHTS, OHIO 44105.

Demolition and Site Improvements at Memphis School (Re-Bid), for the Department of Building and Housing, as authorized by Ordinance No. 757-06, passed by the Council of the City of Cleveland, April 24, 2006.

THERE WILL BE A **REFUNDABLE FEE FOR PLANS/SPECIFICATIONS** IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.

THERE WILL BE A **MANDATORY PRE-BID MEETING**, MONDAY, APRIL 23, 2007 AT 10:00 A.M., DEPARTMENT OF BUILDING AND HOUSING, ROOM 509, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

THE CITY WILL NOT CONSIDER THE BID OF ANYONE WHO DOES NOT ATTEND A MANDATORY PRE-BID CONFERENCE.

April 11, 2007 and April 18, 2007

WEDNESDAY, MAY 9, 2007

Manhole Risers, for the Division of Streets, Department of Public Service, as authorized by Ordinance No. 307-06, passed by the Council of the City of Cleveland, March 27, 2006.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, APRIL 26, 2007 AT 10:00 A.M., DIVISION OF STREETS, CONFERENCE ROOM #26, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

Scrap Metal Sales, for the Various Divisions, Department of Finance, as authorized by Section 181.19 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, MONDAY, APRIL 30, 2007 AT 10:00 A.M., CITY HALL, DIVISION OF PURCHASES & SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

April 11, 2007 and April 18, 2007

FRIDAY, MAY 11, 2007

Liquid Chlorine, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, APRIL 27, 2007 AT 2:00 P.M., CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE CLEVELAND, OHIO 44114.

April 11, 2007 and April 18, 2007

FRIDAY, MAY 18, 2007

Various Mower and Equipment Parts and Repairs, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 501-06, passed by the Council of the City of Cleveland, May 1, 2006.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** MONDAY, MAY 7, 2007 AT 10:00 A.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, BUILDING #1, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

April 11, 2007 and April 18, 2007

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 545-07.

By Council Members Brancatelli, Westbrook, Cummins, Santiago, Sweeney, Brady, Britt, Cimperman, Cleveland, Coats, Conwell, Johnson, Keane, Kelley, Lewis, Pierce Scott, Polensek, Reed, Turner, White and Zone.

An emergency resolution urging the Ohio House of Representatives to support the passage of H.B. 138, which will better identify ownership of property after a foreclosure occurs, and assist local governments, building and housing official with identifying purchasers of property subsequent to sheriff sales for the purposes of better code enforcement and tracking responsible parties who are avoiding local taxes and fees.

Whereas, Ohio has the worst foreclosure rate in the country, with a loan default rate more than three times the national average; and

Whereas, the City of Cleveland had approximately 9,000 foreclosures in 2006 with the rate of foreclosures predicted to worsen; and

Whereas, the increasing number of foreclosures result in sheriff sales; and

Whereas, the purchasers of sheriff sale properties, which by default is frequently the mortgage company who began the foreclosure, fail to file the deed with the Records Office; and

Whereas, there is no state law which requires the recording of the deed pursuant to a sheriff sale; and

Whereas, the sheriff sale purchaser of foreclosed property is attempting to stay hidden trying to avoid notification of housing code violations; and

Whereas, the sheriff sale purchaser of foreclosed property is attempting to stay hidden trying to avoid notification of local taxes and fees; and

Whereas, local government officials would be greatly assisted to perform the duties to enforce building code violations by having timely information of a properties deed holder; and

Whereas, local government officials would be greatly assisted to perform their duties to collect all legally due property taxes and fees by having timely information of property deed holder's identification; and

Whereas, vacant foreclosed properties often become a breeding ground for crime and fires, and require a disproportionate amount of government maintenance, from securing properties against criminal activity to removal of garbage and rodents to demolition, all at a cost to taxpayers; and

Whereas, vacant properties reduce city tax revenue in three ways: they are often tax delinquent; their low value means they generate little in taxes; and they depress property values across an entire neighborhood; and

Whereas, the cost of living in a neighborhood with many vacant and abandoned properties makes obtaining homeowner's insurance, mortgages and loans for home improvements more difficult; and

Whereas, vacant properties degrade and devalue the quality of life for remaining residents, isolating and weakening the neighborhood, and increasing the likelihood that property values will continue to decline and further abandonment will set in; and

Whereas, it is incumbent the Ohio Legislature to assist local government with the tools and information to reduce the impacts of foreclosed and vacant properties and provide local government the ability to identify any properties deed holder in an efficient and timely manner; and

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

Be it resolved by the Council of the City of Cleveland:

Section 1. That this Council hereby urge the Ohio House of Representatives to support the passage of H.B. 138, which will better identify ownership of property after a foreclosure occurs, and assist local governments, building and housing official with identifying purchasers of property subsequent to sheriff sales for the purposes of better code enforcement and tracking responsible parties who are avoiding local taxes and fees.

Section 2. That the Clerk of Council is hereby directed to transmit copies of this resolution to Ted Strickland, the Governor of the State of Ohio, John Husted, the Speaker of the House, Mike Foley, Ohio House of Representatives, and Lou Blessing, Ohio House of Representatives, Frank G. Jackson, Mayor, City of Cleveland, James Rokakis, the Cuyahoga County Treasurer.

Section 3. That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council,

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

Adopted April 2, 2007.

Effective April 9, 2007.

Res. No. 548-07.

By Mayor Jackson and Council Members Zone, Coats, Westbrook, Cleveland, Pierce Scott, Turner, Britt, Polensek, Conwell, Brancatelli, Lewis and Cummins.

An emergency resolution opposing Ohio Senate Bill 117 and any state legislation that would preempt local government regulation of video service providers using the right-of-way in their jurisdiction, and which would eliminate and severely limit franchise fee payments and PEG channel and access support currently existing under federal law and further urging members of the Ohio Legislature to oppose SB 117 and any other similar legislation that impinges on the City's home rule authority.

