

The City Record

Official Publication of the Council of the City of Cleveland



February the Twenty-First, Two Thousand and Seven

Frank G. Jackson
Mayor

Martin J. Sweeney
President of Council

Emily Lipovan
City Clerk, Clerk of Council

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

Ward	Name	Residence	
1	Nina Turner.....	16204 Sunny Glen Avenue	44128
2	Robert J. White	9703 Cardwell Avenue	44105
3	Zachary Reed	3734 East 149th Street	44120
4	Kenneth L. Johnson.....	2948 Hampton Road	44120
5	Phyllis E. Cleveland.....	2369 East 36th Street	44105
6	Patricia J. Britt.....	12402 Britton Drive	44120
7	Fannie M. Lewis.....	7416 Star Avenue	44103
8	Sabra Pierce Scott.....	1136 East 98th Street	44108
9	Kevin Conwell.....	10647 Ashbury Avenue	44106
10	Roosevelt Coats.....	1775 Cliffview Road	44112
11	Michael D. Polensek.....	17855 Brian Avenue	44119
12	Anthony Brancatelli.....	6924 Ottawa Road	44105
13	Joe Cimperman.....	3053 West 12th Street	44113
14	Joseph Santiago.....	3169 West 14th Street	44109
15	Brian J. Cummins.....	3104 Mapledale Avenue	44109
16	Kevin J. Kelley.....	6608 Woodhaven Avenue	44144
17	Matthew Zone.....	1228 West 69th Street	44102
18	Jay Westbrook.....	1278 West 103rd Street	44102
19	Dona Brady.....	1272 West Boulevard	44102
20	Martin J. Sweeney.....	3632 West 133rd Street	44111
21	Michael A. Dolan.....	16519 West Park Road	44111

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

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

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

DEPT. OF FINANCE – Sharon Dumas, Director, Room 104;
 Frank Badalamenti, Manager, Internal Audit
 DIVISIONS: Accounts – Richard W. Sensenbrenner, Commissioner, Room 19
 Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122
 City Treasury – Algeron Walker, Treasurer, Room 115
 Financial Reporting and Control – James Gentile, Controller, Room 18
 Information Technology and Services – Douglas Divish, Commissioner, 205 W. St. Clair Avenue
 Purchases and Supplies – James E. Hardy, Commissioner, Room 128
 Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue
 Taxation – Nassim Lynch, Tax Administrator, 205 W. St. Clair Avenue

DEPT. OF PUBLIC UTILITIES – Julius Ciaccia, Director, 1201 Lakeside Avenue
 DIVISIONS – 1201 Lakeside Avenue
 Cleveland Public Power – Ivan Henderson, Commissioner
 Street Lighting Bureau – _____, Acting Chief
 Utilities Fiscal Control – Dennis Nichols, Commissioner
 Water – John Christopher Nielson, Commissioner
 Water Pollution Control – Ollie Shaw, Commissioner

DEPT. OF PORT CONTROL – Ricky D. Smith, Director
 Cleveland Hopkins International Airport, 5300 Riverside Drive
 Burke Lakefront Airport – Khalid Bahur, Commissioner
 Cleveland Hopkins International Airport – Fred Szabo, Commissioner

DEPT. OF PUBLIC SERVICE – Jomarjie Wasik, Director, Room 113
 DIVISIONS: Architecture – Kurt Wiebusch, Commissioner, Room 517
 Engineering and Construction – Randall E. DeVaul, Commissioner, Room 518
 Motor Vehicle Maintenance, Daniel A. Novak, Commissioner, Harvard Yards Streets – Randall T. Scott, Commissioner, Room 25
 Traffic Engineering – Robert Mavec, Commissioner, 4150 East 49th Street, Building #1
 Waste Collection and Disposal – Ron Owens, Commissioner, 5600 Carnegie Avenue

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

DEPT. OF PUBLIC SAFETY – Martin Flask, Director, Room 230
 DIVISIONS: Dog Pound – John Baird, Chief Dog Warden, 2690 West 7th Street
 Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive
 Fire – Paul A. Stubbs, Chief, 1645 Superior Avenue
 Police – Michael C. McGrath, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

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

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

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

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

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

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

DEPT. OF CONSUMER AFFAIRS – Angel Guzman, Director

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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WEDNESDAY, FEBRUARY 21, 2007

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CITY COUNCIL

MONDAY, FEBRUARY 19, 2007

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216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2006-2009

MONDAY—Alternating

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

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

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

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

MONDAY

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

TUESDAY

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

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

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

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

The following measure will be on its final passage at the next council meeting:

ORDINANCE

Ord. No. 195-07.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into an amendment to the Lease between the City of Cleveland and the Gordon Square Homes, L.P. and Detroit Commercial Limited Partnership for a public parking facility located in the area of West 65th Street and Detroit Avenue.

BOARD OF CONTROL

February 14, 2007

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, February 14,

2007, at 10:30 a.m. with Director Triozzi presiding.

Present: Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Reilly, Fumich and Rybka.

Absent: Mayor Jackson and Director Guzman.

