

# The City Record

Official Publication of the Council of the City of Cleveland



February the Twenty-Sixth, Two Thousand and Three

**Jane L. Campbell**  
Mayor

**Frank G. Jackson**  
President of Council

**Valarie J. McCall**  
City Clerk, Clerk of Council

Ward	Name
1	Joseph T. Jones
2	Robert J. White
3	Zachary Reed
4	Kenneth L. Johnson
5	Frank G. Jackson
6	Patricia J. Britt
7	Fannie M. Lewis
8	Sabra Pierce Scott
9	Kevin Conwell
10	Roosevelt Coats
11	Michael D. Polensek
12	Edward W. Rybka
13	Joe Cimperman
14	Nelson Cintron, Jr.
15	Merle R. Gordon
16	Michael C. O'Malley
17	Matthew Zone
18	Jay Westbrook
19	Dona Brady
20	Martin J. Sweeney
21	Michael A. Dolan

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# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL—LEGISLATIVE President of Council—Frank G. Jackson

Ward	Name	Residence	
1	Joseph T. Jones	4691 East 177th Street	44128
2	Robert J. White	3760 East 126th Street	44105
3	Zachary Reed	3734 East 149th Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	Sabra Pierce Scott	9212 Kempton Avenue	44108
9	Kevin Conwell	774 East 131st Street	44108
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Joe Cimperman	3053 West 12th Street	44113
14	Nelson Cintron, Jr.	4326 Daisy Avenue	44109
15	Merle R. Gordon	1700 Denison Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Matthew Zone	1228 West 69th Street	44102
18	Jay Westbrook	1278 West 103rd Street	44102
19	Dona Brady	3466 Bosworth Road	44111
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

Clerk of Council – Valarie J. McCall, 216 City Hall, 664-2840  
First Assistant Clerk – Sandra Franklin

**MAYOR – Jane L. Campbell**  
Rodney Jenkins, Executive Assistant  
David M. McGuirk, Executive Assistant  
Timothy Mueller, Executive Assistant  
Craig Tame, Executive Assistant  
Henry Guzman, Director, Office of Equal Opportunity  
Margreat A. Jackson, Legislative Affairs Liaison  
Erik Janas, Inter-Governmental Affairs Officer

**DEPT. OF LAW – Subodh Chandra, Director, Galen L. Schuerlein, Acting Chief Counsel, Room 106**  
Karen E. Martinez, Law Librarian, Room 100

**DEPT. OF FINANCE – Robert H. Baker, Director, Room 104;**  
Frank Badalamenti, Manager, Internal Audit  
DIVISIONS: Accounts – Alan Schneider, 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 Systems Services – \_\_\_\_\_, Commissioner, 1404 E. 9th St.  
Purchases and Supplies – Myrna Branche, Commissioner, Room 128  
Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue  
Taxation – Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue

**DEPT. OF PUBLIC UTILITIES – Michael G. Konicek, Director, 1201 Lakeside Avenue**  
DIVISIONS – 1201 Lakeside Avenue  
Cleveland Public Power – James F. Majer, Commissioner  
Street Lighting Bureau – \_\_\_\_\_, Acting Chief  
Utilities Fiscal Control – Dennis Nichols, Commissioner  
Water – Julius Ciaccia, Jr., Commissioner  
Water Pollution Control – Darnell Brown, Commissioner

**DEPT. OF PORT CONTROL – John C. Mok, Director, Cleveland Hopkins International Airport, 5300 Riverside Drive; Burke Lakefront Airport – Khalid Bahkur, Commissioner Cleveland Hopkins International Airport – Fred Szabo, Commissioner**

**DEPT. OF PUBLIC SERVICE – Mark Ricchiuto, Director, Room 113**  
DIVISIONS: Architecture – Kurt Weibusch, 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 – Matthew Carroll, Acting Director, Mural Building, 1925 St. Clair Avenue**  
DIVISIONS: Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Road  
Environment – Willie Bess, Acting Commissioner, Mural Building, 1925 St. Clair Avenue  
Health – Dr. Wendy Johnson, Acting Commissioner, Mural Building, 1925 St. Clair Avenue

**DEPT. OF PUBLIC SAFETY – James A. Draper, Director, Room 230**  
DIVISIONS: Dog Pound – John Baird, Chief Dog Warden, 2690 W. 7th Street  
Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive  
Fire – Kevin G. Gerrity, Chief, 1645 Superior Avenue  
Police – Edward F. Lohn, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

**DEPT. OF PARKS, RECREATION & PROPERTIES – James Glending, Acting Director, Cleveland Convention Center, Clubroom A, 1220 E. 6th St.**  
DIVISIONS: Convention Center & Stadium – James Glending, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.  
Parking Facilities – Dennis Donahue, Commissioner, Public Auditorium, E. 6th and Lakeside Ave.

Park Maintenance and Properties – Richard L. Silva, Commissioner, Public Auditorium – E. 6th & Lakeside.  
Property Management – Tom Nagle, Commissioner, East 49th & Harvard  
Recreation – Michael Cox, Commissioner, Room 8  
Research, Planning & Development – Mark Fallon, Commissioner, 1501 N. Marginal Road, Burke Lakefront Airport

**DEPT. OF COMMUNITY DEVELOPMENT – Linda M. Hudecek, Director, 3rd Floor, City Hall.**  
DIVISIONS: Administrative Services – Terrence Ross, Commissioner.  
Building & Housing – Robert Vilkas, Commissioner, 5th Floor, City Hall.  
Neighborhood Services – Louise V. Jackson, Commissioner.  
Neighborhood Development – Sharon Dumas, Commissioner.

**DEPT. OF PERSONNEL AND HUMAN RESOURCES – Eduardo A. Romero, Director, Room 121**

**DEPT. OF ECONOMIC DEVELOPMENT – Steven Sims, Director, Room 210**

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

**DEPT. OF CONSUMER AFFAIRS – Kenya Taylor, Director**

**COMMUNITY RELATIONS BOARD – Room 11, Lorna Wisham, Director; Mayor Jane L. Campbell, Chairman Ex-Officio; Rev. Charles Lucas, Jr., Vice-Chairman; Councilman Kevin Conwell, 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; Jonalyn M. Krupka, Secretary; Members: Diane M. Downing, Matthew Dotson.**

**SINKING FUND COMMISSION – Jane L. Campbell, President; Betsy Hruby, Asst. Sec'y.; Robert H. Baker, Director; Council President Frank G. Jackson.**

**BOARD OF ZONING APPEALS – Room 516, Carol A. Johnson, Chairman; Members: Margreat Hopkins, Ozell Dobbins, Joan Shaver Washington, Christopher Carmody, Eugene Cranford, Jr., Secretary.**

**BOARD OF BUILDING STANDARDS AND BUILDING APPEALS – Room 516, J. F. Denk, Chairman; James Williams, Arthur Saunders, Alternate Members – D. Cox, P. Frank, E. P. O'Brien, Richard Paed, J.S. Sullivan.**

**BOARD OF REVISION OF ASSESSMENTS – Law Director Subodh Chandra, President; Finance Director Robert H. Baker, Secretary; Council President Frank G. Jackson.**

**BOARD OF SIDEWALK APPEALS – Service Director Mark Ricchiuto; Law Director Subodh Chandra; Councilman Martin J. Sweeney.**

**BOARD OF REVIEW – (Municipal Income Tax) – Law Director Subodh Chandra; Utilities Director Michael G. Konicek; Council President Frank G. Jackson.**

**CITY PLANNING COMMISSION – Room 501 – Christopher S. Ronayne, Director; Anthony J. Coyne, Chairman; David Bowen, Lillian W. Burke, Lawrence A. Lumpkin, Gloria Jean Pinkney, Rev. Sam Edward Small, Councilman Joseph Cimperman.**

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

**MORAL CLAIMS COMMISSION – Law Director Subodh Chandra; Chairman; Finance Director Robert H. Baker; Council President Frank G. Jackson; Councilman Dona Brady; Councilman Martin J. Sweeney.**

**BOARD OF EXAMINERS OF ELECTRICIANS – Samuel Montfort, Chairman; Donald Baulknigh, Anton J. Eichmuller, J. Gilbert Steele, Raymond Ossovicki, Chief Electrical Inspector; Laszlo V. Kemes, Secretary to the Board.**

**BOARD OF EXAMINERS OF PLUMBERS – Joseph Gyorky, Chairman; Earl S. Bumgarner, Alfred Fowler, Jozef Valencik, Lawrence Skule, Chief Plumbing Inspector; Laszlo V. Kemes, Secretary to the Board.**

**CLEVELAND LANDMARKS COMMISSION – Room 519 – Richard Schanfarber, Chairman; Paul Volpe, Vice Chairman; N. Kurt Wiebush, James Gibans, Sandra Morgan, Hunter Morrison, Theodore Sande, Galen Schuerlein, Randall Shorr, Councilman Joseph Cimperman, Dwayne J. Simpson, Robert Keiser, Executive Secretary.**

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

Judge	Courtroom
Presiding and Administrative Judge Larry A. Jones	13C
Judge Ronald B. Adrine	15A
Judge C. Ellen Connally	15C
Judge Sean C. Gallagher	12C
Judge Emanuela Groves	12B
Judge Mabel M. Jasper	14D
Judge Kathleen Ann Keough	13D
Judge Mary E. Kilbane	14C
Judge Ralph J. Perk, Jr.	14B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	13A
Judge Robert J. Triozzi	14A
Judge Joseph J. Zone	12A

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

# The City Record



OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 90

WEDNESDAY, FEBRUARY 26, 2003

No. 4655

## CITY COUNCIL

MONDAY, FEBRUARY 24, 2003

### The City Record

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**VALARIE J. McCALL**  
City Clerk, Clerk of Council  
216 City Hall

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2002-2005

#### MONDAY

9:30 A.M. — **Public Parks, Property & Recreation Committee:** Johnson, Chairman; White, Vice Chairman; Cimperman, Dolan, Jones, Rybka, Sweeney.

#### MONDAY—Alternating

11:00 A.M. — **Public Service Committee:** Sweeney, Chairman; Jones, Vice Chairman; Brady, Cimperman, Johnson, O'Malley, Polensek, White, Zone.

11:00 A.M. — **Employment, Affirmative Action & Training Committee:** Lewis, Chairman; Conwell, Vice Chairman; Cintron, Coats, Johnson, Reed, Polensek.

#### MONDAY

2:00 P.M. — **Finance Committee:** Jackson, Chairman; Sweeney, Vice Chairman; Brady, Britt, Coats, Gordon, O'Malley, Reed, Scott, Westbrook, White.

#### TUESDAY

9:30 A.M. — **Community and Economic Development Committee:** Gordon, Chairman; Cimperman, Vice Chairman; Cintron, Coats, Jones, Lewis, Reed, Scott, Zone.

#### TUESDAY—Alternating

1:00 P.M. — **Health & Human Services Committee:** Britt, Chairman; Zone, Vice Chairman; Cintron, Conwell, Gordon, Scott, Polensek.

1:30 P.M. — **Legislation Committee:** White, Chairman; Scott, Vice Chairman; Dolan, Gordon, Johnson, Rybka, Westbrook.

#### WEDNESDAY—Alternating

10:00 A.M. — **Aviation & Transportation Committee:** Westbrook, Chairman; Sweeney, Vice Chairman; Britt, Dolan, Gordon, Reed, Rybka.

10:00 A.M. — **Public Safety Committee:** Reed, Chairman; Britt, Vice Chairman; Brady, Cimperman, Coats, Conwell, Jones, White, Zone.

#### WEDNESDAY—Alternating

1:30 P.M. — **Public Utilities Committee:** Coats, Chairman; O'Malley, Vice Chairman; Brady, Cintron, Jones, Polensek, Sweeney, Westbrook, Zone.

1:30 P.M. — **City Planning Committee:** Cimperman, Chairman; Rybka, Vice Chairman; Conwell, Lewis, O'Malley, Scott, Westbrook.

The following Committees are subject to the Call of the Chairman:  
**Rules Committee:** Jackson, Chairman; O'Malley, Reed, Sweeney, Westbrook.

**Personnel and Operations Committee:** Gordon, Chairman; Britt, Cimperman, Coats, Scott.

**Mayor's Appointment Committee:** Coats, Chairman; Cintron, Reed, Pierce Scott, Westbrook.

### OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, February 24, 2003.

The meeting of the Council was called to order, The President, Frank G. Jackson, in the Chair.

Council Members present: Brady, Britt, Cimperman, Cintron, Coats, Conwell, Dolan, Gordon, Jackson, Johnson, Jones, Lewis, O'Malley, Polensek, Reed, Rybka, Scott, Sweeney, Westbrook, White and Zone.

Also present were Mayor Campbell and Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Draper, Hudecek, Romero, Sims, Taylor, Wisham, Guzman, Ronayne, Acting Directors Carroll, Glending; Executive Assistants Jenkins, McGuirk, Tame, Mueller, Celeste Glasgow, Director of Communications; Margaret Jackson, Legislative Affairs Liaison, Jeffrey D. Johnson, Erik Janas, Inter-Governmental Affairs Officers, Paula Morrison and John Goersmeyer.

Pursuant to Ordinance No. 2926-76, prayer was offered by Father James P. O'Donnell of Little Brothers and Sisters of the Eucharist, located at 2182 East 35th Street in Ward 5. Pledge of Allegiance.

#### MOTION

On the motion of Council Member Britt the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Council Member Westbrook.

#### RECORDING OF VOTE OF ABSENT MEMBER

File No. 276-03.

February 24, 2003

Valarie J. McCall  
Clerk of Council  
City Hall, Room 216  
601 Lakeside Avenue  
Cleveland, Ohio 44114

Dear Clerk McCall:

In accordance with Rule 22 of the Rules of Council, I hereby request that my vote be recorded as a yeas on all ordinances and resolutions passed and adopted by Cleveland City Council on February 10, 2003. Thank you.

Very truly yours,  
Dona Brady  
Council Member, Ward 19

Received.

#### RECORD OF VOTE

In accordance with the request of Council Member Brady and Rule 22 of the Rules of Council, the vote on the following ordinances and resolutions passed and adopted by Cleveland City Council on February 10, 2003 is changed as follows:

Ord. No. 184-03.  
Yeas 20. Nays 0.

Ord. No. 185-03.  
Yeas 20. Nays 0.

Ord. No. 186-03.  
Yeas 20. Nays 0.

Ord. No. 187-03.  
Yeas 20. Nays 0.

Ord. No. 188-03.  
Yeas 20. Nays 0.

Ord. No. 189-03.  
Yeas 20. Nays 0.

Ord. No. 190-03.  
Yeas 20. Nays 0.

Ord. No. 191-03.  
Yeas 20. Nays 0.

Ord. No. 192-03.  
Yeas 20. Nays 0.

Ord. No. 193-03.  
Yeas 20. Nays 0.

Ord. No. 196-03.  
Yeas 20. Nays 0.

Ord. No. 198-03.  
Yeas 20. Nays 0.

Res. No. 169-03.  
Yeas 20. Nays 0.

Res. No. 194-03.  
Yeas 20. Nays 0.

Res. No. 195-03.  
Yeas 20. Nays 0.

Res. No. 197-03.  
Yeas 20. Nays 0.

Res. No. 199-03.  
Yeas 20. Nays 0.

Res. No. 200-03.  
Yeas 20. Nays 0.

Ord. No. 1108-02.  
Yeas 20. Nays 0.

Ord. No. 1264-02.  
Yeas 20. Nays 0.

Ord. No. 2180-02.  
Yeas 20. Nays 0.

Ord. No. 2237-02.  
Yeas 20. Nays 0.

Ord. No. 2332-02.  
Yeas 20. Nays 0.

Ord. No. 2372-02.  
Yeas 20. Nays 0.

Ord. No. 2373-02.  
Yeas 20. Nays 0.

Ord. No. 2456-02.  
Yeas 20. Nays 0.

Ord. No. 2466-02.  
Yeas 20. Nays 0.

Ord. No. 2472-02.  
Yeas 20. Nays 0.

Ord. No. 7-03.  
Yeas 20. Nays 0.

Ord. No. 74-03.  
Yeas 20. Nays 0.

Ord. No. 75-03.  
Yeas 20. Nays 0.

Ord. No. 136-03.  
Yeas 20. Nays 0.

#### COMMUNICATION

**File No. 277-03.**  
From Huntington National Bank — Concord Newsletter, The People and Communities of Huntington. Received.

**File No. 278-03.**  
From YO! Cleveland, the Youth Opportunity Movement — Winter 2003 issue, The YO! Zone Cleveland. Received.

#### FROM DEPARTMENT OF LIQUOR CONTROL

**File No. 279-03.**  
Re: New Application — 8780685 — Tamara Tait, d.b.a. R & T Resale and Variety, 15638 Holmes Avenue, first floor. (Ward 11). Received.

**File No. 280-03.**  
Re: New Application — 2759362 — 5275 Broadway, Inc., d.b.a. Mike's Beverage, 5275-79 Broadway Avenue, first floor and basement. (Ward 5). Received.

#### File No. 281-03.

Re: New Application — 11628730010 — JoAnn M. Byrge, d.b.a. Payne Ave. Market, 4409 Payne Avenue. (Ward 13). Received.

#### File No. 282-03.

Re: New Application — 5870828 — Mohammad D. Meslat, d.b.a. Lakeshore Farm, 14824 Lakeshore Boulevard. (Ward 10). Received.

#### File No. 283-03.

Re: Transfer of Ownership Application — 3875405 — Hizma, Inc., d.b.a. Dove Mini Market, 10808 Dove Avenue, first floor. (Ward 2). Received.

#### File No. 284-03.

Re: Transfer of Ownership and Location — 4261508 — J. H. Chen, Inc., d.b.a. Jackie Chens Dragon Towers, 17452 Lorain Avenue. (Ward 21). Received.

#### File No. 285-03.

Re: Transfer of Ownership Application — 7178802 — Raja International, Inc., d.b.a. 7-Eleven Food Store #56, 4075 Rocky River Drive. (Ward 21). Received.

#### File No. 286-03.

Re: Transfer of Ownership Application — 7677354 — Sahar of Cleveland, Inc., 422 Eddy Road. (Ward 9). Received.

#### File No. 287-03.

Re: Transfer of Ownership Application — 8200521 — 6602 Harvard L.L.C., 6602 Harvard Avenue. (Ward 12). Received.

#### File No. 288-03.

Re: Transfer of Ownership Application — 2759492 — 5222 Fleet, Inc., d.b.a. Open Pantry, 5222 Fleet Avenue. (Ward 12). Received.

#### File No. 289-03.

Re: Stock Transfer Application — 2389493 — E. J. Tavern, Inc., d.b.a. Romeos, 4310-12 Clark Avenue, first floor and basement. (Ward 14). Received.

#### CONDOLENCE RESOLUTIONS

The rules were suspended and the following Resolutions were adopted by a rising vote:

**Res. No. 290-03**—Charles Whitman Jones.

**Res. No. 291-03**—Gus Bellini.

**Res. No. 292-03**—Bishop James R. Houghton, Sr.

**Res. No. 293-03**—Edwin M. Robinson.

**Res. No. 294-03**—Michelle E. Jones.

**Res. No. 295-03**—Lillie Newman.

**Res. No. 296-03**—Joseph G. Cirino.

**Res. No. 297-03**—William Dean.

**Res. No. 298-03**—Larry J. B. Robinson.

**Res. No. 299-03**—Lloyd Hines, Sr.

**Res. No. 300-03**—Thomas Haslow.

#### CONGRATULATION RESOLUTIONS

The rules were suspended and the following Resolutions were adopted without objection:

**Res. No. 301-03** — April V. Boise, Esq.

**Res. No. 302-03** — Martin Thomas McCafferty.

**Res. No. 303-03** — Robert A. Maschke.

**Res. No. 304-03**—Opal Connor.

**Res. No. 305-03**—David T. Abbott.

**Res. No. 306-03**—Ladies Auxiliary of Washington Post #31, Polish Legion of American Veterans.

#### RECOGNITION RESOLUTIONS

The rules were suspended and the following Resolutions were adopted without objection:

**Res. No. 307-03**—Juan Williams.

**Res. No. 308-03**—Melba Moore.

**Res. No. 309-03**—Ken Koval, Sr.

**Res. No. 310-03**—Judith A. Koval.

#### FIRST READING EMERGENCY ORDINANCES REFERRED

##### Ord. No. 227-03.

**By Council Member Jackson (by departmental request).**

**An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to apply for and accept a grant from the Office of Criminal Justice Services for the Cleveland Municipal Court Soliciting/Prostitution Program, Project HOPE.**

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 Finance, on behalf of the Cleveland Municipal Court, is authorized to apply for and accept a grant in the amount of \$41,403, from the Office of Criminal Justice Services to conduct the Cleveland Municipal Court Soliciting/Prostitution Program, Project HOPE; that the Director of Finance 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 set forth in the application for the grant contained in the file described below.

**Section 2.** That the application for the grant, File No. 227-03-A, made a part as if fully rewritten, including the obligation of the City of Cleveland to provide \$41,403 in cash matching funds from Fund No. 01-011501-639905, is approved in all respects.

**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.

Referred to Directors of Finance, Law; Committee on Finance.