Whereas, the regulatory authority to require a local franchise to provide video services stems from the City of Cleveland's constitutional home rule powers over its local rights-of-way; and

Whereas, the City of Cleveland welcomes competition of video service and broadband and encourages new providers of these services to invest in new communications and video programming infrastructure in the City and to provide competitive video and broadband service to all of the City's residents and businesses; and

Whereas, Senate Bill ("SB") 117 has been introduced in the Ohio Legislature to enable telecommunications companies to enter the video service market with minimal regulation and accountability in order to compete with incumbent cable operators by providing competitive video service to Ohio residents of their choice; and

Whereas, current federal statutory law regulating the provision of video service maintains a fair and equitable balance between local government interests, powers and obligations, and the interests of incumbent cable operators as well as new providers of competitive video service, and provides a reasonable mechanism by which competitive video service providers can obtain local permission to provide video services; and

Whereas, SB 117 would eliminate local and state regulation of cable and other video service providers using the City's rights-of-way and replace it with minimal oversight and enforcement powers by the Ohio Director of Commerce; and

Whereas, SB 117 would permit cable operators to unilaterally abrogate existing cable contracts with municipalities even if no new competitive video service is offered in those communities; and

Whereas, despite claims that SB 117 preserves important local government interests such as control over rights-of-way, franchise fee

payments and Public, Educational and Governmental (PEG) access channels, the terms of SB 117 unreasonably restrict and severely impair these and other important local interests; and

Whereas, it is incumbent on the City of Cleveland to protect the cable and video service interests of all its residents with respect to reasonable build-out requirements, local PEG programming, payment of franchise fees for use of public rights-of-way, and rights-of-way management, and

Whereas, SB 117 would cut the City's franchise fees paid by cable operators and video service providers in exchange for using the City's rights-of-way by 10-12% or more going forward, and would severely impair the City's ability to audit cable and competitive video service providers' franchise fee payments; and

Whereas, SB 117 would substantially reduce, if not eliminate, the City's Public, Educational and Governmental (PEG) access channels and would entirely eliminate all other PEG funding and other services, such as free cable service to City buildings and public schools entirely; and

Whereas, SB 117 would severely impair the City's ability to require and enforce basic customer service standards in cable television and other video services; and

Whereas, the provisions of SB 117 requiring a competitive video service provider to build-out its system to include service to lower income residents is such that very few lower income City residents will receive competitive video and broadband service; and

Whereas, although SB 117 states that current local franchise requirements present "barriers to entry" and "inordinate delays", companies such as AT&T and Verizon are not yet providing competitive video service, and has not committed to a date by which it will begin providing competitive service, in Ohio communities that have already granted AT&T permission to provide such service; and

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

Be it resolved by the Council of the City of Cleveland:

Section 1. That this Council hereby opposes Ohio Senate Bill 117 and any state legislation that would preempt local government regulation of video service providers using the right-of-way in their jurisdiction, and that would eliminate and severely limit franchise fee payments and PEG channel and access support currently existing under federal law and further urges members of the Ohio Legislature to oppose SB 117 and any other similar legislation that impinges on the City's home rule authority.

Section 2. That the Clerk of Council is hereby directed to forward certified copies of this resolution to Governor Strickland and all members of the Ohio legislature.

Section 3. That this resolution is

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

Adopted April 2, 2007.

Effective April 2, 2007.

Res. No. 549-07.

By Council Member Conwell.

An emergency resolution withdrawing objection to the transfer of ownership of a C2, C2X and D6 Liquor Permit at 11313 Euclid Avenue, and repealing Resolution No. 83-07, objecting to said transfer.

Whereas, this Council objected to the transfer of ownership of a C2, C2X and D6 Liquor Permit to Mahaden Trading Co., DBA Boarding House Deli & Carryout, 11313 Euclid Avenue, Cleveland, Ohio 44106, Permanent No. 5433601, by Resolution No. 83-07 adopted by the Council on January 22, 2007; and

Whereas, this Council wishes to withdraw its objection to the above transfer and consents to said transfer; and

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

Be it resolved by the Council of the City of Cleveland:

Section 1. That objection to a C2, C2X and D6 Liquor Permit to Mahaden Trading Co., DBA Boarding House Deli & Carryout, 11313 Euclid Avenue, Cleveland, Ohio 44106, Permanent Number 5433601 be and the same is hereby withdrawn and Resolution No. 170-06, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted April 2, 2007.

Effective April 9, 2007.

Res. No. 550-07.

By Council Members Johnson and Sweeney.

An emergency resolution fixing the location for the meeting of Cleveland City Council on April 16, 2007.

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

Be it resolved by the Council of the City of Cleveland:

Section 1. That the Council of the City of Cleveland shall hold its reg-

ular meeting on April 16, 2007 at Kenneth L. Johnson Recreation Center, located at 9206 Woodland Avenue (Ward 4), at 7:00 p.m.

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

Adopted April 2, 2007.

Effective April 9, 2007.

Ord. No. 1850-06.

By Council Members Kelley, Cimperman and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into one or more Concession Agreements for the lease, management, design, and construction of retail merchandise, food, beverage, and service concessions for the Department of Port Control facilities, for a period not to exceed ten years from the expiration of the existing contract with one option to renew for an additional five year period.

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

Be it ordained by the Council of the City of Cleveland:

Section 1. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Port Control is authorized to enter into one or more Concession Agreements on the basis of competitive proposals for the lease, management, design, and construction of retail merchandise, food, beverage, and service concessions at Department of Port Control facilities. Each bidder's plans for union participation must be a material consideration in the scoring and ranking of each proposal. The selection of the concessionaire or concessionaires shall be made by the Board of Control on the nomination of the Director of Port Control. After the selection of the concessionaire or concessionaires, the Director of Port Control shall report the result of the bid process to City Council. The concession fee to be paid to the City shall be fixed by the Board of Control. Each Concession Agreement shall not exceed an initial term of ten years from the expiration of the existing contract, with one option to renew for an additional five year period, subject to Council approval. Council requires that a copy of the request for proposal utilized by the Director of Port Control be made a part of File No. 1850-06-A.

Section 2. That in the event that the incumbent concessionaire, HMS Host, is not selected to enter into a Concession Agreement as authorized

by this ordinance, the Council requires as a material condition of each such Concession Agreement that the incoming concessionaire must ensure that all concessions employees who are employed by HMS Host as of the expiration date of the current concession contracts and who meet the reasonable hiring standards of the Concessionaire or its concessions operators are hired by one of the concessions operators, with the compensation package to be provided to each employee at the time of hire being at least comparable to the compensation package that was provided to the employee by HMS Host as of the expiration date of the particular HMS concession contract.

Section 3. That the Concession Agreement or Agreements may require the concessionaires to establish a low interest loan fund to support small and female-and minority-owned business buildout and to conduct or sponsor outreach events for female-and minority-owned businesses. The Concession Agreement or Agreements shall be prepared by the Director of Law.