Others: Jim Hardy, Commissioner, Purchases and Supplies.

Debra Linn Talley, Director, Office of Equal Opportunity.

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

Resolution No. 65-07.

By Director Dumas.

Be it resolved by the Board of Control of the City of Cleveland that the bid of High Line Corporation, d.b.a. CASNET for an estimated quantity of document scanning services, items 1 through 6, for the Division of Taxation, for a period of one year, with three one-year options to renew, beginning with the date of execution of a contract, received on the 11th day of August, 2006, under the authority of Ordinance No. 647-06, passed May 1, 2006, which on the basis of the estimated quantity would amount to \$229,616.00, is affirmed and approved as the lowest and best bid, and the Director of Finance is requested to enter into requirement contract for such services, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 174525

which shall be certified against the contract in the sum of \$60,000.00.

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

Be it further resolved by the Board of Control of the City of Cleveland, that the employment of the following subcontractor by High Line Corporation, d.b.a. CASNET for the above-mentioned purchase is hereby approved:

Global Point Technologies
MBE — \$37,648.00 — 16.40%

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Reilly, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Guzman.

Resolution No. 66-07.

By Director Ciaccia.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of D.R.S. Enterprises, Inc. for the public improvement of labor and materials needed to construct and repair catch basins and manholes at various locations, base bid all items including a ten percent (10%) contingency allowance, for the Division of Water Pollution Control, Department of Public Utilities, received on September 21, 2006, under the authority of Section 129.291 of Codified Ordinances of Cleveland, Ohio 1976, upon a unit basis for the improvement to be performed as ordered during the period of one (1) year beginning with the date of execution of a contract, at the unit prices set forth in the bid, which on the basis of the estimated work to be done would amount to (\$294,244.50), is affirmed and approved as the lowest responsible bid, and the Director of Public Utilities is requested to enter into a requirement contract for the improvement, which contract shall provide for the initial performance of the following work:

Requisition No. 170457

which shall be certified against the contract in the sum of \$200,000.00.

The requirement contract shall further provide that the contractor will perform so much of the balance of the work as may be ordered under subsequent requisitions separately certified against the requirement contract, whether the same shall be less than the total estimate of work to be performed under the contract or shall exceed the same by not more than ten percent.

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

<u>SUBCONTRACTOR</u>	<u>WORK</u>
<u>MBE/FBE</u>	
North East Construction	
MBE	\$4,800.00 (1.63%)

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Reilly, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Guzman.

Resolution No. 67-07.

By Director Ciaccia.

Whereas, by Board of Control Resolution No. 584-06, adopted December 27, 2006, under authority of Ordinance No. 296-06, passed April 3, 2006, the City, through the Director of Public Utilities, selected Warner Diesel Filtration, LLC as the lowest and best bidder to provide an estimated quantity of labor and materials to provide off-road fossil fuel and supporting services (Option 2, Item 4), for the Division of Water, Department of Public Utilities; and

Whereas, Warner Diesel Filtration, LLC notified the City that they were unable to supply a perfor-

mance bond for a two year contract period; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 584-06, adopted by this Board December 27, 2006, approving Warner Diesel Filtration, LLC as the lowest and best bidder to provide an estimated quantity of labor and materials to provide off-road fossil fuel and supporting services (Option 2, Item 4), for the Division of Water, Department of Public Utilities, is amended by changing the contract term stated in the resolution to 1 year, and the dollar amount to \$36,000.00, where appearing, and by changing (Option 2, Item 4) to (Option 1, Item 4).

Be it further resolved that all other provisions of Resolution No. 584-06 not expressly amended above shall remain unchanged, and in full force and effect.

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Reilly, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Guzman.

Resolution No. 68-07.

By Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Ferguson Enterprises, Inc. for an estimated quantity of service fittings (items 1-48 and 51-54) for the Division of Water, Department of Public Utilities, for a period of one (1) year, received on December 29, 2006, under the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$144,924.70 (0%, Net 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the commodities, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 177025

which shall be certified against the contract in the sum of \$35,000.00.

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

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Reilly, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Guzman.

Resolution No. 69-07.

By Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Fisher Scientific Company, LLC for an estimated quantity of laboratory equipment, testing and analytical services, biological and chemical testing supplies, apparatus and appurtenances, items 1A-1M, 2A-2AJ and 3A-3L, for the Division of Water, Department

of Public Utilities, for a period of two years starting upon the later of execution of the contract or the day following expiration of the currently effective contract for the goods or services, received on December 15, 2006, under the authority of Section 129.28 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$144,000.00 (0%), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the commodities, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 177055

which shall be certified against such contract in the sum of \$35,000.00.

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

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Reilly, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Guzman.

Resolution No. 70-07.

By Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that the bid of O. E. Meyer Co. for an estimated quantity of laboratory equipment, testing and analytical services: biological and chemical testing supplies, apparatus and appurtenances, items 4A-4J, for the Division of Water, Department of Public Utilities, for a period of two years starting upon the later of execution of the contract or the day following expiration of the currently effective contract for the goods or services, received on December 15, 2006, under the authority of Section 129.28 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$10,601.00 (2%, 10 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the commodities, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 177053

which shall be certified against such contract in the sum of \$10,601.00.