##### Ord. No. 228-03.

**By Council Member Jackson (by departmental request).**

**An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to enter into contract with the Cuyahoga County Public Defender Commission for legal services necessary to defend indigents charged with violation of ordinances of the City of Cleveland, provided such violation may result in incarceration, for the Cleveland Municipal Court, for a period of one year.**

Whereas, in *Argersinger v. Hamlin* and *Scott v. Illinois*, the United States Supreme Court held that no indigent criminal defendant may be sentenced to a term of imprisonment unless he has been afforded the right to assistance of appointed counsel in his defense; and

Whereas, the City of Cleveland, through the Cleveland Municipal Court, is therefore obligated to provide an indigent defendant appointed counsel in order to permit the imposition of a sentence including a term of imprisonment; and

Whereas, pursuant to Section 120.14 of the Ohio Revised Code, a county commission which has organized a county public defender commission may contract with any municipal corporation within the County served by the county public defender to provide such legal representation on behalf of the municipal corporation; and

Whereas, it is the recommendation of the Cleveland Municipal Court, the district of which encompasses Bratenahl and the City of Cleveland, that such indigent defense should be provided by the Cuyahoga County Public Defender Commission, who will in turn, enter into an agreement with the Legal Aid Society of Cleveland to provide these services; 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 Finance, on behalf of the Cleveland Municipal Court, is hereby authorized to enter into contract with the Cuyahoga County Public Defender Commission for legal services necessary to defend indigents charged with violation of ordinances of the City of Cleveland, provided such violation may result in incarceration, for the period of one year beginning January 1, 2003, at an estimated cost of \$1,300,000. (RL 128133)

**Section 2.** That two percent (2%) of any payment received by the City and/or Cleveland Municipal Court from the financing of defense counsel for indigent persons shall be utilized by participants in a court exchange program between Cleveland Municipal Court and the Cleveland Municipal School District.

**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.

Referred to Directors of Finance, Law; Committee on Finance.

**Ord. No. 229-03.**

**By Council Member Jackson (by departmental request).**

**An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to lease property at 310 West Lakeside Avenue from 310 West Lakeside Avenue Partnership, an Ohio General Partnership, or their designees, for a term not to exceed one year, with four additional one-year options to renew, for the public purpose of providing office space for the Cleveland Integrated Justice Information System of the Cleveland Municipal Court; and to enter into one or more contracts for the purchase of furnishings and equipment necessary to create office space needed to operate the system.**

Whereas, the City of Cleveland requires certain property located at 310 West Lakeside Avenue for the

public purpose of providing office space for the Cleveland Integrated Justice Information System ("CIJIS") of the Cleveland Municipal Court to provide technology information services to the Court; and

Whereas, 310 West Lakeside Avenue Partnership, or their designees, has proposed to lease said property to the City of Cleveland; and

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

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

**Section 1.** That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Finance, on behalf of the Cleveland Municipal Court, is authorized to lease from 310 West Lakeside Avenue Partnership, or their designees, certain property more fully described as follows: Suite 350 at 310 West Lakeside Avenue, consisting of approximately 4,242 square feet, for office space for the CIJIS of the Cleveland Municipal Court.

**Section 2.** That the term of the lease authorized by this ordinance shall not exceed one (1) year, with four options to renew for consecutive one-year periods, subject to termination by written notice from either party within not less than sixty (60) days after such notice.

**Section 3.** That the rent for the lease shall be Six Thousand Two Hundred Seventy-Four Dollars and Sixty-Three Cents (\$6,274.63) per month during the original lease term. If the first option to renew is exercised, the rent for the lease during that term shall be Six Thousand Three Hundred Sixty-Three Dollars (\$6,363.00) per month. If the second option to renew is exercised, the rent for the lease during that term shall be Six Thousand Four Hundred Fifty-One Dollars and Thirty-Eight Cents (\$6,451.38) per month. If the third option to renew is exercised, the rent for the lease during that term shall be Six Thousand Five Hundred Thirty-Nine Dollars and Seventy-Five Cents (\$6,539.75) per month. If the fourth and remaining option to renew is exercised, the rent for the lease during that final term shall be Six Thousand Seven Hundred Sixteen Dollars and Fifty Cents (\$6,716.50) per month.

**Section 4.** That the lease may authorize the City to make improvements to the leased premises under terms to be determined by the parties consistent with the public purpose of providing office space for CIJIS of the Cleveland Municipal Court to provide technology information services to the Court.

**Section 5.** That the lease may provide for the City's payment of appropriate utility and other operating costs of the leased premises.

**Section 6.** That the lease shall be prepared by the Director of Law, and shall contain any authorized terms and conditions as are required to protect the interests of the City.

**Section 7.** That the Director of Finance, on behalf of the Cleveland Municipal Court, and the Director of Law, and other appropriate City officials, are authorized to execute other documents and certificates,

and take other actions as may be necessary or appropriate to effect the lease authorized by this ordinance.

**Section 8.** That the Director of Finance, on behalf of the Cleveland Municipal Court, 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: furnishings and equipment necessary to create office space needed to operate the CIJIS, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Cleveland Municipal Court.

**Section 9.** 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 Finance, on behalf of the Cleveland Municipal Court, 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 contract or contracts with the vendors selected through that cooperative process.

**Section 10.** That the costs of the lease and purchases authorized shall be paid from Fund No. 10 SF 086, Request No. 128138.

**Section 11.** 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.

Referred to Directors of Finance, Law; Committee on Finance.

**Ord. No. 230-03.**

**By Council Members Coats and Jackson (by departmental request).**

**An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary to replace or repair concrete or asphalt areas, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of labor and materials necessary to replace or repair concrete or asphalt areas, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combina-

tion of the items as the Board of Control determines. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That 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. (RL 122541)

**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.

Referred to Directors of Public Utilities, Finance, Law; Committees on Public Utilities, Finance.

**Ord. No. 231-03.**

**By Council Members Coats and Jackson (by departmental request).**

**An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary to test and dispose of PCBs and non-PCB oil filled electrical equipment and contaminate material and retro-fill or filter contaminated transformers, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of labor and materials necessary to test and dispose of PCBs and non-PCB oil filled electrical equipment and contaminate material and retro-fill or filter contaminated transformers in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That 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. (RL 122534)

**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.

Referred to Directors of Public Utilities, Finance, Law; Committees on Public Utilities, Finance.

**Ord. No. 232-03.**

**By Council Members Coats and Jackson (by departmental request).**

**An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary to test, remove, and replace utility poles, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of labor and materials necessary to test, remove, and replace utility poles, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That 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. (RL 122531)

**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.

Referred to Directors of Public Utilities, Finance, Law; Committees on Public Utilities, Finance.

**Ord. No. 233-03.**

**By Council Members Coats and Jackson (by departmental request).**

**An emergency ordinance authorizing the purchase by one or more requirement contracts labor and materials to wash and wax motor vehicles, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years of the necessary items of labor and materials necessary to wash and wax motor vehicles, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That 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. (RL 122536)

**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.

Referred to Directors of Public Utilities, Finance, Law; Committees on Public Utilities, Finance.

**Ord. No. 234-03.**

**By Council Members Westbrook and Jackson (by departmental request).**

**An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to perform a storm water sewer system investigation at Cleveland Hopkins International Airport.**

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 Port Control is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants 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 perform a storm water sewer system investigation at Cleveland Hopkins International Airport for the purpose of determining where any sanitary cross-connections may exist.

The selection of the consultant or consultants for the services shall be made by the Board of Control on the nomination of the Director of Port Control from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Port Control for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Port Control, and certified by the Director of Finance.

**Section 2.** That the cost of the contract or contracts authorized shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 105, 60 SF 106, and from any funds or subfunds which are credited any federal grants or federal PFC authorization for the above contract and the proceeds from the sale of any airport revenue bonds issued for a purpose which include the above contract, Request No. 129104.

**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.

Referred to Directors of Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

**Ord. No. 235-03.**

**By Council Members Johnson and Jackson (by departmental request).**

**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to employ one or more temporary employment agencies, to provide professional services to supply temporary and seasonal personnel for the Department of Parks, Recreation and Properties for a period of one year.**

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 employ by contract or contracts one or more temporary employment agency or agencies 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 supply temporary and seasonal personnel for a period of one year, and

cancellable upon thirty days written notice by said Director, for the Department of Parks, Recreation and Properties from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Parks, Recreation and Properties for the purpose of compiling a list. The compensation to be paid for such services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Parks, Recreation and Properties, and certified by the Director of Finance.

**Section 2.** That the contract or contracts authorized shall be used for the hiring of approximately 250 temporary and seasonal workers.

**Section 3.** That the costs for the services contemplated shall be paid from Fund Nos. 13 SF 723, 62 SF 001, 63 SF 001, 01-701207-638000, 01-701217-638000 and from the fund or funds to which are credited Year 29 Community Development Block Grant funds which include this purpose and are appropriated for this purpose, Request No. 107188.

**Section 4.** 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.

Referred to Directors of Parks, Recreation and Properties, Finance, Law; Committees on Public Parks, Property and Recreation, Finance.

**Ord. No. 236-03.**

**By Council Members Johnson and Jackson (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 Natural Resources for the Ohio Bicentennial Legacy Tree Planting Program; and to enter into one or more requirement contracts necessary to implement 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 amount of \$28,122, from the Ohio Department of Natural Resources to conduct the Ohio Bicentennial Legacy Tree Planting Program; that the Director of Parks, Recreation and Properties 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 set forth in the summary for the grant contained in the file described below.

**Section 2.** That the summary for the grant, File No. 236-03-A, made a part as if fully rewritten, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$15,000 payable from Fund No. 01-701204-638000, is approved in all respects.

**Section 3.** 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 necessary items of equipment and supplies needed to implement the program. 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. Alternate bids for a period less than the grant 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 4.** That the cost of the contract or contracts shall be charged against the fund or funds which are credited the grant proceeds and 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 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.

Referred to Directors of Parks, Recreation and Properties, Finance, Law; Committees on Public Parks, Property and Recreation, Finance.

**Ord. No. 237-03.**

**By Council Members Johnson and Jackson (by departmental request).**

**An emergency ordinance authorizing the purchase by one or more contracts labor and materials necessary to maintain, repair and test the life safety system at the Cleveland Convention 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 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: labor and materials necessary to maintain, repair and test the life safety system at the Cleveland Convention Center for a gross price, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties.

**Section 2.** That the cost of the contract or contracts authorized shall be paid from Fund No. 67 SF 001, Request No. 120114.

**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.

Referred to Directors of Parks, Recreation and Properties, Finance, Law; Committees on Public Parks, Property and Recreation, Finance.

**Ord. No. 238-03.**

**By Council Members Johnson and Jackson (by departmental request).**

**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into one or more lease agreements with one or more firms to explore for, drill, operate for, produce and remove oil, gas and all constituents from various City owned real property and to transport the oil and gas from other properties through City owned real property.**

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

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

**Section 1.** That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Parks, Recreation and Properties is authorized to enter into one or more lease agreements with one or more firms to explore for, drill, operate for, produce and remove oil, gas and all constituents thereof ("Hydrocarbons") from various City owned real property and to transport Hydrocarbons from other properties through City owned real property. If the real property is under the control of another department, the director of the relevant department is authorized to enter into the lease with the Director of Parks, Recreation and Properties.

The selection of the firm or firms shall be made by the Board of Control upon the nomination of the Director of Parks, Recreation and Properties from a list of qualified firms as may be determined after a full and complete canvass by the Director of Parks, Recreation and Properties for the purpose of compiling the list. The compensation to be paid to the City for the lease agreement shall be fixed by the Board of Control.

**Section 2.** The lease agreements authorized in Section 1 shall be prepared by the Director of Law and shall contain additional terms and conditions as are necessary to protect the interests of the City.

**Section 3.** That the Director of Parks, Recreation and Properties, the Director of Law, and other appropriate City officials are authorized to execute such other documents and certifications, and take any other actions as may be necessary or appropriate to effect the lease agreements authorized by this ordinance.

**Section 4.** 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.

Referred to Directors of Parks, Recreation and Properties, Finance, Law; Committees on Public Parks, Property and Recreation, Finance.

**Ord. No. 239-03.**

**By Council Members Johnson and Jackson (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 one (1) option exercisable by the Director of Parks, Recreation and Properties, to renew for an additional one-year term, and cancelable upon thirty days written notice by the director.

**Section 2.** That the cost of the contract or contracts authorized shall be paid from Fund No. 67 SF 600, Request No. 120112.

**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.

Referred to Directors of Parks, Recreation and Properties, Finance, Law; Committees on Public Parks, Property and Recreation, Finance.

**Ord. No. 240-03.**

**By Council Members Johnson and Jackson (by departmental request).**

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

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 agreement with Neighborhood Leadership Institute to implement educational, recreational and cultural programs in various school buildings during evening hours in accordance with the recommendations and pilot program proposed by the Committee of the Cleveland Summit on Education, in an amount not to exceed \$150,000, payable from Fund No. 01-700401-638000, Request No. 118434.

**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.

Referred to Directors of Parks, Recreation and Properties, Finance, Law; Committees on Public Parks, Property and Recreation, Finance.

**Ord. No. 241-03.**

**By Council Members Jackson, Gordon, Sweeney, Coats and Cimperman (by departmental request).**

**An emergency ordinance determining the method of making the public improvement of grading and paving, constructing streets, sidewalks, driveway aprons, curbing, curb ramps, median strips, intersections, utility boxes, casting adjustments, appurtenances, streetscaping, landscaping, installing water and sewer mains and connections, installing electrical service and connections, streetlighting, and other related infrastructure improvements in conjunction with the Carver Park Estates project; and authorizing the Directors of Community Development, Public Service or Public Utilities to enter into contract for the making of the improvement.**

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

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

**Section 1.** That, under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of grading and paving, constructing streets, sidewalks, driveway aprons, curbing, curb ramps, median strips, intersections, utility boxes, casting adjustments, appurtenances, streetscaping, landscaping, installing water and sewer mains and connections, installing electrical service and connections, streetlighting, and other related infrastructure improvements in conjunction with the Carver Park Estates project, for the Departments of Community Development, Public Service or Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

**Section 2.** That the Directors of Community Development, Public Service or Public Utilities are authorized to enter into one or more contracts for the making of the above public improvement with the lowest responsible bidder or bidders after competitive bidding upon a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

**Section 3.** That the cost of the improvement authorized shall be paid from Fund No. 20 SF 379 and 52 SF 001, Request No. 125720.

**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.

Referred to Directors of Community Development, Public Service, Public Utilities, City Planning Commission, Finance, Law; Committees on Community and Economic Development, Public Service, Public Utilities, City Planning, Finance.



**Ord. No. 242-03.****By Council Member Johnson.**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Cumberland Avenue, East 89th and East 93rd Streets to E. and L. Properties LLC.**

Whereas, the City of Cleveland adopted and implemented procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; 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 pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-14-025 as more fully described below, to E. and L. Properties LLC.

**Section 2.** That the real property to be sold pursuant to Section 1 of this Ordinance is more fully described as follows:

P. P. No. 126-14-025

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 15 feet of the Easterly 120 feet of Sublot No. 15 and the Southerly 11 feet of the Easterly 120 feet of Sublot No. 16 in Reuben Yeakel's Subdivision of part of Original One Hundred Acre Lot Nos. 417, 424 and 425, as shown by the recorded plat in Volume 5 of Maps, Page 16 of Cuyahoga County Records and together forming a parcel of land having frontage of 26 feet on the Westerly side of East 93rd Street, and extending back of equal width 120 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 3.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-14-026 as more fully described below to E. and L. Properties LLC.

**Section 4.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 126-14-026

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 15 and 16 in Reuben Yeakel's Allotment of part of Original One Hundred Acre Lot Nos. 417, 424 and 425, as shown by the recorded plat in Volume 5 of Maps, Page 16 of Cuyahoga County Records and together forming a parcel of land bounded and described as follows:

Beginning at the Northwesterly corner of land conveyed by John Gedeon and wife to Vera Goldman by deed dated September 12, 1916 and recorded in Volume 1856, Page

414 of Cuyahoga County Records; thence Westerly along the Westerly prolongation of the Northerly line of land so conveyed to Vera Goldman, about 55 feet 10 inches to the Easterly line of an alley; thence Southerly along the Easterly line of said alley to its point of intersection with the Westerly prolongation of the Southerly line of land so conveyed to Vera Goldman, as aforesaid; thence Easterly along the Westerly prolongation about 42 feet 4 inches to the Southwesterly corner of land so conveyed to Vera Goldman; thence Northerly along the Westerly line of land so conveyed to Vera Goldman, 26 feet to the place of beginning, be the same more or less, but subject to all legal highways.

**Section 5.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-14-027 as more fully described below, to E. and L. Properties LLC.

**Section 6.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 126-14-027

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 25 feet of Sublot No. 15 and the Northerly 1 foot of Sublot No. 14 in Reuben Yeakel's Subdivision of part of Original One Hundred Acre Lot Nos. 417, 424 and 425, as shown by the recorded plat in Volume 5 of Maps, Page 16 of Cuyahoga County Records, and together forming a parcel of land, bounded and described as follows:

Beginning at a point on the Westerly line of East 93rd Street, at the Northeasterly corner of a parcel of land conveyed to John and Katalin Hasznos, by deed recorded in Volume 2180, Page 251 of Cuyahoga County Records; thence Southerly 26 feet measured along said Westerly line of East 93rd Street; thence Westerly 148.23 feet and parallel with the Northerly line of land conveyed to John and Katalin Hasznos as aforesaid to the Southwesterly line thereof; thence Northwesterly 29.56 feet measured along said Southwesterly line to the Northwesterly corner of land conveyed to John and Katalin Hasznos as aforesaid; thence Easterly 162.30 feet measured along the Northerly line of land so conveyed to the place of the beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 7.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-14-028 as more fully described, to E. and L. Properties LLC.

**Section 8.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 126-14-028

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 42 feet of Sublot No. 14 in Reuben Yeakel's Subdivision of part of Original One Hundred Acre Lots Nos. 417, 424, and 425, as shown by the recorded plat in Volume 5 of Maps, Page 16 of Cuyahoga County

Records and being 42 feet front on the Westerly side of East 93rd Street, (formerly Oakdale Street), and extending back 148.23 feet on the Northerly line, 125.50 feet on the Southerly line and along the Northerly line of a 12 foot alley and about 47.79 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 9.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-14-029 as more fully described below, to E. and L. Properties LLC.

**Section 10.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 126-14-029

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 13 in Reuben Yeakel's Subdivision of part of Original One Hundred Acre Lot Nos. 417, 424 and 425, as shown by the recorded plat in Volume 5 of Maps, Page 16 of Cuyahoga County Records and being 42 feet front on the Northerly side of Steinway Avenue, S.E., (formerly Oakfield Avenue), and extending back of equal width 138 feet 2 inches along the Westerly line of East 93rd Street (formerly Oak Street) to the Southerly line of a 12 foot alley, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 11.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-14-030 as more fully described below, to E. and L. Properties LLC.

**Section 12.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 126-14-030

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 12 in Reuben Yeakel's Allotment of part of Original One Hundred Acre Lot Nos. 417, 424 and 425, as shown by the recorded plat in Volume 5 of Maps, Page 16 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Northerly line of Steinway Avenue, S.E., at the South-easterly corner of Sublot No. 12; thence Westerly along the Northerly line of Steinway Avenue, S.E., 27 feet to the Northeasterly line of Buckeye Road, S.E., as widened by plat recorded in Volume 11 of Maps, Page 3 of Cuyahoga County Records; thence Northwesterly along said Northeasterly line of Buckeye Road, S.E., 21 feet 1 1/2 inches to the Westerly line of Sublot No. 12; thence Northerly along the Westerly line of Sublot No. 12, a distance of 127 feet 9 1/2 inches to the Southerly line of a 12 foot alley; thence Easterly along the Southerly line 30 feet to the Northeasterly corner of Sublot No. 12; thence Southerly along the Easterly line of said Sublot No. 12, 138 feet 2 inches in the place of the beginning, be the same more or less, but subject to all legal highways.

**Section 13.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-14-032 as more fully described below, to E. and L. Properties LLC.

**Section 14.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 126-14-032

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 10 in Reuben Yeakel's Allotment of part of Original One Hundred Acre Lot Nos. 417, 424 and 425 in said City. Said Sublot No. 10 has frontage of 50 feet on the Northeastly side of Buckeye Road, S.E., (formerly Woodland Avenue), and is 90 feet 7 1/2 inches deep on the Westerly line, 110 feet 1 1/2 inches deep on its Easterly line and 30 feet 7 1/2 inches wide in the rear, as appears by said plat said Allotment recorded in Volume 5 of Maps, Page 16 of Cuyahoga County Records, excepting therefrom a 10 foot strip used for widening of Buckeye Road, S.E., recorded in Volume 11 Page 3 of Cuyahoga County Records.

Subject to zoning ordinance, if any.

**Section 15.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-14-042 as more fully described below, to E. and L. Properties LLC.

**Section 16.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 126-14-042

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 157 and all of Sublot No. 158 in Hamilton and Wyman Allotment of part of Original One Hundred Acre Lot No. 416, as shown by the recorded plat in Volume 5 of Maps, Page 22 of Cuyahoga County Records and a part of Sublot No. 1 in Reuben Yeakel's Allotment of part of Original One Hundred Acre Lot Nos. 417, 424 and 425, as shown by the recorded plat in Volume 5 of Maps, Page 16 of Cuyahoga County Records and together forming a parcel of land bounded and described as follows:

Beginning on the Northeastly line of Buckeye Road, S.E., (formerly Woodland Avenue), 80 feet wide, at its intersection with the Northerly line of said Sublot No. 1; thence Southeastly along the Northeastly line of Buckeye Road, S.E., about 84.16 feet to its intersection with the Southeastly line of said Sublot No. 1; thence Northeastly along the Southeastly line of said Sublot No. 1, 55 feet 10 1/2 inches to the Southerly line of said Sublot No. 157; thence Easterly along the Southerly line of said Sublot No. 157, 6 1/2 inches to the Southeastly corner thereof; thence Northerly along the Easterly line of said Sublot No. 157, 21 feet 8 4/5 inches to a point which is distant 120 feet Southerly, measured along said Easterly line, from the Southerly line of Cumberland Avenue, S.E., (formerly Charles Street) thence Westerly and parallel with the Southerly line of Cumberland Avenue, S.E., 40 feet to its

intersection with the Easterly line of said Sublot No. 158, thence Northerly along the Easterly line of said Sublot No. 158, 120 feet to the Southerly line of Cumberland Avenue, S.E.; thence Westerly along the Northerly line of Sublot No. 158, which is also the Southerly line of Cumberland Avenue, S.E., 40 feet to the Northwestly corner of said Sublot No. 158; thence Southerly along the Westerly line of said Sublot No. 158, 141 feet 11 2/3 inches to the Northerly line of said Sublot No. 1; thence Westerly along the Northerly line of said Sublot No. 1, 21.80 feet to the place of the beginning, be the same more or less, but subject to all legal highways.

