

The City Record

Official Publication of the Council of the City of Cleveland



July the Sixteenth, Two Thousand and Eight

Frank G. Jackson
Mayor

Martin J. Sweeney
President of Council

Patricia J. Britt
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	Mamie J. Mitchell
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

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Containing	PAGE
City Council	3
The Calendar	3
Board of Control	3
Civil Service	5
Board of Zoning Appeals	6
Board of Building Standards and Building Appeals	7
Public Notice	8
Public Hearings	8
City of Cleveland Bids	8
Adopted Resolutions and Ordinances	9
Committee Meetings	9
Index	9

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	Mamie J. Mitchell.....	12701 Shaker Boulevard, #712	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 – Patricia J. Britt, 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
Monyka S. Price, 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 – Barry A. Withers, Interim 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 – Jomarie 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 – Randell 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
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
Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.
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 – Tracey A. Nichols, 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 Jomarie 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 H. Bowen, Lillian Kuri, Lawrence A. Lumpkin, Gloria Jean Pinkney, Norman Krumholz, Council Member Joe Cimperman.

FAIR CAMPAIGN FINANCE COMMISSION – Chris Warren, C. Ellen Connally, 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 – Laura M. Bala, Chair; Jennifer Coleman, Vice Chair; Robert N. Brown, Council Member Joe Cimperman, Thomas Coffey, Robert Jackimowicz; Ari Maron, William Mason, Michael Rastatter, Jr., John Torres, N. Kurt Wiebusch, 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 Marilyn B. Cassidy	12A
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 John Ryan	12C
Judge Angela R. Stokes	15C
Judge Pauline H. Tarver	13C
Judge Joseph J. Zone	14D

Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Paul J. Mizerak – Bailiff; Jerome M. Krakowski – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate

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71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

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WEDNESDAY, JULY 16, 2008

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CITY COUNCIL

MONDAY, JULY 14, 2008

The City Record

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Address all communications to

PATRICIA J. BRITT

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:** Brancatelli, Chair; Cleveland, Vice Chair; Conwell, Kelley, Mitchell, Reed, Santiago.

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, Coats, Conwell, Pierce Scott, Turner, 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; Coats, Conwell, Cummins, Johnson, Mitchell.

WEDNESDAY—Alternating

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

Cleveland, Mitchell, Turner, Westbrook.

10:00 A.M. — **Public Safety Committee:** Conwell, Chair; Brady, Vice Chair; Coats, Cummins, Kelley, Mitchell, 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: Westbrook, Chair; Kelley, Mitchell, Pierce Scott, Santiago, Sweeney, 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

July 9, 2008

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, July 9, 2008, at 10:30 a.m. with Director Triozzi presiding.

Present: Directors Triozzi, Dumas, Acting Director Withers, Dangerfield, Directors Wasik, Carroll, Acting Director H. Smith, Directors Cox, Rush, Hutchinson, Nichols, Fumich, Guzman and Rybka.

Absent: Mayor Jackson.
Others: James 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. 331-08.

By Interim Director Withers.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Process Control Services, Inc. for an estimated quantity of labor and materials necessary to refurbish the SCADA and PCCS systems, Option 2, items 14.001-14.051, for the Divisions of Water, Water Pollution Control, and Cleveland Public Power, 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 labor and materials, received on April 25, 2008, under the authority of Ordinance No. 2234-05, passed January 23, 2006, as amended by Ordinance No. 1717-06, passed November 20, 2006, which on the basis of the estimated quantity would amount to \$460,620.00 (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 labor and materials, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 182125
which shall be certified against such contract in the sum of \$23,031.00.

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

Yeas: Directors Triozzi, Dumas, Acting Director Withers, Dangerfield, Directors Wasik, Carroll, Acting Director H. Smith, Directors Cox, Rush, Hutchinson, Nichols, Fumich, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 332-08.

By Interim Director Withers.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Gray Matter Systems, LLC for an estimated quantity of labor and materials necessary to refurbish the SCADA and PCCS systems, Option 2, items 7.001-7.032, for the Divisions of Water, Water Pollution Control, and Cleveland Public Power, Department of Public Utilities, for a period of two years start-

ing upon the later of execution of the contract or the day following expiration of the currently effective contract for the labor and materials, received on April 25, 2008, under the authority of Ordinance No. 2234-05, passed January 23, 2006, as amended by Ordinance No. 1717-06 passed November 20, 2006, which on the basis of the estimated quantity would amount to \$249,619.02 (2% 10, 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 labor and materials, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 182126

which shall be certified against such contract in the sum of \$12,480.95.

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

Yeas: Directors Triozzi, Dumas, Acting Director Withers, Dangerfield, Directors Wasik, Carroll, Acting Director H. Smith, Directors Cox, Rush, Hutchinson, Nichols, Fumich, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 333-08.

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of Ordinance No. 132-07, passed by the Council of the City of Cleveland on June 4, 2007, Parking Solutions, Inc. is selected upon the nomination of the Director of Port Control from a list of qualified persons or firms determined after a full and complete canvass by the Director of Port Control as the concessionaire to operate a valet parking service at Cleveland Hopkins International Airport, for the Department of Port Control.

Be it further resolved that the Director of Port Control is authorized to enter into a lease by way of concession ("Lease") with Parking Solutions, Inc. for a term of two years, with two one year options to renew, at a concession fee of 25% of gross revenues per year with a minimum guarantee of \$37,456.50 for the first six months of the term of the Lease. The Lease shall be prepared by the Director of Law and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control that the employment of the following subcontractor by Parking Solutions, Inc. is approved:

<u>Subcontractor</u>	<u>Percentage Amount</u>
Women on Wheels, Inc.	9.0% Non-DBE \$23,115.00

Yeas: Directors Triozzi, Dumas, Acting Director Withers, Dangerfield, Directors Wasik, Carroll, Acting Director H. Smith, Directors Cox, Rush, Hutchinson, Nichols, Fumich, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 334-08.