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

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Reilly, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Guzman.

Resolution No. 71-07.

By Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Siemens Water Technologies Corp. for an estimated quantity of laboratory equipment, testing and analytical services: biological and chemical testing supplies, apparatus and appurtenances, items 6A-6M, for the Division of Water, Department of Public Utilities, for a period of two years starting upon the later of execution of the contract or the day following expiration of the currently effective contract for the goods or services, received on December 15, 2006, under the authority of Section 129.28 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$11,692.00 is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the commodities, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 177056

which shall be certified against such contract in the sum of \$11,692.00.

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

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Reilly, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Guzman.

Resolution No. 72-07.

By Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that the bid of BissNuss, Inc. for an estimated quantity of laboratory equipment, testing and analytical services: biological and chemical testing supplies, apparatus and appurtenances, item 5, for the Division of Water, Department of Public Utilities, for a period of two years starting upon the later of execution of the contract or the day following expiration of the currently effective contract for the goods or services, received on December 15, 2006, under the authority of Section 129.28 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$34,176.00 (0%, 0 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the commodities, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 177054

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

The requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for the commodities,

whether more or less than the estimated quantity, as may be ordered under subsequent requisitions separately certified against the contract.

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Reilly, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Guzman.

Resolution No. 73-07.

By Director Ciaccia.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on December 29, 2006, for an estimated quantity of service fittings (items 49 and 50), for the Division of Water, Department of Public Utilities, under the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, are rejected.

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Reilly, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Guzman.

Resolution No. 74-07.

By Director Wasik.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Cleveland Freightliner DBA Valley Sterling, Freightliner, Western Star, Inc. for an estimated quantity of cab/chassis with 16-cubic yards sewer cleaner bodies (all items), for the various divisions of City government, for the period of one year beginning with the date of execution of a contract, received on September 27, 2006, under the authority of Ordinance No. 1481-04, passed by the Council of the City of Cleveland on October 11, 2004, which on the basis of the estimated quantity would amount to \$227,137.00 (Net-30), is affirmed and approved as the lowest and best bid, and the Director of Public Service is requested to enter into a requirement contract for the goods and/or services, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 161875

which shall be certified against the contract in the sum of \$227,137.00.

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

Be it further resolved that according to Section 181.25(a) of the Codified Ordinances of Cleveland, Ohio, 1976, the informality and irregularity of the insufficiency of the bid check submitted by Cleveland Freightliner DBA Valley Sterling, Freightliner, Western Star, Inc. in the amount of \$11,257.00, which is less than the 10% of the amount required under 181.24 C.O., is waived for the reason that such waiver is in the public interest.

Be it further resolved by the Board of Control of the City of Cleveland

that the employment of the following subcontractor by Cleveland Freightliner DBA Valley Sterling, Freightliner, Western Star Inc. for the above-mentioned purchase is hereby approved:

All Points Systems, Ltd.
\$2,800.00 per unit — 1.23%

Jack Doheny Supplies Ohio
\$115,000.00 per unit — 50.63%

Logical Services, Inc.
\$700.00 per unit — 0.31 %

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Reilly, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Guzman.

Resolution No. 75-07.

By Director Wasik.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Baker Vehicle Systems, Inc. for an estimated quantity of 8' salt inserts (all items), for the various divisions of City government, for the period of one year beginning with the date of execution of a contract, received on December 1, 2006, under the authority of Ordinance No. 887-06, passed by the Council of the City of Cleveland on August 9, 2006, which on the basis of the estimated quantity would amount to \$20,998.08 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Service is requested to enter into a requirement contract for the goods and/or services, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 161884

which shall be certified against the contract in the sum of \$20,998.08.

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

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Reilly, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Guzman.

Resolution No. 76-07.

By Director Wasik.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Valley Ford Truck, Inc. for an estimated quantity of bridge oiler vehicles, for the various divisions of City government, for the period of one year beginning with the date of execution of a contract, received on December 1, 2006, under the authority of Ordinance No. 887-06, passed by the Council of the City of Cleveland on August 9, 2006, which on the basis of the estimated quantity would amount to \$52,517.00 (0%-Net-30), is affirmed and approved as the lowest and best bid, and the Director of Public Service is requested to enter into

a requirement contract for the goods and/or services, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 161877 which shall be certified against the contract in the sum of \$52,517.00.

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Valley Ford Truck, Inc. for the above-mentioned purchased are approved:

CB, Acquisitions, LLC, d.b.a.
The Carnegie Body Company
\$28,788.00 per unit — 54.82%

Logical Services, Inc.
MBE — \$875.00 per unit — 1.67%

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Reilly, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Guzman.

Resolution No. 77-07.

By Director Wasik.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Baker Vehicle Systems, Inc. for an estimated quantity of trucksters utility (all items), for the various divisions of City government, for the period of one year beginning with the date of execution of a contract, received on December 1, 2006, under the authority of Ordinance No. 887-06, passed by the Council of the City of Cleveland on August 9, 2006, which on the basis of the estimated quantity would amount to \$32,227.48 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Service is requested to enter into a requirement contract for the goods and/or services, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 161876 which shall be certified against the contract in the sum of \$32,227.48.