**Section 17.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-14-100 as more fully described below, to E. and L. Properties LLC.

**Section 18.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 126-14-100

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being County Auditor Permanent Parcel No. 126-14-100, and known as being Sublot No. 147 in Hamilton and Wyman's Re-Subdivision of part of Original One Hundred Acre Lot No. 416, as shown by the recorded plat in Volume 5 of Maps, Page 22 of Cuyahoga County Records and being 40 feet front on the Southerly side of Cumberland Avenue, S.E., and extending back 134 feet 7 inches on the Easterly line, 140 feet 8-1/3 inches on the Westerly line and having a rear line of about 41 feet 7-1/4 inches along the Northerly line of a 12 foot alley, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**Section 19.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-14-101 as more fully described below, to E. and L. Properties LLC.

**Section 20.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 126-14-101

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 148 in Hamilton and Wyman's Allotment of part of Original One Hundred Acre Lot No. 416, as shown by the recorded plat in Volume 5 of Maps, Page 22 of Cuyahoga County Records and being 40 feet front on the Southerly side of Cumberland Avenue, S.E., and extending back between parallel lines, 140.7 feet deep on the Easterly line, 140.77 feet deep on the Westerly line as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**Section 21.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Sup-

plies is hereby authorized to sell Permanent Parcel No. 126-14-102 as more fully described below, to E. and L. Properties LLC.

**Section 22.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 126-14-102

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 149 in Wyman and Hamilton's Allotment of part of Original One Hundred Acre Lot No. 416, as shown by the recorded plat in Volume 5 of Maps, Page 22 of Cuyahoga County Records and being 40 feet front on the Southerly side of Cumberland Avenue, S.E., (formerly Charles Street) 140 feet 9 2/3 inches deep on the Easterly line, and 140 feet 11 inches deep on the Westerly line, and 40 feet wide in rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**Section 23.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-14-103 as more fully described below, to E. and L. Properties LLC.

**Section 24.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 126-14-103

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 150 in Wyman and Hamilton's Re-Subdivision of part of Original One Hundred Acre Lot No. 416, as shown by the recorded plat in Volume 5 of Maps, Page 22 of Cuyahoga County Records and being 40 feet front on the Southerly side of Cumberland Avenue, S.E., (formerly Charles Street), 140 feet 11 inches deep on the Easterly line, 141 feet 1/2 of an inch deep on the Westerly line and 40 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**Section 25.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-14-105 as more fully described below, to E. and L. Properties LLC.

**Section 26.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 126-14-105

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 10 feet of the Northerly 120 feet of Sublot No. 151 and the Easterly 20 feet of the Northerly 120 feet of Sublot No. 152 in Hamilton and Wyman's Re-Subdivision of part of Original One Hundred Acre Lot No. 416 as shown by the recorded plat in Volume 5 of Maps, Page 22 of Cuyahoga County Records, and together forming a parcel of land having a frontage of 30 feet on the

Southerly side of Cumberland Avenue, S.E., (formerly Charles Street) and extending back of equal width 120 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**Section 27.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-14-106 as more fully described below, to E. and L. Properties LLC.

**Section 28.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 126-14-106

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being parts of Sublot Nos. 152 and 153 in Hamilton and Wyman's Subdivision of part of Original One Hundred Acre Lot No. 416, as shown by the recorded plat in Volume 5 of Maps, Page 22 of Cuyahoga County Records, said parts of Sublot Nos. 152 and 153 are bounded and described as follows:

Beginning at a point in the Southerly line of Cumberland Avenue, S.E., 330.76 feet Westerly from the intersection of the Westerly line of East 93rd Street; thence Southerly parallel with Easterly line of said Sublot No. 152, 120 feet; thence Westerly parallel with the Southerly line of Cumberland Avenue, S.E., 29 feet; thence Northerly parallel with the Easterly line of said Sublot No. 152, 120 feet; thence Easterly along the Southerly line of Cumberland Avenue, S.E., 29 feet to the place of the beginning, be the same more or less, but subject to all legal highways.

**Section 29.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-14-108 as more fully described below, to E. and L. Properties LLC.

**Section 30.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 126-14-108

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 26.66 feet of Northerly 115 feet to Sublot No. 154 in the Hamilton and Wyman's Re-Allotment of part of Original One Hundred Acre Lot No. 416, as shown by the recorded plat in Volume 5 of Maps, Page 22 of Cuyahoga County Records and being 26.66 feet front on the Southerly side of Cumberland Avenue, S.E., and extending back of equal width 115 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**Section 31.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-14-109 as more fully described below, to E. and L. Properties LLC.

**Section 32.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 126-14-109

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 154 and 155 in Wyman and Hamilton's Allotment of part of Original One Hundred Acre Lot No. 416, as shown by the recorded plat in Volume 5 of Maps, Page 22 of Cuyahoga County Records and together forming a parcel of land bounded and described as follows:

Beginning in the Southerly line of Cumberland Avenue, S.E., at a point distant Easterly 67.79 feet from the Northwesterly corner of Sublot No. 156 in said Wyman and Hamilton's Allotment, thence Easterly along the Southerly line of Cumberland Avenue, S.E., 25.55 feet to a point distant Easterly 13.34 feet from the Northwesterly corner of said Sublot No. 154, thence Southerly parallel with the Westerly line of said Sublot No. 154, 141.46 feet to the Southerly line of said Sublot No. 154, thence Westerly along the Southerly line of said Sublot Nos. 154 and 155, 25.55 feet to a point distant Easterly 67.79 feet from the Southwesterly corner of said Sublot No. 156 in said Wyman and Hamilton's Allotment, thence Northerly parallel with the Westerly line of Sublot No. 156, 141.54 feet to the place of beginning, according to the survey of Charles W. Root, Civil Engineer, dated May 4, 1929, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**Section 33.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-14-110 as more fully described below, to E. and L. Properties LLC.

**Section 34.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 126-14-110

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 155 and 156 in Wyman and Hamilton's Allotment of part of Original One Hundred Acre Lot No. 416 as shown by the recorded plat in Volume 5 of Maps, Page 22 of Cuyahoga County Records and together forming a parcel of land bounded and described as follows:

Beginning in the Northerly line of Cumberland Avenue, S.E., at a point distant Easterly 32.22 feet from the Northwesterly corner of said Sublot No. 156; thence Easterly along the Southerly line of Cumberland Avenue, S.E., 35.57 feet; thence Southerly parallel with the Westerly line of Sublot No. 155; 141.54 feet to the Southerly line of said Sublot No. 155; thence Westerly along the Southerly line of said Sublot Nos. 155 and 156, 35.57 feet to a point distant Easterly 32.22 feet from the Southwesterly corner of said Sublot No. 156; thence Northerly parallel with the Westerly line of said Sublot No. 156, 141.64 feet to the beginning, be the same more or less, but subject to all legal highways.

**Section 35.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-14-111 as more fully described below, to E. and L. Properties LLC.

**Section 36.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 126-14-111

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 156 in Wyman and Hamilton's Allotment of part of Original One Hundred Acre Lot No. 416, recorded in Volume 5 of Maps, Page 22 of Cuyahoga County Records, bounded and described as follows:

Beginning at the Northwesterly corner of said Sublot No. 156; thence Easterly along the Southerly line of Cumberland Avenue, S.E., 32.22 feet; thence Southerly parallel with the Westerly line of said Sublot, 141.64 feet to the Southerly line of said Sublot; thence Westerly along the Southerly line of said Sublot, 32.22 feet to the Southwesterly corner thereof; thence Northerly along the Westerly line of said Sublot, 141.73 feet to the beginning, according to the survey of Charles W. Root, Civil Engineer, be the same more or less, but subject to all legal highways.

**Section 37.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-14-112 as more fully described below, to E. and L. Properties LLC.

**Section 38.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 126-14-112

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the North part of Sublot No. 157 in Hamilton and Wyman's Allotment of part of Original One Hundred Acre Lot No. 416, as shown by the recorded plat in Volume 5 of Maps, Page 22 of Cuyahoga County Records, being a parcel of land 40 feet front on the Southerly side of Cumberland Avenue, S.E., (formerly Cumberland Street) and extending back of equal width 120 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 39.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-14-113 as more fully described below, to E. and L. Properties LLC.

**Section 40.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 126-14-113

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 158 in the Hamilton and Wyman's Allotment of part of Original One Hundred Acre Lot No. 416 as shown by the recorded plat in Volume 5 of Maps, Page 22 of Cuyahoga County Records and being a parcel of land 40 feet front on the Southerly side of Cumberland Avenue, S.E., (formerly Cumberland Street) and extending back of equal width 141.85 feet deep on the Easterly line, 141.97 feet deep on the Westerly line, and being 40 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 41.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-14-116 as more fully described below, to E. and L. Properties LLC.

**Section 42.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 126-14-116

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 159 in Wyman & Hamilton's Subdivision of part of Original One Hundred Acre Lot No. 416, as shown by the recorded plat in Volume 5 of Maps, Page 22 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Northeasterly line of Buckeye Road, S.E. (formerly South Woodland Avenue), 80 feet wide, at the Southeasterly corner of a parcel of land deeded to Ernest F. Hallm by deed recorded in Volume 575, Page 342 of Cuyahoga County Records; thence Southeasterly along the Northeasterly line of Buckeye Road, S.E., 30 feet to the Southwesterly corner of a parcel of land deeded to John Fedor by deed recorded in Volume 864, Page 384 of Cuyahoga County Records; thence Northerly along the Westerly line of land so deeded to said John Fedor to the Southerly line of Cumberland Avenue, S.E. (formerly Cumberland Street); thence Westerly along the Southerly line of Cumberland Avenue, S.E., 25.14 feet to the Northeasterly corner of land so deeded to said Ernest F. Hallm and Nancy Hallm; thence Southerly along the Easterly line of land so deeded to said Ernest F. Hallm and Nancy Hallm to the place of beginning, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 43.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-14-117 as more fully described below, to E. and L. Properties LLC.

**Section 44.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 126-14-117

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Sublot No. 159 in Hamilton and Wyman's Re-Subdivision of part of Original One Hundred Acre Lot No. 416 as shown by the recorded plat in Volume 5 of Maps, Page 22 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Northeasterly side of Buckeye Road (80 feet wide) at a point distant 60 feet Southeast from the intersection with the Easterly side of East 89th Street. Thence Northerly parallel with Easterly side of East 89th Street 89.56 feet to the Southerly side of Cumberland Avenue (50 feet wide); thence Westerly along said Southerly side of Cumberland Avenue, 29.28 feet to a point distant 21 feet Easterly from the intersection of said Southerly side of Cumberland Avenue with the Easterly side of East 89th Street; thence Southerly

parallel with the Easterly side of East 89th Street 70.19 feet to said Northeasterly side of Buckeye Road; thence Southeasterly along the Northeasterly side of Buckeye Road, 34.94 feet to the place of beginning, be the same more or less, but subject to all legal highways.

**Section 45.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 126-14-118 as more fully described below, to E. and L. Properties LLC.

**Section 46.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 126-14-118

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 159 in Hamilton and Wyman's Allotment of part of Original One Hundred Acre Lot No. 416, as shown by the recorded plat in Volume 5 of Maps, Page 22 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Southerly line of Cumberland Avenue, S.E., at its point of intersection with the Easterly line of East 89th Street, said point of beginning being the Northwesterly corner of said Sublot No. 159, thence Easterly along the Southerly line of Cumberland Avenue, 21 feet to the Northwesterly corner of land conveyed to Ervin H. Bolgar and Aranka Bolgar, by deed dated June 3, 1920 and recorded in Volume 2418, Page 111 of Cuyahoga County Records, thence Southerly along the Westerly line of land so conveyed to Ervin H. Bolgar and Aranka Bolgar, 70.9 feet to the Northeasterly line of Buckeye Road, S.E., thence Northwesterly along the Northeasterly line of Buckeye Road, S.E., 25.06 feet to its point of intersection with the Easterly line of East 89th Street, which is also the Southwesterly corner of said Sublot No. 159, thence Northerly along the Easterly line of East 89th Street, 56.29 feet to the place of beginning, be the same more or less, but subject to all legal highways.

**Section 47.** That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

**Section 48.** That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

**Section 49.** That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

**Section 50.** 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.

Referred to Directors of Community Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

**Ord. No. 243-03.**

**By Council Member Jackson.**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on scattered sites to Eastside Neighborhood Home LP.**

Whereas, the City of Cleveland adopted and implemented procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; 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 pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-007 as more fully described below, to Eastside Neighborhood Home LP.

**Section 2.** That the real property to be sold pursuant to Section 1 of this Ordinance is more fully described as follows:

P. P. No. 118-24-007

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 83 feet of Sublot No. 35 in H.C. Sterling's Allotment of part of Original One Hundred Acre Lot No. 336, as shown by the recorded plat in Volume 5 of Maps, Page 60 of Cuyahoga County Records, and being 50 feet front on the Northerly side of Central Avenue, S.E., and extending back of equal width 83 feet deep along the Easterly line of East 73rd Street (formerly Brenton Street) as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 3.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-034 as more fully described below to Eastside Neighborhood Home LP.

**Section 4.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

## P. P. No. 118-24-034

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 14, in William and Lewis Brooker's Subdivision of part of Original One Hundred Acre Lot No. 336, as shown by the recorded plat in Volume 3 of Maps, Page 46 of Cuyahoga County Records, and being 50 feet front on the Westerly side of East 76th Street (formerly Brooker Avenue), and extending back of equal width 192 feet 1 1/2 inches, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**Section 5.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-035 as more fully described below, to Eastside Neighborhood Home LP.

**Section 6.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

## P. P. No. 118-24-035

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio; And known as part of Original Lot No. 336, and described as follows: to wit: Sublot No. 13 in William and Lewis Brooker's Subdivision of a part of Original One Hundred Acre Lot No. 336, in said Village of East Cleveland (now City of Cleveland), County of Cuyahoga and State of Ohio according to the Map or Plat of said Subdivision which is recorded in the proper office in said County and State in Volume No. 3 of Maps, Page 46, and to which reference is hereby made. Said Sublot No. 13 fronting on the West side of Brooker Street (now East 76th Street), so called, and being 50 feet wide on the (now East 76th Street), so called, and being 50 feet wide on the front and rear by 192 feet and 1 1/2 inches deep.

**Section 7.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-037 as more fully described, to Eastside Neighborhood Home LP.

**Section 8.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

## P. P. No. 118-24-037

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 40 feet of Sublot No.11 in W. and L. Brooker's Subdivision of part of Original One Hundred Acre Lot No. 336 as shown by the recorded plat of said Subdivision in Volume 3 of Maps, Page 46 of Cuyahoga County Records. Said part of Sublot No. 11 has a frontage of 40 feet on the Westerly side of East 76th Street (formerly Brooker Street) and extends back between parallel lines, 192 feet 1 1/2 inches according to said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 9.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-040 as more fully described below, to Eastside Neighborhood Home LP.

**Section 10.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

## P. P. No. 118-24-040

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 336 and bounded and described as follows:

Beginning on the Easterly line of East 74th Street (formerly Plymouth Street) at a point which is distant 515.02 feet Southerly measured along said Easterly line from its intersection with the Southerly line of Cedar Avenue S.E. thence Southerly along the Easterly line of East 74th Street, 32 feet to a point; thence Easterly at right angles to the Easterly line of East 74th Street, 106.10 feet to a point; thence Northerly and parallel to the Easterly line of East 74th Street, 32 feet; thence Westerly in a direct line 106.10 feet to the place of beginning and being further known as Sublot No. 12 in Maran and Cody's Proposed Subdivision of part of Original One Hundred Acre Lot No. 336, be the same more less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**Section 11.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-041 as more fully described below, to Eastside Neighborhood Home LP.

**Section 12.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

## P. P. No. 118-24-041

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 336, bounded and described as follows:

Beginning on the Easterly line of East 74th Street (formerly Plymouth Place) as dedicated by plat recorded in Volume 20 of Maps, Page 29 of Cuyahoga County Records at a point 547.02 feet Southerly from its point of intersection with the Southerly line of Cedar Avenue, S.E.; thence Southerly along the Easterly line of East 74th Street, 34 feet; thence Easterly at right angles to said Easterly line of East 74th Street, 106.10 feet; thence Northerly parallel with the Easterly line of East 74th Street, 34 feet; thence Westerly 106.10 feet to the place of beginning, and being further known as Sublot No. 13 and the Northerly 2 feet of Sublot No. 14 in Marsh and Cody Brothers proposed Allotment of part of Original One Hundred Acre Lot No. 336.

Also subject to all zoning ordinances, if any.

**Section 13.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-089 as more fully described below, to Eastside Neighborhood Home LP.

**Section 14.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

## P. P. No. 118-24-089

Situated in the City of Cleveland, County of Cuyahoga and State of

Ohio, and known as being a part of Original One Hundred Acre Lot No. 336, and bounded and described as follows:

Beginning in the Westerly line of East 74th Street (formerly Plymouth Street), as shown and dedicated on the plat in Volume 20 of Maps, Page 29 of Cuyahoga County Records, at a point distant 529.11 feet Southerly (measured along said Westerly line of East 74th Street) from its intersection with the Southerly line of Cedar Avenue, S.E., (66 feet wide); thence Southerly along the Westerly line of East 74th Street, 30 feet; thence Westerly at right angles to said Westerly line of East 74th Street, 128 feet to the Easterly line of H.C. Sterling's Cottage Neighborhood Allotment, as recorded in Volume 5 of Maps, Page 60 of Cuyahoga County Records; thence Northerly along the Easterly line of said Allotment, 30 feet; thence Easterly at right angles to the Westerly line of East 74th Street, 128 feet to the place of beginning, and being further known as the Southerly 25 feet of Sublot No. 23, and the Northerly 5 feet of Sublot No. 22 in Marsh and Cody's proposed Subdivision of part of Original One Hundred Acre Lot No. 336.

**Section 15.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-090 as more fully described below, to Eastside Neighborhood Home LP.

**Section 16.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

## P. P. No. 118-24-090

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 336 and bounded and described as follows:

Beginning on the Westerly line of East 74th Street (formerly Plymouth Street) 45 feet wide, (according to the dedication of said Street as shown by the recorded plat in Volume 20 of Maps, Page 29 of Cuyahoga County Records), at a point 499.15 feet Southerly from the Southerly line of Cedar Avenue, S.E.; thence Southerly along the Westerly line of said East 74th Street, 30 feet to the Northeastly corner of a parcel of land conveyed by A.J. Marsh and Hattie E. Marsh to Anna Maloney by deed dated January 9, 1890 and recorded in Volume 467, Page 225 of Cuyahoga County Records; thence Westerly along the Northerly line of land so conveyed to Anna Maloney 128 feet to the Easterly line of H.C. Sterling's Cottage Neighborhood Allotment as recorded in Volume 5 of Maps, Page 60 of Cuyahoga County Records; thence Northerly along the Easterly line of Cottage Neighborhood Allotment 30 feet; thence Easterly parallel with the Second described course 128 feet to the Westerly side of East 74th Street and place of beginning, and being further known as the Northerly 5 feet of Sublot No. 23 and the Southerly 25 feet of Sublot No. 24 in The Marsh and Cody Brothers' Allotment, proposed, of part of Original One Hundred Acre Lot No. 336, be the same more less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 17.** That pursuant to Section 183.021 of the Codified Ord-

nances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-109 as more fully described below, to East-side Neighborhood Home LP.

**Section 18.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-24-109

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 31 in H.C. Sterling's Subdivision of part of Original One Hundred Acre Lot No. 336, as shown by the recorded plat in Volume 5 of Maps, Page 60 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 73rd Street (formerly Branton Street), and extending back 143 feet on the Northerly line, 142 feet 11 1/2 inches on the Southerly line and having a rear line of 40 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 19.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-141 as more fully described below, to East-side Neighborhood Home LP.

**Section 20.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-24-141

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 30 feet from front to rear of Sublot No. 53 in Harriet G. Sterling's Subdivision of part of Original One Hundred Acre Lot No. 336, as shown by the recorded plat in Volume 5 of Maps, Page 60 of Cuyahoga County Records, and being 30 feet front on the Easterly side of East 71st Street (formerly Giddings Avenue) and extending back of equal width 160 feet to an alley in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**Section 21.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-142 as more fully described below, to East-side Neighborhood Home LP.

**Section 22.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-24-142

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 20 feet of Sublot No. 52 and the Southerly 10 feet of Sublot No. 53 in H.C. Sterling's Allotment of part of Original One Hundred Acre Lot No. 336, as shown by the recorded plat in Volume 5 of Maps, Page 60 of Cuyahoga County Records and together forming a parcel of land having a frontage of 30 feet on the Easterly side of East 71st Street (formerly Giddings Avenue) and extending back of equal width 160 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 23.** That pursuant to Sec-

tion 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-146 as more fully described below, to East-side Neighborhood Home LP.