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

Passed April 2, 2007.

Effective April 9, 2007.

Ord. No. 194-07.

By Council Members Johnson and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to accept a gift of computers from the Cleveland Clinic, for the Division of Recreation, Department of Parks, Recreation and Properties.

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

Be it ordained by the Council of the City of Cleveland:

Section 1. That The Director of Parks, Recreation and Properties is authorized to accept on behalf of the Division of Recreation, a gift of 22 computers, valued at \$13,200, from the Cleveland Clinic, for use in various recreation centers in connection with a smoking cessation program.

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

Passed April 2, 2007.

Effective April 9, 2007.

Ord. No. 253-07.

By Council Members Johnson and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the Ohio Department of Education for the 2007 Summer Food Program; authorizing the purchase by requirement contract of breakfasts, lunches and snacks for the Program and for food, food products, beverages, condiments and paper products needed for a food service operation to be served at Camp George L. Forbes, for the Division of Recreation, Department of Parks, Recreation and Properties; and authorizing the Director to contract with various non-profit organizations for the implementation of the Program.

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

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Parks, Recreation and Properties is authorized to apply for and accept a grant in the approximate amount of \$250,000.00, from the Ohio Department of Education, to conduct the 2007 Summer Food Program for the purposes described in the program description; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the program description for the grant contained in the file described below.

Section 2. That the program description for the grant, File No. 253-07-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the Director of Parks, Recreation and Properties is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of three months (June, July and August, 2007) for the breakfast, lunch and snack program to be served at nineteen City recreation centers and various non-profit agencies and other agencies or recreation facilities as determined by the Director, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control shall determine.

Section 4. The cost of the contract or contracts shall be charged against the proper appropriation account, and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner

of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance.

Section 5. That provided the agencies meet the eligibility requirements of the Ohio Department of Education, the Director of Parks, Recreation and Properties is authorized to make one or more written contracts with the following agencies and any additional agencies as determined by the Director for implementation of the 2007 Summer Food Program:

Broken Pieces Fellowship Church
Emile deSauze
R.G. Jones
Westown Community Center
2nd Calvary Baptist Church

Section 6. That the cost of the contract or contracts authorized shall be paid from the fund or funds to which are credited the proceeds of the grant accepted by this ordinance.

Section 7. That the Director of Parks, Recreation and Properties is authorized to make one or more written requirement contracts under with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of various natural foods, food products, beverages, condiments and paper products, to be served as part of the meal program at Camp George L. Forbes, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control shall determine.

Section 8. The cost of the contract or contracts shall be charged against the proper appropriation account and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance.

Section 9. That, notwithstanding the provisions of Section 181.24 of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, bidders for the contract or contracts authorized by this ordinance shall be required to submit a bid bond in the amount of five percent of the amount of the bid, as required by United States Treasury Circular 570.

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

Passed April 2, 2007.

Effective April 9, 2007.

Ord. No. 371-07.

By Council Members Johnson and Sweeney (by departmental request).
An emergency ordinance authorizing the Directors of Parks, Recreation and Properties and Finance to enter into one or more contracts with the Cleveland Board of Education to conduct recreational, cultural, and extracurricular programs for the benefit of school children during the 2006-07 school year.

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

Whereas, the Joint Board established by Ordinance No. 1025-A-95 has recommended that a portion of the tax proceeds be used to fund a number of recreational, cultural, and extracurricular programs for City school children during the 2006-07 school year, including dance, drama, instrumental, vocal, cheerleading, aquatic, sports, and academic enrichment programs; and

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

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Parks, Recreation and Properties and Finance are authorized to enter into one or more contracts with the Board of Education of the Cleveland City School District to conduct various recreational, cultural and extracurricular programs for the benefit of City school children during the 2006-07 school year, under the program description contained in File No. 371-07-A. The cost of the contract or contracts shall not exceed \$2,000,000 and shall be payable from the fund or funds to which are credited the proceeds of the taxes levied under Ordinance No. 1025-A-95, passed June 28, 1995, under terms and conditions as are acceptable to the Director of Law.

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

Passed April 2, 2007.
Effective April 9, 2007.

Ord. No. 379-07.

By Council Members Zone, Cimperman and Sweeney (by departmental request).

An emergency ordinance authorizing the Directors of Finance and Public Utilities, to jointly solicit proposals from wireless broadband network providers to finance, own, design, build, deploy, manage, operate, maintain, repair and upgrade a Citywide wireless broadband network infrastructure, for a ten year

period with two additional five-year options to renew; and authorizing the Director of Finance and the Director of Public Utilities, as appropriate, to enter into one or more agreements with the selected provider to effectuate the improvement, including but not limited to right-of-way and pole attachment agreements, and access to other required city-owned assets.

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

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Directors of Finance and Public Utilities are authorized to jointly solicit proposals from private-sector wireless broadband internet network providers to finance, own, design, build, deploy, manage, operate, maintain, repair and upgrade a Citywide wireless broadband network infrastructure, for a ten year period with two additional five-year options to renew at no cost to the City, exercisable by the Board of Control.

Section 2. That the Directors of Finance and Public Utilities are authorized to enter into one or more contracts with the selected wireless vendor to effectuate the project, as described above. The Board of Control shall select the provider from a list of qualified providers.

Section 3. That the Directors of Finance and Public Utilities, as appropriate, are authorized to enter into one or more agreements with the selected provider for the purpose stated above to effectuate the project, including but not limited to, agreements relating to right-of-way, pole attachments, and access to City-owned buildings, towers, rooftops or other City-owned assets.

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

Passed April 2, 2007.
Effective April 9, 2007.

Ord. No. 411-07.

By Council Members Pierce Scott and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into an Assignment Agreement with United States Environmental Protection Agency, to provide an on-loan federal employee to the City to implement the industrial/commercial landbank and to advise various City departments on environmental and brownfield related issues.

Whereas, federal agencies are authorized to provide on-loan employees under the Intergovernmental Personnel Act of 1970, 5 U.S.C §§3371 - 3376; and

Whereas, the United States Environmental Protection Agency provid-

ed an on-loan federal employee who is a brownfield specialist to the City of Cleveland for a period that ends April 2, 2007; and

Whereas, the Department of Economic Development desires to retain the services of the on-loan federal employee for another year; and

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

Be it ordained by the Council of the City of Cleveland:

Section 1. The Director of Economic Development is authorized to enter into an Assignment Agreement with the United States Environmental Protection Agency, for the loan of their employee, Brooke Furio, for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to implement the industrial/commercial landbank in the Department of Economic Development and to advise the various departments on environmental and brownfield-related issues. The Agreement shall be for a period of one year.