By Director Smith.

Whereas, under the authority of Ordinance No. 2380-02, as amended by Ordinance Nos. 468-04 and 1853-06, passed by the Council of the City of Cleveland on December 16, 2002, April 26, 2004 and December 11, 2006, respectively, and Board of Control Resolution No. 137-07, adopted March 21, 2007, the City, through its Director of Port Control, entered into City Contract No. 66752 with Landrum & Brown, Inc. ("Consultant"), to provide professional services necessary to prepare planning studies for the various divisions of the Department of Port Control; and

Whereas, the City has determined it requires additional planning studies; and

Whereas, the Consultant has proposed by its letter dated May 22, 2008 to perform the additional work necessary for an amount of \$200,000.00; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Port Control is authorized to enter into a first modification to City Contract No. 66752 between the City of Cleveland and Landrum & Brown, Inc. for additional professional services necessary to prepare planning studies as set forth in Consultant's letter dated May 22, 2008. The amount to be paid for all services shall be increased by \$200,000.00 from \$570,000.00 to a total amount not to exceed \$770,000.00.

Be it further resolved that the employment of the following subconsultants for the services to be performed by Landrum & Brown, Inc. under the first modification authorized above is approved.

<u>Subconsultant</u>	<u>Percentage Amount</u>
Airport Design Consultants, Inc.	15% DBE \$30,000.00
McGuiness Unlimited, Inc.	15% DBE \$30,000.00
G & T Associates, Inc.	14.45% DBE \$28,900.00

Yeas: Directors Triozzi, Dumas, Acting Director Withers, Dangerfield, Directors Wasik, Carroll, Acting Director H. Smith, Directors Cox, Rush, Hutchinson, Nichols, Fumich, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 335-08.

By Director Smith.

Resolved, by the Board of Control of the City of Cleveland that the bid of Air Rite, Inc., for air filters, items 3, 6 and 7 for the various divisions, Department of Port Control, for a period not to exceed two years beginning with the date of execution of a contract, received on May 14, 2008, under the authority of Sec-

tion 181.101 of the Codified Ordinances of the City of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to \$38,803.66, is affirmed and approved as the lowest and best bid, and the Director of Port Control is requested to enter into a requirement contract for the labor and materials necessary, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 180948

which shall be certified against the contract in the sum of \$5,000.00.

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

Yeas: Directors Triozzi, Dumas, Acting Director Withers, Dangerfield, Directors Wasik, Carroll, Acting Director H. Smith, Directors Cox, Rush, Hutchinson, Nichols, Fumich, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 336-08.

By Director Smith.

Resolved, by the Board of Control of the City of Cleveland that the bid of Hepner Air Filter Service, Inc., for air filters, items 1, 2, 4 and 5 for the various divisions, Department of Port Control, for a period not to exceed two years beginning with the date of execution of a contract, received on May 14, 2008, under the authority of Section 181.101 of the Codified Ordinances of the City of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to \$36,413.37, is affirmed and approved as the lowest and best bid, and the Director of Port Control is requested to enter into a requirement contract for the labor and materials necessary, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 180949

which shall be certified against the contract in the sum of \$5,000.00.

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

Yeas: Directors Triozzi, Dumas, Acting Director Withers, Dangerfield, Directors Wasik, Carroll, Acting Director H. Smith, Directors Cox, Rush, Hutchinson, Nichols, Fumich, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 337-08.

By Director Wasik.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Aneгада, L.L.C., d.b.a. AAMCO Transmissions of Bedford for an estimated quantity of various remanufactured transmissions and

repairs, all items, 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 May 28, 2008, under the authority of Section 131.17 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$173,800.00 (2% 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. 185776

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: Directors Triozzi, Dumas, Acting Director Withers, Dangerfield, Directors Wasik, Carroll, Acting Director H. Smith, Directors Cox, Rush, Hutchinson, Nichols, Fumich, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 338-08.

By Director Wasik.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Custom Clutch Joint and Hydraulics, Inc. for an estimated quantity of item 1, various hydraulic hoses and labor, for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of three years beginning with the date of execution of a contract, received on February 28, 2008, under the authority of Section 131.17 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$120,000.00 (2% 10 Days), 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. 185777

which shall be certified against the contract in the sum of \$10,000.00.

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: Directors Triozzi, Dumas, Acting Director Withers, Dangerfield, Directors Wasik, Carroll, Acting Director H. Smith, Directors Cox, Rush, Hutchinson, Nichols, Fumich, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 339-08.

By Director Wasik.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Cleveland Peterbilt, LLC. for an estimated quantity of various vehicle and equipment parts and repair items 4 and 5, for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of three years with two options to renew for additional one year terms beginning with the date of execution of a contract, received on April 23, 2008, under the authority of Section 131.17 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$200,000.00 (Net), 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. 185783

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: Directors Triozzi, Dumas, Acting Director Withers, Dangerfield, Directors Wasik, Carroll, Acting Director H. Smith, Directors Cox, Rush, Hutchinson, Nichols, Fumich, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 340-08.

By Director Cox.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of D. R. S. Enterprises, Inc. for the public improvement of Highland Park Cemetery Utility Duct Improvements, for Base Bid Items 1, 5 and 7 - 12 including the 10% contingency for the Division of Park Maintenance and Properties, Department of Parks, Recreation & Properties, received on May 21, 2008, under the authority of Ordinance No. 358-08, passed on May 5, 2008, upon a unit basis for the improvement in the aggregate amount of \$42,845.00, is affirmed and approved as the lowest responsible bid; and the Director of Department of Parks, Recreation & Properties is authorized to enter into contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by D. R. S. Enterprises, Inc. for the aforementioned public improvement is approved:

<u>SUBCONTRACTOR</u>	<u>AMOUNT PERCENTAGE</u>
North East Masonry	5,100.00 11.90%

Yeas: Directors Triozzi, Dumas, Acting Director Withers, Dangerfield, Directors Wasik, Carroll, Acting Director H. Smith, Directors Cox, Rush, Hutchinson, Nichols, Fumich, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 341-08.