**Section 24.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-24-146

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 49 and the Southerly 5 feet of Sublot No. 50 in the H.C. Sterling's Allotment of part of Original One Hundred Acre Lot No. 336 as shown by the recorded plat in Volume 5 of Maps, Page 60 of Cuyahoga County Records and being 45 feet front on the Easterly side of East 71st Street (formerly Gidding Avenue) and extending back of equal width 160 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**Section 25.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-24-147 as more fully described below, to East-side Neighborhood Home LP.

**Section 26.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-24-147

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 48 in H.C. Sterling's Allotment of part of Original One Hundred Acre Lot No. 336, as shown by the recorded plat in Volume 5 of Maps, Page 60 of Cuyahoga County Records and being 40 feet front on the Easterly side of East 71st Street and extending back of equal width 160 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 27.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-25-004 as more fully described below, to East-side Neighborhood Home LP.

**Section 28.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-25-004

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 67 in H. C. Sterling's Allotment of part of Original One Hundred Acre Lot No. 336, as shown by the recorded plat in Volume 5 of Maps, Page 60 of Cuyahoga County Records, and being 40 feet front on the easterly side of East 71st Street, and extending back of equal width 160 feet deep to an alley, 14 feet wide in the rear as appears by said plat, be the same more or less but subject to all legal highways.

Subject to restrictions recorded in Volume 558, Page 265 of Cuyahoga County Records.

Also subject to zoning ordinances, if any.

**Section 29.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the

Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-25-035 as more fully described below, to East-side Neighborhood Home LP.

**Section 30.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-25-035

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part or Original One Hundred Acre Lot No. 336 and bounded and described as follows:

Beginning at a point in the Southerly line of Cedar Avenue distant 302.8 feet Easterly from the stone set in the center of Benton Street (now East 73rd Street) at its intersection with the Southerly line of Cedar Avenue; thence South along the Westerly line of a proposed Street (now East 74th Street) as laid out by Marsh and Cody Bros., 234.15 feet being the beginning point at premises hereby described; thence West at right angles with said proposed Street, 71 feet; thence South parallel with said proposed Street, 00.86 feet; thence West at right angles with said Street, 57 feet; thence South parallel with said proposed Street, 34.14 feet; thence East at right angles with the last line, 128 feet to the Westerly line of said proposed Street; thence North on the West line of said proposed Street, 35 feet to the principal place of beginning; and is further known as the Southerly 25 feet of Sublot No. 31 and the Northerly 10 feet of Sublot No. 30 in Marsh and Cody Bros. proposed Subdivision, be the same more less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 31.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-25-040 as more fully described below, to East-side Neighborhood Home LP.

**Section 32.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-25-040

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 336 and bounded and described as follows:

Beginning on the Westerly line of East 74th Street (formerly Plymouth Place) at a point distant 442.15 feet Southerly from its point of intersection with the Southerly line of Cedar Avenue S.E.; thence Southerly along said Westerly line of East 74th Street 40 feet; thence Westerly at right angles to said Westerly line of East 74th Street, 128 feet; thence Northerly parallel with the Westerly line of East 74th Street, 40 feet, thence Easterly 128 feet to the place of beginning and being further known as Sublot No. 26 and the Northerly 5 feet to Sublot No. 25 in Marsh and Cody Bros. proposed Subdivision of part of Original One Hundred Acre Lot No. 336 as shown by the recorded plat, be the same more less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**Section 33.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-25-041 as more fully described below, to East-side Neighborhood Home LP.

**Section 34.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-25-041

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 30 feet from front to rear of Sublot No. 25 and the Northerly 5 feet from front to rear of Sublot No. 24 in Marsh and Cody Bros. proposed Subdivision of a part of Original One Hundred Acre Lot No. 336, and bounded and described as follows:

Beginning at a point on the Westerly line of East 74th Street (formerly Plymouth Place) distant Southerly 464 15/100 feet measured along said Westerly line, of East 74th Street, from its intersection with the Southerly line of Cedar Avenue N.E., thence Westerly at right angles with the Westerly line of East 74th Street, 128 feet; thence Southerly parallel with the Westerly line of East 74th Street, 35 feet; thence Easterly parallel with the Northerly line of Sublot No. 24, 128 feet to the Westerly line of East 74th Street, thence Northerly along said Westerly line of East 74th Street, 35 feet to the place of beginning be the same more less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**Section 35.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-26-039 as more fully described below, to East-side Neighborhood Home LP.

**Section 36.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-26-039

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 32 and the Southerly 5 feet of Sublot No. 33 in Fenton and Cody's Subdivision of part of Original One Hundred Acre Lot Nos. 336 as shown by the recorded plat in Volume 15 of Maps, Page 35 of Cuyahoga County Records, and having a frontage of 35 feet on the Easterly side of East 78th Street (formerly Kenwood Street) and extending back between parallel lines, 100 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**Section 37.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-26-040 as more fully described below, to East-side Neighborhood Home LP.

**Section 38.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-26-040

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 31 in the Fenton and Cody's Subdivision of part of Original One Hundred Acre Lot No. 336 as shown by the recorded plat in Volume 15 of Maps, Page 35 of Cuyahoga County Records, and being 30 feet front on the Easterly side of East 78th Street (formerly Kenwood Street) and extending back between parallel lines 100 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 39.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-26-041 as more fully described below, to East-side Neighborhood Home LP.

**Section 40.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-26-041

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 30 in Fenton and Cody's Subdivision of part of Original One Hundred Acre Lot No. 336, as shown by the recorded plat in Volume 15 of Maps, Page 35 of Cuyahoga County Records and being 30 feet front on the Easterly side of East 78th Street and extending back of equal width 100 feet deep, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 41.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-26-056 as more fully described below, to East-side Neighborhood Home LP.

**Section 42.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-26-056

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 75 in Fenton and Cody's Subdivision of part of Original One Hundred Acre Lot No. 336 as shown by the recorded plat in Volume 15 of Maps, Page 35 of Cuyahoga County Records, and being 30 feet front on the Westerly side of East 77th Street and extending back between parallel lines 100.19 feet deep on the Northerly line, 100.22 feet deep on the Southerly line and 30 feet wide in the rear, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Subject to restrictions recited in Volume 3235, Page 87 of Cuyahoga County Records filed February 10, 1925.

**Section 43.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-26-057 as more fully described below, to East-side Neighborhood Home LP.

**Section 44.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-26-057

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 74 in Fenton and Cody's Subdivision of part of Original One Hundred Acre Lot No. 336, as shown by the recorded plat in Volume 15 of Maps, at Page 35 of Cuyahoga County Records, and being 30 feet front on the Westerly side of East 78th Street and extending back 100.16 feet on the Northerly line, 100.19 feet on the Southerly line and 30 feet wide in the rear, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 45.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-26-064 as more fully described below, to East-side Neighborhood Home LP.

**Section 46.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-26-064

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly part of Sublot No. 35 in the W. and L. Brooker Subdivision of part of Original One Hundred Acre Lot No. 336 as shown by the recorded plat in Volume 3 of Maps, Page 46 of Cuyahoga County Records, said Southerly part of Sublot No. 35 having a frontage of 25 feet on the Easterly side of East 76th Street, and extending back of equal width 167 feet as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 47.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-26-065 as more fully described below, to East-side Neighborhood Home LP.

**Section 48.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-26-065

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 36 in W. and L. Brooker Subdivision of part of Original One Hundred Acre Lot No. 336, as shown by the recorded plat in Volume 3 of Maps, Page 46 of Cuyahoga County Records and being 50 feet front on the Easterly line of East 76th Street and extending back of equal width about 176 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 49.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-27-001 since more fully described below, to Eastside Neighborhood Home LP.

**Section 50.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-27-001

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 33 feet of Sublot No. 34 in W. & L. Brooker's Subdivision of part of Original One Hundred Acre

Lot No. 336, as shown by the recorded plat in Volume 3 of Maps, Page 46 of Cuyahoga County Records, and being 33 feet front on the Easterly side of East 76th Street (formerly Brooker Street) as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 51.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-27-002 as more fully described below, to East-side Neighborhood Home LP.

**Section 52.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-27-002

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 17 feet of Sublot No. 33 and the Northerly 17 feet of Sublot No. 34 in William and Lewis Brooker's Subdivision of part of Original One Hundred Acre Lot No. 336 as shown by the recorded plat in Volume 3 of Maps, Page 46 of Cuyahoga County Records and together forming a parcel of land 34 feet front on the Easterly side of East 76th Street (formerly Brooker Avenue) and extending back of equal width 167 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 53.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-27-003 as more fully described below, to East-side Neighborhood Home LP.

**Section 54.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-27-003

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 33 feet from front to rear of Sublot No. 33 in William and Lewis Brooker's Subdivision of part of Original One Hundred Acre Lot No. 336 as shown by the recorded plat of said Subdivision in Volume 3 of Maps, Page 46 of Cuyahoga County Records, and being 33 feet front on the Easterly side of East 76th Street and extending back of equal width about 167 feet deep as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 55.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-27-004 as more fully described below, to East-side Neighborhood Home LP.

**Section 56.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-27-004

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 25 feet of Sublot No. 32 in William and Lewis Brooker's Subdivision of part of Original One Hundred Acre Lot No. 336, as shown by the recorded plat of said Subdivision

in Volume 3 of Maps, Page 46 of Cuyahoga County Records. Said part of Sublot No. 32 has a frontage of 25 feet on the Easterly side of East 76th Street (formerly Brooker Street), and extends back between parallel lines about 167 feet 9 inches as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 57.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-33-017 as more fully described below, to East-side Neighborhood Home LP.

**Section 58.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-33-017

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 5, all in the Charles E. French Subdivision, of part of Original Township Lot No. 336 as shown by the recorded plat in Volume 8 of Maps, Page 4 of Cuyahoga County Records. Said Sublot has a frontage of 40.00 feet on East 74th Street as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 59.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-33-062 as more fully described below, to East-side Neighborhood Home LP.

**Section 60.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-33-062

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 54 in M.E. Sterling's Subdivision of part of Original One Hundred Acre Lot No. 336 as shown by the recorded plat of said Subdivision in Volume 3 of Maps, Page 40 of Cuyahoga County Records and being 40 feet front on the Westerly side of Chamberlain Avenue, S.E., and extending back of equal width 128 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 61.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-34-071 as more fully described below, to East-side Neighborhood Home LP.

**Section 62.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-34-071

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 20 in Bieger Subdivision of part of Original One Hundred Acre Lot No. 336 as shown by the recorded plat in Volume 4 of Maps, Page 45 of Cuyahoga County Records, and being 38.67 feet deep on the Easterly side of East 74th Street and extending back of equal width 119.33 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 63.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-34-079 as more fully described below, to East-side Neighborhood Home LP.

**Section 64.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-34-079

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 10 in Fenton, Robinson and Rose's Re-Subdivision of part of Original One Hundred Acre Lot No. 336, as shown by the recorded plat in Volume 4 of Maps, Page 45 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 76th Street (formerly Brooker Avenue), 167 feet 1 1/4 inches deep on the Northerly line, 167 feet deep on the Southerly line and 40 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 65.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-34-080 as more fully described below, to East-side Neighborhood Home LP.

**Section 66.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-34-080

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 11 in Fenton, Robinson and Rose's Subdivision of part of Original One Hundred Acre Lot No. 336, as shown by the recorded plat in Volume 4 of Maps, Page 45 of Cuyahoga County Records, and being 40 feet front on the Westerly line of East 76th Street and extending back of equal width 167 feet deep on the Northerly line, 166 feet 8 1/2 inches deep on the Southerly line and 40 feet wide in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 67.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-34-081 as more fully described below, to East-side Neighborhood Home LP.

**Section 68.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-34-081

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 12 in Fenton, Robinson, and Rose's Subdivision of part of Original One Hundred Acre Lot No. 336, as shown by the recorded plat in Volume 4 of Maps, Page 45 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 76th Street and extending back 166 feet, 10 3/4 inches deep on the Northerly line, 166, 9 1/2 inches deep on the Southerly line and 40 feet in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.



**Section 69.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-34-082 as more fully described below, to East-side Neighborhood Home LP.

**Section 70.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-34-082

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 13 in Fenton, Robinson and Rose's Subdivision of part of Original One Hundred Acre Lot No. 336, as shown by the recorded plat of said Subdivision in Volume 4 of Maps, Page 45 of Cuyahoga County Records, said Sublot No. 13 has a frontage of 40 feet on the Westerly side of East 76th Street (formerly Brooker Avenue) and extends back 166 feet 9-12 inches on the Northerly line, 166 feet 8 1/2 inches on the Southerly line, and has a rear line of 40 feet as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

**Section 71.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-34-103 as more fully described below, to East-side Neighborhood Home LP.

**Section 72.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-34-103

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 1/2 of Sublot No. 13 in Silas Strange's Subdivision of part of Original One Hundred Acre Lot No. 336, as shown by the recorded plat in Volume 4 of Maps, Page 28 of Cuyahoga County Records, and being 35 feet front on the Easterly side of East 76th Street (formerly Brooker Avenue) and extending back of equal width 94 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**Section 73.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-34-104 as more fully described below, to East-side Neighborhood Home LP.

**Section 74.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-34-104

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 1/2 of Sublot No. 12 in S. Strange's Subdivision of part of Original One Hundred Acre Lot No. 336, as shown by the recorded plat in Volume 4 of Maps, Page 28 of Cuyahoga County Records, and being 35 feet front on the Easterly side of East 76th Street (formerly Brooker Street), and extending back of equal width 94 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 75.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-34-109 as more fully described below, to East-side Neighborhood Home LP.

**Section 76.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-34-109

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Westerly 1/2 of Sublot No. 7 in Silas Strange's Allotment of part of Original One Hundred Acre Lot No. 336 as shown by the recorded plat in Volume 4 of Maps, Page 28 of Cuyahoga County Records, and being 33 feet front on the Easterly side of East 76th Street and extends back of equal width 94 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 77.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-34-113 as more fully described below, to East-side Neighborhood Home LP.

**Section 78.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-34-113

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 1/2 of Sublot No. 7 in Silas Strange's Subdivision of a part of Original One Hundred Acre Lot No. 336, as shown by the recorded plat in Volume 4 of Maps, Page 28 of Cuyahoga County Records, and being 33 feet front on the Westerly side of East 77th Street and extending back between parallel lines of equal width 94 feet deep, as appears by said plat.

Also subject to all zoning ordinances, if any.

**Section 79.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-34-153 as more fully described below, to East-side Neighborhood Home LP.

**Section 80.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 118-34-153

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Easterly 1/2 of Sublot No. 6 in Silas Stange's Allotment of part of Original One Hundred Acre Lot No. 336 in said City, said Easterly 1/2 of Sublot No. 6 fronts on Lussenden Avenue (known as East 77th Street) being 35 feet wide front and rear and 94 feet deep, as shown by the recorded plat in Volume 4 of Maps, Page 28 of Cuyahoga County Records, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 81.** That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the docu-

ments are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

**Section 82.** That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

**Section 83.** That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

**Section 84.** 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.

Referred to Directors of Community Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

**Ord. No. 244-03.**

**By Council Member Scott.**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on scattered sites to Glenville Development Corporation or designee.**

Whereas, the City of Cleveland adopted and implemented procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; 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 pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. No. 109-08-107 as more fully described below, to Glenville Development Corporation or designee.

**Section 2.** That the real property to be sold pursuant to Section 1 of this Ordinance is more fully described as follows:

## P. P. No. 109-08-107

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 203 in Superior Park Subdivision No. 5 of part of Original One Hundred Acre Lot Nos. 376 and 377, as shown by the recorded plat in Volume 41 of Maps, Page 10 of Cuyahoga County Records and being 40 feet front on the Southerly side of North Boulevard, and extending back of equal width 95 feet deep, as appears by said plat.

**Section 3.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 109-08-108 as more fully described below to Glenville Development Corporation or designee.

**Section 4.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

## P. P. No. 109-08-108

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 168 in B. Schatzinger's Superior Park Subdivision No. 2 of part of Original One Hundred Acre Lot Nos. 376 and 377, as shown by the recorded plat in Volume 37 of Maps, Page 5 of Cuyahoga County Records, and being 40 feet front on the Northerly side of South Boulevard, N.E., and extending back to equal width 120 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 5.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 109-08-119 as more fully described below, to Glenville Development Corporation or designee.

**Section 6.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

## P. P. No. 109-08-119

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 179 in Superior Park Subdivision No. 2 of part of Original One Hundred Acre Lots Nos. 376 and 377 as shown by the recorded plat in Volume 37 of Maps, Page 5 of Cuyahoga County Records and being 45 feet front on the Northerly side of South Boulevard, N.E., and extending back of equal width 120 feet deep, be the same more or less, but subject to all legal highways.

**Section 7.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 109-08-121 as more fully described, to Glenville Development Corporation or designee.

**Section 8.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

## P. P. No. 109-08-121

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 181 in B. Schatzinger's Superior Park Subdivision No. 2 of part of Original One Hundred Acre Lot Nos. 376 and 377, as shown by the record-

ed plat in Volume 37 of Maps, Page 5 of Cuyahoga County Records and being 39.46 feet front on the Northerly line of South Boulevard, N.E., and a frontage of 47.124 feet on the curved turnout between the Northerly line of South Boulevard, N.E., and the Easterly line of East 99th Street and extending back 120 feet on the Easterly line, 90 feet on the Westerly line, which is also the Easterly line of East 99th Street, and having a rear line of 69.46 feet as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 9.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 109-08-125 as more fully described below, to Glenville Development Corporation or designee.

**Section 10.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

## P. P. No. 109-08-125

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot 123 in the Superior Park Subdivision No. 2 of part of Original One Hundred Acre Lot Nos. 376 and 377, as shown by the recorded plat in Volume 37 of Maps, Page 5 of Cuyahoga County Records, and being 45 feet front on the Southerly side of South Boulevard, and extending back of equal width 120 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 11.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 109-08-127 as more fully described below, to Glenville Development Corporation or designee.

**Section 12.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

## P. P. No. 109-08-127

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 125 in the Superior Park Subdivision No. 2 of part of Original One Hundred Acre Lots Nos. 376 and 377, as shown by the recorded plat in Volume 37 of Maps, Page 5 of Cuyahoga County Records and being 40 feet front on the Southerly side of South Boulevard, N.E., and extending back of equal width 120 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**Section 13.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 109-08-128 as more fully described below, to Glenville Development Corporation or designee.

**Section 14.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

## P. P. No. 109-08-128

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No.

126 in B. Schatzinger's Superior Park Subdivision No. 2 of part of Original One Hundred Acre Lots Nos. 376 and 377, as shown by the recorded plat in Volume 37 of Maps, Page 5 of Cuyahoga County Records and being 40 feet front on the Southerly side of South Boulevard, N.E., and extending back of equal width 120 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**Section 15.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 109-10-001 as more fully described below, to Glenville Development Corporation or designee.

**Section 16.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

## P. P. No. 109-10-001

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 44 in B. Schatzinger's Superior Park Subdivision No. 2 of part of Original One Hundred Acre Lot Nos. 376 and 377, as shown by the recorded plat of said Subdivision in Volume 37 of Maps, Page 5 of Cuyahoga County Records, and bounded and described as follows:

Beginning in the southwesterly corner of said Sublot No. 44; thence Northerly along the Easterly line of East 99th Street (formerly Hampdon Street), 70 feet; thence in a North-easterly direction along the quadrant of a circle with a radius of 30 feet and having its center 30 feet Easterly from the Easterly line of East 99th Street, and 70 Northerly from the Southerly line of said Sublot No. 44, a distance of 47.124 feet; thence Easterly along the Southerly line of Westchester Avenue, N.E., 34.46 feet; thence Southerly parallel with the Easterly line of East 99th Street, 100 feet to the Southerly line of said Sublot No. 44; thence Westerly along the Southerly lie of said Subdivision 44, 64.46 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 17.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 109-10-032 as more fully described below, to Glenville Development Corporation or designee.

**Section 18.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

## P. P. No. 109-10-032

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 138 in William Phillips Subdivision of part of Original One Hundred Acre Lot No. 377, as shown by the recorded plat in Volume 19 of Maps, Page 23 of Cuyahoga County Records and being 35 feet front on the Northerly side of Hampden Avenue, N.E., (formerly Hulda Street) and extending back of equal width 105 feet deep to a 12 foot alley, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to restrictions recorded in Volume 681, Page 479 of Cuyahoga County Records.

Subject to Zoning Ordinances, if any.

**Section 19.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 109-10-042 as more fully described below, to Glenville Development Corporation or designee.

**Section 20.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 109-10-042

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 127 in William Phillip's Subdivision of part of Original One Hundred Acre Lot No. 337, as shown by the recorded plat of said Subdivision in Volume 19 of Maps, Page 23 of Cuyahoga County Records. Said Sublot No. 127 has a frontage of 35 feet on the Southerly side of Hampden Avenue, N.E., and extending back of equal width 105 feet, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 21.** That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

**Section 22.** That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

**Section 23.** That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

**Section 24.** 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.

Referred to Directors of Community Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

**Ord. No. 245-03.**

**By Council Member Lewis.**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1337 East 77th Street to Gertrude Jackson.**

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; 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 pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 106-05-124, as more fully described below, to Gertrude Jackson.

**Section 2.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 106-05-124

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 37 in James Decker's Allotment of part of Original One Hundred Acre Lot No. 345, as shown by the recorded plat in Volume 7 of Maps, Page 26 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Northerly line of Star Avenue, N.E., (formerly Star Avenue), at its point of intersection with Easterly line of East 77th Street (formerly Smiley Avenue), thence Northerly along said Easterly line of East 77th Street 105 feet; thence Easterly to a point in the Easterly line of said Sublot No. 37, 105 feet Northerly, (measured along said Easterly line) from the Northerly line of said Star Avenue, N.E., thence Southerly along the Easterly line of said Sublot, 105 feet to said Northerly line of Star Avenue, N.E., thence Westerly along said Northerly line of Star Avenue, N.E., 35 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

**Section 3.** That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

**Section 4.** That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

**Section 5.** That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

**Section 6.** 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.

Referred to Directors of Community Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

**Ord. No. 246-03.**

**By Council Member Lewis.**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1219 East 82nd Street to Kimberly L. Capers.**

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; 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 pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 107-09-091, as more fully described below, to Kimberly L. Capers.