Section 2. That the Assignment Agreement prepared by the United States Environmental Protection Agency shall be in a form acceptable to the Director of Law.

Section 3. That the costs of the agreement, including salary and benefits for the on-loan federal employee, shall be advanced as described in the IPA Assignment Agreement described in Section 1 of this ordinance, negotiated by the City and the federal government, from Fund No. 01-950100-638000, Request No. 103737.

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

Passed April 2, 2007.
Effective April 9, 2007.

Ord. No. 413-07.

By Council Members Pierce Scott and Sweeney (by departmental request).

An emergency ordinance authorizing payment to Dorothy Peterson, for herself and any and all related businesses or entities, for reimbursement under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, due to the displacement of her business arising through the development of the Glenville Towne Center Project.

Whereas, Dorothy Peterson's business, the Aquarius Unlimited Beauty Salon & Boutique, was displaced due to the development of the federally-funded Glenville Towne Center Project; and

Whereas, in 1997, Ms. Peterson moved her business to an unsuitable

temporary location and then to her home; and

Whereas, the U.S. Department of Housing and Urban Development ("HUD") under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended ("URA"), has determined that Ms. Peterson is eligible for reimbursement of up to \$12,474.00 for the expense and all associated costs including disconnection and reconnection of plumbing, electrical and equipment regarding both of the above moves; and

Whereas, Ms. Peterson remains eligible under the provisions of the URA to re-establish her business at a suitable location; and

Whereas, upon documented re-establishment of the business or businesses, Ms. Peterson would be entitled to reimbursement of proven, actual, reasonable re-establishment expenses in an amount not to exceed an additional \$33,000.00; and

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

Be it ordained by the Council of the City of Cleveland:

Section 1. That one or more payments to Dorothy Peterson, for herself and any and all related businesses, individuals, entities, for reimbursements under the URA due to the displacement of her business, Aquarius Unlimited Beauty Salon & Boutique, arising through the development of the Glenville Towne Center Project, is authorized.

Section 2. That the payments authorized shall not exceed \$45,500 and shall be paid from Fund No. 18 SF 005, Request No. 126213.

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

Passed April 2, 2007.

Effective April 9, 2007.

Ord. No. 441-07.
By Council Members Johnson and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into an agreement with the Neighborhood Leadership Institute to implement educational, recreational and cultural programs in various school buildings during evening hours.

Whereas, based on recommendations made by the Cleveland Summit on Education, certain pilot programs were created; and

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

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Parks, Recreation and Properties is authorized to enter into an agree-

ment with Neighborhood Leadership Institute to implement educational, recreational and cultural programs in various school buildings during evening hours, in an amount not to exceed \$247,511.00, payable from Fund No. 01-700401-638000, Request No. 169635.

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

Passed April 2, 2007.

Effective April 9, 2007.

Ord. No. 442-07.
By Council Members Johnson and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into contract with the Cleveland Municipal Football Association to conduct a city-wide football program.

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

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Parks, Recreation and Properties is authorized to enter into contract with the Cleveland Municipal Football Association to conduct a city-wide football program, in an amount not to exceed \$71,000, payable from Fund No. 01-700401-638000, Request No. 169634.

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

Passed April 2, 2007.

Effective April 9, 2007.

Ord. No. 443-07.
By Council Members Polensek, Johnson and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into contract with the Salvation Army for administrating and facilitating recreational services in Ward 11, for the Division of Recreation, Department of Parks, Recreation and Properties.

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

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Parks, Recreation and Properties is authorized to enter into contract

with the Salvation Army, Cleveland Temple Corps, 17625 Groveswood Avenue, Cleveland, Ohio, 44119, or its designee, to administer and facilitate recreational services in the Collinwood Community in Ward 11, for the Division of Recreation, Department of Parks, Recreation and Properties, in the total sum of \$100,000, payable from Fund No. 01-700401-638000, Request No. 169631.

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

Passed April 2, 2007.

Effective April 9, 2007.

Ord. No. 444-07.
By Council Members Johnson and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into one or more contracts with City Year to perform community service work and to collaborate with various non-profit agencies.

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

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Parks, Recreation and Properties is authorized to enter into one or more contracts with City Year to perform community service work and to collaborate with non-profit agencies, in an amount not to exceed \$100,000.00, payable from Fund No. 01-700401-638000, Request No. 169628.

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

Passed April 2, 2007.

Effective April 9, 2007.

Ord. No. 445-07.
By Council Members Johnson and Sweeney (by departmental request).

An emergency ordinance authorizing the purchase by one or more contracts of property insurance for the Cleveland Brown's Stadium, for a period of one year, with a one-year option to renew.

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

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Parks, Recreation and Properties is

authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: property insurance for the Cleveland Brown's Stadium, for a gross price, for the Department of Parks, Recreation and Properties for a period of one year, with a one-year option to renew, exercisable by the Director of Parks, Recreation and Properties.

Section 2. That the cost of the contract or contracts authorized shall be paid from Fund No. 67 SF 600, Request No. 164973.

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

Passed April 2, 2007.

Effective April 9, 2007.

Ord. No. 446-07.

By Council Members Johnson and Sweeney (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts for the purchase of various types of small equipment as needed, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties.

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

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Parks, Recreation and Properties is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a one year period of the necessary items of the purchase of small equipment as needed for the Division of Park Maintenance and Properties, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which pur-

chase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 169624)

Section 3. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements using state procedures. The Director of Parks Recreation and Properties may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

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

Passed April 2, 2007.

Effective April 9, 2007.

Ord. No. 447-07.

By Council Members Johnson and Sweeney (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of various pool chemicals, for the Division of Recreation, Department of Parks, Recreation and Properties.

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

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Parks, Recreation and Properties is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year of the necessary items of various pool chemicals, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of

the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 169632)

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

Passed April 2, 2007.

Effective April 9, 2007.

Ord. No. 496-07.