By Director Cox.

Whereas, under the authority of Ordinance No. 758-08, passed June 9, 2008, by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies is authorized, by and at the direction of the Board of Control, to convey a non-exclusive, permanent easement interest in a portion of Duggan Park, no longer needed for public use, to Village Green Elderly, LLC for purposes of providing gas, electrical, sanitary and water connections to Village Green's building located just south of Duggan Park; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 758-08, passed June 9, 2008, by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies is directed to convey a non-exclusive, permanent easement interest in a portion of Duggan Park, as more particularly described in the ordinance, no longer needed for public use, to Village Green Elderly, LLC.

Be it further resolved that the consideration for the easement interest shall be \$1,500.00, which amount is determined to be the fair market value of the easement interest.

Yeas: Directors Triozzi, Dumas, Acting Director Withers, Dangerfield, Directors Wasik, Carroll, Acting Director H. Smith, Directors Cox, Rush, Hutchinson, Nichols, Fumich, Guzman and Rybka.

Nays: None.

Absent: Mayor Jackson.

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 slated 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, JULY 28, 2008

9:30 A.M.

Calendar No. 08-131: 4060 East 116th Street (Ward 2)

Number 1 Grace LLC, owner, appeals from the decision of the Cleveland Zoning Administrator to deny an application for Certificate of Occupancy for a 77,500 square foot auto wrecking yard, located on an irregular shaped parcel in a General Industry District on the west side of East 116th Street and Harvard Avenue at 4060 East 116th Street; and 5 parking spaces are provided, contrary to a requirement for 39 spaces based upon 15 percent of the gross lot area, or 11,600 square feet, plus 1 space for each employee that is required according to the provisions of Section 349.04(j) of the Codified Ordinances.

Calendar No. 08-132: 4524 Broadview Road (Ward 16)

Manuel McDonald appeals under the authority of Section 76-6 of the Cleveland City Charter and Section 329.02(d) of the Cleveland Codified Ordinances from a Notice of Violation, issued by the Building and Housing Department on April 3, 2008 for failure to comply with the Zoning Code and the Requirements for Yards and Courts under Section 357.14 and the Off-Street Parking and Loading Requirements under Sections 349.13(c)(6) of the Cleveland Codified Ordinances.

Calendar No. 08-133: 12800 Larchmere Boulevard (Ward 6)

Sam Gantous, owner, appeals to install and establish a new outdoor dining service area with 10 tables on a 50.49' x 159.07' corner parcel located in a Local Retail Business District on the southeast corner of Larchmere Boulevard (Woodland Avenue) and Kendall Road at 12800 Larchmere Boulevard; no additional parking is proposed and 10 new parking spaces, one accessory off-street parking space for each four seats, are required according to Section 349.04(f) of the Codified Ordinances.

Calendar No. 08-134: 5806 Franklin Boulevard (Ward 17)

Bradford Watson, owner, appeals to erect a 20' x 32' one-story, frame attached garage to an existing dwelling house located on a 38' x 100' parcel in a Two Family District on the north side of Franklin Boulevard at 5806 Franklin Boulevard; contrary to Section 355.04(b) a maximum gross floor area of 2,540 square feet is proposed, exceeding 50 percent of the lot size or 1,900 square feet that is allowed; and a rear yard area of 7 feet 2 inches is proposed where 35 feet is required to equal not less than the height of the main building as stated in Section 357.08 of the Codified Ordinances.

Calendar No. 08-135: 2527 West 25th Street (Ward 14)

Klein-Barabas, Ltd, LLC, owner, and Mario Nemr, tenant, appeal to establish use as a nightclub/tavern

with entertainment an existing two-story building and consolidated parcels, located in split zoning between Semi-Industry and Two-Family Districts on the northeast corner of West 25th Street and Potter Court at 2527 West 25th Street; the proposed use not permitted in a residential district but permitted in a General Retail Business District according to provisions of Sections 343.11(b)(2)(L); and subject to the limitations of Section 347.12(a)(1), a nightclub/tavern with entertainment use cannot be established within 500 feet of a residential district and the proposed use is within a residential district; no landscaping plan is provided contrary to Section 352.12; and an 8 foot wide, landscaped transition strip providing 75 percent year-round opacity is required, where the new lot abuts the residential district to the north and none is proposed, contrary to Sections 352.08-11 of the Codified Ordinances.

Calendar No. 08-140: 4005 West 143rd Street (Ward 21)

Carole Godenswager, owner, appeals to erect a frame handicap wheel chair ramp 3 feet wide and 39 feet long at the front of a one-story single family dwelling on a 40' x 125.80' parcel, located in an A1 One-Family District on the east side of West 143rd Street at 4005 West 143rd Street; and the proposed ramp may not project more than 6 feet beyond the building line nor within 10 feet of the street line as stated in Section 357.13 of the Codified Ordinances.

Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, JULY 14, 2008

At the meeting of the Board of Zoning Appeals on Monday, July 14, 2008, the following appeals were heard by the Board.

The following appeals were **Approved**:

Calendar No. 08-121: 16606-16702 South Waterloo Road

Joseph Mobily, owner, and Jim Dupree, tenant, appealed to change use from a factory and warehouse to a use for truck sales and salvage in a Semi-Industry and General Industry Districts; subject to conditions.

Calendar No. 08-122: 6400 Stock Avenue

Morris Brothers LLC, owner, and Fritz Machmer-Wessels, tenant, appealed to install an 8 foot high wooden fence around irregular shaped acreage in an Unrestricted Industry District; subject to conditions.