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

Yeas: Directors Triozzi, Dumas, Ciaccia, Smith, Wasik, Carroll, Flask, Cox, Rush, Hutchinson, Reilly, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Guzman.

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 5, 2007

9:30 A.M.

Calendar No. 07-19: Violation Notice - 1208 East 55th Street (Ward 13)

North Coast Ferrous Supply, Inc. and Albert Newyear appeal under the authority of the Section 76-6 of the Cleveland City Charter and Section 329.02(d) of the Codified Ordinances from a Notice of Violation issued by the Department of Building and Housing on January 9, 2007 for failure to comply with the Zoning Regulations of Section 347.06 of the Codified Ordinances.

Calendar No. 07-22: 1860 East 55th Street (Ward 7)

Yoav Golan, owner, appeals to erect a 4,000 square foot addition to an existing one-story retail building, proposed to be situated on an 85' x 101' consolidated corner parcel located in a Semi-Industry District on the southwest corner of East 55th Street and Hough Avenue at 1860 East 55th Street; contrary to the Off-Street Parking and Loading Requirements, no accessory off-street parking is proposed for the addition and one space is required for every 500 square feet of the new addition, which equals an additional 8 accessory off-street parking spaces that are required, according to the provisions in Section 349.04(f) of the Codified Ordinances.

Calendar No. 07-23: 10532 St. Clair Avenue (Ward 8)

Glenville Development Corporation, owner, and Darren Harris appeal to a one-story retail store building on an 80.54' x 151.02' corner parcel in a Local Retail Business District on the southeast corner of St. Clair Avenue and Parkwood Drive at 10532 St. Clair Avenue; contrary to Section 357.05(a) a 3'-4" side yard is provided where a 5' side yard is required and a 4' side yard at the rear one-third portion of the lot is contrary to Section 357.05(b)(1) that requires 10' and a 6' wide frontage landscaped strip providing 50% year-round opacity is required along Parkwood Drive, according to the provisions of Section 352.11 of the Codified Ordinances.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

TUESDAY, FEBRUARY 20, 2007

At the meeting of the Board of Zoning Appeals on Tuesday, February 20, 2007, the following appeals were heard by the Board.

The following appeals were **Approved:**

Calendar No. 07-11: 17218 Grovewood Avenue

Marlon Davis appealed to change a mixed use building from a store and dwelling units to a carryout restaurant and dwelling units in a Multi-Family District; subject to conditions.

Calendar No. 07-13: 2801 Martin Luther King Jr. Drive

The Cleveland Clinic Foundation appealed to install a 6' tall ornamental fence along the 30' front yard setback of an acreage parcel in a Residence Office District.

Calendar No. 06-255: 4974 Broadview Road

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

The following appeal was **Denied:**

None.

The following appeal was **Withdrawn:**

Calendar No. 07-12: 11005 Mt. Overlook Avenue

Clyde Kirby appealed to enclose a second floor porch of a two family dwelling in a Two-Family District.

The following appeal was **Dismissed:**

None.

The following appeal was **Postponed:**

Calendar No. 07-15: 4559-61 West 174th Street postponed to March 5, 2007.

The following appeal was held as **Pending:**

Calendar No. 06-252: 17149 St. Clair Avenue for results of legal proceedings.

In Executive Session on February 20, 2007, the following appeals heard by the Board on February 12, 2007 were ratified by the Board.

The following appeals were **Approved:**

Calendar No. 07-10: 4837 State Road Bogdan One, LLC appealed to install 40 linear feet of an 8' high ornamental fence at the south and along the east side of a corner parcel in a Local Retail Business District.

Calendar No. 06-253: 2808 Van Aken Boulevard

Alan Applegate appealed to erect a two car garage to a three-story multiple family building in a Multi-Family District.

The following appeal was **Denied:**

Calendar No. 07-8: Appeal of Mario Grgic - Building Permit Revocation - 17506 Harland Avenue

Mario Grgic appealed from a permit revocation notice issued by the Deputy Director of the Building and Housing Department for installation of a boiler at 17506 Harland Avenue.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of February 7, 2007

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

* * *

Docket A-125-06.

RE: Appeal of Larry Pinter, Owner of the One Story Frame General Industry Property located on the premises known as 7902 Bessemer Avenue from a NOTICE OF VIOLATION - GENERAL MAINTENANCE of the Director of the Department of Building and Housing, dated October 11, 2006, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to note that the Appellant is not present and claims that he is not the owner or responsible party for this property; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr.

Bradley and seconded by Mr. Gallagher.

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

* * *

Docket A-127-06.

RE: Appeal of Christopher R. Moore, Owner of the Two Dwelling Units Two Family Residential Property located on the premises known as 3505 Woodbine Avenue from a NOTICE OF VIOLATION - EXTERIOR MAINTENANCE of the Director of the Department of Building and Housing, dated October 17, 2006, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant four (4) months in which to complete abatement of the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

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

* * *

Docket A-131-06.