By Council Members Johnson and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to accept the gift of materials, supplies, and labor from employees of General Electric needed to renovate Camp Forbes, and to accept a cash donation from Home Depot and to purchase additional materials needed for the renovation, and to allow and accept the improvements as a gift to the City.

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

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Parks, Recreation and Properties is authorized to accept the gift of materials, supplies, and labor from employees of General Electric to renovate Camp Forbes, and to allow and accept the improvements to Camp Forbes as a gift to the City, valued at approximately \$40,000.

Section 2. That the Director of Parks, Recreation and Properties is authorized to accept a cash donation from Home Depot, in the approximate amount of \$10,000, to be used for the purchase of additional materials from Home Depot needed for the improvement. The Director is authorized to file all papers and execute all documents necessary to receive the cash donation, and the donation is appropriated for the purposes of this ordinance.

Section 3. That this Council authorizes payment to Home Depot, from the fund or funds to which are credited the cash donation accepted by this ordinance, for the purchase of the additional materials needed for the improvements in an amount not to exceed the cash donation accepted by this ordinance.

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

Passed April 2, 2007.

Effective April 9, 2007.

Ord. No. 497-07.

By Council Members Johnson and Sweeney (by departmental request). An emergency ordinance authorizing the purchase by one or more requirement contracts of security services at various indoor and outdoor recreation facilities, including but not limited to, outdoor pools, recreation centers, and various surrounding play areas, for the Division of Recreation, Department of Parks, Recreation and Properties.

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

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Parks, Recreation and Properties is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period not to exceed one year of the necessary items of security services at various indoor and outdoor recreation facilities, including but not limited to, outdoor pools, recreation centers, and various surrounding play areas, in the estimated sum of \$500,000, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RL 169640)

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

Passed April 2, 2007.
Effective April 9, 2007.

Ord. No. 540-07.

By Council Members Pierce Scott and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Building and Housing to enter into one or more contracts with The Lean Firm for professional services necessary to implement, monitor, and manage

new procedures in the code enforcement area of the Department of Building and Housing which are necessary to achieve maximum quality control goals, and to train employees on the new procedures, for the Department of Building and Housing.

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

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Building and Housing is authorized to enter into one or more contracts with The Lean Firm for professional services necessary to implement, monitor, and manage new procedures in the code enforcement area of the Department of Building and Housing which are necessary to achieve maximum quality control goals, and to train employees on the new procedures, on the basis of its proposal dated March 14, 2007, in the total sum of \$50,000, for the Department of Building and Housing. The contract or contracts shall be paid from Fund No. 01-850101-632000, Request No. 162604.

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

Passed April 2, 2007.
Effective April 9, 2007.

Ord. No. 541-07.

By Council Member Sweeney.

An emergency ordinance authorizing the purchase by contract or contracts of hardware, software, all related computer equipment, and support and maintenance services for disaster recovery, networking, and data storage for Cleveland City Council.

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

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Clerk of Council is authorized to make written contract or contracts in accordance with the Charter of Cleveland, Ohio, 1976, for hardware, software, all related computer equipment, and support and maintenance services for disaster recovery, networking, and data storage, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Clerk of Council, and to be awarded by Cleveland City Council.

Section 2. That the cost of said contract or contracts hereby authorized shall be paid from Fund No. 21, Subclass 11006 or Fund No. 01, Subclass 01001.

Section 3. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of

all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed April 2, 2007.
Effective April 9, 2007.

Ord. No. 542-07.

By Council Member Sweeney.

An emergency ordinance to amend Section 2 of Ordinance No. 2093-06, passed December 11, 2006 as amended by Ordinance No. 384-07, passed March 5, 2007 that authorizes the Clerk of Council to enter into contract or contracts for the purchase of software and for professional services for support and maintenance of software.

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

Be it ordained by the Council of the City of Cleveland:

Section 1. That Section 2 of Ordinance No. 2093-06, passed December 11, 2006 as amended by Ordinance No. 384-07, passed March 5, 2007 is amended to read as follows:

Section 2. That the cost of said contract or contracts shall not exceed \$25,000 and shall be payable from Fund No. 21, Subclass 11006.

Section 2. That the existing Section 2 of Ordinance No. 2093-06, passed December 11, 2006, as amended by Ordinance No. 384-07, passed March 5, 2007 is repealed.

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

Passed April 2, 2007.
Effective April 9, 2007.

Ord. No. 543-07.

By Council Member Cimperman.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Westside Catholic Center to stretch banners along Lorain Avenue for the period from April 2, 2007 to May 1, 2007, inclusive, celebrating the 30th Anniversary of the Westside Catholic Center.

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

Be it ordained by the Council of the City of Cleveland:

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to the Westside Catholic Center to install, maintain

and remove banners along Lorain Avenue, for the period from April 2, 2007 to May 1, 2007, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed April 2, 2007.
Effective April 9, 2007.

Ord. No. 547-07.
By Council Member Reed.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to

Mt. Olive Missionary Baptist Church to stretch banners along Kinsman Road and along East 126th Street, for the period from May 1, 2007 to May 31, 2007, inclusive, publicizing the church's 100th Year Anniversary.

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

Be it ordained by the Council of the City of Cleveland:

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Public Service is hereby authorized and directed to issue a permit to Mt. Olive Missionary Baptist Church to install, maintain and remove banners along Kinsman Road and along East 126th Street, for the period from May 1, 2007 to May 31, 2007, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed

promptly upon the expiration of said permit.

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

Passed April 2, 2007.
Effective April 9, 2007.

COUNCIL COMMITTEE MEETINGS

Tuesday, April 10, 2007
9:30 a.m.

Community and Economic Development Committee: Present: Pierce Scott, Chair; Cimperman, Cummins, Coats, Westbrook, Zone, Lewis. *Authorized Absence:* Brancatelli, Vice Chair; Brady. *Protempore:* Reed.

Wednesday, April 11, 2007
1:30 p.m.

Public Utilities Committee: Present: Zone, Chair; Reed, Vice Chair; Polensek, Cummins, Keane, Kelley, Westbrook, Santiago, Cleveland.