Calendar No. 08-123: 16107 Miles Avenue

New Jerusalem church and Pastor Stanley Lockhart appealed to erect an addition to an existing church in a One-Family District.

Calendar No. 08-124: 3229 Fulton Road

Catholic Charities Housing Corporation appealed to erect a four-story, forty unit senior housing apartment building in an RA-2 Townhouse District.

Calendar No. 08-27: 13013 Corlett Avenue

Cleveland Metropolitan School District appealed to construct a Kindergarten through Eighth Grade public school building in a B1 Two-Family District.

The following appeal was **Withdrawn**:

Calendar No. 08-125: 2154 West 20th Street

James Chura appealed to install a 4 foot high chain link fence within the front yard of an "L" shaped parcel in a Multi-Family District.

The following appeal was **Dismissed**:

None.

The following appeals were **Postponed**:

Calendar No. 08-67: 9201 Hillock Avenue postponed to September 8, 2008.

Calendar No. 08-110: 749 East 185th Street postponed to August 11, 2008.

Calendar No. 08-112: 10801 Meech Avenue postponed to August 18, 2008.

The following appeals heard by the Board on July 7, 2008 were adopted and approved on July 14, 2008.

The following appeals were **Approved**:

Calendar No. 08-117: 3020 West 105th Street

Khambong Vongsouvanh appealed to erect a 7' x 20' wooden deck at the rear of a one family dwelling in a Local Retail Business District.

Calendar No. 08-120: 668 Euclid Avenue

668 Atrium, owner, and K&D Development appealed to change the use of an eight-story office building to retail and dwelling units in an E5 General Retail Business District.

The following appeals were **Denied**:

Calendar No. 08-90: 9310 Amesbury Avenue

Amesbury-Rosalind Estates appealed to install a 6 foot high chain link fence in the actual front yard of an acreage parcel in a Multi-Family District.

Calendar No. 08-115: Appeal of Ace Taxi Service

Ace Taxi Service appealed from a ruling by the Commissioner of Assessments and Licenses to assess a fine for violation of Section C-1(c) in the Rules and Regulations for Taxicab Drivers.

The following appeals heard by the Board on June 30, 2008 were adopted and approved on July 14, 2008:

The following appeals were **Approved**:

Calendar No. 08-109: 1331 West 117th Street

Fox family Management, LLC appealed to construct a new restaurant in a Semi-Industry District; subject to conditions.

Calendar No. 08-113: 16801 Elsienna Avenue

Douglas Angeletti appealed to erect a one-story frame garage in an A1 One-Family District.

The following appeal heard by the Board on January 7, 2008 was dismissed for applicants failure to comply with the request of the Board.

Calendar No. 07-210: 2710 Lorain Avenue

Maggie Realty LLC and Victor Halm, owner, and Robert Ivanov, lessee, appealed to expand a legal nonconforming restaurant/tavern to a restaurant/tavern with entertainment in a General Retail Business District

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of
July 9, 2008

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-6-08.

RE: Appeal of K Group Properties, Owner of the R-2 Residential—Non-Transient; Apartments (Shared Egress) Two Story Frame Property and One Story Masonry Detached Garage located on the premises known as 2076 West 81st Street from a 30 DAY CONDEMNATION ORDER of the Director of the Department of Building and Housing, dated December 12, 2007, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

No action required by the Board at this time.

* * *

Docket A-71-08.

RE: Appeal of The Foundation for Inner-City Development c/o Michael Nelson, Owner of the Property located on the premises known as 6816 Superior Avenue from a NOTICE OF VIOLATION — UNAUTHORIZED USE, dated May 12, 2008 of the Director of the Department of Building and Housing, requiring compli-

ance 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 sixty (60) days in which to complete abatement of the building 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. Saunders and seconded by Mr. Bradley.

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

* * *

Docket A-76-08.

RE: Appeal of Home Servicing, LLC, Mortgagee of the One Dwelling Unit Single Family Residence Two and One/half Story Frame Property located on the premises known as 1338 East 111th Street from a 30 DAY CONDEMNATION ORDER — MS of the Director of the Department of Building and Housing, dated April 18, 2008, 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 thirty (30) days in which to sell the property or obtain permits 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. Saab and seconded by Mr. Gallagher.

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

* * *

Docket A-78-08.

RE: Appeal of Mark Mueller, Owner of the Two Family Residence Two & One/Half Story Frame Property located on the premises known as 7810 Wentworth Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE of the Director of the Department of Building and Housing, dated April 16, 2008, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-78-08 has been POSTPONED; to be rescheduled for July 23, 2008.

* * *

Docket A-79-08.

RE: Appeal of Mark Mueller, Owner of the Two Family Residence Two and One/Half Story Frame Property located on the premises known as 7808 Wentworth Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE of the Director of the Department of Building and Housing, dated April 16, 2008, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-79-08 has been POSTPONED; to be rescheduled for July 23, 2008.

Docket A-80-08.

RE: Appeal of Mark Mueller, Owner of the Three Dwelling Units Three-family Residence Two and One/half Story Frame Property located on the premises known as 7806 Wentworth Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE of the Director of the Department of Building and Housing, dated April 16, 2008, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-78-08 has been POSTPONED; to be rescheduled for July 23, 2008.

* * *

Docket A-84-08.

RE: Appeal of Financial Freedom Senior Funding, Mortgagee of the Two Dwelling Units Two-family Residence Two and One/half Story Frame Property located on the premises known as 516 East 115th Street from a 30 DAY CONDEMNATION ORDER of the Director of the Department of Building and Housing, dated March 25, 2008, 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 DENY the appeal and to REMAND the property at 516 East 115th Street 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-85-08.

RE: Appeal of Chandler V. Garnett, Owner of the One Dwelling Unit Single Family Residence Two and One/half Story Frame Property located on the premises known as 15222 Lawndale Avenue from a 30 DAY CONDEMNATION ORDER, dated December 3, 2007 of the Director of the Department of Building and Housing, 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 uphold the issuance of the violation notice and to DENY the request for the one (1) year extension of time; 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-88-08.