RE: Appeal of Blue Investment Group, LLC, Owner of the Property located on the premises known as 9212 Madison Avenue from a NOTICE OF VIOLATION - EXTERIOR MAINTENANCE of the Director of the Department of Building and Housing, dated November 15, 2006, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant six (6) months in which to abate the violations on the property, with the provision that the property be repaired and maintained in a safe condition in the interim, noting that this resolution is dependent upon a report from the inspector ensuring the condition of the property. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Bradley.

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

* * *

Docket A-132-06.

RE: Appeal of HRC-Harry & Co., LLC, Owner of the Two Story Masonry Walls/Wood Floors General Industry Property located on the premises known as 2696 48 Place from a 30 DAY CONDEMNATION ORDER of the Director of the Department of Building and Housing, dated November 17, 2006, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-132-06 has been WITHDRAWN at the request of the Appellant, noting that the property has been demolished; therefore, no ac-

tion required by the Board at this time.

* * *

Docket A-6-07.

RE: Appeal of Kelly Ali, Owner of the One Dwelling Unit single Family Residential Property located on the premises known as 799 East 155th Street from a 30 DAY FIRE DAMAGE REPAIR - MS of the Director of the Department of Building and Housing, dated November 6, 2006, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant six (6) months in which to abate all the violations on the property; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Gallagher.

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

* * *

Docket A-7-07.

RE: Appeal of MCM Warehouse, Owner of the Property located on the premises known as 1032 Hartley Road from a NOTICE OF VIOLATION - FIRE CODE of the Chief of the Division of Fire, dated December 12, 2006, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to REMAND the property at 1032 Hartley Road to the Division of Fire for supervision and any required further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Gallagher.

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

* * *

Docket A-8-07.

RE: Appeal of Midfirst Bank, Mortgagee of the Two Dwelling Units Two & One/half Story Frame Residential Property located on the premises known as 1258 East 71st Street from a 30 DAY CONDEMNATION ORDER - MS of the Director of the Department of Building and Housing, dated December 1, 2006, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-8-07 has been POSTPONED; to be rescheduled for February 21, 2007.

* * *

Docket A-10-07.

RE: Appeal of Pat Campbell, Owner of the Property located on the premises known as 17119 Lorain Avenue from an ADJUDICATION ORDER of the Director of the Department of Building and Housing, dated January 21, 2007, requiring compliance with the Cod-

ified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to permit the windows to be installed as indicated with the provision that should a building be built on the adjacent property, the windows will be sealed up in conformance with the Code and to record this resolution with the property deed, with the recorder and the permanent parcel number. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Gallagher.

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

* * *

Docket A-11-07.

RE: Appeal of City Builders, Owner of the Property located on the premises known as 5504 Superior Avenue from a NOTICE OF VIOLATION — FIRE CODE of the Chief of the Division of Fire, dated October 27, 2006, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant the Certificate of Occupancy for the hardwired smoke detector suites, with the provision that fire escapes, a secondary means of egress, be repaired properly and that further occupancy of the building suites only proceed when they are hardwired and that a fire alarm system be installed within the next six (6) months; the property is REMANDED at this time to the Division of Fire for supervision and any required further action. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Bradley.

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

* * *

APPROVAL OF RESOLUTIONS:

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

- A-128-06—13612 Eaglesmere Avenue.
- A-1-07—Stone Bridge Building & Design.
- A-2-07—City of Cleveland-IX Center.
- A-3-07—Famous Realty.
- A-4-07—Jeffrey S. Kennedy.
- A-5-07—Dealer Tire, LLC.

Yeas: Messrs. Denk, Saunders, Bradley, Saab. Nays: None. Not Voting: Mr. Gallagher.

* * *

APPROVAL OF MINUTES:

Separate motions were entered by Mr. Bradley and seconded by Mr. Saunders for Approval and Adoption of the Minutes as presented by the Secretary, subject to the Codified Ordinances of the City of

Cleveland and the Ohio Building Code (OBC):

January 24, 2007

Yeas: Messrs. Denk, Saunders, Bradley, Saab. Nays: None. Not Voting: Mr. Gallagher.

* * *

Secretary

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

**Notice of Public Hearing
By the Council Committee
On City Planning**

**Mercedes Cotner
Committee Room 217
City Hall, Cleveland, Ohio
On Wednesday, February 28, 2007
1:00 p.m.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Wednesday, February 28, 2007, at 1:00 p.m., to consider the following ordinances now pending in the Council:

Ord. No. 1972-06

By Council Member Britt.
An ordinance to change the Use, Area and Height Districts of property bounded by Quincy Avenue, East 93rd Street and East 89th Street to a Residence Office District, a 'C' Area District and a '2' Height District (Map Change No. 2204, Page 5).

Ord. No. 59-07.

By Council Members Cimperman and Zone.
An emergency ordinance establishing the Ohio City Historic District (Map Change No. 2208, Sheet No. 1) and Repealing Ordinance No. 708-04 Passed May 17, 2004 and Ordinance No. 74-05 Passed March 21, 2005.