**Section 2.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 107-09-091

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 33 feet of Sublot No. 100 in A.P. Cody Re-Subdivision of part of Original One Hundred Acre Lot No. 383, as shown by the recorded plat in Volume 28 of Maps, Page 6 of Cuyahoga County Records and being 33 feet front on the Easterly

side of East 82nd Street, and extending back of equal width 76 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**Section 3.** That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

**Section 4.** That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

**Section 5.** That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

**Section 6.** 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.

Referred to Directors of Community Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

**Ord. No. 247-03.**

**By Council Member Lewis.**  
**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1421 East 85th Street to Michelle Redfern.**

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; 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 pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-15-049, as more fully described below, to Michelle Redfern.

**Section 2.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 107-15-049

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Original One Hundred Acre Lot No. 383, and bounded and described as follows:

Beginning on the Easterly line of East 85th Street (formerly Commonwealth Avenue) at a point 192 feet Southerly, measured along said Easterly line from the Southerly line of Decker Avenue, N.W., (formerly Gale Avenue); thence Southerly along the Easterly line of East 85th Street 36 feet; thence Easterly parallel with the Southerly line of Decker Avenue, N.E., 102 feet; thence Northerly parallel with the Easterly line of East 85th Street, 36 feet; thence Westerly, 102 feet to the place of beginning, and being further known as the Southerly 36 feet of Parcel No. 203 in L.M. Southern's proposed Wade Park Subdivision of part of Original One Hundred Acre Lots Nos. 383 and 391, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 3.** That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

**Section 4.** That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

**Section 5.** That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

**Section 6.** 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.

Referred to Directors of Community Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

**Ord. No. 248-03.**

**By Council Member Lewis.**  
**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 6907 Linwood Avenue to Essie Grishom.**

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; 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 pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-13-034, as more fully described below, to Essie Grishom.

**Section 2.** That the real property to be sold pursuant to this ordinance is more fully described as follows:

P. P. No. 106-13-034

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 21 in Holden and Halle's Subdivision of part of Original One Hundred Acre Lot No. 341 as shown by the recorded plat in Volume 7 of Maps, Page 14 of Cuyahoga County Records and being 40 feet front on the Northerly side of Beecher Street, now known as Linwood Avenue, N.E., and extending back of equal width 128 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

**Section 3.** That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

**Section 4.** That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

**Section 5.** That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive

covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

**Section 6.** 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.

Referred to Directors of Community Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

**Ord. No. 249-03.**

**By Council Member Lewis.**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on scattered sites to Cleveland Housing Network, Inc. or designee.**

Whereas, the City of Cleveland adopted and implemented procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; 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 pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-01-020 as more fully described below, to Cleveland Housing Network, Inc. or designee.

**Section 2.** That the real property to be sold pursuant to Section 1 of this Ordinance is more fully described as follows:

P. P. No. 106-01-020

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 13 and part of Sublot No. 12 of M. & M. Halle's Allotment of part of Original One Hundred Acre Lot No. 344, as shown by the recorded plat in Volume 13 of Maps, Page 24 of Cuyahoga County Records.

Beginning on the Westerly line of East 68th Street (formerly Wilmar Street) at the Southeast corner of said Sublot No. 13; thence Northerly along the Westerly line of East 68th Street 35 feet to a point, thence Westerly along the North line of Sublot No. 13, 100 feet to a point; thence Northerly 2 feet to a point;

thence Westerly and parallel with the North line of Sublot No. 13, 20 feet to a point in the West line of Sublot No. 12 and which point is 2 feet North of the Northwest corner of Sublot No. 13; thence Southerly 37 feet along the West line of Sublot Nos. 12 and 13 to the Southwest corner of Sublot No. 13; thence Easterly along the South line of Sublot No. 13, 120 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**Section 3.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-01-021 as more fully described below, to Cleveland Housing Network, Inc. or designee.

**Section 4.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 106-01-021

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 14 in M. Halle's Allotment of part of Original One Hundred Acre Lot No. 344 as shown by the recorded plat in Volume 13 of Maps, Page 24 of Cuyahoga County Records, and being 35 feet front on the Westerly side of East 68th Street (formerly Wilmar Street) and extending back 120 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 5.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-01-022 as more fully described below, to Cleveland Housing Network, Inc. or designee.

**Section 6.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 106-01-022

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 15 in M. & M. Halle's Allotment of part of Original One Hundred Acre Lot No. 344 as shown by the recorded plat in Volume 13 of Maps, Page 24 of Cuyahoga County Records, and being 35 feet front on the Westerly side of East 68th Street, and extending back of equal width 120 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**Section 7.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-02-077 as more fully described, to Cleveland Housing Network, Inc. or designee.

**Section 8.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 106-02-077

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and bounded and described as follows, known as being all of Sublot No. 18 in the Allotment made by M. & M. Halle, of part of Original One Hundred Acre Lot No. 344, as shown by the recorded plat in Volume 13 of Maps, Page 24 of Cuyahoga County Records, and being 40 feet front on the Northerly side of Whitney Avenue, N.E. and extending back of equal width 120 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 9.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-02-078 as more fully described below, to Cleveland Housing Network, Inc. or designee.

**Section 10.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 106-02-078

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 17 in M. and M. Halle's Subdivision of part of Original One Hundred Acre Lot No. 344, as shown by the recorded plat in Volume 13 of Maps, Page 24 of Cuyahoga County Records, and being 55 feet front on the Northwesterly side of Whitney Avenue, N.E. 120 feet on the North-easterly line, 127 feet 3/8 inches on the Westerly line, which said Westerly line is also the Easterly line of East 68th Street (formerly Wilmar Street) and 13 feet 4 inches in the rear, as appears by said plat, be the same more or less, but subject to all legal highways.

(Restrictions in Deed from Moses Halle and Ross Halle, husband and wife, to Friedrich Bluechert and Minne Bluechert, recorded in Volume 435, Page 275, of Cuyahoga County Records dated August 2, 1888.)

Subject to Zoning Ordinances, if any.

**Section 11.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-02-085 as more fully described below, to Cleveland Housing Network, Inc. or designee.

**Section 12.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 106-02-085

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 28 in M. and M. Halle's Subdivision of part of Original One Hundred Acre Lot No. 344, as shown by the recorded plat in Volume 13 of Maps, Page 24 of Cuyahoga County Records, and being 40 feet front on the Easterly side of East 68th Street (formerly Wilmar Street) and extending back of equal width 120 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Restrictions in Deed Volume 483, Page 350 of Cuyahoga County Records, dated September 13, 1890.

Subject to easement recorded in Volume 483, Page 350 of Cuyahoga County Records.

Also subject to all zoning ordinances, if any.

**Section 13.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-02-086 as more fully described below, to Cleveland Housing Network, Inc. or designee.

**Section 14.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 106-02-086

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 29 in M. and M. Halle's Subdivision of part of Original One Hundred Acre Lot No. 344, as shown by the recorded plat in Volume 13 of Maps, Page 24 of Cuyahoga County Records and being 40 feet front on the Northeasterly side of East 68th Street (formerly Wilmar Street) and extending back of equal width 120 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Restrictions contained in the instrument dated August 1, 1892 and recorded in Volume 525, Page 579 of Cuyahoga County Records affecting premises described above.

Subject to Zoning Ordinances, if any.

**Section 15.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-02-087 as more fully described below, to Cleveland Housing Network, Inc. or designee.

**Section 16.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 106-02-087

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 30 feet of Sublot No. 30 in M. and M. Halle's Subdivision of part of Original One Hundred Acre Lot No. 344, as shown by the recorded plat in Volume 13 of Maps, Page 24 of Cuyahoga County Records and being 30 feet front on the Easterly side of East 68th Street (formerly Wilmar Street) and extending back of equal width 120 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 17.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-06-174 as more fully described below, to Cleveland Housing Network, Inc. or designee.

**Section 18.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 107-06-174

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 92 in D. H. Kimberly's Subdivision of part of Original One Hundred Acre Lot No. 375 as shown by the recorded plat in Volume 18 of Maps, Page 11 of Cuyahoga County Records, and being 35 feet front on the Southerly side of Bellevue Avenue and extending back of equal width 72.50, appears by said plat.

Also subject to all zoning ordinances, if any.

**Section 19.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-06-175 as more fully described below, to Cleveland Housing Network, Inc. or designee.

**Section 20.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 107-06-175

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 91 in D.H. Kimberly Subdivision of part of Original One Hundred Acre Lot No. 375, as shown by the recorded plat in Volume 18 of Maps, Page 11 of Cuyahoga County Records, and being 35 feet front on the Southerly side of Bellevue Avenue and extending back between parallel lines 72.50 feet deep, as appears by said plat, be the same more or less, but subject to all legal highways.

Covenants and restrictions recorded in Volume 1088, Page 386 of Cuyahoga County Records.

Subject to Zoning Ordinances, if any.

**Section 21.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-06-176 as more fully described below, to Cleveland Housing Network, Inc. or designee.

**Section 22.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 107-06-176

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and described as follows, to wit:

Being Sublot No. 90 in D.H. Kimberly's Subdivision of part of Original One Hundred Acre Lot No. 375, as shown by the recorded plat in Volume 18 of Maps, Page 11 of Cuyahoga County Records and being 35 feet front on the Southerly side of Bellevue Avenue, N.E. and extending back of equal width 72.50 feet, be the same more less, but subject to all legal highways.

Prior Deed Reference: Volume 13886, Page 896.

**Section 23.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-06-179 as more fully described below, to Cleveland Housing Network, Inc. or designee.

**Section 24.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 107-06-179

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 87 in D.H. Kimberly's Subdivision, of part of Original One Hundred Acre Lot No. 375, as shown by the recorded plat in Volume 18 of Maps, Page 11 of Cuyahoga County Records, and being 30 feet front on the Southerly side of Bellevue Avenue and extending back of equal width 72.50 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

**Section 25.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-06-180 as more fully described below, to Cleveland Housing Network, Inc. or designee.

**Section 26.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 107-06-180

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 86 in D.H. Kimberly's Subdivision, of part of Original One Hundred Acre Lot No. 375, as shown by the recorded plat in Volume 18 of Maps, Page 11 of Cuyahoga County Records, and being 30 feet front on the Southerly side of Bellevue Avenue, N.E., and extending back of equal width 72.50 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 27.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-10-092 as more fully described below, to Cleveland Housing Network, Inc. or designee.

**Section 28.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 107-10-092

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 21 in George M. Gloyd's Subdivision of a part of Original One Hundred Acre Lot No. 384 in said City. Said Sublot No. 21 has a frontage of 35 feet on the Westerly side of East 87th Street (formerly Gloyd Street) and extends back of equal width 115 feet deep, as appears by said plat of said Subdivision recorded in Volume 25 of Maps, Page 6 of Cuyahoga County Records, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

**Section 29.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-10-093 as

more fully described below, to Cleveland Housing Network, Inc. or designee.

**Section 30.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 107-10-093

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being known as being Sublot No. 20 in the George Gloyd's Subdivision of part of Original One Hundred Acre Lot No. 384, as shown by the recorded plat in Volume 25 of Maps, Page 6 of Cuyahoga County Records, and being 35 feet front on the Westerly side of East 87th Street (formerly Gloyd Street) and extending back of equal width 115 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 31.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-10-121 as more fully described below, to Cleveland Housing Network, Inc. or designee.

**Section 32.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 107-10-121

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and bounded and described as follows, to wit: And known as being Sublot No. 40 in George M. Gloyd's Subdivision of part of Original One Hundred Acre Lot No. 384, as shown by the recorded plat in Volume 25 of Maps, Page 6 of Cuyahoga County Records and being 35 feet front on the Easterly side of East 87th Street (formerly Gloyd Street), and extending back 114.57 feet on the Northerly line, 114.88 feet on the Southerly line and having a rear line of 35 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 33.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-10-122 as more fully described below, to Cleveland Housing Network, Inc. or designee.

**Section 34.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 107-10-122

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 39 in George H. Gloyd's Subdivision of part of Original One Hundred Acre Lot No. 384, as shown by the recorded plat in Volume 25 of Maps, Page 6 of Cuyahoga County Records and being 35 feet front on the Easterly side of East 87th Street, N.E., and extending back 114.25 feet on the Northerly line, 114.57 feet on the Southerly line and having a rear line of 35 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

**Section 35.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-14-072 as more fully described below, to Cleveland Housing Network, Inc. or designee.

**Section 36.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 107-14-072

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Northerly 26 feet of Sublot No. 21 in William H. Van Tine, Jr.'s Subdivision of part of Original One Hundred Acre Lot No. 384, as shown by the recorded plat in Volume 19 of Maps, Page 29 of Cuyahoga County Records, and being 26 feet front on the Westerly side of East 88th Street, (formerly Brookdale Street), and extending back of equal width 114 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 37.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-14-073 as more fully described below, to Cleveland Housing Network, Inc. or designee.

**Section 38.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 107-14-073

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 22 in the W.H. Van Tine Jr. Trustee's Subdivision of part of Original One Hundred Acre Lot No. 384, as shown by the recorded plat in Volume 19 of Maps, Page 29 of Cuyahoga County Records, and being 40 feet front on the Westerly side of East 88th Street, and extending back between parallel lines 114 feet, as appears by said plat.

Subject to Zoning Ordinances, if any.

**Section 39.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-14-080 as more fully described below, to Cleveland Housing Network, Inc. or designee.

**Section 40.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 107-14-080

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 35 feet of Sublot No. 29 in the W.H. Tine Jr. Trustee's Subdivision of part of Original One Hundred Acre Lot No. 384, as shown by the recorded plat in Volume 19 of Maps, Page 29 of Cuyahoga County Records, and being 35 feet front on the Westerly side of Leroy Place, later Brookdale Street, now known as East 88 Street, and extending back of equal width 114 feet deep,

as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 41.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 107-14-081 as more fully described below, to Cleveland Housing Network, Inc. or designee.

**Section 42.** That the real property to be sold pursuant to this Ordinance is more fully described as follows:

P. P. No. 107-14-081

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and bound and described as follows: And known as being the Northerly part of Sublot No. 29 in W.H. Van Tine, Jr. Trustee's Subdivision of part of Original One Hundred Acre Lot No. 384, as shown by the recorded plat in Volume 19 of Maps, Page 29 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Westerly line of East 88th Street at the Northeastly corner of said Sublot No. 29; thence Southerly along the Westerly line of East 88th Street, 35 feet; thence Westerly parallel with the Southerly line of said Sublot No. 29, 114 feet to a point in the Westerly line of said Sublot; thence Northerly along said Westerly line to the Northwestly corner of said Sublot No. 29; thence Easterly along the Northerly line of said Sublot No. 29, 115.07 feet to the place of beginning, as appears by said plat.

Also subject to all zoning ordinances, if any.

**Section 43.** That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

**Section 44.** That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

**Section 45.** That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest including such restrictive covenants and reversionary interests as may be specified by the Board of Control, the Director of Community Development or the Director of Law.

**Section 46.** 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.

Referred to Directors of Community Development, City Planning Commission, Finance, Law; Committees on Community and Economic Development, City Planning, Finance.

**Ord. No. 250-03.**

**By Council Members Johnson, Reed, Britt, Coats, Zone, Westbrook, Sweeney, Lewis, Gordon, White, Conwell, O'Malley, Scott, Rybka, Jackson, Cintron, Polensek, Jones, and Cimperman.**

**An emergency ordinance to enact Sections 189A.01 to 189A.05 of the Codified Ordinances of the City of Cleveland, Ohio, 1976, relating to Slavery Era Business and Corporate Insurance Disclosure Law.**

Whereas, recent investigations suggest that many early American industries substantially profited from the commerce generated by the uncompensated labor of enslaved Americans; and

Whereas, such industries include the insurance industry, the financial industry, the textile industry, the tobacco industry, the railroad industry, the shipping industry, the rice industry, and the sugar industry; and

Whereas, insurance policies from the slavery era have recently been discovered in the archives of several insurance companies; and

Whereas, such insurance policies document insurance coverage to slaveholders for bodily injury or death of their slaves and these policies were issued by predecessor insurance companies; and

Whereas, these insurance documents provide evidence of ill-gotten profits from slavery and these ill-gotten profits in part capitalized businesses whose successors remain in existence today; and

Whereas, many citizens of Cleveland are descendants of slaves and their ancestors were defined as private property, dehumanized, divided from their families, forced to perform labor without appropriate compensation or benefits, and the owners of these slaves profited through investments or were compensated for bodily injury or death of their slaves by insurers; and

Whereas, the descendants of these slaves are entitled to full disclosure; and

Whereas, appropriate compensation to Africans for their labor would have assisted their descendants in lifting them out of a dependent, non-competitive and impoverished lifestyle; and

Whereas, this Council recognizes the importance of full and accurate disclosure; and

Whereas, this Council has determined that any business entity, corporation, partnership, firm, individual or company doing business with the City of Cleveland shall be required, in good faith, to disclose any records within their possession or knowledge relating to investments or profits from the slave industry including insurance policies issued to slaveholders that provided coverage in the event of bodily injury or death to their slaves; 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 Codified Ordinances of the Cleveland, Ohio, 1976, are hereby supplemented by enacting new Chapter 189A, to read as follows:

**CHAPTER 189A  
Slavery Era Business and  
Corporate Insurance  
Disclosure Law**

**Section 189A.01 Purpose**

The purpose of this Slavery Era Business and Corporate Insurance Disclosure Law is to promote full and accurate disclosure to the public about any slavery policies sold by companies doing business with the City and to promote full and accurate disclosure to the public about the profits from slavery by any company, or any predecessor of a company, doing business with the City.

**Section 189A.02 Definitions**

(a) "Contract", as used in this chapter, means and includes a binding agreement executed on or after the effective date of this Slavery Era Business or Corporate Insurance Disclosure Law whereby the City either grants a privilege or is committed to expend or does expend its funds or other resources for or in connection with the following purposes:

(1) Construction of any public improvement, including change orders or subsidiaries approved by the City during the performance of such construction;

(2) Purchase of personal property;

(3) Purchase of any services;

(4) Lease of any personal property; or

(5) Concession agreements whereby the City grants a specific permission, privilege or license in accordance with the Codified Ordinances of the City.

"Contract" shall not mean any contract with another public entity.

(b) "Contractor", as used in this chapter, means and includes any business entity, corporation, partnership, firm, individual, or any combination thereof, participating or seeking to participate in the performance of a contract.

**Section 189A.03 Requirement to Complete a Slavery Era Business and Corporate Insurance Disclosure Affidavit**

Each contractor entering into a contract with the City shall complete an affidavit verifying that the contractor has searched any and all records of the company and any predecessor company, if applicable, for records of any investments or profits from slavery or slaveholder insurance policies during the slavery era. The names of any slaves or slaveholders described in those records shall be disclosed in the affidavit.

**Section 189A.04 Annual Report**

The Director of Finance shall make all affidavits completed pursuant to this Chapter available for public inspection in accordance with Ohio law and shall compile an annual

report summarizing such information. Such annual report shall be provided to the Clerk of Council by January 1st of each year.

**Section 189A.05 Failure to Comply**

Failure to complete an affidavit or comply with this Chapter shall deem the contract voidable at the option of the City.

**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.

Referred to Directors of Office of Equal Opportunity, Finance, Law; Committees on Legislation, Finance.

**FIRST READING EMERGENCY  
RESOLUTION REFERRED**

**Res. No. 251-03.**

**By Council Members Johnson and Jackson (by departmental request).**

**An emergency resolution approving and adopting the City of Cleveland Parks and Recreation 2003 Recovery Action Program.**

Whereas, the United States Department of the Interior, National Park Service, and the Urban Park and Recreation Recovery Act of 1978, Title 10, Public Law 95.625, establish the Urban Parks and Recreation Recovery Program ("UPARR"); and

Whereas, the City of Cleveland wishes to apply for and retain funding eligibility for monies authorized to be expended by UPARR in the future; and

Whereas, in order to retain funding eligibility for these UPARR funds the City of Cleveland is required to prepare and submit to the United States Department of the Interior an officially approved and adopted Recovery Action Program for its park and recreation system no later than February 28, 2003; 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 the City of Cleveland Parks and Recreation 2003 Recovery Action Program, File No. 251-03-A, made a part as if fully rewritten, is approved and adopted in all respects.

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

Referred to Directors of Parks, Recreation and Properties, Finance, Law; Committees on Public Parks, Properties and Recreation, Finance.



**FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED**

**Ord. No. 252-03.**

**By Council Members Lewis and Jackson (by departmental request).**

**An emergency ordinance approving the collective bargaining agreement with Ohio Patrolmen's Benevolent Association House of Correction Guards; and to amend Section 9 of Ordinance No. 469-02, passed April 1, 2002, relating to compensation for various classifications.**

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

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

**Section 1.** That, in accordance with division (B) of Section 4117.10 of the Revised Code, this Council approves the collective bargaining agreement with Ohio Patrolmen's Benevolent Association House of Correction Guards in File No. 252-03-A, for the period from April 1, 2001 through March 31, 2004, which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

<u>Increase</u>	<u>Effective Date of Increase</u>
Three percent (3%)	April 1, 2001
Three and one-half percent (3.5%)	April 1, 2002
Four percent (4%)	April 1, 2003

**Section 2.** That Section 9 of Ordinance No. 469-02, passed April 1, 2002, is amended to read as follows:

Section 9. That salaries in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Guard.....	\$ 6.55	<b>\$14.86</b>
2. Correctional Officer.....	\$12.18	<b>\$14.86</b>
3. Institutional Guard .....	\$12.18	<b>\$14.86</b>

**Section 3.** That existing Section 9 of Ordinance No. 469-02, passed April 1, 2002, is repealed.

**Section 4.** 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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

**Ord. No. 253-03.**

**By Council Members Westbrook and Jackson (by departmental request).**

**An emergency ordinance authorizing the Director of Port Control to enter into an amendment to Requirement Contract No. 57316 with American Merchandising, Inc. for the purchase of deicing chemicals, for the various divisions of the Department of Port Control.**

Whereas, under Ordinance No. 364-2000, passed April 17, 2000, this Council authorized the Director of Port Control to enter into a requirement contract for deicing chemicals for the various divisions of Port Control a period not to exceed two years; and

Whereas, additional deicing chemicals are required; 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 Port Control is authorized to enter into an amendment to Requirement Contract No. 57316 with American Merchandising, Inc. to extend the term of the existing contract until June 30, 2003, to provide additional commodities, under the same terms and conditions of the original contract.