RE: Appeal of George Sevastos, Owner of the Two Dwelling Units Two-Family Residence Two Story Frame Property located on the premises known as 2401 Denison Avenue from a 30 DAY CONDEMNATION ORDER — MS, dated June 2, 2008, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleve-

land and the Ohio Building Code (OBC).

Docket A-88-08 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-90-08.

RE: Appeal of James E. Wright Jr., Owner of the Two Dwelling Units Two-Family Residence Two Story Wood Frame/Siding/Masonry Veneer Property located on the premises known as 866 East 139th Street from a 30 DAY CONDEMNATION ORDER — MS, of the Director of the Department of Building and Housing, dated June 2, 2008, 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 all the violations and the first property is to repair the fence properly; 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. Bradley and seconded by Mr. Saab.

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

* * *

Docket A-103-08.

RE: Appeal of David Kahn, Montessori Development Partnership, Owner of the Property located on the premises known as 11025 Magnolia Drive from an ADJUDICATION ORDER of the Director of the Department of Building and Housing, dated June 20, 2008, 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 variance and permit the stair arrangements to be constructed as proposed, with the provision that the Westside stairwell be sprinkled entirely and that the exit path of discharge out through the open stairway to the South main doors. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

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

* * *

Docket A-106-08.

RE: Appeal of Concord commerce One, LLC, Owner of the Property located on the premises known as 5300 Lakeside Avenue from an ADJUDICATION ORDER of the Director of the Department of Building and Housing, dated July 08, 2008, 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 variances to permit the enclosed two-hour passageway to be constructed after the occupancy occurs for the south side portion of the work, noting that the storage area adjacent to that is sprinkled; and that the single wall is constructed as a two hour wall at this time. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

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-56-08—Robert Modic.
- A-69-08—Rite Aid of Ohio, Inc.
- A-81-08—Manuel McDonald.
- A-82-08—U.S. Bank.
- A-83-08—Wells Fargo Bank.
- A-89-08—2044 Euclid Lofts LLC.
- A-91-08—Shaughnessy Law Firm.
- A-97-08—Cleveland Shades, LLC.

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

* * *

**AMENDED RESOLUTION:
Docket A-61-08 - Sutton Builders LLC - 771 Brayton Road:**

FROM: . . . DENY the variance, noting the lack of interest by the Appellant evidenced by the Appellants lack of attending the meetings twice; 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. Gallagher.

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

TO: . . . grant the variances required to the exterior walls separation between the property line and the residence, and to permit the openings to remain as they are with the fire separation in some instances less than three (3) feet, and to recognize that the installed dry-wall provides a required separation. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Gallagher.

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):

June 25, 2008

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

* * *

Secretary

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

1520

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 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, JULY 23, 2008

File No. 153-08 — Purchase Recreation Equipment and Equipment Maintenance Agreement for John F. Kennedy Recreation Center, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 895-08, passed by the Council of the City of Cleveland, June 4, 2008.

THERE WILL BE A MANDATORY PRE-BID MEETING, FRIDAY, JULY 18, 2008 AT 10:00 A.M., THE DIVISION OF RECREATION, ROOM 8, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

File No. 155-08 — Gunning Park Site Improvements, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance Nos. 1940-07 and 451-08, passed by the Council of the City of Cleveland, December 10, 2007 and June 9, 2008.

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 (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED).

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, JULY 17, 2008 AT 10:00 A.M., THE BURKE LAKEFRONT AIRPORT, FIRST FLOOR CONFERENCE ROOM, 1501 NORTH MARGINAL ROAD, CLEVELAND, OHIO 44114.

July 9, 2008 and July 16, 2008

THURSDAY, JULY 24, 2008

File No. 156-08 — Tree Removal, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 497-08, passed by the Council of the City of Cleveland, June 2, 2008.

THERE WILL BE A **MANDATORY PRE-BID MEETING**, THURSDAY, JULY 18, 2008 AT 10:00 A.M., THE ROCKEFELLER GREENHOUSE, 750 EAST 88TH STREET, CLEVELAND, OHIO 44103.

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

File No. 157-08 — Ash Borer Tree Planting, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 497-08, passed by the Council of the City of Cleveland, June 2, 2008.

THERE WILL BE A **MANDATORY PRE-BID MEETING**, THURSDAY, JULY 18, 2008 AT 10:00 A.M., THE ROCKEFELLER GREENHOUSE, 750 EAST 88TH STREET, CLEVELAND, OHIO 44103.

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

File No. 158-08 — Citywide Tree Planting Initiative, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 497-08, passed by the Council of the City of Cleveland, June 2, 2008.

THERE WILL BE A **MANDATORY PRE-BID MEETING**, THURSDAY, JULY 18, 2008 AT 10:00 A.M., THE ROCKEFELLER GREENHOUSE, 750 EAST 88TH STREET, CLEVELAND, OHIO 44103.

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

July 9, 2008 and July 16, 2008

THURSDAY, JULY 31, 2008

File No. 154-08 — Purchase of Vehicle Fire Protection System Kits, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 497-08, passed by the Council of the City of Cleveland, June 2, 2008.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, FRIDAY, JULY 18, 2008 AT 10:00 A.M., THE DEPARTMENT OF PUBLIC SAFETY, ROOM 230, 601 LAKE-SIDE AVENUE, CLEVELAND, OHIO 44114.

July 9, 2008 and July 16, 2008

FRIDAY, AUGUST 1, 2008

File No. 159-08 — Detroit Avenue Streetscape Project from West 73rd Street to West 58th Street, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance Nos. 1530-02, 990-03 and 701-05, passed by the Council of the City of Cleveland, December 3, 2002, June 10, 2003 and June 6, 2005, respectively.

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 (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED).