Ord. No. 208-07.

By Council Member Cimperman.
An emergency ordinance to supplement the Codified Ordinances by enacting new Sections 336.01 to 336.05 relating to the Urban Garden District.

All interested persons are urged to be present or to be represented at the above time and place.

Joseph C. Cimperman
Chairman
Committee on City Planning

February 14, 2006 and February 21, 2007

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

Where invitations for bids are advertised, the following notice shall be included in the advertisement: "Pursuant to the MBE/FBE Code, each prime bidder, each minority business enterprise ("MBE") and each female business enterprise ("FBE") must be certified before doing business with the City. Therefore, any prime contractor wishing to receive credit for using an MBE or FBE should ensure that applications for certification as to MBE or FBE status compliance with the Code, affirmative action in employment and, if applicable, joint venture status, are submitted to the Office of Equal Opportunity ("OEO") prior to the date of bid opening or submission of proposals or as specified by the Director. Failure to comply with the business enterprise code or with representations made on these forms may result in cancellation of the contract or other civil or criminal penalties."

WEDNESDAY, MARCH 7, 2007

13.8kV Distribution Transformers, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING WEDNESDAY, FEBRUARY 28, 2007 AT 10:00 A.M., CLEVELAND PUBLIC POWER, 1300 LAKE-SIDE AVENUE CLEVELAND, OHIO 44114.

February 14, 2007 and February 21, 2007

THURSDAY, MARCH 8, 2007

2007-8 Contractual Repair of Water Mains, Fire Hydrants, Valves, Service Connections and Appurtenances Area A, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1018-05, passed by the Council of the City of Cleveland, August 3, 2005.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, FEBRUARY 22, 2007 AT 2:30 P.M., CARL B. STOKES PUBLIC UTILITIES BUILDING, 5TH FLOOR, ENGINEERING CONFERENCE ROOM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

2007-8 Contractual Repair of Water Mains, Fire Hydrants, Valves, Service Connections and Appurtenances Area B, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1018-05, passed by the Council of the City of Cleveland, August 3, 2005.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, FEBRUARY 22, 2007 AT 2:30 P.M., CARL B. STOKES PUBLIC UTILITIES BUILDING, 5TH FLOOR, ENGINEERING CONFERENCE ROOM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

2007-8 Contractual Repair of Water Mains, Fire Hydrants, Valves, Service Connections and Appurtenances Area C, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1018-05, passed by the Council of the City of Cleveland, August 3, 2005.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, FEBRUARY 22, 2007 AT 2:30 P.M., CARL B. STOKES PUBLIC UTILITIES BUILDING, 5TH FLOOR, ENGINEERING CONFERENCE ROOM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

2007-8 Contractual Repair of Water Mains, Fire Hydrants, Valves, Service Connections and Appurtenances Area D, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1018-05, passed by the Council of the City of Cleveland, August 3, 2005.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, FEBRUARY 22, 2007 AT 2:30 P.M., CARL B. STOKES PUBLIC UTILITIES BUILDING, 5TH FLOOR, ENGINEERING CONFERENCE ROOM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

Cleveland Browns Stadium Carpet Replacement 2007, for the Division of Architecture, Department of Public Service, as authorized by Ordinance No. 1266-06, passed by the Council of the City of Cleveland, September 25, 2006.

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

THERE WILL BE A **MANDATORY PRE-BID MEETING** THURSDAY, FEBRUARY 22, 2007 AT 2:00 P.M., CLEVELAND BROWNS

STADIUM, GATE A, 1085 WEST 3RD STREET, CLEVELAND, OHIO 44114.

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

February 14, 2007 and February 21, 2007

FRIDAY, MARCH 9, 2007

Clean and Maintain Scale Pits at the Ridge Road Scale House and Ridge Road Transfer Station, for the Division of Waste Collection and Disposal, Department of Public Service, as authorized by Ordinance No. 1858-06, passed by the Council of the City of Cleveland, December 11, 2006.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** MONDAY, FEBRUARY 26, 2007 AT 10:00 A.M., CLEVELAND DIVISION OF WASTE COLLECTION, ADMINISTRATIVE OFFICE, 5600 CARNEGIE AVENUE, CLEVELAND, OHIO 44103.

February 14, 2007 and February 21, 2007

THURSDAY, MARCH 15, 2007

Purchase of Electronic, for the Division of Parking Facilities, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1454-06, passed by the Council of the City of Cleveland, October 30, 2006.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** WEDNESDAY, FEBRUARY 28, 2007 AT 10:00 A.M., DIVISION OF PARKING FACILITIES, 2ND FLOOR, 500 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

February 14, 2007 and February 21, 2007

FRIDAY, MARCH 16, 2007

Runway 6R-24L Uncoupling, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 482-05, passed by the Council of the City of Cleveland, May 9, 2005.

THERE WILL BE A NON-REFUNDABLE FEE FOR PLANS/SPECIFICATIONS IN THE AMOUNT OF ONE HUNDRED DOLLARS (\$100.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.