Index

O—Ordinance; R—Resolution; F—File
Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
Bold type in sections indicates amendments

Agreements

Industrial/commercial landbank — advise City departments on environmental and brownfield — on-loan federal employee — Assignment Agreement — U. S. Environmental Protection Agency (O 411-07)..... **616**
Neighborhood Leadership Institute — educational, recreational and cultural programs — evening hours — Parks, Recreation and Properties (O 441-07)..... **617**

Banners

Mt. Olive Missionary Baptist Church — church's 100th Year Anniversary (O 547-07) **620**
Westside Catholic Center — 30th Anniversary (O 543-07) **619**

Board of Building Standards and Building Appeals

Brookpark Road, 5712, (Ward 16) — John Fadel—Fadel Properties, owner — appeal withdrawn on 4/4/07 (Doc. A-30-07)..... 611
East 89th Street, 1382, (Ward 7) — Rose L. Jones (Deceased) c/o Willie Annette Willoughby-Harris, owner — appeal resolved on 4/4/07 (Doc. A-25-07) 611
Franklin Avenue, 8610, (Ward 18) — Polster Family Trust, etc., owner — appeal postponed to 05/02/07 on 4/4/2007 (Doc. A-24-07) 611
Halliday Avenue, 15705, (Ward 11) — Edwin Taylor, Jr., owner — appeal adopted on 4/4/07 (Doc. A-19-07) 611
Main Avenue, 1151, (Ward 13) — Flats Development, owner — appeal resolved on 4/4/07 (Doc. A-41-07) 611

Miles Avenue, 14308, (Ward 1) — Joseph Rocco—Michael Sudman (Trustee), owner — appeal resolved on 4/4/2007 (Doc. A-22-07)..... 610

Miles Avenue, 14312, (Ward 1) — Joseph Rocco—Michael Sudman (Trustee), owner — appeal resolved on 4/4/2007 (Doc. A-23-07)..... 611

Pearl Road, 5100, (Ward 16) — Paul Butler—Brookpark Road LLC, owner — appeal adopted on 4/4/07 (Doc. A-29-07) 611

Sandusky Avenue, 9703, (Ward 2) — Kitson Hutchinson, owner — appeal adopted on 4/4/07 (Doc. A-21-07) 611

Woodland Avenue, 9301, (Ward 6) — Mousa Kash (Kash Auto Sales), owner — appeal adopted on 4/4/07 (Doc. A-20-07)..... 611

Board of Control — Cleveland Public Power Division

System designing, planning and program management services — approve subcontractor — amend BOC Res. 313-05 — Dept. of Public Utilities (BOC Res. 160-07) 608

Board of Control — Community Development Department

East 79th Street (Ward 6) — PPN 119-21-022 — Regal Arms, Inc. per Ord. 322-06 (BOC Res. 166-07) 609

Greater Cleveland Habitat for Humanity — various parcels (Ward 8) on scattered sites per Ord. 2054-06 (BOC Res. 167-07) 609

Westchester Avenue, 10311 (Ward 8) — PPN 109-09-033 — Tony D. Dove (BOC Res. 168-07) 609

Board of Control — Concession Agreement

East Side Market canopy — lease to Levi’s Farm Fresh Produce (BOC Res. 165-07) 609

Board of Control — East Side Market

Canopy — lease to Levi’s Farm Fresh Produce (BOC Res. 165-07) 609

Board of Control — Finance Department

Doors, overhead, maintain and repair — contract per Ord. 2048-06 to Action Door — Dept. of Finance (BOC Res. 158-07)..... 607

Towel and linen service — per Ord. 1623-06 — all bids rejected (BOC Res. 159-07) 607

Board of Control — Land Reutilization Program

East 79th Street (Ward 6) — PPN 119-21-022 — Regal Arms, Inc. per Ord. 322-06 (BOC Res. 166-07) 609

Greater Cleveland Habitat for Humanity — various parcels (Ward 8) on scattered sites per Ord. 2054-06 (BOC Res. 167-07) 609

Westchester Avenue, 10311 (Ward 8) — PPN 109-09-033 — Tony D. Dove (BOC Res. 168-07) 609

Board of Control — Land Reutilization Program (Ward 6)

East 79th Street (Ward 6) — PPN 119-21-022 — Regal Arms, Inc. per Ord. 322-06 (BOC Res. 166-07) 609

Board of Control — Land Reutilization Program (Ward 8)

Greater Cleveland Habitat for Humanity — various parcels (Ward 8) on scattered sites per Ord. 2054-06 (BOC Res. 167-07) 609

Westchester Avenue, 10311 (Ward 8) — PPN 109-09-033 — Tony D. Dove (BOC Res. 168-07) 609

Board of Control — Motor Vehicle Maintenance Division

Tire repair road service — contract per Ord. 501-06 to Advanced Tire, Inc. — Dept. of Public Service (BOC Res. 164-07) 608

Board of Control — Parks, Recreation and Properties Department

East Side Market canopy — lease to Levi’s Farm Fresh Produce
(BOC Res. 165-07) 609

Board of Control — Professional Service Contracts

Cornell Road Bridge design services — modify Contract #64142 per BOC Res. 65-05 —
Dept. of Public Service (BOC Res. 162-07) 608
System designing, planning and program management services — approve subcontractor —
amend BOC Res. 313-05 — Division of Cleveland Public Power, Dept. of Public
Utilities (BOC Res. 160-07) 608

Board of Control — Public Service Department

Cornell Road Bridge design services — modify Contract #64142 per BOC Res. 65-05
(BOC Res. 162-07) 608
Receptacle lids, concrete — contract per Ord. 1630-06 to David Williams and Associates,
Inc. — Division of Waste Collection and Disposal (BOC Res. 163-07) 608
Tire repair road service — contract per Ord. 501-06 to Advanced Tire, Inc. — Division of
Motor Vehicle Maintenance (BOC Res. 164-07) 608

Board of Control — Public Utilities Department

Sodium hypochlorite solution — contract per C.O. Sec. 129.24 to Univar USA Inc. -
Division of Water (BOC Res. 161-07) 608
System designing, planning and program management services — approve
subcontractor — amend BOC Res. 313-05 — Division of Cleveland Public Power
(BOC Res. 160-07) 608

Board of Control — Requirement Contracts

Doors, overhead, maintain and repair — contract per Ord. 2048-06 to Action Door
(BOC Res. 158-07) 607
Receptacle lids, concrete — contract per Ord. 1630-06 to David Williams and Associates,
Inc. — Division of Waste Collection and Disposal, Dept. of Public Service
(BOC Res. 163-07) 608
Sodium hypochlorite solution — contract per C.O. Sec. 129.24 to Univar USA Inc. —
Division of Water, Dept. of Public Utilities (BOC Res. 161-07) 608
Tire repair road service — contract per Ord. 501-06 to Advanced Tire, Inc. —
Division of Motor Vehicle Maintenance, Dept. of Public Service
(BOC Res. 164-07) 608