THERE WILL BE A **MANDATORY PRE-BID MEETING**, FRIDAY, JULY 25, 2008 AT 10:00 A.M., THE CITY HALL, ROOM 518, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

ODOT PREQUALIFICATION IS REQUIRED TO PARTICIPATE. THE CITY OF CLEVELAND WILL NOT CONSIDER THE BID OF ANYONE WHO DOES NOT ATTEND A MANDATORY PRE-BID CONFERENCE.

July 9, 2008 and July 16, 2008

THURSDAY, JULY 31, 2008

File No. 160-08 — Kamm's Corners Streetscape Phase 2, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 2457-02, passed by the Council of the City of Cleveland, March 10, 2003.

THERE WILL BE A **REFUNDABLE FEE FOR PLANS/SPECIFICATIONS** IN THE AMOUNT OF SEVENTY FIVE DOLLARS (\$75.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED).

THERE WILL BE A **MANDATORY PRE-BID MEETING**, THURSDAY, JULY 24, 2008 AT 10:00 A.M., THE CITY HALL, ROOM 518, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

July 16, 2008 and July 23, 2008

ADOPTED RESOLUTIONS AND ORDINANCES

NONE

COUNCIL COMMITTEE MEETINGS

NO MEETINGS

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

Board of Building Standards and Building Appeals

Brayton Avenue, 771, (Ward 13) — Sutton Builders LLC, owner — appeal amended and adopted on 7/9/08 (Doc. A-61-08)..... 1520

Broadview Road, 4524, (Ward 16) — Manuel McDonald, owner — appeal adopted on 7/9/08 (Doc. A-81-08) 1520

Buckeye Road, 11510, (Ward 13) — Shaughnessy Law Firm, owner — appeal adopted on 7/9/08 (Doc. A-91-08) 1520

Denison Avenue, 2401, (Ward 15) — George Sevastos, owner — appeal withdrawn on 7/9/08 (Doc. A-88-08) 1519

East 111th Street, 1338, (Ward 9) — Home Servicing, LLC, mortgagee — appeal resolved on 7/9/08 (Doc. A-76-08) 1519

East 115th Street, 516, (Ward 9) — Financial Freedom Senior Funding, mortgagee — appeal resolved on 7/9/08 (Doc. A-84-08),..... 1519

East 139th Street, 866, (Ward 10) — James E. Wright, Jr., owner — appeal resolved on 7/9/08 (Doc. A-90-08)	1520
East 55th Street, 1655, (Ward 7) — Robert Modic, owner — appeal adopted on 7/9/08 (Doc. A-56-08)	1520
Euclid Avenue, 2044, (Ward 13) — 2044 Euclid Lofts LLC, owner — appeal adopted on 7/9/08 (Doc. A-89-08)	1520
Lakeside Avenue, 5300, (Ward 13) — Concord Commerce One, LLC, owner — appeal resolved on 7/9/08 (Doc. A-106-08)	1520
Lawndale Avenue, 15222, (Ward 1) — Chandler V. Garnett, owner — appeal resolved on 7/9/08 (Doc. A-85-08)	1519
Magnolia Drive, 11025, (Ward 8) — David Kahn, Montessori Development Partnership, owner — appeal resolved on 7/9/08 (Doc. A-103-08)	1520
Superior Avenue, 6816, (Ward 7) — Foundation for Inner-City Development c/o Michael Nelson, owner — appeal resolved on 7/9/08 (Doc. A-71-08)	1519
Union Avenue, 6819, (Ward 12) — Wells Fargo Bank c/o Barclays Capital Real Estate d.b.a. HomeEq Servicing, mortgagee — appeal adopted on 7/9/08 (Doc. A-83-08)	1520
Wentworth Avenue, 7806, (Ward 17) — Mark Mueller, owner — appeal postponed to 07/23/08 on 7/9/08 (Doc. A-80-08)	1519
Wentworth Avenue, 7808, (Ward 17) — Mark Mueller, owner — appeal postponed to 07/23/08 on 7/9/08 (Doc. A-79-08)	1519
Wentworth Avenue, 7810, (Ward 17) — Mark Mueller, owner — appeal postponed to 07/23/08 on 7/9/08 (Doc. A-78-08)	1519
West 110th Street, 2110, (Ward 18) — Cleveland Shades, LLC, owner — appeal adopted on 7/9/08 (Doc. A-97-08)	1520
West 117th Street, 11702, (Ward 19) — Rite Aid of Ohio, Inc., owner — appeal adopted on 7/9/08 (Doc. A-69-08)	1520
West 81st Street, 2076, (Ward 17) — K Group Properties, owner — no action on 7/9/08 (Doc. A-6-08)	1519
Woodside Avenue, 12917, (Ward 9) — U.S. Bank, NA c/o HomeEq Servicing Corporation, mortgagee — appeal adopted on 7/9/08 (Doc. A-82-08)	1520
Board of Control — Cleveland Hopkins International Airport Division	
Valet parking service — contract per Ord. 132-07 to Parking Solutions, Inc. — Dept. of Port Control (BOC Res. 333-08)	1516
Board of Control — Cleveland Public Power Division	
SCADA and PCCS systems refurbishment — contract per Ord. 2234-05, 1717-06 to Process Control Services, Inc. — Dept. of Public Utilities (BOC Res. 331-08)	1515
SCADA and PCCS systems refurbishment — contract per Ord. 2234-05, 1717-06 to Gray Matter Systems, LLC — Dept. of Public Utilities (BOC Res. 332-08)	1515
Board of Control — Concession Agreement	
Valet parking service — contract per Ord. 132-07 to Parking Solutions, Inc. — Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 333-08)	1516
Board of Control — Easements	
Easement rights of City property at Duggan Park — per Ord. 758-08 to Village Green Elderly, LLC (BOC Res. 341-08)	1517
Board of Control — Finance Department	
Easement rights of City property at Duggan Park — per Ord. 758-08 to Village Green Elderly, LLC (BOC Res. 341-08)	1517
Board of Control — Highland Park Cemetery	
Utility duct improvements — contract per Ord. 358-08 to D.R.S. Enterprises, Inc. — Division of Park Maintenance and Properties, Dept. of Parks, Recreation and Properties (BOC Res. 340-08)	1517
Board of Control — Motor Vehicle Maintenance Division	
Hoses, hydraulic — contract per C.O. Sec. 131.17 to Custom Clutch Joint and Hydraulics, Inc. — Dept. of Public Service (BOC Res. 338-08)	1517
Transmissions, remanufactured — contract per C.O. Sec. 131.17 to Anegada LLC, dba AAMCO Transmission of Bedford — Dept. of Public Service (BOC Res. 337-08)	1516
Vehicle and equipment parts — contract per C.O. Sec. 131.17 to Cleveland Peterbilt, LLC — Dept. of Public Service (BOC Res. 339-08)	1517
Board of Control — Park Maintenance and Properties Division	
Highland Park Cemetery utility duct improvements — contract per Ord. 358-08 to D.R.S. Enterprises, Inc. — Dept. of Parks, Recreation and Properties (BOC Res. 340-08)	1517