THERE WILL BE A **MANDATORY PRE-BID MEETING** WEDNESDAY, FEBRUARY 28, 2007 AT 10:00 A.M., CLEVELAND HOPKINS INTERNATIONAL AIRPORT, ENGINEERING BUILDING, 19501 FIVE POINTS ROAD, CLEVELAND, OHIO 44135.

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

February 14, 2007 and February 21, 2007

WEDNESDAY, MARCH 21, 2007

Biological and Chemical Testing Supplies, Apparatus and Appurtenances, for the Division of Water, Department of Public Utilities, as authorized by Section 129.28 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** TUESDAY, MARCH 6, 2007 AT 2:30 P.M., CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

February 14, 2007 and February 21, 2007

FRIDAY, MARCH 9, 2007

Sewer Test Tee Inspection, Installation and Snaking, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 541.13 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **MANDATORY PRE-BID MEETING** FRIDAY, MARCH 2, 2007 AT 11:00 A.M., 12302 KIRBY AVENUE, RED CONFERENCE ROOM, CLEVELAND, OHIO 44108.

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

February 21, 2007 and February 28, 2007

WEDNESDAY, MARCH 14, 2007

Water Pollution Control Building Phase II - Women's Locker Room Renovation, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 597-03, passed by the Council of the City of Cleveland, July 16, 2003.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, MARCH 2, 2007 AT 11:30 A.M., 12302 KIRBY AVENUE, RED CONFERENCE ROOM, CLEVELAND, OHIO 44108.

February 21, 2007 and February 28, 2007

THURSDAY, MARCH 15, 2007

Ammunition, for the Division of Police, Department of Public Safety, as authorized by Section 135.065 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, MARCH 1, 2007 AT 10:00 A.M., OUTDOOR RANGE, 3700 WEST 58TH STREET, CLEVELAND, OHIO 44102.

February 21, 2007 and February 28, 2007

FRIDAY, MARCH 16, 2007

Estimated Quantity of Fourteen (14) 4x4 SUV Hybrids, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 887-06, passed by the Council of the City of Cleveland, August 9, 2006.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** TUESDAY, MARCH 6, 2007 AT 10:30 A.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, BUILDING #1, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

Towing Services, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 501-06, passed by the Council of the City of Cleveland, May 1, 2006.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** TUESDAY, MARCH 6, 2007 AT 10:00 A.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, BUILDING #1, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

February 21, 2007 and February 28, 2007

**ADOPTED RESOLUTIONS
AND ORDINANCES**

Res. No. 260-07.

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

An emergency resolution supporting the Employment Affirmative Action & Training Committee to hold public hearings to review the use of "front" organizations by majority contractors, a review of the "front" organization penalties to determine if the penalties are appropriate in light of the recent investigations and the policies and procedures in place to prevent abuses of the Minority Business and Female Business Code in the future

Whereas, the Office of Equal Opportunity reviews information submitted by contractors to determine compliance with the Chapter 187 of the Codified Ordinances (the Minority Business and Female Business Enterprise Code); and

Whereas, the Committee on Employment, Affirmative Action and Training is responsible for reviewing matters pertaining to the formulation and monitoring of job participation linkage for publicly funded development projects and for oversight of affirmative action policies, certification of minority and female business enterprises and contract compliance with affirmative action goals; and

Whereas, as a result of this testimony, the Employment, Affirmative

Action and Training Committee urged the Administration to investigate the allegations and enhance its monitoring and enforcement of the Minority Business and Female Business Enterprise Code; and

Whereas, City Council, in June of 2003, approved amendments, sponsored by Council Members Lewis and Jackson, to the Minority Business and Female Business Enterprise Code that, for the first time, defined a "front" organization and prohibited a subcontractor from serving as a "front" organization and prohibited the use of "front" organizations by general contractors and subcontractors; and

Whereas, investigations into allegations regarding the use of "front" organizations on a public improvement contract at Cleveland Hopkins International Airport were recently released; and

Whereas, the Compliance Enforcement Administrator for the Office of Equal Opportunity is recommending the maximum penalty allowed by the Codified Ordinances for entities that engaged in "front" organization activities; and

Whereas, after the findings are completed the Office of Equal Opportunity should forward the findings to the appropriate offices for proper legal dispensation; and

Whereas, the maximum period of disqualification for participating in a City contract is two (2) years; and

Whereas, this Council is committed to eliminating the use of "front" organizations and efforts to circumvent the Codified Ordinances governing minority and female participation on contracts; and

Whereas, it is appropriate for the Employment, Affirmative Action, and Training Committee to conduct hearings to review the recently issued findings of the investigation on the use of "front" organizations on a public improvement contract, review the legal penalties as set forth in Chapter 187 of the Codified Ordinances to determine if the penalties are appropriate, and review the policies and procedures in place to prevent similar abuses of the Minority Business and Female Business Enterprise Code in the future; 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 supports the Employment, Affirmative Action & Training Committee to hold public hearings reviewing the investigations into "front" organization activity on public improvement contracts, a review of the "front" organization penalties to determine if the penalties are appropriate, and review the policies and procedures in place to prevent similar abuses of the Minority Business and Female Business Code.