**Section 2.** That this amendment shall be prepared and approved by the Director of Law and shall contain provisions as he deems necessary to protect the public interest.

**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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

**Ord. No. 254-03.**

**By Council Member Cimperman (by departmental request).**

**An emergency ordinance authorizing the Director the City Planning Commission to apply for and accept a grant from the United Way Services for the Community Engagement in School Facilities Planning and Design Initiative 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 the City Planning Commission is authorized to apply for and accept a grant in the amount of \$100,000, from the United Way Services for the Community Engagement in School Facilities Planning and Design Initiative Program; that the Director of the City Planning Commission 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 set forth in the program description for the grant contained in the file described below.

**Section 2.** That the program description for the grant, File No. 254-03-A, made a part as if fully rewritten, is approved in all respects.

**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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

**Ord. No. 255-03.**

**By Council Member Jackson.**

**An emergency ordinance authorizing the Director of Parks, Recreation, and Properties to enter into an agreement with Slavic Village Development Corporation to maintain and adopt certain real estate belonging 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, notwithstanding and as an exception to the provisions of Chapters 181 and 183 and Section 133.24 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Parks, Recreation and Properties is authorized to enter into a property adoption agreement with Slavic Village Development Corporation to maintain and adopt certain real estate belonging to the City, which includes electrical and lighting improvements at Barkwill Park.

**Section 2.** That this property adoption agreement shall not be construed as a conveyance of a right, title or interest in public property, but is the grant of a privilege revocable at the will of Council.

**Section 3.** That the property adoption agreement hereby authorized shall be prepared by the Director of Law and shall contain such additional terms and conditions as said Director deems necessary to protect and benefit the public interest.

**Section 4.** 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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

**Ord. No. 256-03.**

**By Council Member Scott.**

**An emergency ordinance to amend the Title and Section 1 of Ordinance No. 2338-02, passed November 25, 2002 as it relates to the Community Parenting Program that is being funded through Ward 8 Neighborhood Equity Funds.**

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

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

**Section 1.** That the title and Section 1 of Ordinance No. 2338-02, passed November 25, 2002, are hereby amended to read respectively as follows:

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with **Custom Enrichment** for the Community Parenting Program through the use of Ward 8 Neighborhood Equity Funds.

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with **Custom Enrichment** effective from September 1, 2002 to June 30, 2003 for the Community Parenting Program for the public purpose of providing parenting support and education for families residing in the City of Cleveland through the use of Ward 8 Neighborhood Equity Funds.

**Section 2.** That the existing title and Section 1 of Ordinance No. 2338-02, passed November 25, 2002 are hereby 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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

**Ord. No. 271-03.**

**By Council Member Cimperman.**  
**An emergency ordinance authorizing certain persons to engage in peddling in Ward 13. (John Tsambounieris).**

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council expressed by ordinance is a prerequisite to peddling upon public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business district, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 13; and

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

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

**Section 1.** That this Council consents, as required by, Section 675.07 of the Codified Ordinances to allow each persons named below to engage in peddling in the public rights of way of Ward 13: John Tsambounieris at the corner of East 40th Street and Kelley Avenue.

**Section 2.** That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

**Section 3.** That the privilege granted may be revoked at any time by this Council.

**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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

**FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED**

**Res. No. 257-03.**

**By Council Member Coats.**  
**An emergency resolution declaring this Council's support of the proposal of the Three Points Homes, L.P. to the Ohio Housing Finance Agency for the use of low-income housing tax credits.**

Whereas, each year the Ohio Housing Finance Agency allocates housing credits for affordable housing developments throughout Ohio using a competitive proposal process; and

Whereas, Three Points Homes, L.P. is proposing to develop a 100% elderly apartment building containing up to 40 two bedroom units at the corner of Shaw Avenue and St. Clair in the Forest Hill neighborhood in the City of Cleveland; and

Whereas, 20% of these homes will serve a special needs population, specifically households with incomes at or below 35% of the area median income; and

Whereas, 100% of these homes will be occupied by low income elderly families with no market rate units; and

Whereas, Three Points Homes L.P.'s proposal will benefit the citizens of the City; 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 declares its support of the proposal of Three Points Homes, L.P. for the use of low-income housing tax credits.

**Section 2.** That the Clerk of Council is hereby directed to transmit two certified copies of this resolution to the Executive Director of Northeastern Neighborhood Development Corporation.

**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.

Motion to suspend rules. Charter and statutory provisions and place on final adoption.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

**Res. No. 258-03.**

**By Council Members Coats and Jones.**

**An emergency resolution strongly urging the President of the United States to provide additional funding assistance to urban cities throughout the country to ease their fiscal burden of providing homeland security.**

Whereas, a terrorist attack in any of the major urban population centers could cause catastrophic damage to urban infrastructure, buildings and people; and

Whereas, a terrorist attack could cause serious disruptions to the United States economy as was experienced after the September 11, 2001 attacks on the World Trade Center Towers; and

Whereas, in response to the terrorist attacks that occurred on September 11, 2001 the federal government has instituted a homeland security program to safeguard this country against further acts of terrorism; and

Whereas, the homeland security initiatives of the United States federal government have placed an

increased emphasis on protecting the health and safety of the general public by urban cities throughout the country; and

Whereas, urban cities throughout the country are preparing themselves for homeland security measures by mobilizing safety force personnel to monitor and safeguard public buildings, infrastructure and various institutions from possible terrorist attacks; and

Whereas, many urban cities are facing severe fiscal stress, which is forcing many of them to reduce services to the public due to lack of funds; and

Whereas, urban communities across the country must incur additional expenses because of the additional deployment of police, fire and emergency medical services personnel for the effective implementation of homeland security measures; and

Whereas, many urban cities need additional funding from the federal government to help ease the fiscal burden of providing homeland security to the general public; and

Whereas, funding assistance from the federal government will help cities to effectively provide homeland security measures to prevent a possible terrorist attack; 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 strongly urges the President of the United States to provide additional funding to major urban cities across the country in order to ease the fiscal burden of providing homeland security.

**Section 2.** That the Clerk of Council is hereby directed to transmit a certified copy of this resolution to the President of the United States and the Ohio Congressional delegation.

**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 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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

**Res. No. 259-03.**

**By Council Members Conwell, Zone, Reed, Sweency, Cimperman, White, Jackson, Scott, Dolan, O'Malley, Brady, Britt, Coats, Jones, Westbrook and Rybka.**

**An emergency resolution supporting the Center for Families and Children's statewide fatherhood conference on May 29th and May 30th in Columbus, Ohio.**

Whereas, Resolution No. 1227-02, adopted by this Council on June 10, 2002, honored all fathers and urged all American fathers to take a pledge on Father's Day to be the best father that one can be; and

Whereas, fatherhood plays an important role in the lives of children; and

Whereas, the Center for Families and Children will be holding a statewide fatherhood conference on May 29th and May 30th of this year in Columbus, Ohio; and

Whereas, promoting issues important to advancing fatherhood is a goal of the conference and the Center for Families and Children will bring together fatherhood practitioners from around the state of Ohio to discuss best practices, models of working with fathers, and issues important to fathers; and

Whereas, fatherhood programs help improve the lives of children, improve the economic self-sufficiency of families, advance the goals of welfare reform, and create better bonds between children and fathers; 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 expresses its support of the Center for Families and Children's statewide fatherhood conference on May 29th and May 30th in Columbus, Ohio.

**Section 2.** That the Clerk of Council is hereby directed to transmit a copy of this resolution to the Director of the Center for Families and Children.

**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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

**Res. No. 260-03.**

**By Council Member Gordon.**  
**An emergency resolution supporting the proposal of Cleveland Housing Network Partnership XX to provide affordable housing for the benefit of citizens of Cleveland through the use of housing tax credits from the Ohio Housing Finance Agency.**

Whereas, each year the Ohio Housing Finance Agency allocates housing credits for affordable housing developments throughout Ohio using a competitive proposal process; and

Whereas, Cleveland Housing Network Limited Partnership XX, is proposing to develop up to ninety (90) scattered site units in Cleveland, Ohio; and

Whereas, one hundred percent (100%) of these housing units will be affordable to families with incomes at or below fifty percent (50%) of the area median income and no housing units will be market rate; and

Whereas, twenty percent (20%) of these housing units will serve a special needs population, namely: households whose annual income is at or below thirty-five percent (35%) of the area median income; and

Whereas, this Council of the City of Cleveland supports the proposal to develop this affordable housing for the benefit of the citizens of Cleveland; 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 the Council of the City of Cleveland supports the proposal of Cleveland Housing Network Limited Partnership XX to provide this affordable housing for the benefit of the citizens of Cleveland through the use of housing tax credits from the Ohio Housing Finance Agency.

**Section 2.** That the Clerk of Council is hereby requested to transmit two copies of this resolution to the Executive Director of Cleveland Housing Network.

**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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

**Res. No. 261-03.**

**By Council Member Jackson.**  
**An emergency resolution supporting the proposal by the East Central Place, L.P. for the development and construction of affordable housing with the use of housing tax credits from the Ohio Housing Finance Agency.**

Whereas, each year the Ohio Housing Finance Agency allocates housing credits for affordable housing developments throughout Ohio using a competitive proposal process; and

Whereas, East Central Place, L.P. is proposing to develop up to thirty-five (35) single family units on scattered sites in the Fairfax and Garden Valley neighborhoods in the City of Cleveland; and

Whereas, twenty percent (20%) of these units will be set aside and occupied by the special needs population of households having income at or below thirty-five percent (35%) of the Area Median Gross Income; and

Whereas, one hundred percent (100%) of these homes will be occupied by low income families, with no market rate units; and

Whereas, this Council of the City of Cleveland supports the proposal of East Central Place, L.P. to develop this affordable housing for the benefit of citizens of Cleveland; 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 the Council of the City of Cleveland supports the proposal of East Central Place, L.P. to

provide affordable housing for the citizens of Cleveland through the use of housing tax credits from the Ohio Housing Finance Agency.

**Section 2.** That the Clerk of Council is hereby requested to transmit a copy of the resolution to the Executive Director of Burten, Bell, Carr Development, Inc. and the Executive Director of Famicos Foundation.

**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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

**Res. No. 262-03.**

**By Council Member Westbrook.**

**An emergency resolution supporting the proposal by National Church Residences and the Catholic Charities Facilities Corporation for the development and construction of affordable housing with the use of housing tax credits from the Ohio Housing Finance Agency.**

Whereas, each year the Ohio Housing Finance Agency allocates housing credits for affordable housing developments throughout Ohio using a competitive proposal process; and

Whereas, the National Church Residences and the Catholic Charities Corporation is proposing to renovate the 34 one bedroom units and 65 two bedroom units currently existing in the eight story structure located at 11500 Detroit Avenue and is proposing to construction an additional 33 one bedroom units and 15 two bedroom units at this location for a total of 147 units; and

Whereas, one hundred percent (100%) of these units will be affordable housing; and

Whereas, this Council of the City of Cleveland supports the proposal of National Church Residences and the Catholic Charities Facilities Corporation to develop this affordable housing for the benefit of citizens of the Cleveland; 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 the Council of the City of Cleveland supports the proposal of National Church Residences and the Catholic Charities Facilities Corporation to provide affordable housing for the citizens of Cleveland through the use of housing tax credits from the Ohio Housing Finance Agency.

**Section 2.** That the Clerk of Council is hereby requested to transmit a copy of this resolution to the Executive Director of National Church Residences and the Executive Director of Catholic Charities Facilities Corporation.

**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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

**Res. No. 263-03.**

**By Council Members White and Coats.**

**An emergency resolution strongly supporting the Municipal Court's Drug Court and urging Governor Taft to continue funding the Drug Court as such court provides immeasurable benefits to many drug offenders and to the public and further urging the Governor to increase funding to the Drug Court.**

Whereas, for almost five years, the City's Municipal Court has run a Drug Court; and

Whereas, the Drug Court runs a state funded program wherein drug offenders who meet the criteria are, in exchange for a reduced sentence, able to complete a year long treatment program that will help them get off and stay off drugs; and

Whereas, the Drug Court reaches approximately 80-100 felony drug offenders per year, placing them in either an outpatient or inpatient drug treatment program; and

Whereas, those who are placed in the program get their felony sentence reduced to a misdemeanor and receive a 6 month suspended jail sentence; and

Whereas, once the program is successfully completed, the initial pleas are vacated by Judge Larry Jones and the cases are dismissed and sealed; and

Whereas, the Drug Court receives approximately \$300,000 a year from the Ohio Department of Alcohol and Drug Addiction Services, half of which goes toward personnel and overhead and half of which goes toward treatment programs; and

Whereas, the Drug Court is able to handle approximately 80-100 clients per year with this amount of funding; and

Whereas, the Drug Court turns away approximately 120 drug abuse cases per month with this amount of funding; and

Whereas, the state funding is in danger of being reduced because of budget cuts; 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 strongly supports the Municipal Court's Drug Court and urges Governor Taft to continue funding the Drug Court as such court provides immeasurable benefits to many drug offenders and to the public and further urges the Governor to increase funding to the Drug Court.

**Section 2.** That the Clerk is hereby directed to transmit certified copies of this resolution to Governor Bob Taft and Judge Larry A. Jones.

**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.

Motion to suspend rules. Charter and statutory provisions and place on final adoption.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

**Res. No. 264-03.**

**By Council Member Gordon.**

**An emergency resolution supporting the City of Cleveland's Department of Parks, Recreation and Properties application to the Clean Ohio Fund requesting funding to purchase and/or acquire easements to those parcels required for the implementation of the Treadway Creek Restoration Project.**

Whereas, the conservation and provision of streams, natural habitat, woodlands and public green space, including the headwaters of the Treadway Creek branch of the Cuyahoga River are necessary for the protection of water, air, and environmental quality, as well as the livability, and the social and economic well-being of the Old Brooklyn neighborhood of the City of Cleveland; and

Whereas, the protection of remaining riparian corridor, creek headwaters, woodlands and open space within Cuyahoga County and the City of Cleveland is consistent with the recommendations of the Connecting Cleveland 2020: Citywide Plan, the Cuyahoga County Green-space Plan, and the Lower Big Creek Study; and

Whereas, the City of Cleveland, the Cuyahoga County Planning Commission, the Ohio & Erie Canal Association, the Cleveland Metropolitan, the Old Brooklyn Community Development Corporation and other partners are working together to develop natural greenway corridors to link city neighborhoods to the Towpath Trail regional trail system; and

Whereas, the State of Ohio's Issue 2 Clean Ohio Conservation Fund provides local communities with financial assistance to realize these and other important community-wide open space preservation goals; 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 endorses the City of Cleveland Department of Parks, Recreation and Properties application to the Clean Ohio Conservation Fund for funding to acquire and conserve certain parcels that constitute the riparian corridor associated with the Treadway Creek Restoration Project.

**Section 2.** That this Council hereby respectfully requests that the Cuyahoga County Natural Resources Assistance Council give favorable consideration to the City of Cleveland's Department of Parks, Recre-

ation and Properties application for funding.

**Section 3.** That the Clerk of Council is hereby directed to transmit a copy of this resolution to the Chairperson of the Cuyahoga County Natural Resources Assistance Council.

**Section 4.** 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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

**Res. No. 265-03.**

**By Council Member Cimperman.**

**An emergency resolution objecting to a New C1 Liquor Permit to 4409 Payne Avenue.**

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 Liquor Permit at Joann M. Byrge, DBA Payne Avenue Market, 4409 Payne Avenue, Cleveland, Ohio 44103, Permanent Number 11628730010; and

Whereas, the granting of this application for a liquor permit to this high crime area, which is already saturated with other liquor outlets, is contrary to the best interests of the entire community; and

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard of the laws, regulations or local ordinances of this state or any other state; and

Whereas, the place for which the permit is sought has not conformed to the building, safety or health requirements of the governing body of this County or City; and

Whereas, the place for which the permit is sought is so arranged or constructed that law enforcement officers or agents of the Department of Liquor Control are prevented reasonable access to the establishment; and

Whereas, the place for which the permit is sought is so located with respect to the neighborhood that it substantially interferes with public decency, sobriety, peace or good order; and

Whereas, this objection is based on other legal grounds as set forth in Revised Code Section 4303.292; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, prosperity, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

**Section 1.** That Council does hereby record its objection to a New C1 Liquor Permit at Joann M. Byrge, DBA Payne Avenue Market, 4409 Payne Avenue, Cleveland, Ohio 44103, Permanent Number 11628730010; and requests the Director of Liquor Con-

trol to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

**Section 2.** That the Clerk of Council be and she is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

**Res. No. 266-03.**

**By Council Member Cimperman.**

**An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 761 Starkweather Avenue, 1st Floor and Basement, and repealing Resolution No. 2122-02, objecting to said transfer.**

Whereas, this Council objected to the transfer of ownership a C1 and C2 Liquor Permit to 761 Starkweather Avenue, 1st Floor and Basement by Resolution No. 2122-02 adopted by the Council on October 28, 2002; 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 the transfer of ownership of a C1 and C2 Liquor Permit to 761 Starkweather Avenue, 1st Floor and Basement be and the same is hereby withdrawn and Resolution No. 2122-02, 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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

**Res. No. 267-03.**

**By Council Member Gordon.**

**An emergency resolution objecting to a New C1 and C2 Liquor Permit to 4240 Pearl Road.**

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 and C2 Liquor Permit at Revco Discount Drug Centers, Inc., DBA CVS Pharmacy, #3314, 4240 Pearl Road, Cleveland, Ohio 44109, Permanent Number 73153073314; and

Whereas, the granting of this application for a liquor permit to this high crime area, which is already saturated with other liquor outlets, is contrary to the best interests of the entire community; and

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard of the laws, regulations or local ordinances of this state or any other state; and

Whereas, the place for which the permit is sought has not conformed to the building, safety or health requirements of the governing body of this County or City; and

Whereas, the place for which the permit is sought is so arranged or constructed that law enforcement officers or agents of the Department of Liquor Control are prevented reasonable access to the establishment; and

Whereas, the place for which the permit is sought is so located with respect to the neighborhood that it substantially interferes with public decency, sobriety, peace or good order; and

Whereas, this objection is based on other legal grounds as set forth in Revised Code Section 4303.292; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, prosperity, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

**Section 1.** That Council does hereby record its objection to a New C1 and C2 Liquor Permit at Revco Discount Drug Centers, Inc., DBA CVS Pharmacy, #3314, 4240 Pearl Road, Cleveland, Ohio 44109, Permanent Number 73153073314; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

**Section 2.** That the Clerk of Council be and she is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

**Res. No. 268-03.****By Council Member White.****An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 10808 Dove Avenue, 1st Floor.**

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Eman Dawud, 10808 Dove Avenue, 1st Floor, Cleveland, Ohio 44105, Permanent Number 1983275 to Hizma, Inc., DBA Dove Mini Market, 10808 Dove Avenue, 1st Floor, Cleveland, Ohio 44105, Permanent Number 3875405; and

Whereas, the granting of this application for a liquor permit to this high crime area, which is already saturated with other liquor outlets, is contrary to the best interests of the entire community; and

Whereas, the applicant does not qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard of the laws, regulations or local ordinances of this state or any other state; and

Whereas, the place for which the permit is sought has not conformed to the building, safety or health requirements of the governing body of this County or City; and

Whereas, the place for which the permit is sought is so arranged or constructed that law enforcement officers or agents of the Department of Liquor Control are prevented reasonable access to the establishment; and

Whereas, the place for which the permit is sought is so located with respect to the neighborhood that it substantially interferes with public decency, sobriety, peace or good order; and

Whereas, this objection is based on other legal grounds as set forth in Revised Code Section 4303.292; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, prosperity, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from Eman Dawud, 10808 Dove Avenue, 1st Floor, Cleveland, Ohio 44105, Permanent Number 1983275 to Hizma, Inc., DBA Dove Mini Market, 10808 Dove Avenue, 1st Floor, Cleveland, Ohio 44105, Permanent Number 3875405; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

**Section 2.** That the Clerk of Council be and she is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

**Res. No. 269-03.****By Council Member Zone.****An emergency resolution withdrawing objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit at 6416 Detroit Avenue and repealing Resolution No. 1706-02, objecting to said renewal.**

Whereas, this Council objected to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit to 6416 Detroit Avenue by Resolution No. 1706-02 adopted by the Council on August 14, 2002; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said renewal based upon and pursuant to a cooperation agreement by and through City Council Representative, Matthew Zone and Applicant, Jofrey, Inc., DBA City Grill, 6416 Detroit Avenue, Cleveland, Ohio 44102, Permanent Number 4296402, a copy of which is in the file for this address with the City Law Department; and

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

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

**Section 1.** That objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit to 6416 Detroit Avenue be and the same is hereby withdrawn and Resolution No. 1706-02, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal 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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

**Res. No. 270-03.****By Council Member Zone.****An emergency resolution withdrawing objection to the renewal of a C1 Liquor Permit at 5802 Lorain Avenue, 2032 West 58th Street, and repealing Resolution No. 1705-02, objecting to said renewal.**

Whereas this Council objected to the renewal of a C1 Liquor Permit to 5802 Lorain Avenue, 2032 West 58th Street by Resolution No. 1705-02 adopted by the Council on August 14, 2002; and

Whereas, this Council wishes to withdraw its objection to the above C1 renewal and consents to said C1 renewal; and

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

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

**Section 1.** That objection to the renewal of a C1 Liquor Permit to 5802 Lorain Avenue, 2032 West 58th Street be and the same is hereby withdrawn and Resolution No. 1705-02, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal 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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

**Res. No. 272-03.****By Council Member Pierce Scott.****An emergency resolution declaring this Council's support of the proposal of the Community Health Center Foundation to the Ohio Housing Finance Agency for the use of low-income housing tax credits.**

Whereas, each year the Ohio Housing Finance Agency allocates housing credits for affordable housing developments throughout Ohio using a competitive proposal process; and

Whereas, the Community Health Center Foundation is proposing to renovate the Amasa Stone Building located at 975 East Boulevard, Cleveland, Ohio; the renovation will include up to twenty seven (27) new units; and

Whereas, none of the project's total units will be market rate units; and

Whereas, 100% of these units will serve a special needs population, specifically elderly (those over age 55) households with incomes at or below 60% of the area median income; and

Whereas, the Community Health Center Foundation's proposal will benefit the citizens of the City; and

Whereas, the Community Health Center Foundation has requested funding in the amount of \$250,000 from the City of Cleveland; 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 declares its support of the proposal of the Community Health Center Foundation for the use of low-income housing tax credits.