Board of Control — Waste Collection and Disposal Division

Receptacle lids, concrete — contract per Ord. 1630-06 to David Williams and Associates,
Inc. — Dept. of Public Service (BOC Res. 163-07) 608

Board of Control — Water Division

Sodium hypochlorite solution — contract per C.O. Sec. 129.24 to Univar USA Inc. — Dept.
of Public Utilities (BOC Res. 161-07) 608

Board of Education

Recreational, cultural, and extracurricular programs — 2006-07 school year — contracts —
Parks, Recreation and Properties & Finance Departments (O 371-07) 616

Board of Zoning Appeals — Report

Broadview Road, 4974, (Ward 16) — Patrick Realty Corporation, owner and Thomas
Coyne, agent — appeal granted and adopted on 4/9/2007 (Cal. 06-255) 610
East 45th Street, 1625, (Ward 13) — Gary Chen, owner — appeal heard on 4/9/07
(Cal. 07-34) 610
Ridgeview Road, 4142, (Ward 16) — Samuel Feliciano, owner — appeal denied and adopted on
4/9/2007 (Cal. 07-31) 610
Scranton Road, 2613-17, (Ward 14) — John Bartley, owner — appeal heard on
4/9/07 (Cal. 07-37) 610

West 25th Street, 3323, (Ward 14) — South Pointe Commons, L.P. owner — appeal granted and adopted on 4/9/2007 (Cal. 07-32) 610

West 89th Street, 1370, (Ward 18) — Algart Realty, owner and Gary Kline — appeal postponed to 5/07/07 on 4/9/07 (Cal. 07-35) 610

Board of Zoning Appeals — Schedule

Detroit Avenue, 2222, (Ward 13) — Vincent Potochar, et al. — appeal to be heard on 4/23/2007 (Cal. 07-42) 610

East 70th Street, 1960, (Ward 6) — Abdel Abukalil, owner — appeal to be heard on 4/23/2007 (Cal. 07-40) 610

Euclid Avenue, 8000, (Ward 6) — John R. and Barbara Linn, owners, the Zaremba Group LLC and Matt Casey, agent — appeal to be heard on 4/23/2007 (Cal. 07-36) 610

Building and Housing Department

Building and Housing Department — code enforcement area — new procedures & training — contracts — The Lean Firm (O 540-07)..... 619

Camp George L. Forbes

Renovation — gift — General Electric & Home Depot (O 496-07) 618

Summer Food Program, 2007 — grant — Ohio Department of Education — food service operation (O 253-07) 615

City Council

Council meeting — location — April 16, 07 (R 550-07) 614

Hardware, software, all related computer equipment — purchase — disaster recovery, networking, and data storage — support & maintenance (O 541-07) 619

Software — purchase, support & maintenance — amend Ord. 2093-06 (O 542-07) 619

City of Cleveland Bids

Building materials (re-bid) — Department of Finance — per Ord. 601-06 — bid due May 2, 2007 (advertised 4/11/2007 and 4/18/2007) 612

Cab / chassis with USV bodies — Department of Public Service — Division of Motor Vehicle Maintenance — per Ord. 887-06 — bid due May 3, 2007 (advertised 4/11/2007 and 4/18/2007) 612

Cold mix material (re-bid) — Department of Public Service — Division of Streets - per Ord. 1054-06 — bid due May 2, 2007 (advertised 4/11/2007 and 4/18/2007) 612

Disaster Recovery Hardware and Software — Clerk of Council — per Ord. 541-07 — bid due April 18, 2007 (advertised 4/4/2007 and 4/11/2007) 612

Earle B. Turner Recreation Center Renovations (Phase III) — Department of Public Service — Division of Architecture — per Ord. 1264-03 — bid due April 19, 2007 (advertised 4/4/2007 and 4/11/2007)..... 612

Electronic protection services (re-bid) — Department of Finance — per Ord. — bid due April 25, 2007 (advertised 4/11/2007 and 4/18/2007)..... 612

Fork lift (re-bid) — Department of Public Service — Division of Motor Vehicle Maintenance — per Ord. 889-06 — bid due May 3, 2007 (advertised 4/11/2007 and 4/18/2007) 612

Hough Multi-Purpose Center mechanical and electrical improvements — Department of Public Service — Division of Architecture — per Ord. 735-06 — bid due May 2, 2007 (advertised 4/11/2007 and 4/18/2007)..... 612

Line locators, ferrous metal detectors and leak detection equipment — Department of Public Utilities — Division of Water — per Ord. 1255-06 — bid due May 3, 2007 (advertised 4/11/2007 and 4/18/2007)..... 612

Liquid chlorine — Department of Public Utilities — Division of Water — per C.O. Sec. 129.24 — bid due May 11, 2007 (advertised 4/11/2007 and 4/18/2007) 612

Manhole risers — Department of Public Service — Division of Streets — per Ord. 307-06 — bid due May 9, 2007 (advertised 4/11/2007 and 4/18/2007) 612

Memphis School demolition and site improvements (re-bid) — Department of Building and Housing — per Ord. 757-06 — bid due May 3, 2007 (advertised 4/11/2007 and 4/18/2007)..... 612

Messenger services — Department of Finance — per Ord. 1619-06 — bid due April 18, 2007 (advertised 4/4/2007 and 4/11/2007)..... 612

Mower and equipment parts and repair — Department of Public Service — Division of Motor Vehicle Maintenance — per Ord. 501-06 — bid due May 18, 2007 (advertised 4/11/2007 and 4/18/2007)..... 612

Scrap metal sales — Department of Finance — per C.O. Sec. 181.19 — bid due May 9, 2007 (advertised 4/11/2007 and 4/18/2007)..... 612

Clerk of Council

Hardware, software, all related computer equipment — purchase — disaster recovery, networking, and data storage — support & maintenance (O 541-07)	619
Software — purchase, support & maintenance — amend Ord. 2093-06 (O 542-07)	619

Cleveland Clinic Foundation

Gift of computers — Division of Recreation (O 194-07)	615
---	-----

Cleveland Hopkins International Airport

Retail merchandise, food, beverage, and service concessions — Concession Agreements — lease, management, design, and construction (O 1850-06)	614
---	-----