Section 2. That the Clerk of Council is hereby requested to submit a

certified copy of this resolution to the Mayor of the City of Cleveland and the Director of the Office of Equal Opportunity.

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

Adopted February 12, 2007.

Effective February 16, 2007.

Res. No. 263-07.

By Council Member Cleveland.
An emergency resolution withdrawing objection to the renewal of a C1 Liquor Permit at 6206 Woodland Avenue, and repealing Resolution No. 1306-06, objecting to said renewal.

Whereas, this Council objected to a C1 Liquor Permit to Unigo, Inc., DBA Woodland Savmor, 6202 Woodland Avenue by Resolution No. 1306-06 adopted by the Council on August 9, 2006; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said 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 a C1 Liquor Permit to Unigo, Inc., DBA Woodland Savmor, 6206 Woodland Avenue, Cleveland, Ohio 44104, Permanent Number 9152915 be and the same is hereby withdrawn and Resolution No. 1306-06, 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.

Adopted February 12, 2007.

Effective February 16, 2007.

Res. No. 264-07.

By Council Member Conwell.
An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit at 11625 Superior Avenue, and repealing Resolution No. 1312-06, objecting to said renewal.

Whereas, this Council objected to a C1 and C2 Liquor Permit to 11625 Superior Avenue by Resolution No. 1312-06 adopted by the Council on

August 9, 2006; and

Whereas, this Council wishes to withdraw its objection to the above renewal and consents to said 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 a C1 and C2 Liquor Permit to Super Drive Thru, Inc., 11625 Superior Avenue, Cleveland, Ohio 44106, Permanent Number 8699981 be and the same is hereby withdrawn and Resolution No. 1312-06, 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.

Adopted February 12, 2007.

Effective February 16, 2007.

Res. No. 265-07.

By Council Member Conwell.

An emergency resolution withdrawing objection to a New C1 Liquor Permit at 12333 Superior Avenue and repealing Resolution No. 2019-06, objecting to said permit.

Whereas, this Council objected to a New C1 Liquor Permit to 12333 Superior Avenue by Resolution No. 2019-06 adopted by the Council on November 27, 2006; and

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

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

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

Section 1. That objection to a New C1 Liquor Permit to 12333, Inc., DBA Superior Food Mart, 12333 Superior Avenue, Cleveland, Ohio 44106, Permanent Number 6555110, be and the same is hereby withdrawn and Resolution No. 2019-06, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

from and after the earliest period allowed by law.

Adopted February 12, 2007.

Effective February 16, 2007.

Res. No. 266-07.

By Council Member Santiago.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 2700 West 25th Street, Unit B & C, and repealing Resolution No. 205-07 objecting to said transfer.

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to 2700 West 25th Street, Unit B & C, Cleveland, Ohio 44113, Permanent No. 9115333, by Resolution No. 205-07 adopted by the Council on February 5, 2007; and

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

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

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

Section 1. That objection to a C1 and C2 Liquor Permit to 2700 West 25th Street, Inc., DBA Sun Valley Beverage, 2700 West 25th Street, Unit B & B, Cleveland, Ohio 44113, Permanent No. 9115333 be and the same is hereby withdrawn and Resolution No. 205-07, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted February 12, 2007.

Effective February 16, 2007.

Ord. No. 258-07.

By Council Member Sweeney.

An emergency ordinance to amend Section 2 of Ordinance No. 206-06, passed February 6, 2006 related to a professional services contract or contracts with Fathom IT Solutions, Inc. for Cleveland City Council.

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

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

Section 1. That Section 2 of Ordinance No. 206-06 passed February 6, 2006 is hereby amended to read as follows:

Section 2. That the cost of said contract or contracts shall be payable from Fund No. 11006 or 01-01001-010100-632000.

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

Passed February 12, 2007.

Effective February 16, 2007.

Ord. No. 262-07.

By Council Member Lewis.

An emergency ordinance authorizing Director of Community Development to enter into a grant agreement with Lexington Bell Community Center for their Fatherhood Action Initiative and Training Haven program in order to carry out the public purpose of providing educational programming to the residents of the City of Cleveland through the use of Ward 7 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. Director of Community Development is authorized to enter into a grant agreement with Lexington Bell Community Center for their Fatherhood Action Initiative and Training Haven program in order to carry out the public purpose of providing educational programming to the residents of the City of Cleveland through the use of Ward 7 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$15,000 and shall be paid from Fund No. 10 SF 166.

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

Passed February 12, 2007.

Effective February 16, 2007.

**COUNCIL COMMITTEE
MEETINGS**

**Tuesday, February 20, 2007
GENERAL FUND BUDGET HEARINGS
10:30 a.m.**

Finance Committee: Present: Sweeney, Chair; Cimperman, Vice Chair; Brady, Britt, Conwell, Zone, Westbrook, Brancatelli, Coats, White. *Authorized Absence:* Pierce Scott.

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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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