**Section 2.** That the Clerk of Council is hereby directed to transmit two certified copies of this resolution to Theodore P. Ziegler, CEO, Community Health Center Foundation.

**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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

**Res. No. 273-03.**

**By Council Members Reed, Jones, Coats and White.**

**An emergency resolution declaring this Council's support for the Civilian Conservation Corps and further declaring this Council's intention to assist the Civilian Conservation Corps in restoring funding so that the program may continue in Cleveland.**

Whereas, over the past twenty years, the Ohio Department of Natural Resources Civilian Conservation Corps (CCC) has provided employment and training to over 18,000 young men and women in Ohio, many of whom have been from the City of Cleveland; and

Whereas, unemployed, often disenfranchised Cleveland residents have had the opportunity to gain valuable life skills, marketable work skills and advance their educational levels while working and learning in the Cleveland CCC Camp and in CCC residential camps in Sandusky and Vinton counties; and

Whereas, the City of Cleveland has made a substantial investment in youth and young adults from the City by providing land at Kirtland Park for the construction of a new building to house the Cleveland CCC Camp; and

Whereas, the effectiveness of the CCC program was recognized in September, 2000 when CCC was honored by the U.S. Department of Labor as one of ten model youth employment and training programs in the nation; and

Whereas, the governor of the State of Ohio has proposed to eliminate the CCC program; 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 declares its support for the Civilian Conservation Corps and its intention to assist the Civilian Conservation Corps in restoring funding so that the program may continue in Cleveland.

**Section 2.** That the Clerk of Council is hereby directed to transmit certified copies of this resolution to the Governor of the State of Ohio and the Ohio Department of Natural Resources Civilian Conservation Corps.

**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.

Motion to suspend rules. Charter and statutory provisions and place on final adoption.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

**Res. No. 274-03.**

**By Council Members Reed, Jones, Coats and White.**

**An emergency resolution strongly urging the Governor of Ohio, the Ohio State Legislature, and the Ohio Attorney General to work together to establish and implement a constitutional school funding system.**

Whereas, in the last eleven years, the Ohio Supreme Court has ruled three times that State of Ohio's school funding system is unconstitutional; and

Whereas, the Court found that the current system favors wealthy districts over poor districts; and

Whereas, the current funding system of public education in Ohio results in an uneven "playing field" of rich school districts versus very poor school districts; and

Whereas, the Ohio Supreme Court has ordered state lawmakers to find an efficient way to pay for the public school education of Ohio's 1.8 million children; and,

Whereas, the State of Ohio needs to act immediately on this mandate by the Ohio Supreme Court; and

Whereas, every child in every school district in this state has the right to a free and appropriate public education in an economically stable school system; and

Whereas, it is the State's explicit responsibility to establish the means by which these rights are guaranteed; 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 strongly urges the Governor of Ohio, the Ohio State Legislature, and the Ohio Attorney General to work together to promptly establish and implement a constitutional school funding system.

**Section 2.** That the Clerk of Council is hereby directed to transmit a copy of this resolution to Governor Bob Taft, to the chair persons of both the House and Senate Education Committees, to all members of the Ohio Legislature representing the City of Cleveland, and to Attorney General Petro.

**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.

Motion to suspend rules. Charter and statutory provisions and place on final passage.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

**Res. No. 275-03.**

**By Council Member Pierce Scott.**  
**An emergency resolution declaring this Council's support of the proposal of Glenbrooke Homes III to the Ohio Housing Finance Agency for the use of low-income housing tax credits and repealing Resolution No. 150-03, passed on February 3, 2003.**

Whereas, each year the Ohio Housing Finance Agency allocates housing credits for affordable housing developments throughout Ohio using a competitive proposal process; and

Whereas, Glenville Homes III, L.P. proposes to build up to sixty (60) homes; and

Whereas, 20% of these homes will serve a special needs population, specifically households with incomes at or below 35% of the area median income; and

Whereas, none of the project's total units will be market rate units; and

Whereas, Glenville Homes III, L.P.'s proposal will benefit the citizens of the City; 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 declares its support of the proposal of Glenbrooke Homes III, to the Ohio Housing Finance Agency for the use of low income tax credits.

**Section 2.** That this Council hereby repeals Resolution No. 150-03, passed on February 3, 2003.

**Section 3.** That the Clerk of Council is hereby directed to transmit two certified copies of this resolution to the project owner c/o the NRP Group, L.L.C., 5309 Transportation Boulevard, Cleveland, Ohio 44125.

**Section 4.** 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.

Motion to suspend rules. Charter and statutory provisions and place on final adoption.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Adopted. Yeas 21. Nays 0.

**SECOND READING EMERGENCY  
ORDINANCES PASSED**

**Ord. No. 2118-02.**

By Council Members Zone and Westbrook.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3134 West 73rd Street; 7402 and 7708 Halle Avenue and Jasper Avenue to Cudell Improvement, Inc.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committees on Community and Economic Development, City Planning; Passage recommended by Committee on Finance.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

**Ord. No. 2156-02.**

By Council Members Westbrook, Cimperman and Jackson (by departmental request).

An emergency ordinance determining the method of making the public improvement of constructing the sanitary line and collection berm extension to the current Centralized Deicing Facility, Phase Ia, and authorizing the Director of Port Control to enter into contract for the making of the improvement.

Approved by Directors of Port Control, City Planning Commission, Finance, Law; Passage recommended by Committees on Aviation and Transportation, City Planning, Finance.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

**Ord. No. 2242-02.**

By Council Members Gordon, Johnson, Cimperman and Jackson (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at 1621 Plymouth Road to Property Improvement Specialist Inc.

Approved by Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Passage recommended by Committees on Public Parks, Property and Recreation, City Planning, Finance.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

**Ord. No. 2333-02.**

By Council Member White.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on scattered sites to Union Miles Development Corporation.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committees on Community and Economic Development, City Planning; Passage recommended by Committee on Finance.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

**Ord. No. 2374-02.**

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

An emergency ordinance determining the method of making the public improvement of constructing and rehabilitating the existing ramp for Concourse C and its associated utilities at Cleveland Hopkins International Airport, and authorizing the Director of Port Control to enter into one or more contracts for the making of the improvement.

Approved by Directors of Port Control, City Planning Commission, Finance, Law; Relieved of Committee on City Planning; Passage recommended by Committees on Aviation and Transportation, Finance; when amended as follows:

1. Insert new Section 3 to read as follows:

**"Section 3. That, under federal law and to the extent permitted by federal law, all construction contracts entered into under this ordinance shall establish a goal of hiring at least thirty percent (30%) MBE, ten percent (10%) FBE, twenty-five percent (25%) minority workforce, seven and one-half percent (7.5%) female workforce and forty percent (40%) City residents. In seeking to obtain the goal, all contractors shall utilize best efforts."**

2. Renumber existing Sections 3 and 4 to new "Section 4" and "Section 5".

Amendment agreed to.

In compliance with Section 33 of the Charter, a copy of the legislation was furnished to each member of Council before final passage.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

**Ord. No. 2462-02.**

By Council Members Reed and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Byrne Memorial Grant, Homeland Security 2003 Program; and to enter into contracts necessary to implement the Program.

Approved by Directors of Public Safety, Finance, Law; Passage recommended by Committees on Public Safety, Finance.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

**Ord. No. 2463-02.**

By Council Members Reed and Jackson (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Byrne Memorial Grant, Homeland Security 2002 Program; and to enter into contracts necessary to implement the Program.

Approved by Directors of Public Safety, Finance, Law; Passage recommended by Committees on Public Safety, Finance; when amended as follows:

1. In Section 1, line 2, strike "\$184,916.00" and insert "**\$54,310.00**"; and in Section 2, line 3, strike "\$61,639.00" and insert "**\$18,103.00**".

Amendment agreed to.

In compliance with Section 33 of the Charter, a copy of the legisla-

tion was furnished to each member of Council before final passage.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

**Ord. No. 2468-02.**

By Council Member Rybka.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3978 East 74th Street, 3902 East 54th Street and Finney Avenue to Slavic Village Development.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committees on Community and Economic Development, City Planning; Passage recommended by Committee on Finance.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

**Ord. No. 38-03.**

By Council Members Cimperman, Gordon and Jackson (by departmental request).

An emergency ordinance to appropriate property for the acquisition, clearance, and redevelopment according to the Euclid/Prospect II Community Development Plan for the blighted area designated as Treatment Area Block 3, Site B.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Relieved of Committees on Community and Economic Development, City Planning; Passage recommended by Committee on Finance.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

**Ord. No. 134-03.**

By Council Members Westbrook and Jackson (by departmental request).

An emergency ordinance to amend Section 8 of Ordinance No. 1931-02, passed October 21, 2002, relating to a development agreement or agreements with SYSCO Food Services of Cleveland, Inc.

Approved by Directors of Port Control, Finance, Law; Relieved of Committee on Aviation and Transportation; Passage recommended by Committee on Finance.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.

**SECOND READING  
ORDINANCE PASSED**

**Ord. No. 2391-02.**

By Council Member Jones.

An ordinance to expand the Lee-Harvard Business Revitalization District. (Map Change No. 2066, Sheet No. 10)

Approved by Directors of City Planning Commission, Law; Passage recommended by Committee on City Planning.

The rules were suspended. Yeas 21. Nays 0. Read second time. Read third time in full. Passed. Yeas 21. Nays 0.



**THIRD READING EMERGENCY  
ORDINANCE PASSED****Ord. No. 2222-02.**

By Council Member Jackson (by departmental request).

An emergency ordinance to make appropriations for the current expenses of the City of Cleveland for the year 2003.

Read third time. Passed. Yeas 21. Nays 0.

**MOTION**

The Council Meeting adjourned at 8:00 p.m. to meet on Monday, March 3, 2003 at 7:00 p.m. in the Council Chambers.



Clerk of Council

**THE CALENDAR**

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

NONE

**BOARD OF CONTROL**

February 19, 2003

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, February 19, 2003, at 10:30 a.m. with Mayor Campbell presiding.

Present: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Glending, Director Hudecek, Acting Directors Brown, Jordan, Directors Fumich and Taylor.

Absent: None.

Others: Myrna Branche, Commissioner, Purchases and Supplies.

Henry Guzman, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

**Resolution No. 88-03.**

By Director Baker.

Resolved, by the Board of Control of the City of Cleveland that all bids received on December 20, 2002, for an estimated quantity of: Security System for the Department of Finance, on behalf of the Clerk of the Cleveland Municipal Court, pursuant to the authority of Ordinance No. 2142-01 passed on April 1, 2002, be and the same are hereby rejected.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Glending, Director Hudecek, Acting Directors Brown, Jordan, Directors Fumich and Taylor.

Nays: None.

Absent: None.

**Resolution No. 89-03.**

By Director Baker.

Resolved, by the Board of Control of the City of Cleveland that the bid of Graphic Associates Incorporated for the following: one (1) High

Capacity Paper Drill for the Division of Printing and Reproduction, Department of Finance, received on the 4th day of December 2002, pursuant to the authority of Ordinance No. 1712-02, passed on September 23, 2002, which on the basis of the order quantity would amount to Twenty One Thousand Five Hundred and 00/100 Dollars (\$21,500.00) (Net) is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a standard contract for such item.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Glending, Director Hudecek, Acting Directors Brown, Jordan, Directors Fumich and Taylor.

Nays: None.

Absent: None.

**Resolution No. 90-03.**

By Director Konicek.

Whereas, pursuant to the authority of Ordinance No. 1524-02, passed by the Council of the City of Cleveland on October 21, 2002, the Commissioner of Purchases and Supplies is authorized by and at the direction of the Board of Control to convey a non-exclusive temporary construction easement described therein and located at the intersection of Darrow Road and Post Road no longer needed for public use, to the City of Twinsburg; and

Whereas, said Ordinance No. 1524-02 provided that the consideration to be paid for the easement shall be at a price not less than fair market value, as determined by the Board of Control; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Ordinance No. 1524-02, passed by the Council of the City of Cleveland on October 21, 2002, the Commissioner of Purchases and Supplies is hereby directed to convey a non-exclusive temporary construction easement in City-owned land, no longer needed for public use, described therein, located at the intersection of Darrow Road and Post Road and identified as Original Twinsburg Township Lot No. 10, Tract 2 to the City of Twinsburg. The consideration to be paid for said non-exclusive temporary construction easement is hereby fixed at One Thousand Two Hundred Fifty Dollars (\$1,250.00), which is hereby determined to be not less than fair market value.

Be it further resolved that the Director of Public Utilities is hereby requested to execute and deliver the temporary right of way agreement making said easement authorized in said Ordinance No. 1524-02, which documents shall contain such additional terms and conditions as the Director of Law shall deem necessary to protect and benefit the public interest.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Glending, Director Hudecek, Acting Directors Brown, Jordan, Directors Fumich and Taylor.

Nays: None.

Absent: None.

**Resolution No. 91-03.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland, that Board of Control Resolution No.

79-03, adopted February 5, 2003, approving the bid of Fabrizi Trucking & Paving Co., Inc. for Homeownership Zone — East 68th & East 69th Street Sewer Replacement, is hereby amended by deleting the amount of "\$35,000.00" and substituting the amount of "\$7,000.00" for subcontractor Julian Supply.

Be it further resolved that all other provisions of said Resolution No. 79-03 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: None.

Nays: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Glending, Director Hudecek, Acting Directors Brown, Jordan, Directors Fumich and Taylor.

Absent: None.

**Resolution No. 92-03.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the conditional bid of Jack Doheny Supplies Ohio, Inc. for an estimated quantity of labor and material necessary to repair and maintain combination sewer and catch basin cleaners, including appurtenances (all items) for the Division of Water Pollution Control, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on the 8th day of January 2003, pursuant to the authority of Ordinance No. 1084-02, passed June 17, 2002, which on the basis of the estimated quantity would amount to Two Hundred Thousand and 00/100 Dollars (\$200,000.00) (Net 30 Days) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 109321 which shall be certified against such contract in the sum of One Hundred Thousand Dollars (\$100,000.00).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Glending, Director Hudecek, Acting Directors Brown, Jordan, Directors Fumich and Taylor.

Nays: None.

Absent: None.

**Resolution No. 93-03.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of D & M Painting Corporation for the public improvement of Water Tank Rehabilitation — Cycle D1 (Base Bid Item Nos. 1-60) (including a \$717,264.00 contingency allowance) for the Division of Water, Department of Public Utilities, received on October 30, 2002, pursuant to the authority of Ordinance No. 1881-98 passed December 14, 1998, upon a unit basis for the

improvement in the aggregate amount of Seven Million Eight Hundred Ninety-Nine Thousand Nine Hundred Four Dollars (\$7,899,904.00) is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Utilities is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by D & M Painting Corporation, for the above-mentioned public improvement is hereby approved:

**Subcontractor** **Work**

Ballast Fence  
(FBE) — \$217,000.00 — (2.75%)

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Glending, Director Hudecek, Acting Directors Brown, Jordan, Directors Fumich and Taylor.

Nays: None.  
Absent: None.

**Resolution No. 94-03.**

By Director Ricchiuto.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Brooklyn Tractor and Mower, Inc. for an estimated quantity of various mower and cutting equipment parts and labor, items 1, 2, 4, 5, 6, 7, 9, 11, 13, 14, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 and 28, for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of two (2) years beginning with the date of execution of a contract, received on October 23, 2002, pursuant to the authority of Ordinance No. 918-02, passed by the Council of the City of Cleveland on June 17, 2002, which on the basis of the estimated quantity would amount to Five Hundred Eighty Six Thousand Four Hundred and no/100 Dollars (\$586,400.00) (Net 10) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 127301  
which shall be certified against such contract in the sum of Eighty Five Thousand and no/100 Dollars (\$85,000.00).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Glending, Director Hudecek, Acting Directors Brown, Jordan, Directors Fumich and Taylor.

Nays: None.  
Absent: None.

**Resolution No. 95-03.**

By Director Ricchiuto.

Be it resolved, by the Board of Control of the City of Cleveland that

the bid of Sill's Motor Sales, Co. for an estimated quantity of various mower and cutting equipment parts and labor, items 10 and 15, for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on October 23, 2002, pursuant to the authority of Ordinance No. 918-02, passed by the Council of the City of Cleveland on June 17, 2002, which on the basis of the estimated quantity would amount to Forty Five Thousand and no/100 Dollars (\$45,000.00) (2% Net 30) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 127302  
which shall be certified against such contract in the sum of Twenty Thousand and no/100 Dollars (\$20,000.00).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Glending, Director Hudecek, Acting Directors Brown, Jordan, Directors Fumich and Taylor.

Nays: None.  
Absent: None.

**Resolution No. 96-03.**

By Director Ricchiuto.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of West Shore New Holland, Inc. for an estimated quantity of various mower and cutting equipment parts and labor, item 27, for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of two (2) years beginning with the date of execution of a contract, received on October 23, 2002, pursuant to the authority of Ordinance No. 918-02, passed by the Council of the City of Cleveland on June 17, 2002, which on the basis of the estimated quantity would amount to Twenty Thousand and no/100 Dollars (\$20,000.00) (Net) is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 127303  
which shall be certified against such contract in the sum of Five Thousand and no/100 Dollars (\$5,000.00).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Glending, Director Hudecek, Acting Directors Brown, Jordan, Directors Fumich and Taylor.

Nays: None.  
Absent: None.

**Resolution No. 97-03.**

By Director Ricchiuto.

Be it resolved by the Board of Control of the City of Cleveland that the bid of T & F Systems, Inc., for the public improvement of the Harvard Yards Service Facility Roof, Phase 2, base bid 1 and add alternate 1, for the Department of Public Service, received on December 19, 2002, pursuant to the authority of Ordinance No. 833-02, passed June 3, 2002, for a gross price for the improvement in the aggregate amount of One Million One Hundred Eight Thousand Nine Hundred Eight and no/100 dollars (\$1,108,908.00), is hereby affirmed and approved as the lowest responsible bid, and the Director of Public Service is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved, by the Board of Control of the City of Cleveland that the employment of the following subcontractors by T & F Systems Inc. are hereby approved:

Faison & Pinson (MBE) \$140,550

Burkshire Construction (FBE) \$46,850

RAF Masonry Restoration \$196,845

Sheetech Inc. \$31,944

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Glending, Director Hudecek, Acting Directors Brown, Jordan, Directors Fumich and Taylor.

Nays: None.  
Absent: None.

**Resolution No. 98-03.**

By Director Draper.

Resolved by the Board of Control of the City of Cleveland that the bid of Dell Marketing L.P. for fire prevention computerization, Item Nos. 1-3, 4A and 4B, for the Division of Police, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on December 19, 2002 pursuant to the authority of Ordinance No. 1005-2000, passed by Cleveland City Council on July 17, 2000, which on the basis of the estimated quantity would amount to Forty Thousand One Hundred Six and 90/100 Dollars (\$40,106.90), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No: 112672  
as specified,  
which shall be certified against such contract in the sum of Forty Thousand One Hundred Six and 90/100 Dollars (\$40,106.90).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Glending, Director Hudecek, Acting Directors Brown, Jordan, Directors Fumich and Taylor.

Nays: None.

Absent: None.

**Resolution No. 99-03.**

By Director Draper.

Resolved by the Board of Control of the City of Cleveland that the bid of Laube Imaging Products for photographic supplies, Groups II, III and V, for the Division of Police, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on October 17, 2002, pursuant to the authority of Ordinance No. 1103-02, passed by Cleveland City Council on June 17, 2002, which on the basis of the estimated quantity would amount to Sixty-One Thousand Nine Hundred Thirty and 94/100 Dollars (\$61,930.94), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No: 119600

as specified, which shall be certified against such contract in the sum of Forty-One Thousand Seven Hundred Eighty-One and 16/100 Dollars (\$41,781.16).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Glending, Director Hudecek, Acting Directors Brown, Jordan, Directors Fumich and Taylor.

Nays: None.

Absent: None.

**Resolution No. 100-03.**

By Director Draper.