Cleveland Public Schools

Recreational, cultural, and extracurricular programs — 2006-07 school year — contracts — Board of Education — Parks, Recreation and Properties & Finance Departments (O 371-07)	616
---	-----

Concession Agreements

Retail merchandise, food, beverage, and service concessions — lease, management, design, and construction — Cleveland Hopkins International Airport (O 1850-06)	614
---	-----

Contracts

Brown's Stadium — property insurance (O 445-07)	617
Building and Housing Department — code enforcement area — new procedures & training — The Lean Firm (O 540-07)	619
City Year — community service work — collaborate with various non-profit agencies — Parks, Recreation and Properties (O 444-07)	617
Cleveland Municipal Football Association — city-wide football program (O 442-07)	617
Hardware, software, all related computer equipment — purchase — disaster recovery, networking, and data storage — support & maintenance — Cleveland City Council (O 541-07)	619
Recreational, cultural, and extracurricular programs — 2006-07 school year — Board of Education — Parks, Recreation and Properties & Finance Departments (O 371-07)	616
Salvation Army — recreational services in Ward 11 — Division of Recreation (O 443-07)	617
Software — purchase, support & maintenance — Clerk of Council — amend Ord. 2093-06 (O 542-07)	619

Economic Development Department

Industrial/commercial landbank — advise City departments on environmental and brownfield — on-loan federal employee — Assignment Agreement — U. S. Environmental Protection Agency (O 411-07)	616
Peterson, Dorothy (displacement of business) — reimbursement — Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (O 413-07)	616

Environmental Protection Agency

Industrial/commercial landbank — advise City departments on environmental and brownfield — on-loan federal employee — Assignment Agreement (O 411-07)	616
---	-----

Finance Department

Recreational, cultural, and extracurricular programs — 2006-07 school year — contracts — Board of Education — Parks, Recreation and Properties & Finance Departments (O 371-07) **616**

Wireless broadband network infrastructure — solicit proposals — finance, own, design, build, deploy manage, operate, maintain, repair and upgrade — Finance & Public Utilities Departments (O 379-07)..... **616**

General Electric Company

Camp Forbes — renovation — gift — General Electric & Home Depot (O 496-07) **618**

Gifts

Camp Forbes — renovation — General Electric & Home Depot (O 496-07) **618**

Computers — Cleveland Clinic — Division of Recreation (O 194-07) **615**

Grants

Summer Food Program, 2007 — Ohio Department of Education — food service operation — Camp George L. Forbes (O 253-07) **615**

House Bill

Ownership of property — better identify after a foreclosure occurs — identifying purchasers — support H.B. 138 (R 545-07)..... **613**

Insurance

Brown's Stadium — property insurance — contracts (O 445-07) **617**

Liquor Permits

Euclid Ave., 11313 — objection — withdraw (Ward 9) (R 549-07)..... **614**

Parks Maintenance Division

Small equipment — purchase (O 446-07)..... **618**

Parks, Recreation and Properties Department

Brown's Stadium — property insurance — contracts (O 445-07) **617**

Camp Forbes — renovation — gift — General Electric & Home Depot (O 496-07) **618**

City Year — contracts — community service work — collaborate with various non-profit agencies (O 444-07) **617**

Cleveland Municipal Football Association — contract — city-wide football program (O 442-07) **617**

Gift of computers — Cleveland Clinic — Division of Recreation (O 194-07) **615**

Indoor and outdoor recreation facilities — security services — Division of Recreation (O 497-07) **619**

Neighborhood Leadership Institute — agreement — educational, recreational and cultural programs — evening hours (O 441-07) **617**

Pool chemical — purchase — Division of Recreation (O 447-07) **618**

Recreational, cultural, and extracurricular programs — 2006-07 school year — contracts — Board of Education — Parks, Recreation and Properties & Finance Departments (O 371-07) **616**

Salvation Army — contract — recreational services in Ward 11 — Division of Recreation (O 443-07) **617**

Small equipment — purchase — Division of Park Maintenance and Properties (O 446-07) **618**

Summer Food Program, 2007 — grant — Ohio Department of Education — food service operation — Camp George L. Forbes (O 253-07)..... **615**

Port Control Department

Retail merchandise, food, beverage, and service concessions — Concession Agreements — lease, management, design, and construction — Cleveland Hopkins International Airport (O 1850-06)	614
---	-----

Recreation Centers

Indoor and outdoor recreation facilities — security services — Division of Recreation (O 497-07)	619
---	-----

Recusals

Video service providers — preempt local government regulation — opposing Ohio Senate Bill 117 (R 548-07)	613
---	-----

Resolutions — Miscellaneous

Ownership of property — better identify after a foreclosure occurs — identifying purchasers — support H.B. 138 (R 545-07)	613
Video service providers — preempt local government regulation — opposing Ohio Senate Bill 117 (R 548-07)	613

Salvation Army

Recreational services in Ward 11 — contract — Division of Recreation (O 443-07)	617
---	-----

Senate Bills

Video service providers — preempt local government regulation — opposing Ohio Senate Bill 117 (R 548-07)	613
---	-----

Service Department

Mt. Olive Missionary Baptist Church — banners — church's 100th Year Anniversary (O 547-07)	620
Westside Catholic Center — banners — 30th Anniversary (O 543-07)	619

Stadium

Brown's Stadium — property insurance — contracts (O 445-07)	617
---	-----

Summer Food Program

Summer Food Program, 2007 — grant — Ohio Department of Education — food service operation — Camp George L. Forbes (O 253-07)	615
---	-----

Swimming Pools

Pool chemical — purchase — Division of Recreation (O 447-07)	618
--	-----

Utilities Department

Wireless broadband network infrastructure — solicit proposals — finance, own, design, build, deploy manage, operate, maintain, repair and upgrade — Finance & Public Utilities Departments (O 379-07)	616
---	-----

Ward 03

Mt. Olive Missionary Baptist Church — banners — church's 100th Year Anniversary (O 547-07)	620
---	-----

Ward 04

Council meeting — location — April 16, 07 (R 550-07)	614
--	-----

Ward 09

Euclid Ave., 11313 — objection — withdraw — liquor permit (R 549-07) **614**

Ward 11

Salvation Army — contract — recreational services — Division of Recreation
(O 443-07) **617**

Ward 13

Westside Catholic Center — banners — 30th Anniversary (O 543-07) **619**