Board of Control — Parks, Recreation and Properties Department

Highland Park Cemetery utility duct improvements — contract per Ord. 358-08 to
D.R.S. Enterprises, Inc. — Division of Park Maintenance and Properties (BOC Res. 340-08) 1517

Board of Control — Port Control Department

Air filters — contract per C.O. Sec. 181.101 to Air Rite, Inc. (BOC Res. 335-08) 1516
Air filters — contract per C.O. Sec. 181.101 to Hepner Air Filter Service, Inc. (BOC Res. 336-08)..... 1516
Planning study preparation — modify Contract #66752 per BOC Res. 137-07 (BOC Res. 334-08) 1516
Valet parking service — contract per Ord. 132-07 to Parking Solutions, Inc. — Division
of Cleveland Hopkins International Airport (BOC Res. 333-08) 1516

Board of Control — Professional Service Contracts

Planning study preparation — modify Contract #66752 per BOC Res. 137-07 — Dept. of Port
Control (BOC Res. 334-08) 1516

Board of Control — Public Improvement Contracts

Highland Park Cemetery utility duct improvements — contract per Ord. 358-08 to
D.R.S. Enterprises, Inc. — Division of Park Maintenance and Properties, Dept.
of Parks, Recreation and Properties (BOC Res. 340-08) 1517

Board of Control — Public Service Department

Hoses, hydraulic — contract per C.O. Sec. 131.17 to Custom Clutch Joint and Hydraulics,
Inc. — Division of Motor Vehicle Maintenance (BOC Res. 338-08) 1517
Transmissions, remanufactured — contract per C.O. Sec. 131.17 to Anegada LLC, dba AAMCO
Transmission of Bedford — Division of Motor Vehicle Maintenance (BOC Res. 337-08) 1516
Vehicle and equipment parts — contract per C.O. Sec. 131.17 to Cleveland Peterbilt, LLC —
Division of Motor Vehicle Maintenance (BOC Res. 339-08) 1517

Board of Control — Public Utilities Department

SCADA and PCCS systems refurbishment — contract per Ord. 2234-05, 1717-06 to Process
Control Services, Inc. (BOC Res. 331-08) 1515
SCADA and PCCS systems refurbishment — contract per Ord. 2234-05, 1717-06 to Gray Matter
Systems, LLC (BOC Res. 332-08) 1515

Board of Control — Purchases and Supplies Division

Easement rights of City property at Duggan Park — per Ord. 758-08 to Village Green
Elderly, LLC (BOC Res. 341-08) 1517

Board of Control — Requirement Contracts

Air filters — contract per C.O. Sec. 181.101 to Air Rite, Inc. — Dept. of Port Control (BOC Res. 335-08)..... 1516
Air filters — contract per C.O. Sec. 181.101 to Hepner Air Filter Service, Inc. — Dept.
of Port Control (BOC Res. 336-08) 1516
Hoses, hydraulic — contract per C.O. Sec. 131.17 to Custom Clutch Joint and Hydraulics,
Inc. — Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 338-08) 1517
SCADA and PCCS systems refurbishment — contract per Ord. 2234-05, 1717-06 to Process
Control Services, Inc. — Dept. of Public Utilities (BOC Res. 331-08) 1515
SCADA and PCCS systems refurbishment — contract per Ord. 2234-05, 1717-06 to Gray Matter
Systems, LLC — Dept. of Public Utilities (BOC Res. 332-08) 1515
Transmissions, remanufactured — contract per C.O. Sec. 131.17 to Anegada LLC, dba AAMCO
Transmission of Bedford — Division of Motor Vehicle Maintenance, Dept. of
Public Service (BOC Res. 337-08)..... 1516
Vehicle and equipment parts — contract per C.O. Sec. 131.17 to Cleveland Peterbilt, LLC —
Division of Motor Vehicle Maintenance, Dept. of Public Service (BOC Res. 339-08) 1517

Board of Control — Water Division

SCADA and PCCS systems refurbishment — contract per Ord. 2234-05, 1717-06 to Process
Control Services, Inc. — Dept. of Public Utilities (BOC Res. 331-08) 1515
SCADA and PCCS systems refurbishment — contract per Ord. 2234-05, 1717-06 to Gray Matter
Systems, LLC — Dept. of Public Utilities (BOC Res. 332-08) 1515

Board of Control — Water Pollution Control Division

SCADA and PCCS systems refurbishment — contract per Ord. 2234-05, 1717-06 to Process
Control Services, Inc. — Dept. of Public Utilities (BOC Res. 331-08) 1515
SCADA and PCCS systems refurbishment — contract per Ord. 2234-05, 1717-06 to Gray Matter
Systems, LLC — Dept. of Public Utilities (BOC Res. 332-08) 1515