Resolved by the Board of Control of the City of Cleveland that the bid of The Dodd Company for photographic supplies, Groups I and IV, for the Division of Police, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on October 17, 2002, pursuant to the authority of Ordinance No. 1103-02, passed by Cleveland City Council on June 17, 2002, which on the basis of the estimated quantity would amount to One Hundred Fifty-Seven Thousand Seven Hundred Thirty and 80/100 Dollars (\$157,730.80), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a

requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No: 119599

as specified,

which shall be certified against such contract in the sum of Thirty-Three Thousand Seven Hundred Twenty-Seven and 80/100 Dollars (\$33,727.80).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Glending, Director Hudecek, Acting Directors Brown, Jordan, Directors Fumich and Taylor.

Nays: None.

Absent: None.

**Resolution No. 101-03.**

By Acting Director Glending.

Resolved by the Board of Control of the City of Cleveland that the bid of APO Holdings Inc. for the following: Replacement of five Peerless Pumps for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties, received on the 20th day of December, 2002, pursuant to the authority of Ordinance No. 1981-02, passed October 21, 2002, which on the basis of the order quantity would amount to \$27,053.00 is hereby approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is hereby requested to enter into contract for such items.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Glending, Director Hudecek, Acting Directors Brown, Jordan, Directors Fumich and Taylor.

Nays: None.

Absent: None.

**Resolution No. 102-03.**

By Director Hudecek.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 115-27-045 located at 865 Alhambra Road in Ward 11; 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, Melanie M. Williams, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 11 has consented to the pro-

posed sale;

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

3. The proposed purchaser of said 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 pursuant to 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 hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Melanie M. Williams for the sale and development of Permanent Parcel No. 115-27-045 located at 865 Alhambra Road, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Glending, Director Hudecek, Acting Directors Brown, Jordan, Directors Fumich and Taylor.

Nays: None.

Absent: None.

**Resolution No. 103-03.**

By Director Hudecek.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 143-08-042 located at 17415 Ridgeway Drive in Ward 1; 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, Benjamin and R. Phillips, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 1 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 said 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 pursuant to 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 hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Benjamin

and R. Phillips for the sale and development of Permanent Parcel No. 143-08-042 located at 17415 Ridgerton Drive, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with said Program.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Acting Directors Carroll, Smith, Glending, Director Hudecek, Acting Directors Brown, Jordan, Directors Fumich and Taylor.

Nays: None.

Absent: None.

**Resolution No. 104-03.**

By Director Hudecek.

Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program in accordance with the provision of Chapter 5722 of the Ohio Revised Code; and

Whereas, City has acquired Permanent Parcel No(s). 007-28-072, 007-28-073 007-28-074, 016-12-026 and 016-13-037 under said Land Reutilization Program; and

Whereas, Ordinance No. 1846-02 passed December 16, 2002, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Clark-Metro Development Corporation has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1846-02 passed December 16, 2002, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Clark-Metro Development Corporation for the sale and development of Permanent Parcel No(s). 007-28-072, 007-28-073, 007-28-074, 016-12-026 and 016-13-037, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$100.00 each, which amount is hereby determined to be not less than the fair market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Acting Directors Carroll, Smith, Glending, Director Hudecek, Acting Directors Brown, Jordan, Directors Fumich and Taylor.

Nays: None.

Absent: None.

**Resolution No. 105-03.**

By Director Hudecek.

Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program in accordance with the provision of Chapter 5722 of the Ohio Revised Code; and

Whereas, City has acquired Permanent Parcel No(s). 138-17-130, 138-17-131, 138-17-150 under said Land Reutilization Program; and

Whereas, Ordinance No. 1942-02 passed December 16, 2002, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Pentecostal Determine Church of God has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1942-02 passed December 16, 2002, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Pentecostal Determine Church of God for the sale and development of Permanent Parcel No(s). 138-17-130, 138-17-131, 138-17-150, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$100.00 each, which amount is hereby determined to be not less than the fair market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Acting Directors Carroll, Smith, Glending, Director Hudecek, Acting Directors Brown, Jordan, Directors Fumich and Taylor.

Nays: None.

Absent: None.

**Resolution No. 106-03.**

By Director Hudecek.

Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program in accordance with the provision of Chapter 5722 of the Ohio Revised Code; and

Whereas, City has acquired Permanent Parcel No(s). 126-14-018, 126-14-019, 126-14-020 and 126-14-021 under said Land Reutilization Program; and

Whereas, Ordinance No. 1939-02 passed December 16, 2002, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, United Glorious Church of God has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1939-02 passed December 16, 2002, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with United Glorious Church of God for the sale and development of Permanent Parcel No(s). 126-14-018, 126-14-019, 126-14-020 and 126-14-021, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$100.00 each, which amount is hereby determined to be not less than

the fair market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Acting Directors Carroll, Smith, Glending, Director Hudecek, Acting Directors Brown, Jordan, Directors Fumich and Taylor.

Nays: None.

Absent: None.

**Resolution No. 107-03.**

By Director Hudecek.

Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program in accordance with the provision of Chapter 5722 of the Ohio Revised Code; and

Whereas, City has acquired Permanent Parcel No. 107-15-048 under said Land Reutilization Program; and

Whereas, Ordinance No. 1847-02 passed December 16, 2002, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Jo Anne Elkins has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1847-02 passed December 16, 2002, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Jo Anne Elkins for the sale and development of Permanent Parcel No. 107-15-048, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Acting Directors Carroll, Smith, Glending, Director Hudecek, Acting Directors Brown, Jordan, Directors Fumich and Taylor.

Nays: None.

Absent: None.

**Resolution No. 108-03.**

By Director Hudecek.

Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program in accordance with the provision of Chapter 5722 of the Ohio Revised Code; and

Whereas, City has acquired Permanent Parcel No. 023-14-023 under said Land Reutilization Program; and

Whereas, Ordinance No. 1941-02 passed December 16, 2002, authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Lillian Flores had proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization

of Ordinance No. 1941-02 passed December 16, 2002, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Lillian Flores for the sale and development of Permanent Parcel No. 023-14-023, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is hereby determined to be not less than the fair market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Glending, Director Hudecek, Acting Directors Brown, Jordan, Directors Fumich and Taylor.

Nays: None.

Absent: None.

#### **Resolution No. 109-03.**

By Directors Sims and Mok.

Whereas, pursuant to Ordinance No. 1931-02, passed by Cleveland City Council October 21, 2002, the Commissioner of Purchases and Supplies is authorized, by and at the direction of the Board of Control, to sell certain City-owned real property north of Cleveland Hopkins Airport, more fully described in Council File No. 1931-02-A and no longer needed for public use, to SYSCO Food Services of Cleveland, Inc. at a price not less than fair market value; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that, pursuant to the authorization of Ordinance No. 1931-02, passed by Cleveland City Council October 21, 2002, the Commissioner of Purchases and Supplies is hereby directed to sell certain City-owned real property no longer needed for public use, north of Cleveland Hopkins International Airport and more fully described in Council File No. 1931-02-A, consisting of a parcel containing 8.632 acres (Parcel A), a parcel containing 25.532 acres (Parcel B), and a parcel containing 15.078 acres (Parcel C), to SYSCO Food Services of Cleveland, Inc.; the consideration to be paid for Parcel A is fixed at Two Hundred Twenty-nine Thousand, Nine Hundred Fifty-one Dollars (\$229,951.00), the consideration to be paid for Parcel B is fixed at Eight Hundred Forty-six Thousand, One Hundred Thirty-nine Thousand Dollars (\$846,139.00), and the consideration to be paid for Parcel C is fixed at Five Hundred Sixty Thousand, One Hundred Eighty-six Dollars (\$560,186.00), which amounts are determined to be not less than fair market value when taking into account all restrictions and encumbrances placed by the City in the deed of conveyance. The quitclaim deed to SYSCO Food Services of Cleveland, Inc. shall contain such terms and conditions as the Directors of Economic Development, Law, and Port Control deem necessary appropriate to protect and benefit the interests of the City of Cleveland.

Be it further resolved that the Mayor and the Commissioner of Purchases and Supplies are hereby requested to execute and deliver the official deed of the City of Cleveland conveying said property.

Be it further resolved that Resolution No. 375-99, adopted June 16, 1999, as amended by Resolutions No. 642-99, adopted September 22, 1999, and No. 731-99, adopted October 27, 1999 are rescinded as to the property described in those resolutions and this resolution as Parcel B.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Glending, Director Hudecek, Acting Directors Brown, Jordan, Directors Fumich and Taylor.

Nays: None.

Absent: None.

#### **Resolution No. 110-03.**

By Director Konicek.

Resolved, by the Board of Control of the City of Cleveland that all bids received on October 30, 2002, for the public improvement of water tank rehabilitation, group D-1, for the Department of Public Utilities, Division of Water, pursuant to the authority of Ordinance No. 1881-98, passed on December 14, 1998, be and the same are hereby rejected.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Acting Directors Carroll, Smith, Glending, Director Hudecek, Acting Directors Brown, Jordan, Directors Fumich and Taylor.

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 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, MARCH 10, 2003**

**9:30 A.M.**

**Calendar No. 03-35:** 6402 Lansing Avenue (Ward 12)

Louis Sainato, owner, and Patricia Cole, tenant, appeal to change the use of an existing approximate 38' x 100' one-story building into a day care all situated on a 40' x 140' parcel located in a Local Retail Business District on the south side of Lansing Avenue at 6402 Lansing Avenue; said change of use being contrary to the Business District Requirements, where the proposed use is located in a Local Retail Business District and abuts a Two-Family District and is regulated in a Multi-Family District per Section 337.08(e)(3) and must be located not less than 15' from a Residential District and requires the Board of Zoning Appeals approval as stated in Section 343.01 and contrary to the Off-Street Parking and Loading Requirements of Section 349.01, where a 40' wide driveway is proposed and the maximum width of driveway permitted is 30' and contrary to the Yards and Courts Requirements, where parking is not permitted in the required side street yard as stated in Section 357.13 of the Codified Ordinances.

**Calendar No. 03-36:** Appeal of Cleveland Bluffs Development LLC, 1613 Davenport Avenue (Ward 13) Cleveland Bluffs Development, LLC, owner c/o John Monroe, agent, appeal under Section 329.01(e), where any decision or determination of the Commissioner of Housing or any other administrative official may be appealed to the Board of Zoning Appeals and appeal under Section 561.03, where filling shall not be permitted or allowed until the applicant demonstrates to the satisfaction of the Director of Public Service the qualifications of Section 561.04 of the Codified Ordinances.

**Calendar No. 03-37:** 14729 Alger Road (Ward 21)

Frank Russo, owner, appeals to construct a 2-story addition to the front and rear of an existing 24' x 24' 2-story dwelling all situated on a 40' x 120' parcel located in a One-Family District on the south side of Alger Road at 14729 Alger Road; said construction being contrary to the Area Requirements of Section 355.03, where the maximum gross floor area shall not exceed half the lot area and 2,400 sq. ft. is allowed and 3,388 sq. ft. is proposed and contrary to the Yards and Courts Requirements of Section 357.04, where the line of existing building is 40' and 32' is proposed and Section 357.09, where an interior side yard setback of 10' is required and 6'-6" is proposed and a 6'-6" interior side yard setback is proposed and no building shall be erected less than 10' from an adjoining lot within such residence district as stated in

Section 357.09(B) of the Codified Ordinances.

**Calendar No. 03-38:** 3979 West 146th Street (Ward 21)

Michael Miller, owner, appeals to install a 6' high wooden shadow box fence to the north, south and east of a 61' x 125' corner parcel located in a One-Family District on the northeast corner of Courtland Avenue and West 146th Street at 3979 West 146th Street; said installation being contrary to the Fence Regulations of Section 358.03(a), where no portion of a fence located along and parallel to driveway within 15' of its intersection with a public sidewalk or public street shall exceed 2 1/2' in height unless all portions above that are 75% open and a 6' high fence is proposed and fences in the actual front yards and actual side street yards shall not exceed 4' in height and shall be at least 50% open as stated in Section 358.04(a) of the Codified Ordinances.

**Calendar No. 03-28:** 6512-14 St. Clair Avenue (Ward 13)

John Dunlap, owner c/o Anthony Costanzo, agent, appeals to change the use of the first floor of an existing irregular shaped one and two-story masonry machine shop building into an auto repair garage all situated on an acreage parcel located in a Local Retail Business District on the south side of St. Clair Avenue at 6512-14 St. Clair Avenue; said change of use being contrary to the Business District Requirements of Section 343.01, where an auto repair garage is not permitted in a Local Retail Business District and contrary to the Nonconforming Use Requirements, where a substitution of a nonconforming use requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances.

**Calendar No. 03-39:** Appeal of 1476 Davenport Ltd. Partnership, 1613-1825 Davenport Avenue (Ward 13)

1476 Davenport Ltd. Partnership, owner c/o Anthony Costanzo, agent, appeal under Section 329.01(e) where any decision or determination of the Commissioner of Housing or any other administrative official may be appealed to the Board of Zoning Appeals and appeals from a Violation Notice citing Section 350.18 under the Sign Regulations, where the sign is damaged and Section 352.10(E) under the Landscaping and Screening Requirements, where the lot in question does not contain the required island strips and Section 337.18 under the Residential District Requirements, where the parking lot maneuverability area is not being maintained clear and the Off-Street Parking and Loading Requirements, where all accessory off-street parking spaces shall be provided with wheel or bumper guards as stated in Section 349.07(B) of the Codified Ordinances.

EUGENE CRANFORD, JR.,  
Secretary

## REPORT OF THE BOARD OF ZONING APPEALS

**MONDAY, FEBRUARY 24, 2003**

At the meeting of the Board of Zoning Appeals on Monday, February 24, 2003, the following appeals were heard by the Board:

The following appeal was **Approved:**

**Calendar No. 03-19:** 12718 Larchmere Boulevard

LR Realty LLC c/o Lynn Alfred appealed to expand an existing restaurant and add a 585 s.f. addition to the rear of the existing restaurant on a 50' x 152' parcel in a Local Retail Business District; subject to condition.

The following appeals were **Denied:**

**None.**

The following appeal was **Withdrawn:**

**Calendar No. 02-331:** 8118 Superior Avenue

Edward T. Haggins Trust, owner, and Isaac and Nirra Haggins, tenants, appealed to change the use of a machine shop building into a day care center in a Local Retail Business District.

The following appeals were **Postponed:**

**Calendar No. 03-23:** 9417 Orleans Avenue postponed to March 17, 2003.

**Calendar No. 03-24:** Appeal of Charles Michael Newell postponed to March 24, 2003.

**Calendar No. 03-25:** 3009 Payne Avenue postponed to March 17, 2003.

**Calendar No. 03-26:** 11600 Detroit Avenue postponed to March 24, 2003.

**Calendar No. 03-2:** 17300 Lakeshore Boulevard postponed to March 24, 2003.

**On Monday, February 24, 2003, in Executive Session:**

The following appeal was heard by the Board on Tuesday, February 18, 2003, and said decisions were adopted and approved in Executive Session on Monday, February 24, 2003:

The following appeals were **Approved:**

**Calendar No. 03-16:** 5642-44 Broadway Avenue

Atlas Savings LP appealed to change the use of the upper 5 stories of a six-story building into 15 apartment units and renovate the first floor as retail space in a General Retail Business District.

**Calendar No. 03-17:** 2927 East 116th Street

Second New Hope Baptist Church appealed to install 147 linear feet of 6' high ornamental fencing with a

12 and an 18' gate to the front of an acreage parcel in a General Retail Business District.

**Calendar No. 03-18:** 2509 East 126th Street

Barbara Gill appealed to install 120 linear feet of 6' high wood privacy fencing to the north, south and west of a 45' x 130' parcel in a Two-Family District.

**Calendar No. 03-21:** 1829 East 55th Street

Oriana Services, Inc. appealed to expand an existing use and occupancy of a correctional halfway house from 150 to 218 residents/clients located in split zoning between General Retail Business and Semi-Industry District.

**Calendar No. 03-22:** 7100 Kinsman Road

Garden Valley Neighborhood Housing appealed to expand the recreational use to include a day care use in a three-story building in a Multi-Family District.

**Calendar No. 03-9:** 3805 Ridge Road

Michael S. Wise appealed to change the use of a one-story masonry building (front) and a one-story masonry building (rear) to an auto wrecking yard in a Semi-Industry District; subject to removal of illegal signage.

**Calendar No. 03-10:** 3819 Ridge Road

Michael S. Wise appealed to change the use of a one-story masonry building to an auto wrecking yard in a Semi-Industry District; subject to removal of illegal signage.

The following appeals were **Denied:**

**None.**

The following appeal was **Dismissed:**

**Calendar No. 02-335:** 3190 West 105th Street

Emir Abeid appealed to construct a 6' x 16' enclosed porch to the front and a wolmanized deck to the rear of an existing dwelling house in a Two-Family District.

EUGENE CRANFORD, JR.,  
Secretary

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## REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

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### PUBLIC NOTICE

NONE

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### NOTICE OF PUBLIC HEARING

NONE

**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."

**FRIDAY, FEBRUARY 28, 2003**

**Labor and Materials Necessary to Repair and Maintain Vac-All Trucks**, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 1082-02, passed by the Council of the City of Cleveland, June 17, 2002.

February 19, 2003 and February 26, 2003

**THURSDAY, MARCH 13, 2003**

**Contract 1: Repairing and Constructing Curb Ramps, in Areas of the City of Cleveland**, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 138-03 pending.

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

February 19, 2003 and February 26, 2003

**WEDNESDAY, MARCH 12, 2003**

**Water Tank Rehabilitation — Cycle D1**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1881-

98, passed by the Council of the City of Cleveland, December 14, 1998.

THERE WILL BE A **REFUNDABLE FEE OF ONE HUNDRED DOLLARS (\$100.00)** IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.

A **PRE-BID MEETING** WILL BE HELD ON THURSDAY, MARCH 6, 2003 AT 10:00 A.M. AT THE DIVISION OF WATER, FIRST FLOOR CONFERENCE ROOM, PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

February 26, 2003 and March 5, 2003

**THURSDAY, MARCH 13, 2003**

**Animal Transport Van Interior**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1262-02, passed by the Council of the City of Cleveland, July 17, 2002.

**Adjustable Valve Boxes**, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976.

**Bypass Fittings, Piping and Valves**, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976.

February 26, 2003 and March 5, 2003

**THURSDAY, MARCH 20, 2003**

**Department of Public Service Facilities Renovations, Phase II**, for the Division of Architecture, Department of Public Service, as authorized by Ordinance No. 410-02, passed by the Council of the City of Cleveland, April 1, 2002.

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

THERE WILL BE A **PRE-BID MEETING** HELD ON TUESDAY, MARCH 11, 2003 AT 10:00 A.M. LOCATED AT THE DIVISION OF STREETS GLENNVILLE FACILITY (BRICK BUILDING) 10801 LEUER AVENUE, CLEVELAND, OHIO.

**Contract 2: Repairing and Constructing Curb Ramps, in Areas of the City of Cleveland**, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 138-03 pending.

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

February 26, 2003 and March 5, 2003

**WEDNESDAY, APRIL 2, 2003**

**Central Chemical Storage Facility — NASA South 40 Complex**, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by

Ordinance No. 2015-2000, passed by the Council of the City of Cleveland, May 14, 2001.

THERE WILL BE A **NON-REFUNDABLE FEE OF ONE HUNDRED FIFTY DOLLARS (\$150.00)** IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.

THERE WILL BE A **MANDATORY PRE-BID MEETING** HELD ON TUESDAY, MARCH 11, 2003 AT 10:00 A.M. AT CLEVELAND HOPKINS INTERNATIONAL AIRPORT — ANALEX BUILDING CONFERENCE ROOM, LOCATED AT 3001 AEROSPACE PARKWAY, CLEVELAND, OHIO 44135. **MANDATORY MATCH-MAKER SESSION** FOLLOWING PRE-BID MEETING AT 12:00 NOON.

February 26, 2003 and March 5, 2003

**WEDNESDAY, APRIL 16, 2003**

**Cryogenics Components Laboratory — NASA Sandusky, Ohio**, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 2015-2000, passed by the Council of the City of Cleveland, May 14, 2001.

THERE WILL BE A **NON-REFUNDABLE FEE OF FOUR HUNDRED FIFTY DOLLARS (\$450.00)** IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.

THERE WILL BE A **MANDATORY PRE-BID MEETING** HELD ON TUESDAY, MARCH 11, 2003 AT 11:00 A.M. AT CLEVELAND HOPKINS INTERNATIONAL AIRPORT — ANALEX BUILDING CONFERENCE ROOM, LOCATED AT 3001 AEROSPACE PARKWAY, CLEVELAND, OHIO 44135. **MANDATORY MATCH-MAKER SESSION** FOLLOWING PRE-BID MEETING AT 12:00 NOON.

February 26, 2003 and March 5, 2003

**ADOPTED RESOLUTIONS AND ORDINANCES**

NONE

**COUNCIL COMMITTEE MEETINGS**

**Monday, February 24, 2003  
2:00 P.M.**

**Finance Committee:** Present: Jackson, Chair; Sweeney, Vice Chair; Gordon, Reed, O'Malley, Coats, Britt, Brady, Scott. Authorized Absence: Westbrook, White.

**Tuesday, February 25, 2003  
1:30 P.M.**

**Legislation Committee:** Present: White, Chair; Scott, Vice Chair; Gordon, Westbrook, Rybka. Authorized Absence: Dolan, Johnson.

**Wednesday, February 26, 2003  
10:00 A.M.**

**Public Utilities Committee:** Present: Coats, Chair; O'Malley, Vice Chair; Brady, Zone, Cintron, Westbrook, Polensek, Sweeney, Jones.

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O—Ordinance; R—Resolution; F—File  
 Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;  
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