Board of Zoning Appeals — Report

Ace Taxi Service — appeal denied and adopted on 7/14/08 (Cal. 08-115)	1518
Amesbury Avenue, 9310, (Ward 7) — Amesbury-Rosalind Estates, owner — appeal denied and adopted on 7/14/08 (Cal. 08-90)	1518
Corlett Avenue, 13013, (Ward 2) — The Cleveland Metropolitan School District, owner and Jeff Henderson, agent — appeal heard on 7/14/08 (Cal. 08-27)	1518
East 185th Street, 749, (Ward 11) — Katarina Fugina, owner and Tony Bougebrayel, prospective purchaser — appeal postponed to 8/11/08 on 7/14/2008 (Cal. 08-110)	1518
Elsienna Avenue, 16801, (Ward 21) — Douglas Angeletti, owner — appeal granted and adopted on 7/14/08 (Cal. 08-113)	1519
Euclid Avenue, 668, (Ward 13) — 668 Atrium, owner and K&D Development — appeal granted and adopted on 7/14/08 (Cal. 08-120)	1518
Fulton Road, 3229, (Ward 14) — Catholic Charities Housing Corporation, owner — appeal heard on 7/14/2008 (Cal. 08-124)	1518
Lorain Avenue, 2710, (Ward 13) — Maggie Realty LLC and Victor Halm, owner and Robert Ivanov, lessee — appeal dismissed 7/14/08 (Cal. 07-210)	1518
Meech Avenue, 10810, (Ward 2) — Dumpsites Unlimited LLC, owner — appeal postponed to 8/18/08 on 7/14/2008 (Cal. 08-112)	1518
Miles Avenue, 16107, (Ward 1) — New Jerusalem Church and Pastor Stanley Lockhart, owner — appeal heard on 7/14/2008 (Cal. 08-123)	1518
S. Waterloo Road, 16606-16702, (Ward 11) — Joseph Mobily, owner and Jim Dupree, tenant — appeal heard on 7/14/2008 (Cal. 08-121)	1518
Stock Avenue, 6400, (Ward 17) — Morris Brothers LLC, owner and Fritz Machmer-Wessels, tenant — appeal heard on 7/14/2008 (Cal. 08-122)	1518
Union Avenue, 12304, (Ward 8) — The Cleveland Metropolitan School District, owner — appeal postponed to 9/8/08 on 7/14/08 (Cal. 08-67)	1518
West 105th Street, 3020, (Ward 18) — Khambong Vongsouvanh, owner — appeal granted and adopted on 7/14/08 (Cal. 08-117)	1518
West 117th Street, 1331, (Ward 18) — Fox Family Management, LLC, owner — appeal granted and adopted on 7/14/08 (Cal. 08-109)	1519
West 20th Street, 2154, (Ward 14) — James Chura, owner — appeal withdrawn on 7/14/2008 (Cal. 08-125)	1518

Board of Zoning Appeals — Schedule

Broadview Road, 4524, (Ward 16) — Manuel McDonald, owner — appeal to be heard on 7/28/2008 (Cal. 08-132)	1518
East 116th Street, 4060, (Ward 2) — Number 1 Grace LLC, owner — appeal to be heard on 7/28/2008 (Cal. 08-131)	1518
Franklin Boulevard, 5806, (Ward 17) — Sam Gantous, owner — appeal to be heard on 7/28/2008 (Cal. 08-134)	1518
Larchmere Boulevard, 12800, (Ward 6) — Sam Gantous, owner — appeal to be heard on 7/28/2008 (Cal. 08-133)	1518
West 143rd Street, 4005, (Ward 21) — Carole Godenswager, owner — appeal to be heard on 7/28/2008 (Cal. 08-140)	1518
West 25th Street, 2527, (Ward 14) — Klein-Barabas, Ltd., LLC, owner and Mario Nemr, tenant — appeal to be heard on 7/28/2008 (Cal. 08-135)	1518

City of Cleveland Bids

Ash borer tree planting — Department of Parks, Recreation and Properties — Division of Park Maintenance and Properties — per Ord. 497-08 — bid due July 24, 2008 (advertised 7/9/2008 and 7/16/2008)	1521
Detroit Avenue streetscape project (West 73rd St. to West 58th St.) — Department of Public Service — Division of Engineering and Construction — per Ord. 1530-02. 990-03, 701-05 — bid due August 1, 2008 (advertised 7/9/2008 and 7/16/2008)	1521
Gunning Park site improvements — Department of Parks, Recreation and Properties — Division of Research, Planning and Development — per Ord. 1940-07, 451-08 — bid due July 23, 2008 (advertised 7/9/2008 and 7/16/2008)	1520
Kamm's Corners Streetscape improvements, Phase II — Department of Public Service — Division of Engineering and Construction — per Ord. 2457-02 — bid due July 31, 2008 (advertised 7/16/2008 and 7/23/2008)	1521
Recreation equipment and maintenance for John F. Kennedy Recreation Center — Department of Parks, Recreation and Properties — Division of Recreation — per Ord. 895-08 — bid due July 23, 2008 (advertised 7/9/2008 and 7/16/2008)	1520
Tree planting initiative, citywide — Department of Parks, Recreation and Properties — Division of Park Maintenance and Properties — per Ord. 497-08 — bid due July 24, 2008 (advertised 7/9/2008 and 7/16/2008)	1521
Tree removal — Department of Parks, Recreation and Properties — Division of Park Maintenance and Properties — per Ord. 497-08 — bid due July 24, 2008 (advertised 7/9/2008 and 7/16/2008)	1521
Vehicle Fire Protection System kits — Department of Public Safety — Division of Police — per Ord. 497-08 — bid due July 31, 2008 (advertised 7/9/2008 and 7/16/2008)	1521